PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
July 23, 2025

The Planning Commission of Park City, Utah, will hold its regular meeting in person at the Park City Library, Community Room, at 1255 Park Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.
Zoom Link: https://us02web.zoom.us/j/87087333912

SITE VISIT 4:30 PM

Site Visit – The Planning Commission will Conduct a Site Visit at 10206 Twisted Branch Road, 8946 Marsac Avenue, and 9401 Marsac Avenue.

MEETING CALLED TO ORDER AT 6:00 PM

1. ROLL CALL

2. MINUTES APPROVAL

2.A. Consideration to Approve the Planning Commission Meeting Minutes from June 25, 2025

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. CONTINUATION

5.A. **301 Marsac Avenue – Plat Amendment** – The Applicant Proposes Creating a 3,750-Square-Foot Lot to Construct a New Single-Family Dwelling on Very Steep Slopes in the Historic Residential - 1 Zoning District. PL-23-05947
(A) Public Hearing; (B) Continue to August 13, 2025

6. REGULAR AGENDA

6.A. **General Plan** – The Planning Commission Will Review and Provide input on the Draft Recommendations for the Updated General Plan. For Project Information, Please Visit www.engageparkcity.org/generalplan. PL-24-06358 (90 mins.)
(A) Public Hearing; (B) Continuation

6.B. **10206 Twisted Branch Road – Subdivision** – The Applicant Proposes to Create a One-Lot, 2.83-Acre Subdivision in the Recreation and Open Space Zoning District and Sensitive Land Overlay. PL-23-05073 (10 mins.)
(A) Public Hearing; (B) Action

6.C. **10206 Twisted Branch Road – Conditional Use Permit** – The Applicant Proposes to Construct a 2,862-square-foot private Restaurant with a 2,807-square-foot patio for Outdoor Dining as Contemplated in Section 2.6 of the Amended Flagstaff Development Agreement. PL-24-06370 (30 mins.)
(A) Public Hearing; (B) Action

6.D. The Applicant Proposes Three Applications to (I) Modify the Village at Empire Pass Master

Planned Development to Establish Volumetrics for Four Dwelling Units in a Multi-Unit Dwelling on the "R-5 Parcel" (PL-25-06522), (II) Create One 1.58-acre Lot at 8946 Marsac Avenue for Four Dwelling Units in a Multi-Unit Dwelling to Be Known as the Argus (R-5) Subdivision (PL-25-06523), and (III) Create Three Lots for Three Single-Family Dwellings, One 1.52-acre Lot for the Park City Municipal Water Tank, a 1.18-acre Open Space Parcel A for the Mid-Mountain Trailhead, and a 0.97-acre Common Area Open Space Parcel B at 9401 Marsac Avenue (PL-25-06547). (45 mins.)

8946 Marsac Avenue – Master Planned Development Modification – The Applicant Proposes to Modify the Volumetrics for Pod A in Empire Pass Village and Establish the "R-5 Parcel" and "the Water Tank Parcel" as Development Sites and an Amendment to the Amended and Restated Development Agreement for the Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel and Iron Mountain. PL-25-06522
(A) Public Hearing; (B) Continue to August 13, 2025

6.E. **8946 Marsac Avenue – Plat Amendment** – The Applicant Proposes to Create a1.58-acre Lot for Four Dwelling Units in One Multi-Unit Dwelling. PL-25-06523 (5 mins.)
(A) Public Hearing; (B) Continue to August 13, 2025

6.F. **9401 Marsac Avenue – Subdivision** – The Applicant Proposes to Create Three Lots for Three Single-Family Dwellings, a Lot for the Park City Municipal Corporation Water Tank, and a Parcel for the Mid Mountain Trailhead Parking Lot. PL-25-06547 (5 mins.)
(A) Public Hearing; (B) Continue to August 13, 2025

6.G. **301 Marsac Avenue – Steep Slope Conditional Use Permit** – The Applicant Proposes Constructing a 4,103-square-foot Single-Family Dwelling on Very Steep Slopes in the Historic Residential-1 Zoning District. PL-23-05946 (15 mins.)
(A) Public Hearing; (B) Continue to August 13, 2025

7. ADJOURNMENT

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

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

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

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 25, 2025

COMMISSIONERS IN ATTENDANCE: Chair Christin Van Dine, Laura Suesser (attending virtually), John Frontero, Rick Shand, Bill Johnson, Henry Sigg, Grant Tilson

EX OFFICIO: Rebecca Ward, Planning Director; Nannette Larsen, Senior Planner; Elissa Martin, Planning Project Manager; Jaron Ehlers, Planner I; Lillian Zollinger, Planner III; Steven Dennis, Capital Projects Manager; Alec Barton, Senior Planner

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1. ROLL CALL

Chair Christin Van Dine called the Planning Commission Meeting to order at 5:30 p.m. All Commissioners are present with the exception of Commissioner Bill Johnson, who will join the meeting later on. Commissioner Laura Suesser is attending the meeting virtually.

2. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Chair Van Dine disclosed that she has family members who have been working on Item 5B on the meeting agenda, which is for Treasure Mountain Junior High School and Park City High School. She has not discussed the application with them in detail, and it will not impact the Commission discussions on the item. There were no additional disclosures.

A. SR-224 Bus Rapid Transit and Re-Create 248 Study Staff Communications.

Planning Director, Rebecca Ward, reported that there are a few Staff Communications to share with the Planning Commission. The Draft General Plan is now available for public review. It is posted on the project website, which is engageparkcity.org. There is an online questionnaire that is available for community members until July 31, 2025. The Draft General Plan is scheduled to go before the Historic Preservation Board on Monday for a public hearing on the historic preservation components of the plan. It will return to the Planning Commission on July 9, 2025, for a public hearing. The consultant team will travel to Park City tomorrow for a joint City Council and Planning Commission overview of the Draft General Plan. That presentation will occur in the Council Chambers.

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The Council Chambers will be under construction in late July and early August. As a result, the July 23, 2025, Planning Commission Meeting will take place in the Community Room at the library. The August 9, 2025, Planning Commission Meeting may also take place at the library. Director Ward stated that she will provide updates to the Commission.

Information included in the Meeting Materials Packet was mentioned. Director Ward explained that the Transportation Planning Team provided an update on Bus Rapid Transit for SR-224 and the Re-Create Corridor Study for SR-248. Director Ward next introduced the new Senior Planner, Nannette Larsen, who joined the Planning Team on June 13, 2025. Planner Larsen introduced herself to the Commission and explained that she was a Senior Planner in Salt Lake City for approximately eight years. Before working in Salt Lake City, she worked in West Jordan City for approximately four years. She is excited to work in Park City. Chair Van Dine welcomed Planner Larsen to the Staff.

Director Ward reminded those participating in the Planning Commission Meeting in Council Chambers or online that when public input is permitted, a full name must be stated for the record. Comments are limited to three minutes and should be directed to the Commission. She asked that comments be civil and address the item under review.

3. PUBLIC COMMUNICATIONS

There were no Public Communications.

4. WORK SESSION

A. 301 Marsac Avenue – Plat Amendment and Steep Slope Conditional Use Permit – The Applicant Proposes Creating a 3,750-Square-Foot Lot to Construct a New Single-Family Dwelling on a Very Steep Slope in the Historic Residential-1 - 1 Zoning District. Plat PL-23-05947, SSCUP PL-23-05946.

Planning Project Manager, Elissa Martin, explained that the Work Session item is related to 301 Marsac Avenue. This is a Plat Amendment and Steep Slope Conditional Use Permit ("SSCUP") application. 301 Marsac Avenue is Lot 1 and Lot 2 of Block 54 of the Amended Plat of Park City Survey. It is accessed from Marsac Avenue, which is Utah Department of Transportation ("UDOT") SR-224. The property has slopes that range between 90% and 100%. To the east of this parcel is 301 and 303 Ontario Avenue. The duplex there has a bit of the foundation and some decks encroaching on the 301 Marsac Avenue property. The Historic Residential – 1 ("HR-1") Zoning District maximum lot size is 3,750 square feet. The property exceeds that maximum at 4,875 square feet.

Director Ward reported that Commissioner Johnson has joined the meeting.

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Manager Martin reported that the proposed Plat Amendment would create one compliant 3,750 square foot lot. It would also dedicate a public right-of-way along Marsac Avenue where the property overlaps with the right-of-way. In addition, the plat would dedicate 431 square feet of Open Space where the encroachments are located. Manager Martin noted that the Staff recommendation is to plat the 431 square feet as a No Build Area instead of Open Space. The Plate Note would require that maintenance and repair of the encroachments continue for the 301 and 303 Ontario Avenue property, but if the structure was demolished, there would be no development in the dedicated No Build Area.

The applicant originally submitted plans for a duplex in October 2023, and there have been several iterations of the plan since then in an effort to work towards meeting the Land Management Code ("LMC") requirements for development on steep slopes and within the Historic District. The biggest shift in the proposal was the transition from a duplex to a single-family dwelling. This was a decision made by the applicant upon realizing that the size of the lot would shrink with the public right-of-way dedication being subtracted from the square footage. This, in turn, reduced the maximum building footprint allowed and decreased the overall square footage of the duplex. The most recent iteration of plans is for the single-family dwelling. Manager Martin shared a rendering of what is envisioned.

The HR-1 lot and site requirements were reviewed. Manager Martin reported that the HR-1 Zoning District has a maximum building footprint that is based on lot size. For this lot, the maximum building footprint is 1,519 square feet, and the proposed single-family dwelling meets the maximum lot size. However, when the April plans were submitted, an accessory building was added to the site, and that inclusion would exceed the maximum building footprint. The setbacks are determined by lot width and lot depth in the HR-1 Zoning District, and the proposed single-family dwelling will meet the setbacks.

HR-1 building height information was shared. The HR-1 Zone height is 27 feet from existing grade, but the current plans show that the roof over topo exceeds 27 feet from existing grade in some areas. That is something the applicant is aware of and is working to address. The interior height complies with the 35-foot maximum for the zone. The HR-1 Zone also requires a 10-foot horizontal step in the downhill façade, which is met with the deck that steps back. There is another requirement that the roof overhang be only 25% of the width of the entire length of the front, which is not currently met.

Manager Martin discussed the roof form and explained that there are three distinct roof forms on this structure. The roof pitch is compliant with the 7:12 standard. The contributing roof form must occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the structure. The measurements show this is not quite being met here with the roof form, so there will need to be a modification made.

As far as parking and the driveway access, the proposed two-car garage meets the minimum garage dimensions in the LMC. UDOT requires a 16-foot-wide driveway curb

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cut. Currently, the proposal is a little bit over that amount, but it would be possible to reduce that curb cut width to 16 feet. The driveway currently expands to 21.5 feet to access the two-car garage. The HR-1 Zoning District allows for expansion up to 22 feet once outside of the front setback. The depth of the lot is shallow, so the entire driveway is within the front setback. As a result, the applicant would need to request an exception from the Engineering Department on the expanded width in the front setback.

Manager Martin shared presentation slides related to the SSCUP criteria. She explained that the focus is on the criteria where the Planning Commission has discretion to require modifications. Information about terracing was shared. There are fairly large retaining walls being proposed, and currently there is no stepping with the grade shown. It also appears the cuts exceed the four vertical feet from existing grade, which is a requirement of the HR-1 Zone. As far as building form and scale, the current design provides that 10-foot step back where the deck is located, so it is somewhat stepping with the grade. The Planning Commission has discretion to require that the structure be broken into a series of smaller components that are compatible and step with the grade.

Information about dwelling volume was shared. Manager Martin explained that the Planning Commission may further limit volume to minimize visual mass and/or to mitigate differences in scale between a proposed structure and existing structures. The image in the presentation slides is the 3D rendering of the proposed dwelling within the context of the surrounding existing residences. The current design for the structure is 4,103 square feet and meets the HR-1 setback requirements. As for building height, the roof ridges are between 27.5 feet and 31 feet in height in some areas. There are other places where the roof meets the height requirement, so it would be a matter of stepping down some of the roof ridges to meet the existing grade height. The Commission has discretion to require a reduction in building height to minimize visual mass or mitigate differences in scale.

The purpose of the Work Session is not necessarily to discuss the HR-1 Zoning District standards. Manager Martin hopes the focus of the discussion will be on the Good Cause required for the Plat Amendment and feedback that is specific to the SSCUP criteria. She reminded the Commission that the SSCUP criteria includes the following:

- Building Form and Scale;
- Dwelling Volume;
- Building Height.

The applicant team is present at the Planning Commission Meeting and can share additional information. Commissioner Suesser would be supportive of carving out that rear portion of the property, but asked how that would reduce the lot size to be compliant with the HR-1 Zoning District requirements. She understands how the dedication of the Open Space would do that, but Staff seemed to be leaning towards a No Build Area. She wanted to understand how the No Build Area would reduce the lot size to be compliant. Manager Martin clarified that it would not necessarily change the way the lots are drawn

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on the plat, but the 431 square feet would simply be changed to a dedicated No Build Area. This would allow Lot 1 to be created at the compliant 3,750 square feet. Director Ward added that the maximum footprint would be based on the 3,750 square feet and would exclude the dedicated right-of-way and the No Build Area. Commissioner Suesser asked if the property currently has an Open Space dedication, which was denied.

Commissioner Rick Shand referenced the plans that were included in the Meeting Materials Packet. He is looking for the dimensions of the accessory dwelling unit ("ADU") and information about what is envisioned there. Manager Martin clarified that an ADU is not allowed to encroach into the side setback, so it is not an ADU that has been proposed, but an accessory building. That would be one of the Conditions of Approval included in the Final Action Letter. If the accessory building were to fit into the building footprint, there would be a Condition of Approval to state that it could not be a dwelling unit.

Commissioner Henry Sigg asked if there are plans for plumbing in the accessory building. Manager Martin stated that the applicant team would be able to answer that. Commissioner Sigg wanted to know if there is a minimum size requirement for an ADU that needs to be considered. Director Ward confirmed this, but because this is in the setback, it would not be allowed to be habitable. She reiterated that it would not be an ADU. Commissioner Sigg noted that there are still some encroachments that will occur, including a deck encroachment and a foundation encroachment. Manager Martin reported that the duplex that currently exists is a non-compliant structure, as it does not meet the lot setbacks. She pointed out the setback for the 301 Marsac Avenue lot that is being created and the new lot line. The non-compliant property is not being looked at as part of this application.

Commissioner John Frontero asked to speak to the applicant representative. Andrea Taylor introduced herself to the Planning Commission and explained that she is the Design Architect. She shared an image with the Commission and explained that the thick black line is the new property line and the dark gray is the Open Space parcel. The rear setback has been pushed as far back as possible to create space from the neighboring buildings. She stated that there is no encroachment issue on their foundation.

One of the renderings was shared with the Planning Commission. Commissioner Frontero pointed out the one-story building to the left and asked if that is the accessory building. This was confirmed. He asked what the intended use is for the accessory building. Ms. Taylor reported that the applicant plans for the accessory building to be used by the homeowners as a shed or something similar, such as a bicycle storage area. It will not be used as a dwelling unit. Commissioner Frontero pointed out that the accessory building will put this proposal over the maximum footprint, so that needs to be addressed. He feels that either the 234-feet needs to be removed from the main building or the accessory building needs to be removed from the plans. Commissioner Suesser agreed.

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Chair Van Dine stated that the items associated with the SSCUP are the most important. If those are not met, then there is no Good Cause. She understands that this is a steep lot and it will take some creativity to meet the requirements. However, as currently proposed, this is not an appropriate application of the SSCUP. She explained that there are not normally a lot of exceptions made when it comes to the SSCUP requirements. As a result, those issues need to be resolved. She agrees with the comments made about the accessory building. If it does not meet the square footage, then it cannot be added.

Commissioner Johnson echoed the comments made. He does not find that the proposal currently complies with Criteria 1, 2, 4, 5, 6, or 8 in 15-2.2-6 – Development on Steep Slopes. When thinking of ways to mitigate and condition this application, he believes there would need to be a whole new design presented to find that the criteria are met.

Commissioner Grant Tilson does not believe the current version of the proposal complies with the SSCUP criteria. He referenced the non-terraced retaining walls and feels the design would need to be changed in order to comply with the steep slope requirements.

Commissioner Suesser believes a missing component has to do with the top roof deck area that shows the rear retaining wall and the fact that there is no terracing anticipated with this proposal. She would recommend that the applicant remove that top deck and create terracing there. She also feels it makes sense to remove the accessory building. Commissioner Suesser pointed out that this application has slopes of 90% to 100%. She is not certain that this application will be able to come into compliance due to the topography. The very steep slopes will make it difficult to meet the SSCUP criteria.

Chair Van Dine asked if there is any other feedback Staff would like to hear from the Planning Commission. Manager Martin suggested that the applicant representative be provided time to present. Chair Van Dine requested that the presentation be concise because the Planning Commission has already stated what is needed to move forward.

Ms. Taylor reported that the client is designing this in accordance with neighborhood compatibility, height, scale, mass, and bulk. The project is being located as low as possible with the least amount of visual impact, and it will be stepped within the topography. She explained that the intention is to make it as low as possible to mitigate impacts on the neighbors. There is a desire to create a home that embraces the character and scale of the Historic District. She added that the design accommodates the encroachment of the neighboring homes on the parcel line. Ms. Taylor presented an updated model to the Planning Commission and explained that a lot of the Staff comments were taken into account. Some of the modeling of the terracing is not built in at this time, but there was never an intention to have a completely vertical retaining wall. The retaining wall will be stepped back as much as possible, and it will be vegetated where needed.

The height of the building has been lowered based on the recommendation from the Civil Engineer, because the site slopes in two ways. Ms. Taylor explained that the building will

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be located as low as possible to accommodate drainage. The proposal is now well below the 27-foot requirement for the zone. As for the accessory building, the client was informed that it was not included in the maximum, so that is something that can be taken into account and revised. Chair Van Dine thanked the representative for the information. Staff has taken note of the comments so far and understands where this project needs to be before it comes back to the Planning Commission for formal consideration.

5. REGULAR AGENDA

A. 685 and 715 Saddle View Way – Condominium Plat Amendment – The Applicant Proposes to Amend the Saddle Condominiums Phase One Plat for Unit 6 and Unit 9 to Construct a 318-Square-Foot Addition. PL-25-06508.

Planner I, Jaron Ehlers, presented the Staff Report and explained that the application is for a Condominium Plat Amendment at 685 and 715 Saddle View Way. The original plat was recorded in 1981. In 2024, the Planning Commission approved a similar Condominium Plat Amendment adding 300 square feet to Unit 11. Planner Ehlers shared images of the proposed plat. The applicant proposes a 318 square foot addition to the first floor of each unit, including 228 square feet of livable space and 90 square feet of crawl space. The proposed additions will increase the private area for each unit to 3,890 square feet. The proposal complies with the Residential Development ("RD") Zoning District requirements and Off-Street Parking requirements. There is Good Cause as the proposal does not result in visible external changes and no non-conformities are created. Staff recommends that the Planning Commission review the proposed Condominium Plat Amendment, conduct a public hearing, and consider approving the application.

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

Commissioner Shand asked to review Page 2 of the Staff Report. Currently, the left-hand image shows Level Three, and then there is another space below. He wanted to know if the space below sits on the ground or if it is elevated. Planner Ehlers noted that it appears to be elevated. Commissioner Shand asked if there would be some excavation underneath Level Two. Megan Blosser from Alliance Engineering believed so, but clarified that the final changes will not be visible from the outside. She believes the excavation is happening from the inside, but would have to ask her client for confirmation of that. Commissioner Shand noted that precedent has been set with the Unit 11 approval.

Commissioner Frontero asked about the 318 square foot addition. He believed the application is for both Unit 6 and Unit 9, which was confirmed. Ms. Blosser clarified that there are separate owners for each unit interested in what has been proposed. Commissioner Frontero asked if the units are next to one another, which was denied.

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MOTION: Commissioner Shand moved to APPROVE the Condominium Plat Amendment at 685 and 715 Saddle View Way for The Saddle Condominiums Phase One Plat, Amending Unit 6 and Unit 9, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Saddle Condominiums Phase One is a 16-unit Condominium project in the Residential Development (RD) Zoning District.

2. The Units at the Saddle Condominiums range in size from 3,200 to 4,280 square feet.

3. Units 6 (685 Saddle View Way) and 9 (715 Saddle View Way) are three-level Units and have the same layout and dimensions.

4. The Applicants propose separate 318-square-foot additions to the first floor of Units 6 and 9. The proposed additions include approximately 228 square feet of livable space and 90 square feet of crawl space for each Unit. The proposed Plat Amendment would allow the additions to be constructed within the existing Building Footprint for each Structure.

5. Units 6 and 9 are each 3,572 square feet. The proposed additions will add 318 square feet of private area to each Unit. The proposed total private area is 3,890 square feet for each Unit.

6. The Saddle Condominiums Phase One Plat was recorded with Summit County on January 23, 1981 (Recorder Entry No. 175675).

7. On August 14, 2024, the Planning Commission approved a Plat Amendment adding 300 square feet of private area to Unit 11 of the Saddle Condominiums (Recorder Entry No. 1232261).

8. On March 26, 2025, 82% of the Saddle Condominiums Homeowners Association (HOA) voted in favor of the proposed Plat Amendment.

9. The proposed Plat Amendment complies with the RD Zoning District requirements.

    a. The purposes of the RD Zoning District include:
        i. Allowing a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities;

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ii. Encouraging the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services;
iii. Allowing commercial and recreational activities that are in harmony with residential neighborhoods;
iv. Minimizing impacts of the automobile on architectural design;
v. Promote pedestrian connections within Developments and between adjacent Areas; and
vi. Providing opportunities for variation in architectural design and housing types.

b. Setbacks for the RD Zoning District are as follows: Front – 20 feet, Rear – 15 feet, Side – 12 feet.
i. The proposed additions will be constructed within the existing Building Footprints. The Structures maintain a Setback greater than 120 feet to all property lines.

c. Building Height for the RD Zoning District is 28 feet from Existing Grade.
i. The proposed additions will not increase the Building Height of either Structure. The existing Structures are approximately 27 feet from Existing Grade.

d. Density for the RD Zoning District is three Units per acre.
i. The Lot for the Saddle Condominiums is approximately 3 acres. The Saddle Condominiums were platted in 1981 for 16 Units. The LMC in effect in 1981 did not have a Density limitation. The proposed Plat Amendment complies with LMC § 15-9-6(A) in that it does not create an additional Unit or enlargement of the non-compliance and complies with the original Condominium approval for 16 Units.

10. The proposal complies with LMC Chapter 15-3, Off-Street Parking Requirements.

a. Condominiums greater than 2,000 square feet require two Parking Spaces per Dwelling Unit. Unit 6 and Unit 9 are each proposed to expand from 3,572 square feet to 3,890 square feet. Each Unit requires two Parking Spaces.
b. Two-car garages must have a minimum interior dimension of twenty feet in width by twenty feet in depth. Unit 6 and Unit 9 each have a two-car garage that is approximately 26 feet wide by 20.33 feet deep. Each Unit complies with the off-street parking and garage requirements of the LMC.

11. The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.

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a. Changes to platted elements, including private area additions within a condominium, require a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.6, and approval shall require a finding of Good Cause.

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

i. There is Good Cause for this Plat Amendment because the amendment does not require any exterior expansion or external changes to the existing Units. The proposed additions do not increase the parking requirements, and the proposed Plat Amendment does not create any non-conformities. The original plat, approved in 1981, does not include plat notes that impose limitations on the size of the Units. The Saddle Condominiums were platted in 1981 for 16 Units, and no additional Unit is proposed. The LMC, in effect at the time, did not have a Density limitation. No Public Street, Right-of-Way, or easement will be vacated or amended.

12. The Development Review Committee reviewed the proposal on May 20, 2025, and confirmed the proposal conforms to their requirements.

13. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 11, 2025.

14. Staff mailed courtesy notice to property owners within 300 feet on June 11, 2025. *The Park Record* published courtesy notice on June 11, 2025.

Conclusions of Law:

1. There is Good Cause for this Plat Amendment.

2. The Plat Amendment is consistent with Land Management Code § 15-7.1-3(B), § 15-7.1-6, Chapter 15-3 Off-Street Parking, and Chapter 15-2.13 Residential Development District.

3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, the Conditions of Approval, and the amended Declaration of Condominium of The Saddle Condominiums prior to recordation of the plat.

2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval 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 Planning Director.

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

B. 1750 Kearns Boulevard (Treasure Mountain Junior High School and Park City High School) – Modification to a Conditional Use Permit – The Applicant is Proposing to Modify the April 9, 2025, Planning Commission Approval to Relocate an Accessory Building in the Recreation Open Space Zoning District. PL-24-06236.

Planner Ehlers presented the Staff Report and explained that the application is a proposed Modification to a Conditional Use Permit for 1750 Kearns Boulevard. He explained that 1750 Kearns Boulevard is the Park City School District Campus. The current application is primarily focused on the Dozier Field side, with the exception of some Conditions of Approval related to the fields on the Treasure Mountain side.

The amended proposal was shared with the Planning Commission. Planner Ehlers explained that because of Ordinance 86-2, the application has been amended to comply with the 100-foot buffer from Lucky John Drive. As a result, the north building that had been proposed just past the end of the track has been removed. The existing bleachers will be expanded into the West Building. The entrance is also proposed to be expanded. Planner Ehlers shared an image of the Zoning Map, which has been updated to show the buffer area. Some conceptual renderings from the applicant were shared to illustrate the proposed massing of the two buildings. The internal layout of the buildings was shown.

Planner Ehlers reported that the modification complies with the Recreation Open Space (“ROS”) Zoning District, the Off-Street Parking requirements, and Conditional Use Permit (“CUP”) requirements. He shared the Conditions of Approval that the applicant had some

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questions about, which include Conditions of Approval #6, #14, and #19. For Condition of Approval #6, he clarified that the actual condition is not recommended by Staff to be changed, but some language in the original Final Action Letter has been removed.

Commissioner Frontero asked if it is possible to amend Condition of Approval #6 and state, "except for the addition of 40-foot safety netting required by the State." Director Ward confirmed that it is possible to do something along the lines of: "The proposed netting is defined in the code as a fence, subject to State regulations." Commissioner Frontero believed it makes sense to address this in the Conditions of Approval language. There was additional discussion about amendments to the Conditions of Approval. It was determined that the Condition of Approval #6 language will now read as follows:

- Condition of Approval #6: No structure, excluding the netting for the recreation fields, shall exceed 28 feet in height from existing grade unless a variance from the Board of Adjustment is applied for and granted.

Commissioner Frontero and the School District representative expressed support for the amendment. Planner Ehlers reported that Condition of Approval #14 arose out of some questions from the applicant about how the PFAS were identified. The regulation that prohibits PFAS does not come from the stormwater regulations in the City Code, but comes from the Drinking Water Source Protection requirements in the Code, which prohibit pollution sources near water sources. Both the Water and Engineering Departments have looked at the Conditions of Approval that are proposed.

Planner Ehlers next reviewed Condition of Approval #15. He explained that the red lines incorporate the amendments the Planning Commission made during the April 9, 2025, Planning Commission Meeting. Staff is also recommending Condition of Approval #18, which reflects Ordinance 86-2 and the buffer area that was mentioned earlier. Commissioner Frontero stated that he finds Condition of Approval #18 to be an improvement, and he is glad that language has been included. He expressed support.

Staff recommends that the Planning Commission review the proposal, conduct a public hearing, and consider approval based on the red line Draft Final Action Letter.

Chair Van Dine opened the public hearing.

Alanna Darling gave her zip code as 84060 and stated that she is a parent of two student athletes at Park City High School. She has also coached young athletes in the community. Ms. Darling expressed support for the revised plans for the high school athletic facilities. She is speaking on behalf of a larger group of parents, neighbors, and community members. Those in support of the revised plans were asked to stand. There is a desire to see this application move forward because the proposed improvements are thoughtful, future-focused, and are essential in supporting the student athletes.

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Ms. Darling acknowledged that the decisions regarding the Kearns campus impact families well beyond Park City. These facilities serve the broader School District and community. The revised plans for Dozier Field reflect meaningful input from neighbors, parents, and coaches. There is a careful balance between community concerns, compliance with City Ordinances, and the needs of the students. Park City's athletic facilities are not just outdated, but are falling behind nearly every school that it competes against. The athletes train and compete on surfaces that are worn and, in some cases, are unsafe. Many teams are forced to practice indoors on floors not suited for their sport, or spaces need to be rented elsewhere for practices. These upgrades are a necessity and are in line with what high-performing school districts in Utah have already provided.

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

Chair Van Dine thanked the School District for making the appropriate changes. She looks forward to seeing these plans move forward so the facilities can be upgraded.

MOTION: Commissioner Johnson moved to APPROVE the Modification to a Conditional Use Permit for 1750 Kearns Boulevard, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. The Applicant proposes:

    a. A Public Recreation Facility, Accessory Buildings greater than 600 square feet, and Recreation Sports Facilities at Dozier Field at Park City High School (PCHS); and
    b. Demolishing Treasure Mountain Junior High (TMJH) and replacing it with an athletic support building, recreation fields and courts, at least 98 surface Parking Spaces, a multi-use pathway, and associated amenities.

2. Both schools are part of the Park City School District (PCSD) Campus.

3. The PCSD Campus includes PCHS (1750 Kearns Boulevard), McPolin Elementary School (2270 Kearns Boulevard), TMJH (2530 Kearns Boulevard), Park City Learning Center (2400 Kearns Boulevard), and PCSD offices (2700 Kearns Boulevard) on 83.92 acres north of S.R. 224 and east of Monitor Drive.

4. PCHS and TMJH are in the Recreation and Open Space (ROS) Zoning District. TMJH is also in the Sensitive Land Overlay (SLO) and Frontage Protection Zone (FPZ). PCHS and Dozier Field are in the Park City Soils Ordinance Boundary.

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5. PCSD proposes to replace TMJH with:

    a. A 6,500-square-foot athletic support building including team rooms;
    b. A 3,400-square-foot press box, concession area, and support facility;
    c. Visitor and home dugouts;
    d. Eight tennis courts;
    e. Two soccer fields;
    f. Four batting cages;
    g. Bleachers at each of the sports facilities;
    h. At least 98 Off-Street Parking Spaces;
    i. A 12-foot wide multi-use pathway.

6. The proposal also includes new baseball and softball fields to replace existing fields. The new fields include scoreboards.

7. The single-story athletic support building at the northern end of the Site contains bathrooms, storage, and team rooms.

8. The two-story press box near the baseball and softball fields contains a concession area, storage, bathrooms, and the announcer booth.

9. The proposed Dozier Field complex includes:

    a. 8,200-square-foot West Building containing a press box, concessions area, support area, and team room;
    b. Re-surfaced track;
    c. 8,800-square-foot "Entrance/Gateway Building" including a ticket office, athletic storage, maintenance facilities, an additional team room, restrooms, flex space, storage, and an official's room;
    d. Expanded bleachers;
    e. Relocating the shot put pit from the existing location on the north-west corner to the southwest corner.

10. The West Building is located where the current West bleachers are.

11. The proposed West Building contains a press box, a concessions area, a support area, and a team room.

12. The proposed Entrance/Gateway Building contains a ticket office, athletic storage, restrooms, a team room, a flex space, room for officials, and maintenance facilities.

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13. The Park City School Board ("School Board") considered a potential additional Phase 3, which would have replaced the fields between PCHS and McPolin Elementary.

14. The potential Phase 3 is neither proposed nor being considered as part of this CUP application.

15. The Applicant proposes a new north-south lane for emergency vehicles, outlined in Finding of Fact 28.

16. On August 13, 2024, PCSD applied for a CUP for recreation upgrades at PCHS and to replace TMJH with recreation facilities and additional parking.

17. On March 18, 2025, the School Board approved the Site Plan for the recreation facilities and additional parking.

18. Staff deemed the application complete on March 27, 2025.

19. On April 9, 2025, the Planning Commission held a public hearing and approved the CUP. As part of the motion to approve, the Planning Commission amended and added Conditions of Approval. After the meeting, the Applicant raised concerns regarding Conditions of Approval, and as a result, the Final Action Letter has not yet been signed.

20. Also, after the April 9, 2025, public hearing, members of the public raised concerns about restrictions regarding future access on Lucky John Drive. Staff re-reviewed documents pertaining to the original approval for PCHS to verify and discovered that on February 6, 1986, the City Council adopted Ordinance No. 86-2 which rezoned much of the PCSD property, including the High School, from Recreation Development-Master Planned Development to ROS on one condition: "no building, or recreational facility shall be located within one hundred feet of the Lucky John Drive right-of-way. The one hundred-foot buffer strip shall remain as open space."

21. Unfortunately, this condition was not shown in the Zoning map and was not indicated in the title report. Upon discovering Ordinance 86-2, Staff updated the Zoning map to show the 100-foot buffer, so the condition is captured moving forward.

22. When Staff informed the Applicant of this requirement, the Applicant agreed to modify their plans, removing the proposed "North Building" near Dozier Field and relocating it to comply with Ordinance No. 86-2 with Planning Commission review of the revisions.

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23. On April 17, 2025, an appeal of the Planning Commission's April 9, 2025, CUP approval was filed with the Planning Department stating the appellant and neighbors did not receive public notice of the Planning Commission meeting. The appellant placed the appeal on hold while PCSD works to update its plans with the Commission. On June 20, 2025, the appellant withdrew the appeal.

24. The proposal to build a Public Recreation Facility complies with the Recreation and Open Space Zoning District requirements outlined in Land Management Code Chapter 15-2.7.

    a. A Public Recreation Facility is a Conditional Use in the ROS Zoning District (LMC § 15-2.7-2(C)(4)).
    b. A Recreational Sports Field is a Conditional Use in the ROS Zoning District (LMC § 15-2.7-2(C)(9)). The Applicant is not proposing to use the tennis courts as Pickleball Courts. If PCSD wishes to use these courts for Pickleball in the future, they must return to the Planning Commission for additional review (Condition of Approval 5).
    c. An Accessory Building greater than 600 square feet is a Conditional Use in the ROS Zoning District (LMC § 15-2.7-2(C)(14)). Accessory Uses, including locker rooms, team rooms, concessions, ticket sales, and team banquet areas, are all "customarily incidental and subordinate" to school sports complexes.
    d. LMC § 15-2.7-3 establishes that the Front, Rear, and Side Setbacks in the ROS Zoning District are 25 feet. Subsection A establishes "Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, approved Parking Areas, and Screened mechanical and utility equipment are allowed as exceptions in the Front, Side and Rear Setbacks." Nothing but Parking Areas, drive access, and the multi-use pathway is proposed within these Setbacks.
    e. LMC § 15-2.7-4 establishes a maximum height of 28 feet in the ROS Zoning District. Nothing is approved (except for the Lighting, see Finding of Fact 28(J)) to exceed that Height, and Condition of Approval 6 would require all Structures to be under allowable Height.
    f. Staff recommends Condition of Approval 6, which requires that all Structures comply with the 28-foot in Zone Height unless a Variance from the Board of Adjustment is applied for and granted.

25. The proposal to build a Public Recreation Facility complies with Off-Street Parking requirements outlined in Land Management Code Chapter 15-3.

    a. TMJH currently is 136,320 square feet. LMC § 15-3-6(B) establishes an Off-Street Parking requirement of 1 space per 1,000 square feet

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for Schools, which makes the existing requirement 137 Parking Stalls. LMC § 15-3-6(B) then establishes for Public Recreation Facilities a Parking requirement of 5 spaces per 1,000 square feet.

b. As outdoor fields are not considered when calculating the Fire Code requirements, and participants are accounted for by the dugouts and team rooms in the Accessory Buildings, Staff confined the square footage calculation to the Accessory Buildings, dugouts, and bleachers. We found a total square footage proposed of 19,600 square feet, making the required parking 98 stalls, which Condition of Approval 7 requires the construction of at least 98 Parking Spaces.

c. When adding together existing spaces, those included in the 2022 addition, and the EV Charging stations, PCHS has 568 Parking Spaces available. The 2022 CUP analysis found the parking requirement under LMC § 15-3-6(B), following construction of the addition to be 351 Parking Spaces, leaving PCHS overparked by 217 Parking Spaces.

d. The modified plans propose a total of 24,000 square feet, a slight reduction from the 25,200 square feet proposed in the April 9, 2025, plans. This brings the parking requirement down to 120 Parking Spaces. No new parking for the PCSH portion is proposed as part of this CUP. PCSD remains in compliance with parking requirements, as it has more Parking Spaces built than the increase that is added by this application.

26. The proposal to build a Public Recreation Facility complies with the Frontage Protection Zone requirements outlined in Land Management Code Chapter 15-2.20.

a. A portion of TMJH falls within the FPZ along Kearns Blvd (LMC § 15-2.20-2(C)). LMC § 15-2.20-4(A) prohibits Structures within 30 feet of the nearest highway Right-of-Way. No Structures are proposed within the 30-foot FPZ.

b. LMC § 15-2.20-4(B) requires a CUP for any Construction Activity between 30 and 100 feet from the Right-of-Way. The only Construction Activity proposed within the 100-foot FPZ is widening an existing multi-use pathway to 12 feet (Condition of Approval 8).

27. The proposal to build a Public Recreation Facility complies with the Sensitive Land Overlay Zone Regulations outlined in Land Management Code Chapter 15-2.21.

a. TMJH is within the SLO. Known Stream Corridor and wetlands are present. The Stream Corridor is located on the neighboring City-owned parcel at 2780 Kearns Blvd. LMC § 15-2.21-6(F) establishes

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a 50-foot Setback from Stream Corridors and wetlands. The proposed baseball field is 50 feet away from the Stream Corridor (Condition of Approval 9).

b. The northern part of the Lot (the "North 40") includes wetlands. The Applicant is not proposing and has not received approval to build beyond the existing disturbed area, which is demarcated by a fence (Condition of Approval 10).

c. USACE issued a letter stating that the project, as conditionally approved, does not require a separate permit from the agency.

d. Condition of Approval 9 requires that all Structures must be 50 feet away from any Wetlands.

28. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).

a. Size and location of the Site: Conditions of Approval recommended:

i. The proposed facilities at Dozier Field are improvements to existing uses at PCHS. New methods of access and additional parking are not proposed or approved with this application. The proposed West Building is no more than 28 feet in height and visually subordinate to PCHS. The Entrance/Gateway Building is subordinate to both the PCHS and the West Building.

ii. The TMJH complex is much larger in scale. Proposed work includes replacing the school building with an upgraded and expanded number of sports fields, an expanded multi-use pathway, as well as support buildings. The proposed athletic support building and press box are smaller in size and height than the school they are replacing, as well as the adjacent McPolin Elementary School and PCSD offices.

iii. No Structure may exceed 28 feet in Height from Existing Grade (Condition of Approval 6).

b. Traffic considerations, including capacity of the existing Streets in the Area: No unmitigated impacts:

i. Traffic Impact Studies are required when 25 or more trips are generated. New trips will not be generated as a school is being replaced by a sports complex. Every day during the school year, there is a large amount of traffic at peak times as students are dropped off both by parents and by school buses. Then, at the end of the school day, this traffic pattern repeats as the students are picked up.

ii. The proposed recreation uses are less intensive as the primary users of these facilities will be students who are already on site for classes and will not need individualized

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drop-off. Students coming in from schools not located on the PCSD Campus will be bused in, meaning a minimal amount of trips will be generated by them.

iii. While the proposed Uses are intensive, they must be considered in the context of what already exists. Dozier Field is already used for football games and track and field events that draw in crowds and away teams. Most of the proposed improvements, with the exception of the larger bleachers, are designed to enhance the experience of existing users, such as rooms for away teams and providing concessions for game attendees. The people who will use most of these new facilities already use Dozier Field.

iv. Improvements at TMJH will replace the intensive use of a school with comparatively less intensive recreational uses. During the school year, a large daily volume of drop-offs and pickups involving vehicles and school buses occurs in this location. These traffic patterns will be replaced by more intermittent traffic when the Public Recreation Facilities are in use, which likely will not be at capacity at a daily rate. The primary users will be students who are already on site for classes.

c. Utility capacity, including Storm Water run-off: Condition of approval recommended:

i. The Applicant shall submit Storm Water plans for Engineering Department review and shall retain all Storm Water on-site (Condition of Approval 14).

ii. During the SWPP review that was required by the Engineering Department, the possibility of Per-and Polyfluoroalkyl Substances (PFAS) being in the proposed turf for the fields at the TMJH complex was discovered. The Water Department raised concerns as the location is a source water area and required that the Applicant either prove a lack of PFAS or otherwise comply with required standards.

iii. The Applicant raised the concern that, “Currently, the Water Quality and Treatment Manager for the City is requiring that the Sports Complex artificial turf fields be free of Per-and Polyfluoroalkyl Substances (PFAS). While every effort is being made by the district to accommodate this request through testing of the proposed turf, the district, through its consultants and design, has offered additional water quality measures, including discharge testing and water retention land management strategies. There is concern that this requirement may never be possible due to the random low-level detections of the background presence of so many of

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these compounds in the natural environment. Park City's Source Protection Ordinance prohibits the use of fluorinated ski wax due to contamination associated with PFAS, not artificial turf. The district would appreciate some clarification on this requirement being imposed, as it is not a codified statute regarding artificial turf."

iv. The Water and Engineering Departments believe there may be some confusion, as the PFAS issue was identified as part of the SWPP review. The relevant regulations live not in Municipal Code of Park City (MCPC) Chapter 13-5, *Regulation and Enforcement of Storm Water Discharges Associated with Post-Construction Activities*, but instead arises from MCPC § 13-1-28, *Drinking Water Source Protection*, that prohibits "Pollution Source" and "Potential Contamination Sources", of which PFAS are one. To address this confusion, Staff recommends Condition of Approval 19, which requires compliance with the Drinking Water Source Protection regulations.

d. Emergency vehicle Access: No unmitigated impacts:
   i. Emergency vehicle Access and Site circulation is not proposed to change. Condition of Approval 15 states:
      1. The Applicant proposes a north-south emergency vehicle lane east of Dozier Field between the field and Park City High School. The Applicant shall install a vehicle control gate and operate such vehicle control gate to prohibit ingress and egress of any vehicle other than an emergency vehicle on this north-south lane. No additional ingress and egress on Lucky John Drive is approved as part of this CUP. All other vehicles must exit onto Kearns Boulevard. If additional bus use is proposed on the emergency vehicle lane, the Applicant shall submit a Traffic Impact Study for review by the Engineering Department and shall return to the Planning Commission for a modification to this CUP.

e. Location and amount of off-street parking: No unmitigated impacts:
   i. See Finding of Fact 25.

f. Internal vehicular and pedestrian circulation system: Condition of approval recommended:
   i. At TMJH, the vehicular circulation will be more spread out than what currently exists, as the Recreation Facility will likely not see the large amount of drop-offs and pickups at peak times that we currently see during the school year. For pedestrian circulation, there is a large concrete pad that

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connects all the buildings and sports fields, which will allow easy internal circulation.

ii. At Dozier Field, the vehicular and pedestrian circulation system is proposed to change with a north-south connection from Kearns Boulevard to Lucky John Drive. PCSD indicates this is for emergency vehicle egress only.

iii. Staff recommends Condition of Approval 15, "The Applicant proposes a north-south emergency vehicle lane east of Dozier Field in between the field and Park City High School. The Applicant shall install a vehicle control gate and operate such vehicle control gate to prohibit ingress and egress of any vehicle other than an emergency vehicle on this north-south bus lane. No additional ingress and egress on Lucky John Drive is approved as part of this CUP. All other vehicles must exit onto Kearns Boulevard. If additional bus use is proposed on the emergency vehicle lane, the Applicant shall submit a Traffic Impact Study with review by the Engineering Department, and shall return to the Planning Commission for a modification to this CUP."

iv. Additional changes include the proposed Entrance Gateway for attendees with the ticket booth and storage, a new ADA-compliant pathway around the field, and the creation of the West Building.

v. A student plaza is proposed between Dozier Field and PCHS, which will help facilitate access between the sports facilities and the school.

g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses: No unmitigated Impacts:

i. Utah Code § 10-9a-305(3)(a) preempts regulation of Fencing, Screening, and landscaping.

ii. As part of the April 9, 2025, approval, the Planning Commission included Condition of Approval 6, which states, "No Structure shall exceed 28-feet in Height from Existing Grade unless a Variance from the Board of Adjustment is applied for and granted." Staff has interpreted that Condition to apply as well to the backstop netting for the baseball and softball fields at the TMJH complex. PCSD has asked for clarification on whether that Condition applies. If the Condition applies, PCSD requests it be modified or removed, citing the Utah Code preemption regarding Fencing and stating that the 40-foot height is necessary for safety reasons to protect those located in bleachers right behind the home plate.

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iii. Staff finds the Condition does apply as LMC § 15-15-1 defines a Fence as "A Structure to separate or divide outdoor Areas. The term Fence includes, but is not limited to, net Screening for golf balls, and masonry walls. A Fence need not be sight-obscuring or light-tight." The proposed backstop netting is similar to the type of netting that is used to address golf balls. As such, Staff determines that regulating the backstop netting is preempted by the State and supports clarifying that Condition of Approval 6 would not apply to it. The proposed netting is also limited to the area just behind the home plate of the field.

h. Building mass, bulk, and orientation, and the location of Buildings on the Site, including orientation to Buildings on adjoining Lots: No unmitigated impacts:
   i. The entrance gate and West Building at Dozier Field are of a much smaller mass and scale when compared to PCHS and its Addition. The modified West Building is also an expansion of the existing west bleachers, which mitigates the visual changes to the site compared to existing conditions.
   ii. At the TMJH site, the existing fields will be replaced, and the proposed buildings are of a much smaller mass and scale than the existing school and the adjacent McPolin Elementary School. The new buildings are comparable in size to the PCSD offices.

i. Usable Open Space: Condition of approval recommended:
   i. The Applicant shall not disturb the TMJH site north of the existing Fence, the "North 40" (Condition of Approval 10).
   ii. Staff recommends Condition of Approval 18, which states, "No building or recreation facility shall be built within the 100-foot buffer from the Lucky John Right-of-Way. This shall remain as Open Space."

j. Signs and lighting: Condition of approval recommended:
   i. No Signs are proposed with this project.
   ii. All lighting in the Parking Areas must comply with LMC § 15-3-3(C) (Condition of Approval 11).
   iii. All lighting that is proposed at or around the recreation fields and courts must comply with LMC § 15-5-5(J)(12).
   iv. All Recreation Lighting is required by LMC § 15-5-5(J)(12) to meet the following requirements:
      1. The height of outdoor recreational posts shall not exceed seventy feet (70') above Natural Grade. The average Horizontal Foot Candle shall not exceed 3.6 across the Area boundary with a uniformity ratio of 4:1.

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2. All fixtures shall be Fully Shielded or be designed or provided with sharp, cutoff capability to minimize up-light, spill light, and glare.
3. Recreational lighting shall be turned off within thirty minutes of the completion of the last game, practice, or event. In general, recreational lighting shall be turned off by 11:00 p.m., unless an exception is granted by the Planning Director for a Special Event, permitted under Municipal Code Title 4A.
4. Private sport court facilities shall use Fully Shielded fixtures. Lighting shall be turned off by 11:00 p.m.

v. Condition of Approval 12 requires compliance with these regulations.
vi. Any lighting that is not Recreation Lighting or Lighting in an Approved Parking Area must comply with the City's outdoor lighting and dark sky requirements in LMC § 15-5-5(J) (Condition of Approval 3).

k. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing: No unmitigated impacts:
i. Utah Code § 10-9a-305(3)(a) preempts regulation of aesthetic considerations and construction methods or materials.

l. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site: Conditions of approval recommended:
i. Pickleball is not approved to be played on the tennis courts. If the Applicant wishes to accommodate Pickleball on these courts, they must return to the Planning Commission for additional review and mitigation considerations (Condition of Approval 5).
ii. The Applicant must comply with the City's noise regulations in Municipal Code of Park City (MCPC) Chapter 6-3.

m. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas: No unmitigated impacts:
i. Screening is an aesthetic consideration, and Utah Code § 10-9a-305(3)(a) preempts regulation on this.
ii. Current access to Kearns Boulevard remains unchanged, allowing for the same routes to be used by the delivery and service vehicles.

n. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities: No unmitigated impacts:

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i. PCSD will continue to own and maintain these facilities, and they will be used primarily by students.

o. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site: Condition of approval recommended:

i. Dozier Field is within the Park City Soils Ordinance. Staff recommends Condition of Approval 13, stating, "All work shall comply with the signed Certificate of Compliance and shall maintain compliance with the Park City Soils Ordinance."

ii. Although TMJH is not within the Soils Ordinance Boundary, there is historic mine waste on the property. The Applicant has indicated they are working with the proper State and Federal Authorities to properly handle those materials as part of this project.

iii. The property does not include Steep Slopes or Physical Mine Hazards.

iv. The property is within the SLO Boundary. Refer to Finding of Fact 23 for analysis of environmentally sensitive lands.

v. The Water Department requires the addition of Condition of Approval 19, which states, "The Applicant's use of artificial turf must comply with the Drinking Water Source Protection requirements found in Park City Code § 13-1-28, subject to review and approval by the Park City Water Department."

p. Reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding: No unmitigated impacts:

i. The PCSD Campus is in the Park Meadows Neighborhood. The General Plan recommendation 2.3 identifies Park Meadows as "a primary resident neighborhood [where] community amenities should be planned to meet daily needs".

ii. The PCSD Campus and its sports fields are specifically called out as community amenities by the General Plan.

iii. The proposal improves the quality of the community amenities by providing improved fields, allowing a greater diversity of sports to be played, and improving the overall experience with new restrooms, amenities, and team facilities.

29. The Development Review Committee reviewed the proposal on February 4, 2025, and requires Conditions of Approval.

a. The Environmental Sustainability team requires Condition of Approval 13, "All work shall comply with the signed Certificate of

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Compliance and shall maintain compliance with the Park City Soils Ordinance."

b. The Engineering Department requires Condition of Approval 14, "The Applicant shall obtain Engineering Department approval for drainage and storm water management plans. Drainage and storm water management shall comply with Municipal Code of Park City Chapter 13-5, Regulation and Enforcement of Storm Water Discharges Associated with Post-Construction Activities."

c. The Water Department requires the addition of Condition of Approval 19, which states, "The Applicant's use of artificial turf must comply with the Drinking Water Source Protection requirements found in Park City Code §13-1-28, subject to review and approval by the Park City Water Department."

30. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 26, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 26, 2025. *The Park Record* published courtesy notice on March 26, 2025. Staff would re-notice for the June 25, 2025, meeting with Staff publishing notice on the City's website and the Utah Public Notice website and posted notice to the property on June 11, 2025. Staff mailed courtesy notice to property owners within 300 feet on June 11, 2025. *The Park Record* published courtesy notice on June 11, 2025.

Conclusions of Law:

1. The proposed CUP, as conditioned, complies with the requirements of the Land Management Code.

2. The proposed CUP for a Public Recreation Facility is compatible with the surrounding structures in use, scale, mass, and circulation.

3. The proposed CUP for a Public Recreation Facility is compatible with the Park City General Plan.

4. The effects of the difference in use or scale of the CUP for a Public Recreation Facility have been mitigated through careful planning and Conditions of Approval.

Conditions of Approval:

1. The final construction of the site shall reflect substantial compliance with the final plans submitted to the Planning Department and reviewed April 9,

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2025, by the Planning Commission and attached to this Final Action Letter as Attachment 1, except as conditioned herein.

2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with applicable standards by the Planning Director prior to construction.

3. Installed Outdoor Lighting must comply with the City's dark sky requirements in LMC § 15-5-5(J).

4. There is no time limit set for the lifespan of this CUP.

5. No Outdoor Pickleball is proposed or approved as part of this project. If the Applicant wishes to receive accommodation for Outdoor Pickleball on these courts, they must return to the Planning Commission for additional review and mitigation considerations.

6. No structure, excluding the netting for the recreation fields, shall exceed 28 feet in height from existing grade unless a variance from the Board of Adjustment is applied for and granted.

7. At least 98 Parking Spaces must be provided at the Treasure Mountain Sports Complex.

8. The Applicant may expand the existing multi-use path in the Frontage Protection Zone, but to no more than 12 feet in width.

9. All Structures, including Fences and Lighting, must be 50 feet away from the Stream Corridor on 2780 Kearns Boulevard. All Structures, including Fences and Lighting, must be 50 feet away from any Wetlands, including but not limited to those located on the North 40.

10. The Applicant may not disturb the Site north of the existing fence line demarking the North 40.

11. All lighting in the Parking Areas must comply with LMC § 15-3-3(C). Lighting shall be programmable fixtures, dimmable lights, and motion sensors.

12. All lighting that is proposed at or around the Recreation Fields and Courts must comply with LMC § 15-5-5(J)(12), including all lights being turned off

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by 11:00 PM and being fully shielded. Lights shall go off 30 minutes after an event and in no case later than 11:00 PM.

13. All work shall comply with the signed Certificate of Compliance and shall maintain compliance with the Park City Soils Ordinance.

14. The Applicant shall obtain Engineering Department approval for drainage and stormwater management plans. Drainage and storm water management shall comply with Municipal Code of Park City Chapter 13-5, *Regulation and Enforcement of Storm Water Discharges Associated with Post-Construction Activities.* The applicant shall also submit the Fugitive Dust Plan and SWPPP plan to the City prior to submitting the State Building Permit.

15. The Applicant proposes a north-south emergency vehicle lane east of Dozier Field between the field and Park City High School. The Applicant shall install a vehicle control gate and operate such vehicle control gate to prohibit ingress and egress of any vehicle other than an emergency vehicle on this north-south lane. No additional ingress and egress on Lucky John Drive is approved as part of this CUP. All other vehicles must exit onto Kearns Boulevard. If additional bus use is proposed on the emergency vehicle lane, the Applicant shall submit a Traffic Impact Study for review by the Engineering Department and shall return to the Planning Commission for a modification to this CUP.

16. Mechanical equipment associated with this Conditional Use Permit will be screened according to the requirements of Land Management Code Section 15- .55.

17. The bike parking that the applicant shall install will be covered bike parking at the Park City High School location between Dozier Field and the high school addition, as well as along the recreation fields proposed at Treasure Mountain Junior High.

18. No building or recreation facility shall be built within the 100-foot buffer from the Lucky John Right-of-Way. This shall remain as Open Space.

19. The Applicant's use of artificial turf must comply with the Drinking Water Source Protection requirements found in Park City Code § 13-1-28, subject to review and approval by the Park City Water Department.

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

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C. 2060 Park Avenue (Park City Police Department) – Modification to a Conditional Use Permit – The Applicant Proposes to Construct Nine Parking Spaces in the Residential Development – Medium Density Zoning District and Sensitive Land Overlay. PL-25-06413.

Planner III, Lillian Zollinger, presented the Staff Report and explained that the application is for a Modification to a Conditional Use Permit at 2060 Park Avenue. 2060 Park Avenue is in the Residential Development – Medium Density Zoning District as well as in the Sensitive Land Overlay. It is outside of the Frontage Protection Zone. In 2006, a CUP was approved for the Police Department as well as parking spaces for that use. The applicant is now proposing nine new parking spaces. Planner Zollinger shared an image that highlights where the proposed parking will be located. Seven spaces are proposed to be horizontal, and two are proposed to be vertical. This is an existing disturbed space, and the intention is to remove what exists and construct the parking spaces.

The Sensitive Land Overlay requirements were discussed. Planner Zollinger explained that visual impact is a component. The image on the top left of the presentation slides shows where the parking area will be when driving onto Park Avenue. The image on the left is coming from Snow Creek Lane. The image on the right has an area highlighted in yellow. She reported that this is the 50-foot Wetland Zone setback. The proposed parking area will stay outside of that setback, as required. As for the parking requirements and conditional use criteria, the applicant is proposing nine new parking spaces. There are currently 31 parking spaces on site, and with the updated Staff numbers, 32 parking spaces are required. With the nine additional proposed parking spaces, there would be a total of 40 parking spaces, or eight additional parking spaces on site. The Police Department has outlined that these spaces are needed for additional vehicle parking.

Planner Zollinger reviewed the Conditions of Approval. Condition of Approval #1 states that all of the Conditions of Approval from the 2006 CUP continue to apply. There is also a condition that states the applicant must provide an updated Landscape Plan. She reported that the landscaped strip adjacent to Snow Creek Lane and the new proposed parking spaces will have landscaping. The applicant is working to update that to comply with the code requirements, but there will be vegetation there to screen the parking area. Planner Zollinger noted that there is also a Condition of Approval related to snow storage.

Staff recommends that the Planning Commission review the proposed Modification to a Conditional Use Permit, conduct a public hearing, and consider approving the proposal based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter. Chief of Police, Wade Carpenter from the Park City Police Department, asked if the Commission was able to review the summary that he provided with justifications for the parking spaces as it relates to health, safety, and welfare concerns. Part of the concerns have to do with the line of sight north of Snow Creek Cottages. Legally, it is possible to park in the area, but he does not want vehicles parked there when it creates health, safety, and welfare issues both north and south.

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Commissioner Johnson made a disclosure and stated that he lives in the adjacent property, the Snow Creek Cottages. He does not believe this will impact his decision.

Commissioner Shand does not believe anyone will debate that additional parking is needed, but he noted that, as proposed, there will be two different parking areas. He asked if any thought was given to the possibility of rerouting Snow Creek Lane and combining the two areas into one. Snow Creek Lane could be routed to the south of the parking area, so no officers were walking across Snow Creek Lane to access the Police Department. Capital Projects Manager, Steven Dennis, stated that this would be preferable from an operational and engineering standpoint. However, it is cost-prohibitive to do so, because that work would be approximately four times the cost.

Commissioner Johnson confirmed that the parking is needed because whenever there is a meeting or gathering, there is parking taking place on the roadside. Some residents have been frustrated by that, but it has slowly been mitigated over the last year. The proposed parking spaces are intended to resolve the existing problem, but he wondered where overflow parking would occur beyond the additional parking spaces. Chief Carpenter does not know that the issue will be resolved completely, but there is continued communication with officers to carpool for training. This will reduce the number of vehicles. Commissioner Johnson noted that there is a limited time when there is an overflow need. Chief Carpenter explained that efforts are made to keep spaces clear.

Commissioner Johnson asked if there is a limitation on certain development beyond what is currently disturbed. He believes there might be development limitations on the parcel itself, but he does not see a lot of clarification in the Staff Report. Planner Zollinger offered to look into this while the Planning Commission discussions continue. Commissioner Suesser was curious about the extent of the underground parking and the utilization rate. Chief Carpenter confirmed that it is normally used to capacity, but it varies depending on what shifts are coming in. There are three shift changes per day, so someone is usually always flowing into that area. Certain spots within the underground parking area have had to be designated to make sure the traffic vehicles are able to get in and out easily. Additional information about the underground parking area was shared. Chief Carpenter explained that there are some pillars there that can impact the ability to park.

Commissioner Suesser asked how many parking stalls are underground. Chief Carpenter offered to look into this. Commissioner Suesser trusts that the Police Department is maximizing the use of the underground parking and is not parking unnecessary vehicles there. Surface parking is not being added for convenience, but to address a need. The underground parking and existing surface parking are inadequate. Chief Carpenter confirmed that there is an awareness of the importance of parking below. Emails are regularly sent out reminding everyone that it is important to park underground. He informed the Planning Commission that there are 22 parking spaces underground.

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Chair Van Dine wanted to know if the new surface lot will be used for long-term storage of emergency trailers. She wondered whether there will be more permanent vehicles that sit in that new lot. Chief Carpenter explained that everything will remain exactly where it is now. The speed trailers are parked under the overhang where the pillars are. Chair Van Dine wanted to know if there should be a Condition of Approval that states this portion of the lot will not be used for the storage of vehicles. Commissioner Shand liked that suggestion. He does not want to see trailers parked in the new surface parking lot. Chief Carpenter was supportive of a condition that states there would be no long-term storage.

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

Director Ward took a moment to address the earlier question from Commissioner Johnson about open space. She shared the original Snow Creek Crossing Subdivision. There were restrictions put on two parcels. Entrance Lot A is a No Build Area, as is Parcel B. Those No Build Areas are outside of the proposed parking area. Planner Zollinger shared some of the findings from the original approvals, which can be reviewed by the Commission. In the 2006 CUP, there were no Conditions of Approval listing specific No Build Areas. She read Finding of Fact #11 from the 2006 CUP, which states that there is no specific density or other development constraint placed on the lot. Commissioner Johnson suggested that the original Final Action Letter be included with future modifications.

MOTION: Commissioner Frontero moved to APPROVE the Modification to a Conditional Use Permit for 2060 Park Avenue, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. 2060 Park Avenue is a 5.46-acre Lot in the Residential Development - Medium Density (RDM) Zoning District and Sensitive Land Overlay.

2. 2060 Park Avenue is Lot 1 of the Snow Creek Crossing Lot 9B Subdivision. The site currently has 10 parking spaces accessed off Snow Creek Drive and 21 secured parking spaces accessed off Snow Creek Lane.

3. On April 12, 2006, the Planning Commission approved a Conditional Use Permit (CUP) for a Municipal Police Facility with 31 parking spaces.

4. The Applicant proposes modifying the CUP and adding an additional Parking Area with nine spaces.

5. On April 2, 2025, the Planning Commission continued the modification to the CUP to a date uncertain so the applicant could update their proposal.

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6. The request for the Parking Area complies with the Residential Development - Medium Density regulations outlined in LMC Chapter 15-2.14.

Requirement	**Analysis of Proposal**
Front Setback – 20 feet	**Complies:** 20' LMC § 15-2.14-3(C), "Open Parking Spaces may be allowed within the required Front Setback, but not within five feet (5') of the Side Lot Lines." The Applicant proposes nine parking spaces, two of which are in the Front Setback, and all of which are at least five feet from the Side Lot Lines. LMC § 15-2.14-3(D)(6) outlines exceptions for Front Setbacks, including driveways to a Parking Area. The proposed new driveway is within the Front Setback and is an allowed exception.
Rear Setback – 10 feet	**Complies:** The proposed Parking Area is at least 50 feet from the Rear Setback.
Side Setbacks – 10 feet	**Complies:** The proposed Parking Area is at least 22 feet from the south Side Setback and at least 280 feet from the north property line.

7. The request for the Parking Area complies with the Sensitive Land Overlay requirements outlined in LMC Chapter 15-2.21.

Requirement	**Analysis of Proposal**
Visual Assessment - A visual assessment of the Property from Vantage Points	**See Condition of Approval 2:** The proposed Parking Area is minimally visible from S.R. 224, since it is set back approximately 225 feet towards the curve on Snow Creek Drive.

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designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.	The Applicant shall screen the Parking Area along Snow Creek Drive and Snow Creek Lane with landscaping. The rear of the Parking Area is adjacent to the Snow Creek Cottages, but visually buffered by topography and existing vegetation.
Slope/Topographic Map- A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must identify Very Steep Slopes within fifty feet (50') of the Property boundary and must highlight Areas of high geologic hazard, Areas subject to landsliding, and all Steep Slopes for Areas with a rise of at least twenty-five (25') vertically and a run of at least fifty feet (50') horizontally	**Complies:** The proposed Parking Area is not on a Steep Slope.
Ridge Line Areas - A map depicting all Crest of Hills and Ridge Line Areas.	**Complies:** The proposed Parking Area is not proposed on or near a Ridge Line.
Vegetative Cover - A detailed map of vegetative	**Complies:** There is no significant vegetation in

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cover.	the proposed Parking Area.
Vantage Points - Designated Vantage Points from which the proposed project is visible, as identified by Staff and confirmed by the Applicant with latitude and longitude coordinates.	**See Condition of Approval 2:** The proposed Parking Area is most visible from the intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue.[1] The proposed Parking Area is minimally visible from SR-224/Park Ave since it is set back approximately 225 feet towards the curve on Snow Creek Drive. The Applicant shall screen the Parking Area along Snow Creek Drive and Snow Creek Lane with landscaping.
Wetlands - A map delineating all Wetlands established by using the 1987 *Federal* *Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended.	**Complies:** The proposed Parking Area is at least 50 feet away from the closest wetland pursuant to a wetland assessment done by Bio-West on November 15, 2024.
Stream Corridors, Canals, and Irrigation Ditches - A map delineating all stream corridors, canals, and irrigation ditches, defined by the Ordinary High-Water Mark.	**Complies:** The proposed Parking Area is at least 50 feet away from McLeod Creek.
Wildlife Habitat Areas	**Complies:** The 2006 CUP Staff Report notes, "According to the Utah Division of Wildlife Resources GIS information on Threatened, Endangered, and Sensitive Species occurrences, there are no Federally Endangered Species, Wildlife Species of Concern, or Species receiving management under a Conservation Agreement in the area where the project is proposed[.]" Since 2006, the adjacent site was

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	developed into a paved loop, and the Applicant is proposing to infill the existing loop.

[1] LMC § 15-2.21-3(6)(f)

8. The request for the Parking Area, as conditioned, complies with Off-Street Parking requirements outlined in Chapter LMC 15-3.

Requirement	**Analysis of Proposal**
All Parking Lots shall maintain the required Front and Side Setbacks as would be required for any Structure.	**Complies:** LMC § 15-2.14-3(C) states, "Open Parking Spaces may be allowed within the required Front Setbacks, but not within five feet (5') of the Side Lot Lines." The Applicant proposes nine parking spaces, two in the Front Setback, and all are at least five feet from all Side Lot Lines.
Wherever a Parking Lot or driveway to a Parking Lot is proposed to abut a Residential Use, the Applicant must screen the Lot or drive.	**See Condition of Approval 2:** The front of the Parking Area is adjacent to Commercial Uses. The rear of the Parking Area is adjacent to the Snow Creek Cottages, but visually buffered by the topography and existing vegetation. The Applicant shall screen the Parking Area along Snow Creek Drive and Snow Creek Lane with landscaping.

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Adjacent driveways must be separated by an island of the following widths: Multi-Unit Dwelling, a minimum width of eighteen feet (18'); Commercial, a minimum width of twenty-four feet (24').	**Does not apply**
Driveways must be at least ten feet (10') from any intersecting right-of-way.	**Complies:** The new proposed driveway for the Parking Area is 28 feet from Snow Creek Lane.
A geotechnical report must be submitted to the City Engineer, providing recommendations on Parking Lot design and construction parameters.	**See Condition of Approval 6:** The Engineering Department reviewed the plans on March 4, 2025, and found the plans complied with their required standards. The Applicant shall submit an updated Geotechnical report for review prior to the Building Permit submittal.

- **Parking Space Dimensions** – LMC § 15-3-3(F)(1) requires that parking spaces be at least nine feet in width by 18 feet in length. The Applicant proposes nine unenclosed parking spaces that are all at least nine feet in width and 18 feet in length.

- **Parking Area Landscaping to Screen** – Pursuant to LMC § 15-3-3(D)(5), Parking Areas shall generally include landscaping on all perimeter Property Lines. The proposed Parking Area will be screened by new vegetation prior to closing out the building permit. The Applicant proposes a rock landscape area adjacent to Snow Creek Lane. Staff recommends Condition of Approval 2, which requires the landscaped area to include five shrubs per twenty-five linear feet to comply with the LMC and Sight Distance Triangle requirements at the intersection of Snow Creek Lane and Snow Creek Drive and to screen the parking lot and parked vehicles.

  LMC § 15-3-3(E) requires that the Applicant provide a location for snow

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storage. The Applicant proposes snow storage in an area to the northeast, but outside of the Wetlands Zone. Condition of Approval 3 requires the plans to be updated to call out the proposed location for snow storage. LMC § 15-3-6(B) requires 1 parking space per 5 seats, or 2 spaces per 3 employees, or 1 space per 1,000 sf of floor Area, whichever is greater, for Public and Quasi-Public Institutions. In the 2006 CUP, the Planning Commission found the highest requirement was 25 parking spaces for 37 employees. 31 spaces were proposed, approved, and built. The site currently has 48 full-time employees, and the Applicant is not proposing to add any floor area. For 48 employees, 32 parking spaces are required. The Applicant proposes adding nine parking spaces, for a total of 40 parking spaces, eight more than is required pursuant to the LMC. This is because of the unique vehicle requirements for the operations and work of the Park City Police Department. Please see Exhibits D and E to review the Applicant's statement on the requested parking.

- **Bicycle Parking** – LMC § 15-3-9(A)(2) requires that "[o]utdoor bicycle parking shall be provided for ten percent (10%) of the required Off-Street parking for the temporary storage of bicycles. One percent (1%) or minimum of one (1) bicycle parking space of the outdoor bicycle parking shall provide parking at least three feet (3') by ten feet (10') per space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers."

  There are currently four bicycle parking spaces on site that meet the requirements of LMC § 15-3-9(A)(2). The Applicant proposes to install three additional bicycle parking spaces adjacent to the existing bicycle parking to meet this requirement.

- **Electric Vehicle Charging Stations and Conduit** – LMC § 15-3-11(B) requires an Applicant to "provide Electric Vehicle Charging Station Infrastructure for fifty percent (50%) of the first one hundred (100) required Off-Street parking spaces for…non-Residential Development[.]" Pursuant to LMC § 15-3-11(D), "[a]n Applicant shall install Electric Vehicle Charging Stations for five percent (5%) of required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development for the first 200 parking spaces." The Applicant proposes to install one dual-port Electric Vehicle Charging Station to meet this requirement.

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9. The proposed Parking Area, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).

i. Size and location of the site:

No unmitigated impacts

The proposal complies with the RDM Zoning requirements as outlined above.

ii. Traffic considerations, including the capacity of the existing Streets in the Area:

No unmitigated impacts

According to the Traffic Impact Study (TIS) Guidelines, nine new parking spaces do not require a TIS.

iii. Utility capacity, including Storm Water run-off:

No unmitigated impacts

The Development Review Committee reviewed the proposal on March 4, 2025, and confirmed that the proposal complies with their required standards.

iv Emergency vehicle access:

No unmitigated impacts

The Park City Fire District reviewed the proposal on March 4, 2025, and confirmed the proposal complies with their required standards.

v. Location and amount of off-street parking:

No unmitigated impacts

The Applicant requests constructing nine new parking spaces. See Section III above for the full parking analysis.

vi. Internal vehicular and pedestrian circulation system:

No unmitigated impacts

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The proposed Parking Area is across Snow Creek Lane. The Applicant will install ADA-compatible sidewalk ramps and stripe the road for a crosswalk. Pedestrians can use the new striped crosswalk to get from the Parking Area to the 2060 Park Avenue building.

vii. Fencing, Screening, and landscaping to separate the Use from adjoining Uses:

Condition of Approval Recommended

There are no proposed fences, screening, or current landscaping. The front of the Parking Area is adjacent to Commercial Uses. The rear of the Parking Area is adjacent to Condominiums, but visually buffered by the topography and existing vegetation. The Applicant will buffer and screen the parking area with vegetation as outlined above and required by LMC § 15-3-3 and § 15-5-5(N).

viii. Building mass, bulk, and orientation, and the location of Buildings on the Site, including orientation to Buildings on adjoining Lots:

No unmitigated impacts

There are no Buildings proposed to be constructed under this modification. The Parking Area will be at grade and be minimally visible from Vantage Points, with Conditions of Approval requiring landscaped screening. The Applicant proposes vegetation to screen the Parking Area from Park Avenue and SR 224.

ix. Usable Open Space:

No unmitigated impacts

The existing loop is proposed to be filled in with nine parking spaces and does not impact Usable Open Space.

x. Signs and Lighting:

Condition of Approval recommended

There are currently three light poles on site; two will be preserved and one will be removed. The Applicant is required to install Signs on the Electric Vehicle Charging Station as required in LMC § 15-3-11(E)(2) (see

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Condition of Approval 4). There are no other lights or signs proposed.

xi. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing:

Condition of Approval recommended

There are no Buildings proposed to be constructed under this modification. The Parking Area will be at grade and be minimally visible from Vantage Points because Conditions of Approval require the Parking Area to be screened with landscaping. The closest structure is an adjacent Parking Area, and the proposed Parking Area will be similar in materials and construction to the adjacent parking spaces.

xii. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site:

No unmitigated impacts

The only mechanical equipment proposed is the Electric Vehicle Charging Station, which will be located adjacent to the existing parking spaces and the Police Department. The proposed equipment is approximately 11.5 feet away from the nearest Building.

xiii. 13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas:

No unmitigated impacts

There are no proposed delivery or service vehicles, loading, or unloading zones in this area.

xiv. 14. Expected ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, and how the form of Ownership affects taxing entities:

No unmitigated impacts

This is a City project on City-owned property to add additional parking for the Police Station.

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xv. 15. Within and adjoining the site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site:

No unmitigated impacts

This site is within the Sensitive Land Overlay. The site is not within the Park City Soils Ordinance. See Section II above for the analysis.

xvi. 16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding:

No unmitigated impacts

Goal 2 of the General Plan includes Objective 2C to locate services within existing development nodes. Goal 4 of the General Plan includes Objective 14A to provide reliable public resources to ensure the health, welfare, and safety of residents and visitors.

2060 Park Avenue is within the Bonanza Park Small Area Plan ("Small Area Plan"), which recommends protecting the Frontage Protection Zone "to ensure that Park City's entry corridors remain scenic and awe-inspiring." The Parking Area is outside of the 100-foot Frontage Protection Zone area, and Conditions of Approval require landscaping to screen the Parking Area from visibility from SR 224.

The Small Area Plan recommends establishing future networks of pedestrian and bicycle linkages throughout the neighborhood and implementing mobility improvements like crosswalks. The proposal includes new bicycle parking spaces and updates the sidewalk adjacent to Snow Creek Drive to be ADA compliant.

Additionally, Community Planning Strategy 5.7 of the General Plan encourages, "dedicated parking and charging stations, to support electric and alternative fuel automobiles within new development and redevelopment." The proposed Electric Vehicle Charging Station to be installed aids this goal.

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10. The Development Review Committee reviewed the proposal on March 4, 2025, and confirmed the proposal complies with their required standards.

11. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 19, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 19, 2025. *The Park Record* published courtesy notice on March 19, 2025. On April 2, 2025, the Planning Commission continued the modification to the CUP to a date uncertain so the Applicant could update their proposal.

12. Staff re-noticed the proposal on the City's website and the Utah Public Notice website and posted notice to the property on June 11, 2025. Staff mailed courtesy notice to property owners within 300 feet on June 11, 2025. *The Park Record* published courtesy notice on June 11, 2025

Conclusions of Law:

1. The proposal, as conditioned, complies with LMC § 15-1-10(E), *Conditional Use Review Process.*

2. The proposal complies with LMC Chapter 15-2.14, *Residential Development Medium Density (RDM) District.*

3. The proposal complies with LMC Chapter 15-2.21, *Sensitive Land Overlay (SLO)* Regulations.

4. The proposal, as conditioned, complies with LMC Chapter 15-3, *Off-Street Parking.*

Conditions of Approval:

1. All Conditions of Approval from the 2006 CUP continue to apply.

2. The Applicant shall provide an updated landscape plan that includes at least 15 shrubs and complies with the Municipal Code of Park City (MCPC) Chapter 11- 21 *Utah Wildland-Urban Interface Code*, MCPC § 14-15-1, LMC § 15-3-3(D), and LMC § 15-5-5(N). The Applicant shall use vegetation to screen the Parking Area and parked vehicles along Snow Creek Lane, Snow Creek Road, and the northern portion of the parking area to screen from the Snow Creek Cottages.

3. The Applicant shall update the plans and call out the proposed location for snow storage.

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4. The Electric Vehicle Charging Station shall be a dual-port charger, shall have signage installed pursuant to LMC § 15-3-11(E)(2), and shall be installed in accordance with the requirements outlined in LMC § 15-3-11.

5. Signage shall be installed by each of the nine parking spaces requiring a permit and designating the Parking Area for Police Employees only.

6. The Applicant shall submit an updated geotechnical report for review prior to the Building Permit submittal.

7. The parking area will not be used for the long-term storage of vehicles.

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

The Planning Commission took a short break before hearing the next item.

D. Bonanza Park – Rezone and Land Management Code Amendments – Proposed Rezone of Approximately 70 Acres Between Park Avenue, Kearns Boulevard, Bonanza Drive, and Deer Valley Drive from General Commercial and Light Industrial to Bonanza Park Mixed-Use District, Enactment of Land Management Code Chapter 15-2.27 to Implement the Bonanza Park Small Area Plan through a New Mixed-Use Zoning District to Create a Vibrant and Pedestrian-Oriented Mixed-Use Neighborhood, Updates to the Frontage Protection Zone to Protect the City's Entry Corridors through Height Regulations, and Updates to Chapter 15-6.1, the Affordable Master Planned Development Code, to Allow these in the New Bonanza Park Mixed-Use Zoning District. PL-24-0302.

Director Ward presented the Staff Report and explained that the item before the Planning Commission relates to Bonanza Park. Phase I would apply to approximately 70 acres between Park Avenue, Kearns Boulevard, Bonanza Drive, and Deer Valley Drive. Staff will highlight some of the updates that have been made since the last discussion on Conventional Chain Businesses, Open Space, Vantage Points, Parking, Non-Conforming Uses, and Non-Compliant Structures. The six goals and recommendations of the Small Area Plan can also be shared with the Planning Commission for reference.

The feedback from the April 9, 2025, Planning Commission Meeting discussion about Conventional Chain Businesses was taken into account. Director Ward noted that the previous draft had a CUP requirement for any Conventional Chain Businesses, but that has since been removed. There is a limit that these commercial uses cannot exceed 5,000 square feet unless they are grocery stores, banks, or gyms. Conventional Chain Businesses would be subject to the 5,000 square foot limitation and cannot be more than

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30% of the commercial area within the development. There is one consideration for the Planning Commission where it is possible to add another exception to the 5,000 square foot limitation for Indoor Entertainment Facilities, such as a movie theater or bowling alley. Director Ward noted that a Tier B project enhancement includes prohibiting Conventional Chain Businesses and providing incubator spaces for local entrepreneurs.

Chair Van Dine expressed support for the inclusion of Indoor Entertainment Facilities. Commissioner Frontero also expressed support, but believed it needed to be further defined to outline what that could or could not include. The current language seems fairly broad, and he would like to see it be narrowed slightly. Commissioner Sigg agreed that Indoor Entertainment Facilities is a broad term and he would like it further defined as well. Director Ward shared a definition of Indoor Entertainment Facility from the code:

- Indoor Entertainment Facility: An establishment or enterprise for the purpose of amusing or entertaining persons for profit or non-profit, and generally contained within a structure. Such uses include, but are not limited to, theater, playhouse, cinema, performing arts, planetarium, discovery center, museum, or bowling alley.

Commissioner Shand wondered whether a maximum square footage should be considered for Indoor Entertainment Facilities. Director Ward believed the Commission is supportive of an exception with an established maximum square footage. Commissioner Frontero pointed out that the definition includes “not limited to,” which is somewhat concerning because that makes it broad. Director Ward suggested that it be tied to the Purpose section of the Bonanza Park Mixed-Use (“BPMX”) District and with a disclaimer to state, “as reviewed and approved by the Planning Commission.” That would ensure there was Planning Commission discretion. Commissioners expressed support.

Commissioner Sigg asked if there is an inventory of the different parcels and their sizes within the BPMX District. When there are size requirements implemented, certain parcels will be automatically precluded. Commissioner Frontero believed an example of an Indoor Entertainment Facility is an indoor golf facility. Director Ward believed that would fall under a Private Recreation Facility, which would be a conditional use. Commissioner Johnson wanted to know more about the process when classifying something as a Recreational Facility or Indoor Entertainment Facilities. Director Ward explained that there is a new process under State Code that went through with the latest amendments on June 5, 2025. The State requires there to be a process for uses that do not fall into a defined term. There would be consideration from the Planning Commission and City Council, and a determination could be made on the proposal. Upon review, something like a golf facility would likely fall under Private Recreation rather than an Indoor Entertainment Facility. An Indoor Entertainment Facility is something that can be defined specifically for the BPMX District because of the square foot limitations.

Commissioner Sigg stated that he has concerns about an entertainment area being construed as a private club. It could become something exclusive as opposed to inclusive

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in an area that is meant to be community-centric. He wants to ensure that whatever is created will serve the community at large. Director Ward referenced Line 587 of the Draft Ordinance. It states that the buildings are required to have an active use on the ground level. It would allow for retail, restaurants, bars, and those types of uses as well as community spaces, educational, medical uses, and civic spaces. It allows for Public Recreation Facilities, but does state that private or exclusive uses would be prohibited in the street front properties. Active uses do not include Private Recreation Facilities, private clubs, or similar exclusive uses. When the updates for Indoor Entertainment Facilities are made, it is possible to ensure that the distinction is clear in the language.

Director Ward shared information about Open Space and reported that the edits from the last discussion have been incorporated. 20% of the site must be Open Space. As outlined in the Staff Report, some of the definitions have been clarified for Green Community Spaces and Publicly Accessible Outdoor Space. That includes spaces suitable for year-round use, high-quality design, seating areas, play structures, and public art that incorporates universal design principles, offering unrestricted access and enjoyment for people of all ages. The changes to the Tier B project enhancement have been made, and the baseline is now set at 35% for it to count towards additional density.

Information about Vantage Points was shared. Director Ward explained that a clarification was made so it is clear this applies to the fourth story massing, mechanical equipment, and elevator penthouses, and that those will be shifted within that upper story to mitigate the impacts to the mountain view corridors. The additional setbacks for the mechanical equipment and elevator penthouses will continue to apply. Commissioner Sigg asked about the practicality of that, because a lot of times, building designs will have certain elements in their core. In many cases, the equipment cannot be located anywhere other than where it has been proposed. He wanted to know what would happen in that kind of situation. Director Ward asked if there is a desire to see some flexibility for site-specific review. Commissioner Sigg felt that it made sense for an elevator penthouse.

Commissioner Sigg asked how often the Vantage Points are updated to reflect the changing conditions. Director Ward reported that there are currently Vantage Points in specific locations. Those points are clearly defined. It is possible to update those as needed, similar to what was done with the Sensitive Land Overlay Vantage Points.

Senior Planner, Alec Barton, shared information about Parking. The June 11, 2025, discussion revealed that a defining characteristic of a Boutique Hotel is the way that people travel to and from the site. As a result, the definition of a Boutique Hotel has been updated to reflect that a Boutique Hotel would be required to provide shuttle services to and from Salt Lake City International Airport and incorporate transportation strategies that would bring guests and employees to the site without a vehicle. The other change to Boutique Hotels is the reduced parking requirement from one to half a space per room.

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Another change to the Parking section is that the cap limitation for car share programs was removed. The code allows unbundled parking as an option for project requests to reduce the parking requirement. Lastly, the code leaves flexibility for site-specific reviews. Planner Barton shared the current unbundled parking language. Commissioner Johnson thought that during a previous discussion, it was determined that unbundled parking would not be allowed for projects that were using certain funding mechanisms. Planner Barton believed that it was in relation to the project enhancements. If an affordable housing project is relying on funding, then it would not be required to implement unbundled parking. The language shown relates to 100% residential. Line 286 was shared, which includes the Criteria for a Fully Residential Development language. Those additional requirements for street front activation are listed, and exceptions are listed on Line 318.

Chair Van Dine knows that the City Council was looking at redefining how they determine affordable housing. She asked whether that needs to be addressed in this code. Director Ward explained that the way the code is drafted currently, it is an average of the Area Median Income ("AMI"). Developers can propose 60% AMI or an average of 80%. There is some flexibility built in for deeper affordability as well as attainable housing. Any project that is coming forward that does not have the affordable project enhancement would still be required to comply with the inclusionary zoning Affordable Housing Resolution.

Commissioner Johnson shared an example scenario and expressed concerns about unbundled parking. It does not make sense for affordable housing units to pay for parking. He sees the use of unbundled parking, but objects to it being associated with an affordable housing unit. Commissioner Frontero argued that it would be more affordable for someone in an affordable unit who does not own a vehicle. Parking is not being paid for in a bundled rent, but it is being carved out only for those who own a vehicle and require the space. Commissioner Shand sees the merit in both positions. Commissioner Frontero believed it would make sense for the base rate for rent to start lower. Then the developer would make money back on those who chose to pay for the parking space. Chair Van Dine pointed out that there is no way to regulate that so it actually happens. She agrees with Commissioner Johnson that there is no mechanism to regulate the lower prices, so it could be that those with vehicles are forced to pay extra, even those in an affordable housing situation. She does not know where the middle ground is for this.

Commissioner Shand pointed out that the AMI does not take the additional parking cost into account. If someone can afford a unit based on AMI, and the parking is not included, then that could create a hardship. Commissioner Johnson thinks it would be nice to have some sort of benchmark to ensure the affordable units have the availability of parking. If there is a mixture of AMI and market rate units, he wants to understand how those parking spaces will be allocated and who is prioritized. There was additional discussion about unbundled parking. Chair Van Dine asked if there is anything that Staff saw in other codes related to unbundled parking. Planner Barton reported that there are some cities that require unbundled parking in certain neighborhoods, but it is rare. The more common

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approach is what is being proposed here, where unbundled parking is an incentive. A developer can propose to unbundle parking and request a parking reduction.

Commissioner Suesser is sensitive to the issue raised by Commissioner Johnson. She believes the Commission should explore the incentive a bit more, or not have it apply to affordable housing. For instance, if there is a mixed-use development and there are some commercial, market-rate, and affordable units, then the developer would not be able to further reduce parking by unbundling parking for the affordable units. She agrees with Commissioner Johnson that the additional cost to someone in an affordable unit might create a hardship. It might be possible to carve out affordable units from the unbundled incentive. Commissioner Frontero likes the suggestion but feels it needs to be studied.

Commissioner Frontero pointed out that an applicant who came before the Planning Commission could be asked whether the base rate of the unit would drop if the parking was unbundled. It would also be possible to ask that the affordable units not be unbundled. Chair Van Dine stated that when a project comes in, it comes to the Planning Commission with proposals for the tier items. After the Planning Commission review, it goes to the City Council. Director Ward clarified that it only moves forward to the City Council for project enhancements. Unbundled parking is not one of the enhancements.

Director Ward referenced Line 1019 of the document, which is related to Unbundled Parking. There could be sub-criteria added to outline what the applicant is required to show the Planning Commission through a Parking Management Plan. That could address some of the concerns that have been expressed by the Planning Commission. Commissioner Frontero wondered whether bundled versus unbundled could be mentioned in terms of AMI. Director Ward believed the suggestion was to build in a further incentive. Commissioner Shand shared an example scenario where the mandate is for the developer to offer 35 residences at 60% AMI. If the parking was unbundled and someone did not have a vehicle, then the rent for the unit could be 55% AMI instead.

Commissioner Suesser responded to the recommendation made by Director Ward to address this matter through the Parking Management Plan. She would rather not include it there and see it addressed within the code instead. She likes the suggestion made by Commissioner Shand. Other Commissioners expressed support for addressing it that way.

Director Ward reported that there is one other area to discuss related to the Parking section. It is currently remaining in the code that, for cumulative parking reductions, the maximums remain. However, there is flexibility with Planning Commission approval. There was discussion about potentially allowing for more residential reductions. She asked if the Planning Commission would like to make any updates to this portion of the code. Commissioner Frontero asked what the goal is with maximum parking reductions. Director Ward clarified that with the different components of the code, there could be combinations that could lead to substantial parking reductions by right. This sets a

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maximum. If there was a desire to reduce beyond that, the applicant would need to show the Commission that there was an effective Transportation Demand Management Plan and Parking Management Plan. Commissioner Frontero expressed support for this.

Commissioner Suesser mentioned the reduction in Boutique Hotel parking requirements to half a stall per hotel room. She still believes that incentivizes visitors to bring vehicles to the hotel and wonders whether that number is still too high. Based on feedback from a recent applicant, a few of their guests bring vehicles. For a Boutique Hotel to provide shuttle services but still provide half a parking spot for each hotel room seems unnecessary. She does not think a Boutique Hotel should have that much parking.

Commissioner Tilson asked if the Boutique Hotel parking requirement includes employee parking. Director Ward reported that the current version of the Code includes the employee parking. Commissioner Shand would like to see some input from hotel operators before it is reduced beyond half a parking space per room, especially in light of the spaces, including employee parking. There should be further consideration before it is reduced further. Director Ward explained that as drafted, this would be the baseline requirement. An applicant with a Boutique Hotel could still propose additional alternative strategies for further reductions, so there is some flexibility provided.

Commissioner Sigg noted that there might be issues if guests arrive with a vehicle and there is not enough parking to accommodate them. His concern is that there might be an overflow as a result of the half parking space per room. Commissioner Suesser pointed out that employees could be required to park off-site and then could be shuttled to the hotel. Commissioner Sigg was not sure that would make enough of a difference to offset the numbers. Commissioner Shand believed a Boutique Hotel built in Bonanza Park with limited parking would need to let their guests know ahead of time that parking is limited. There was consensus to leave the language as currently drafted, with the understanding that it is possible for an applicant to request steeper reductions through the process.

Director Ward shared information about Transient Uses. The Staff Report outlines the non-conforming uses that can continue and the non-compliant structures that can remain as built. It is possible for those to be repaired and maintained, but there are limitations on increasing the non-conformity or non-compliance. There have been discussions about the nightly rentals for the existing Transient Uses. Section 15-2.27-14 establishes:

- Hotel:
  - 1800 Park Avenue (180 hotel rooms).
- Nightly Rentals:
  - 1900 Homestake (42 units);
  - 1800 Homestake (28 units).
- Nightly Rental Condominium:
  - 1637 Short Line Road (33 units).

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There was public input submitted for Commission consideration, which is included in the Meeting Materials Packet. The input proposed additional regulations for the existing uses. Director Ward noted that the existing code that is referenced in the Staff Report outlines how those uses may remain. Commissioner Frontero had a question about the non-conforming uses. He wanted to know what would happen if there was redevelopment or a new development. Director Ward explained that under Chapter 15-9, if it were to be demolished and reconstructed, new construction would need to comply with the BPMX District. It can remain in the current condition and be remodeled as long as it does not make whatever is non-conforming or non-complying further non-conforming.

Commissioner Suesser believed that adding density would trigger something falling out of the grandfathered exemption. Director Ward confirmed this. Commissioner Sigg asked if someone could have the same number of units but make the units larger. Director Ward read the following draft language to provide additional clarity:

- Buildings within which the existing transient Uses described herein are located at the time of the adoption of Ordinance No. 2025-XX may be improved as outlined in Chapter 15-9 Non-Conforming Uses and Non-Complying Structures.

Director Ward reported that clarifications have been made to the language. For example, an addition has been made to Line 95 to state that Boutique Hotels are limited in the number per acre. There has also been a clarification made to the Parking Code that the code for reductions is for new development that comes forward to the Commission with a Transportation Demand Management Plan that shows the vehicles will be reduced at the time of adoption. It does not mean that existing properties are now subject to the reduced parking. However, existing property owners can submit a CUP and come to the Planning Commission for potential transformation of excess parking or to request parking reductions. The only other new modification is one the Commission has seen previously. The original Rail Trail was proposed to extend directly across from its current location. The updated code includes an updated image that illustrates that the Rail Trail would shift south on Bonanza Drive and would connect to Park Avenue on Iron Horse Drive.

Director Ward explained that this item was noticed for potential recommendation to the City Council. The Draft Ordinance would include the rezoning and would enact the new Bonanza Park Mixed-Use Land Use Regulations. It would also update the Frontage Protection Zone to reference the more restrictive requirements within the BMPX District. It would amend the Affordable Master Planned Development Code as well.

Based on the latest Planning Commission feedback, there needs to be clarification made to the definition of Indoor Entertainment Facility and an establishment of a maximum square footage, tying it to the Purpose section of the BPMX District, and also ensuring that it goes through with Planning Commission Review. That review will be based on compatibility with the underlying zoning. As for commercial outdoor space, there would be a clarification made for the rooftop uses as far as the Conventional Chain Businesses

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percentage. There would be flexibility built into the Vantage Points with Planning Commission review for the elevator penthouses. As for unbundled parking, the criteria the Commission would review will be clarified, including the plan to manage that with affordable units and the potential for deeper affordability when those are unbundled.

Director Ward shared the following Staff recommendation with the Planning Commission:

- Review the Draft Ordinance to rezone approximately 70 acres to Bonanza Park Mixed-Use and to amend the Land Management Code to enact the Bonanza Park Mixed-Use District regulations and update the Frontage Protection Zone and Affordable Master Planned Development Code;
- Conduct a Public Hearing; and
- Consider forwarding a positive recommendation for City Council consideration on July 10, 2025.

Chair Van Dine opened the public hearing.

Mary Wintzer gave her zip code as 84060 and explained that she is a General Partner at Wintzer-Wolfe Properties. She thanked the Commissioners who took time to visit with her and some of her tenants. Ms. Wintzer appreciates the effort that has been put into this new code, but wanted to share some comments for the record. For Wintzer-Wolfe Properties, some of the proposed changes do not work. They put in the existing 6-foot bicycle path along Iron Horse and the section of Bonanza. The new plan would have that path increase by another nine feet of pavement if there was redevelopment. With the proposed path, they would be giving up approximately 34,000 square feet of land. This would be a clear taking. In addition to the financial cost to Wintzer-Wolfe Properties, the increased pavement in the setbacks would leave no open space for planting and other amenities that the setbacks are normally used for. It would mean removing 40 trees that are approximately 30 feet tall, because those would be in the line of a larger bicycle path. Ms. Wintzer stated that the proposed code changes would be a hindrance and make it impractical and unrealistic for Wintzer-Wolfe Properties to consider redevelopment.

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

Chair Van Dine asked Staff to address the comments made by Ms. Wintzer. Director Ward understands the concerns expressed. She referenced Line 128 in the Draft Ordinance, which outlines the street cross-sections. The Summit County Parcel Viewer map was shared. What is platted as right-of-way is not what is built. Iron Horse Drive is 50 feet in width, as platted, but that is not how it is built, because it is much narrower. What is proposed for the cross-section would have some encroachments of multi-use paths and sidewalks on the private properties, but not to the full extent of the widths that are proposed within the code. Line 140 states that the travel lanes are proposed to be 11 feet in width with a 2-foot buffer for the curb and drain, with landscape strips, a sidewalk that would be 10 feet in width, and a multi-use path that would be 12 feet in width. The

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dashed lines show the current right-of-way width. In some areas, it is 50 feet. There would be some requests to have portions of the multi-use path and sidewalk on private property, but it would not be the full 12 feet for the multi-use path. There may be some vegetation in the existing right-of-way that would be impacted.

Commissioner Suesser believed the multi-use path is currently planned for the north side of Iron Horse. It looks like all of the right-of-way is not currently being used, but what is not being used appears to be on the south side of Iron Horse. It seems like it would make sense to have the multi-use path along the south side of Iron Horse instead. Director Ward shared an image of the updated proposal. It continues to have the Signature Trail along the north side of Iron Horse. As currently contemplated, the multi-use path would be along the north side of Iron Horse Drive. Commissioner Sigg does not feel it makes sense because someone would need to cross Iron Horse Drive, and it is a busy area. Based on the comments during the public hearing, redevelopment is unlikely if this moves forward, but this process has been about incentivizing redevelopment of the area.

There was discussion about the rationale for having the multi-use path on the north side rather than the south side. Commissioner Johnson mentioned the sidewalk that is proposed. Director Ward reported that the multi-use path is proposed to be 12 feet, and the sidewalk is proposed to be 10 feet. She noted that the Commission can consider a modification to what has been proposed. Commissioner Johnson understands the concerns that have been expressed. Commissioner Sigg believes the existing trail is more in line with a proposed trail to the south rather than the north. He also sees multiple alternative access points to reach a trail on the south versus a trail on the north. Commissioner Suesser noted that feedback was received from a prominent landowner along Iron Horse about the encroachment of that multi-use path on private property. She believes it makes sense to put the multi-use path on the south side of Iron Horse instead.

Commissioner Johnson understands the concerns expressed by Ms. Wintzer, but does not believe the solution is as simple as flipping the multi-use path to the other side of the street. There are ramifications for the blocks to the west as well. The Commission discussed connections. Commissioner Suesser reiterated that she feels it makes more sense to put the multi-use path on the south side. She asked Staff to discuss the Planning Department decision that was made. Director Ward reported that the original proposal was to make the connection that is lacking right now from the Rail Trail across to Park Avenue. That is why the original recommendation was along Homestake Road. The intersection of Iron Horse Drive and Bonanza Drive has a pedestrian crossing light, but to get to the Poison Creek Trail, it requires that someone travel west on Iron Horse Drive before crossing. There is a mid-intersection crosswalk available to access that trail. It is not a straight connection right now from the sidewalks to the Poison Creek Trail. The goal was to continue that connection to Park Avenue as conveniently as possible without the additional crossings. Right now, some of the most difficult places to navigate in the neighborhood are going south from Kearns Boulevard, so the focus was on connection.

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Director Ward confirmed that a shift to the south can be made, if desired by the Commission, but she would want to reach out to the Engineering Team and Transportation Planning about that. Commissioner Suesser expressed support for shifting the multi-use path to the south. Commissioner Frontero wanted to look at this more closely and receive additional analysis. Commissioner Sigg and Commissioner Shand also wanted to see what the alternatives would look like. Commissioner Tilson is in favor of switching the planned location of the multi-use path and the sidewalk.

Director Ward reported that Staff will make changes to the Draft Ordinance based on feedback from the Commision. Work will be done with Transportation Planning and Engineering on the shift of the multi-use path to the south. The streetscape cross-sections and connectivity vision will be updated. Chair Van Dine asked if this item would be continued to a future meeting. Director Ward stated that the Staff recommendation is for the Commission to forward a recommendation to the City Council for their consideration on July 10, 2025. Prior to that, the discussed modifications will be incorporated.

MOTION: Commissioner Frontero moved to forward a POSITIVE RECOMMENDATION to the City Council for consideration on July 10, 2025, for the Bonanza Park Small Area Plan outlined in the Draft Ordinance, as amended. The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

It was noted that some Commissioners will be going to a restaurant after the meeting.

6. ADJOURNMENT

MOTION: Commissioner Frontero moved to ADJOURN. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 8:31 p.m.

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PCSD SPORTS COMPLEX

1750 KEARNS BOULEVARD

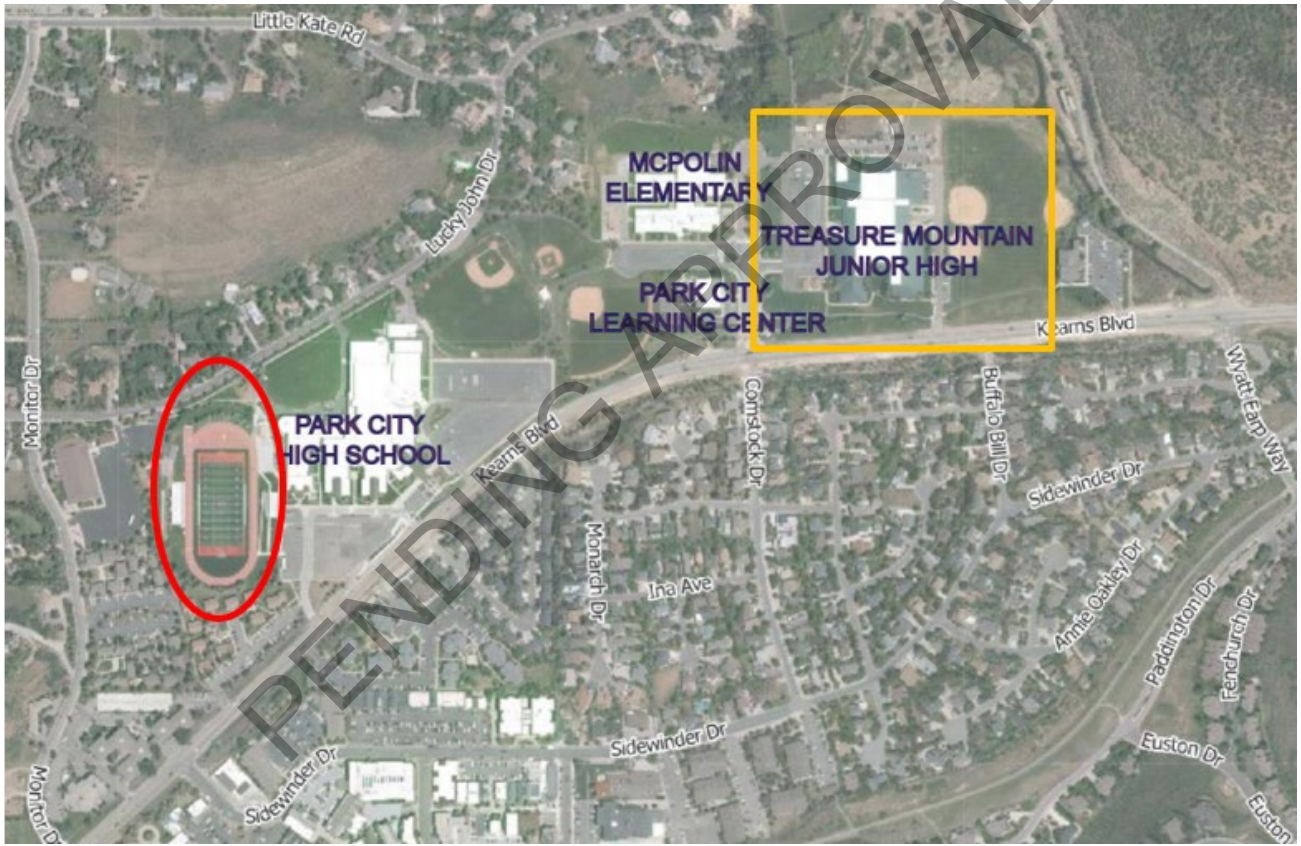
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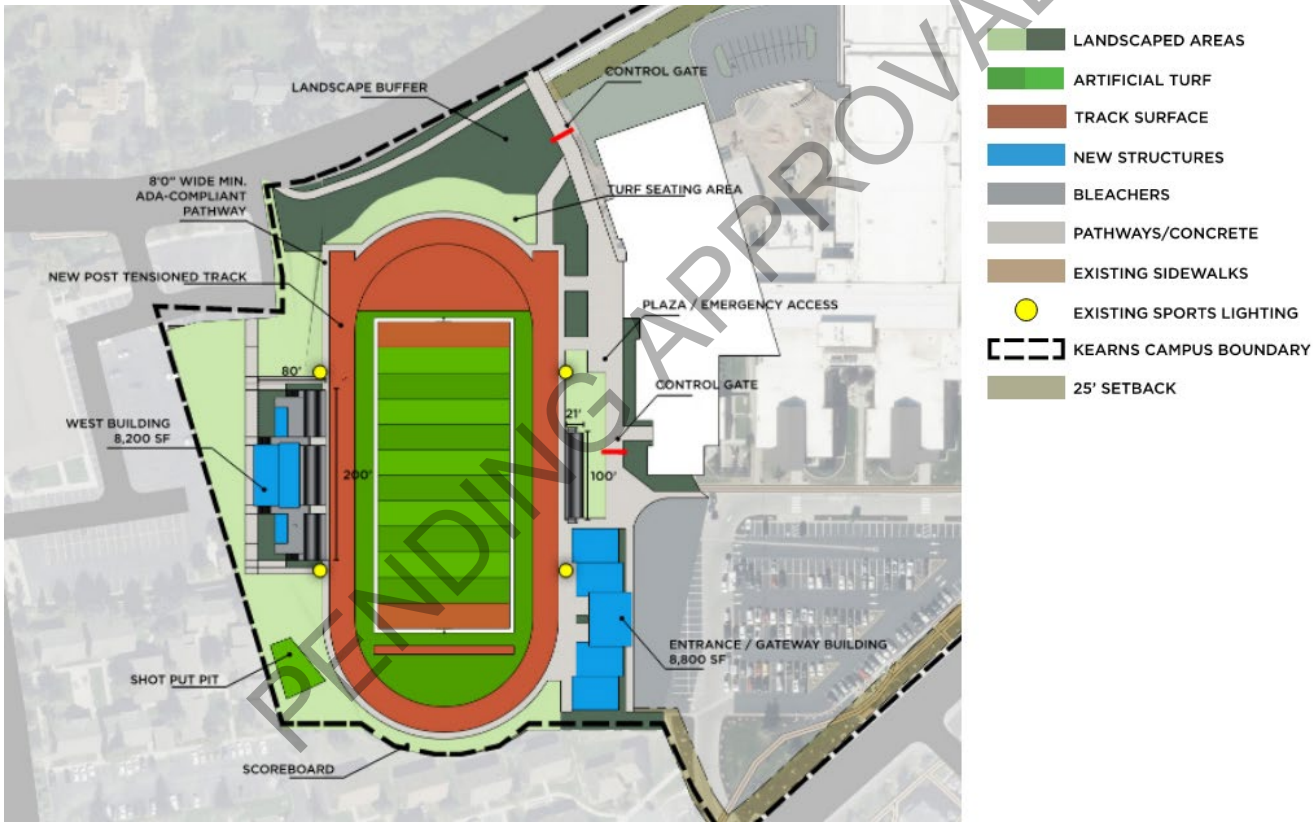
June 25, 2025

PARK CITY
1884

1750 KEARNS


Little Kate Rd
Lucky John Dr
MCPOLIN ELEMENTARY
TREASURE MOUNTAIN JUNIOR HIGH
PARK CITY LEARNING CENTER
Kearns Blvd
Monitor Dr
PARK CITY HIGH SCHOOL
Kearns Blvd
Comstock Dr
Buffalo Bill Dr
Wyatt Earp Way
Sidewinder Dr
Monarch Dr
Iha Ave
Annie Oakley Dr
Paddington Dr
Fenchurch Dr
Sidewinder Dr
Sidewinder Dr
Euston Dr
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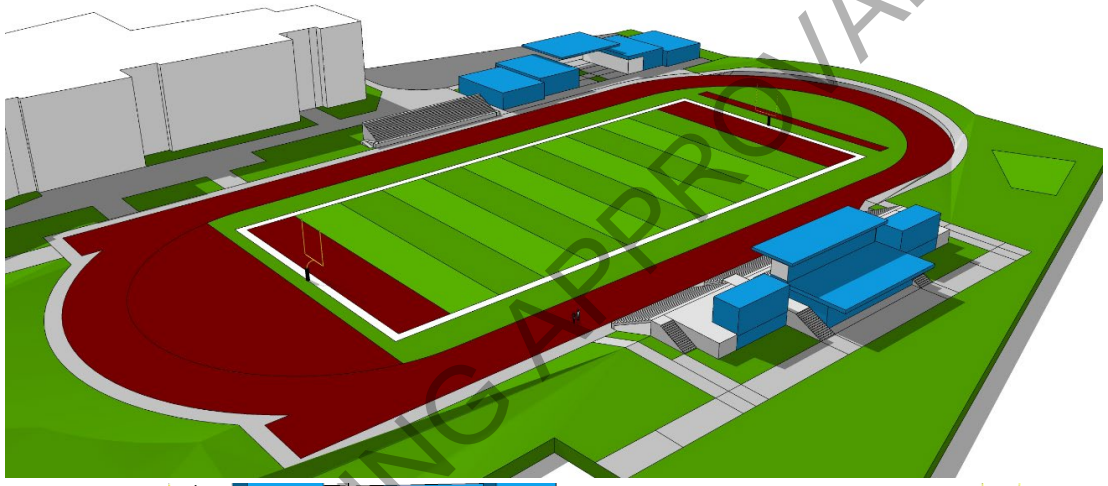
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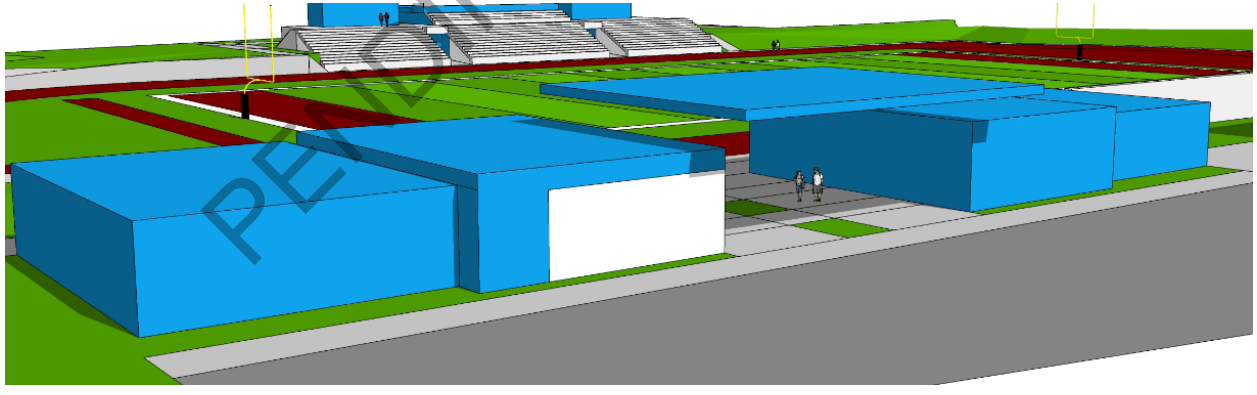
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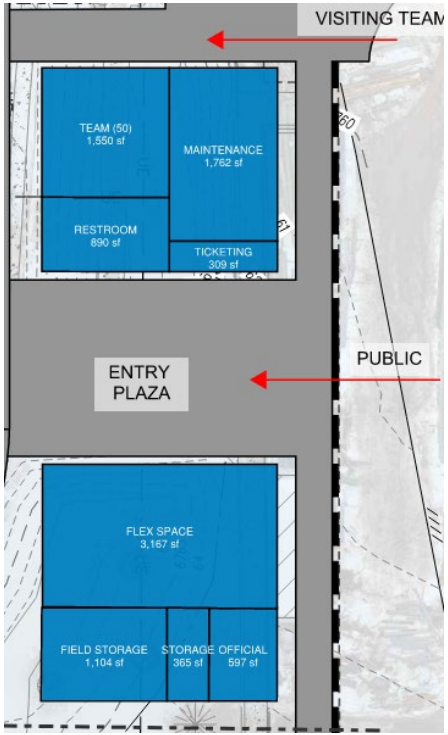
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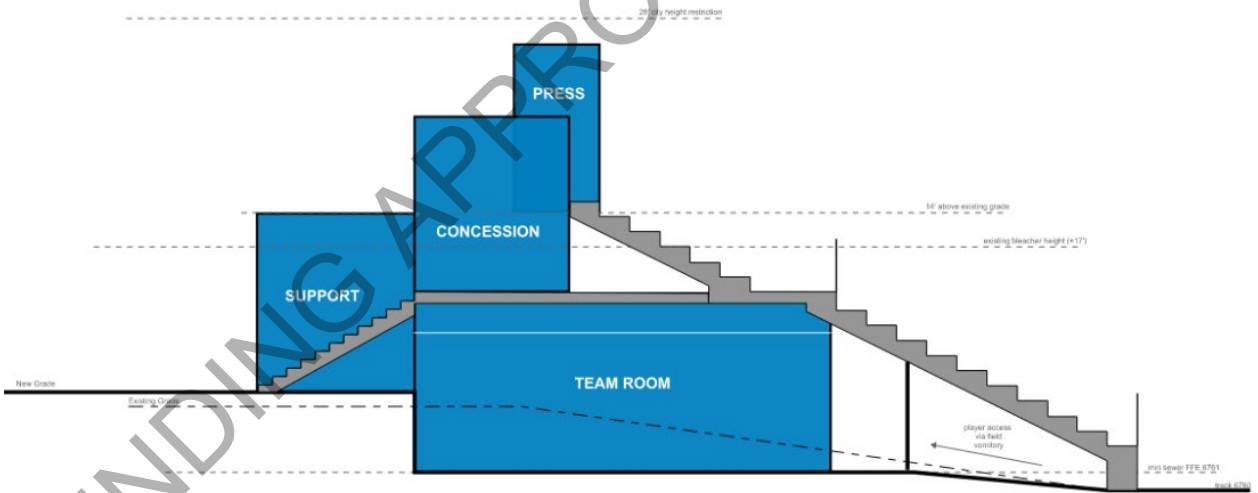




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1750 KEARNS





CROSS SECTION

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1750 KEARNS

- Modification complies with ROS Zoning District Requirements
- Modification complies with the Off-Street Parking Requirements
- Modification Complies with the CUP Requirements

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- COA 6: No Structure shall exceed 28-feet in Height from Existing Grade unless a Variance from the Board of Adjustment is applied for and granted.

- COA 14: The Applicant shall obtain Engineering Department approval for drainage and storm water management plans. Drainage and storm water management shall comply with Municipal Code of Park City Chapter 13-5, Regulation and Enforcement of Storm Water Discharges Associated with Post-Construction Activities. The applicant shall also submit the Fugitive Dust Plan and SWPPP plan to the City prior to submitting the State Building Permit.

- COA 19: The Applicant's use of artificial turf must comply with the Drinking Water Source Protection requirements found in Park City Code § 13-1-28, subject to review and approval by the Park City Water Department.

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- COA 15: The Applicant proposes a north-south emergency vehicle lane east of Dozier Field in between the field and Park City High School. The Applicant shall install a vehicle control gate and operate such vehicle control gate to prohibit ingress and egress of any vehicle other than an emergency vehicle on this north-south lane. No additional ingress and egress on Lucky John Drive is approved as part of this CUP. All other vehicles must exist onto Kearns Boulevard. If additional bus use is proposed on the emergency vehicle lane, the Applicant shall submit a Traffic Impact Study with review by the Engineering Department, and shall return to the Planning Commission for a modification to this CUP.

- COA 18: No building or recreation facility shall be built within the 100-foot buffer from the Lucky John Right-of-Way. This shall remain as Open Space.

PENDING APPROVAL

Recommendation

(I) Review the proposed modifications to the Conditional Use Permit

(II) conduct a public hearing, and

(III) consider approving the modifications based on the redlined Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter

The Planning Commission may:
- Approve the Modified Conditional Use Permit;
- Deny the Modified Conditional Use Permitand direct staff to make Findings for the denial; or
- Request additional information and continue the discussion to a date certain.

PENDING APPROVAL

685 & 715 Saddle View

Unit 6 and Unit 9 Plat Amendment

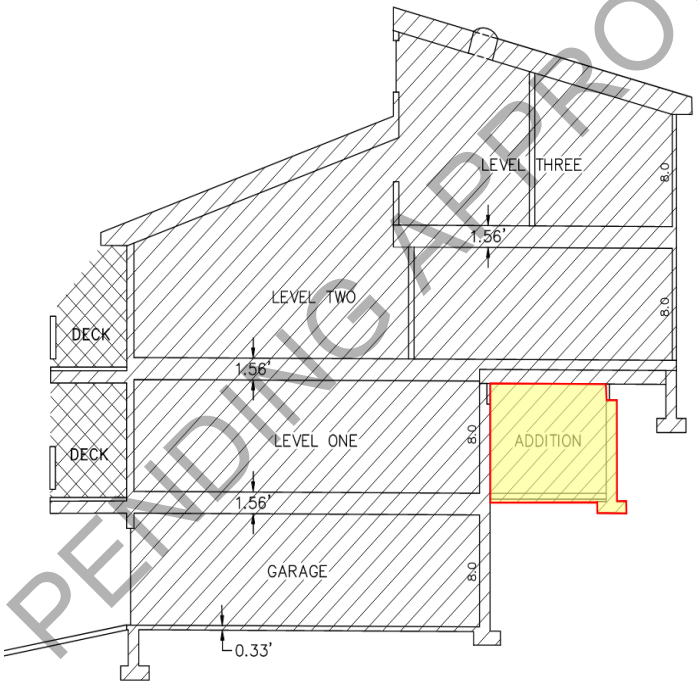
Background

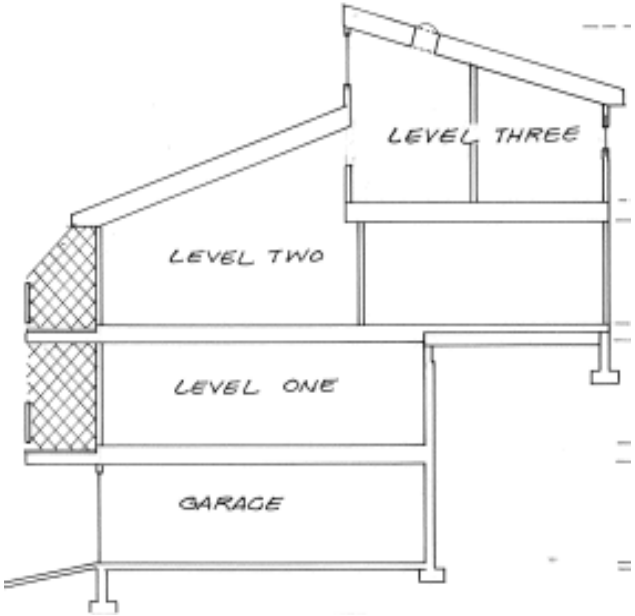
- Original Plat recorded in 1981 and the existing Units range in size from 3,200 to 4,280 square feet.
- In 2024 the Planning Commission approved a condo plat amendment for Unit 11 to add 300 square feet of Private Area

PENDING APPROVAL

Proposal

- The Applicants proposes to add 318 square feet of private area to Units 6 and 9.
- 3,572 existing square feet to 3,890.

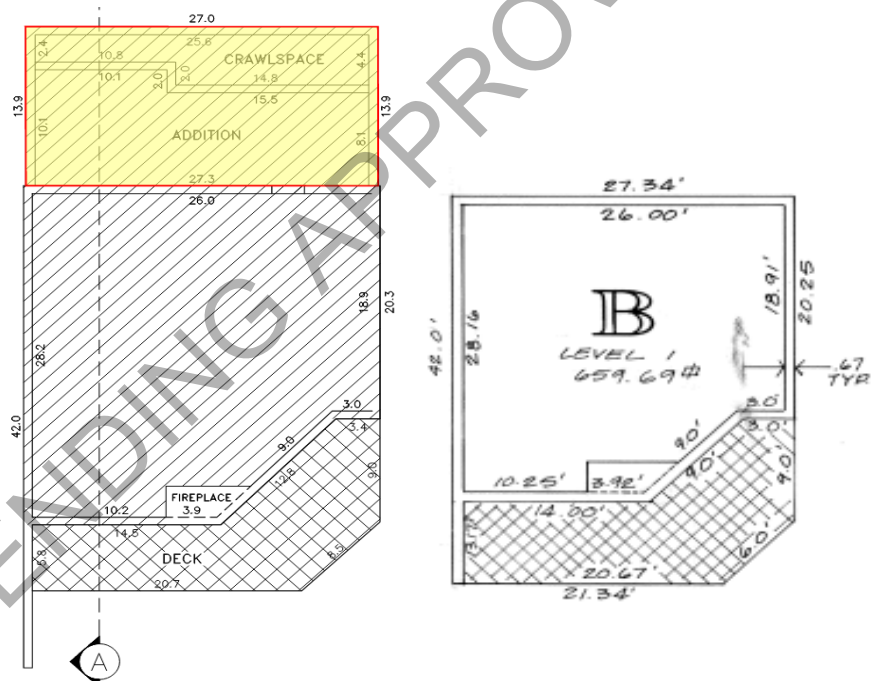




PENDING APPROVAL

Proposal

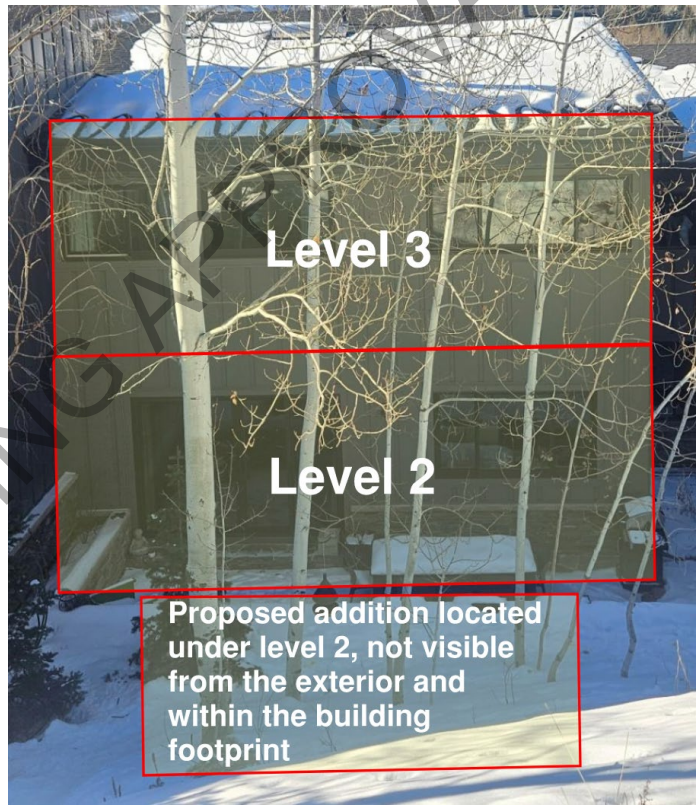
- The Applicants proposes to add 318 square feet of private area to Units 6 and 9.



PENDING APPROVAL

Proposal

- The Applicants proposes to add 318 square feet of private area to Units 6 and 9.



PENDING APPROVAL

Analysis

- The Proposal complies with the RD Zoning District requirements, Off-Street Parking, and there is Good Cause for the Plat Amendment

PENDING APPROVAL

Recommendation

(I) Review the proposed Plat Amendment

(II) conduct a public hearing, and

(III) consider approving the proposal based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter

The Planning Commission may:
- Approve the Plat Amendment;
- Deny the Plat Amendment and direct staff to make Findings for the denial; or
- Request additional information and continue the discussion to a date certain.

PENDING APPROVAL

Planning Department
Staff Report

Subject: **301 Marsac Avenue**
Applications: **PL-23-05947**
Author: **Elissa Martin**
Date: **July 23, 2025**
Type of Item: **Plat Amendment**

Recommendation

Staff recommends the Commission please open a public hearing and continue the public hearing to August 13, 2025 to allow additional time for the Applicant to make required updates to the Plat based on the County Surveyor's review and comments.

Description

Applicant:	Silver Stream Advisors, LLC Representative: Jodi Hoffman, Park City Legal
Location:	301 Marsac Avenue (PC-441)
Zoning District:	Historic Residential-1
Adjacent Land Uses:	Single Family and Multi-Family Residential
Reason for Review:	Plat Amendments require Planning Commission Final Action[1]

[1] LMC § 15-1-8(H)

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MEMORANDUM

To:	Park City; Rebecca Ward
From:	General Plan Consultant Team; Design Workshop
Date:	July 1, 2025
Project Name:	Park City General Plan Update
Project #:	7669
Subject:	Planning Commission Update

This memo outlines the next steps in the General Plan update process. Following a year of work on the new General Plan, the Park City process is in the final stage of work. The General Plan is a key document that will guide the city's future growth, development, and sustainability efforts into the future. The General Plan reflects the community's aspirations, outlining the steps, actions, partnerships, and policies needed to achieve the collective vision. The draft General Plan is available online at https://engageparkcity.org/generalplan. In addition, a community questionnaire available on the website will be open through July 31, 2025 for community members to provide comments on the draft plan.

The consultant team met in a joint meeting with the Planning Commission and City Council on June 26th to share an update of the engagement and drafting process and receive initial feedback on the draft General Plan. There are two Planning Commission meetings scheduled in July for the Commission to provide additional detailed feedback on the draft document. The General Plan includes topical chapters, which are proposed to be discussed in the upcoming meetings as follows:

- July 9, 2025: Transportation, Community Character, and Land Use Nodes Type Map
- July 23, 2025: Moderate Income Housing, Water and Open Space Preservation, and Sustainability

In addition, based on feedback from the Planning Commission and City Council at the June 26 joint meeting, the consultant team is working to streamline the General Plan for improved clarity and usability. Prior to making these adjustments, the team would like feedback from the Planning Commission about these specific changes. Following the Planning Commission's review, the consultant team will provide a refined final document draft for review and an additional joint work session will be held to review this update prior to adoption.

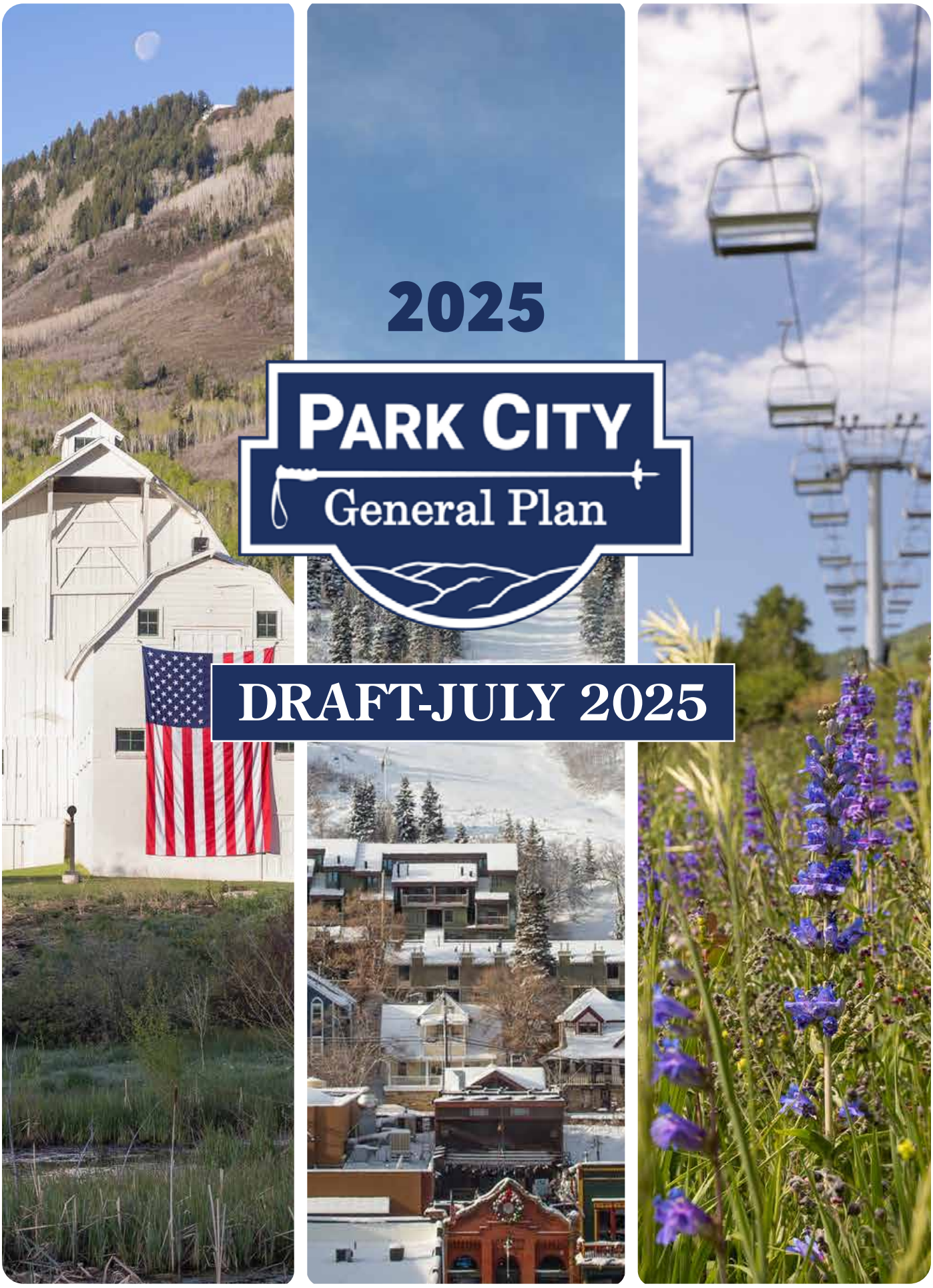
Proposed document adjustments include:

- **Document Reorganization**: The draft includes chapters and data that can be moved to the appendix in order to shorten the document. This includes:
    - Chapter 1, Introduction, will be simplified. The Plan Process section on pages 16 – 19 will be moved to the Community Engagement Appendix.
    - Chapter 2, Drivers and Trends, will be moved to the appendix in its entirety.
    - Chapter 3, Plan Themes, will be reformatted to reduce the length of each theme. The team has a goal to limit these to 4-6 pages each. To do this, all the Current Initiatives sections will be moved to an appendix.
    - Chapter 4, Neighborhood Plans, will remain formatted as is, but some images may be updated based on feedback in the review process. Font size adjustments are also anticipated.

    - Chapter 5, Future Land Use Node Types, will be consolidated. Each of the Node Types will be described, but the number of images for each type will be reduced in order to reduce the size of the chapter. Font size adjustments are also anticipated.
    - Chapter 6, Implementation Plan, will become an appendix with the action items. The team will also explore other formatting updates in this section in an effort to consolidate information as possible.

- **Reformatting of Action Item Prioritization**: The document includes strategies and action steps in each plan theme. The action steps include prioritization. Based on feedback at the joint work session the prioritization will be removed and new language identifying a yearly prioritization exercise with Planning Commission and Council will be added.

- **Consolidation and Relocation of Action Items**: All action items will be relocated to the Implementation Chapter to improve usability and focus. The Implementation Chapter will be moved to an appendix as mentioned above.



2025

PARK CITY General Plan

DRAFT-JULY 2025

ACKNOWLEDGEMENTS

TO BE ADDED AT 100%

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LETTER FROM THE MAYOR



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INTRODUCTION

OVERVIEW

ABOUT THE PLAN

Park City's General Plan is the community-driven blueprint that builds upon prior planning documents and visioning to guide future development, growth, and land use policy. It captures a shared community vision, how and where people live, work, shop, and play, and translates that vision into goals, policies, and strategies for land use, transportation, housing, open space, public facilities, and more. By setting clear expectations for infrastructure investments and growth patterns, the General Plan provides consistency and predictability for residents, developers, and decision-makers alike.

Under Utah law (Utah Code § 10-9a-401 et seq.), every municipality must adopt a General Plan and review it regularly. At a minimum, the Plan must include:

- **Transportation/Circulation Element:** Mapping existing and future roads, transit routes, and active-transportation corridors;
- **Land Use Element**: Designating where different types and intensities of development should occur;
- **Moderate-Income Housing Element:** Identifying realistic opportunities to meet the community's affordable-housing needs over the next five years; and
- **Water Use and Preservation Element:** Aligning local water policy with regional conservation goals.

The General Plan is an advisory guide for land use decisions. Public uses must conform to the Plan, including publicly owned properties, streets, and public utilities.

WHY NOW?

Since Park City's last General Plan was adopted in 2014, numerous shifts have occurred that make an update both timely and essential. Over the past decade, demographic trends have evolved with a growing year-round population alongside a dynamic tourism economy that influence transportation needs, housing demand, and public-service capacities. Infrastructure investments and energy-conservation priorities have also advanced, particularly around transit expansions and renewable energy, which the 2014 Plan does not fully address.

Moreover, recent state statutes now require stronger emphasis on affordable housing and water conservation, two critical challenges for mountain communities facing rising housing costs and variable water supplies. By updating the General Plan, Park City can integrate the new statutory elements, harness fresh data on growth projections and resource use, and reaffirm community values through renewed public engagement. This comprehensive refresh will align local policy with current conditions, legal requirements, and the City's enduring commitment to balanced, sustainable development.

PROCESS OVERVIEW

The General Plan update process took place from June 2024 through August 2025 across five phases. In **Phase 1 (June–September 2024)**, staff compiled baseline data, then convened advisory bodies in **Phase 2 (July–October 2024). Phase 3 (November 2024–January 2025)** translated community feedback into a draft vision and goals, and **Phase 4 (December 2024–May 2025)** produced the Plan's required elements: land use, transportation, housing, water conservation. Finally, in **Phase 5 (June–August 2025)**, the draft was released for public comment and put up for adoption. **Three engagement windows** sought public input: Project Awareness & Values Identification (June–October 2024), Ideas & Alternatives Development (November 2024–March 2025), and Draft & Final Plan Sharing (April–July 2025).

VISION AND MISSION STATEMENTS

The Vision and Mission Statements were developed through a collaborative process with community input and feedback. They are grounded in Park City's core values- small town, sense of community, natural setting, and historical character, identified by the community in the previous general plan as the foundation for the community's future.

The vision and mission statements are interconnected elements that together define the direction and purpose of Park City's development. The vision statement articulates the community's long-term aspirations and values, encapsulating what residents hope to achieve and preserve as the city grows. The mission statement translates this vision into actionable goals that guide daily decisions and long-term planning. Together, these statements provide a unified direction for Park City's growth, equity, and environmental stewardship.

VISION

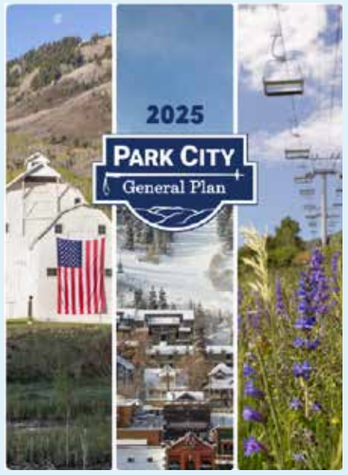
> **“Park City is a mountain community that preserves our small-town feel, unique character and history, natural environment, open space, and world class recreation. We advance multi-modal transportation and innovation for residents, workforce and visitors, while fostering thoughtful planning and land uses for balanced growth, today and for future generations.”**

MISSION

- We will be a welcoming community.
- We will preserve our open space and conservation areas.
- We will not increase our road network and will look at creative multi-modal solutions to address traffic and mobility.
- We will increase mixed-use centers in our neighborhoods that people can walk to.
- We will offer housing options to a variety of demographics (young families, seniors, etc).
- We will continue to be a healthy community.

PLAN STRUCTURE

MAIN PLAN DOCUMENT



VISION AND MISSION STATEMENTS

The vision statement articulates Park City's long-term aspirations and core values, while the mission statement translates this vision into actionable goals and commitments, to ensure alignment with the community's broader aspirations.

PLAN THEMES AND FOCUS AREAS

The core values incorporated in the vision statement direct the goals for each of the Plan Themes. Each Plan Theme includes Focus Areas which are an effort or desired result to provide direction for how to achieve the community's vision and values.

STRATEGIES

Each Plan Theme and Focus Area includes a series of recommended strategies that give clear direction on action steps and implementation to achieve the Plan vision and goals.

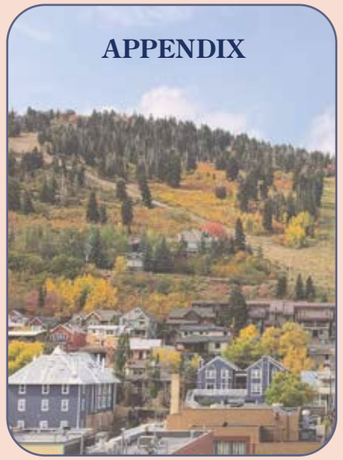
NEIGHBORHOOD PLANS

This identifies key characteristics of the area and specific recommendations for the neighborhood, all based on individual neighborhood feedback.

FUTURE LAND USE NODE TYPES MAP

This map identifies areas most appropriate for context-sensitive development and key multi-modal improvements. The city's existing Zone District Map is incorporated to ensure future development is consistent with existing development patterns.

APPENDICES



DRIVERS AND TRENDS

This chapter looks at the demographic profile of the City, understanding existing growth patterns. This chapter looks at existing transportation, population trends and identifies key takeaways for the plan recommendations.

COMMUNITY ENGAGEMENT AND OUTREACH

This gives an overview of the community outreach done as part of the General Plan Update process. It identifies key learnings from the different types of outreach done.

CURRENT INITIATIVES

This identifies policies, programs and initiatives completed by the City since the 2014 General Plan.

IMPLEMENTATION PLAN

This chapter has detailed actions identified in order to implement the strategies mentioned in the main plan document. The actions are accompanied by a timefame, and necessary departments and partnerships responsible for their implementation.

EXISTING TRENDS ANALYSIS

COMMUNITY ENGAGEMENT RESULTS

EXISTING CITY PLANS

- Moderate Income Housing Plan
- Bonanza Small Area Plan

PLAN THEMES

TRANSPORTATION

We value a connected community with great access to recreation and open spaces and a variety of transportation options for visitors, workforce, and residents.

FOCUS AREAS

- *Data Backed Decision Making*
- *Transit Improvements*
- *Traffic Management*
- *Parking*
- *Preserve Park City's Small Town Feel*
- *Walkable and Bikeable Neighborhoods*
- *Special Events*

COMMUNITY CHARACTER

We value our unique community, quality of life, and authentic character. We support a variety of options that create housing opportunities for all groups within the community. We preserve our historic districts and cultural elements and celebrate the history of Park City.

FOCUS AREAS

- *Small Town Feel*
- *Sense of Community*
- *Land Use Growth*
- *Technology*
- *Historic Preservation*

MODERATE INCOME HOUSING

We will provide housing options for various groups, including workforce, seniors, and first-time home buyers.

FOCUS AREAS

- *Variety of Housing options*
- *Workforce Housing*

WATER AND OPEN SPACE PRESERVATION

We protect our resources and plan for future generations and climate change. We strive to preserve our open and natural lands and create a green buffer around Park City.

FOCUS AREAS

- *Water Preservation*
- *Open Space Conservation*
- *Sensitive Lands*

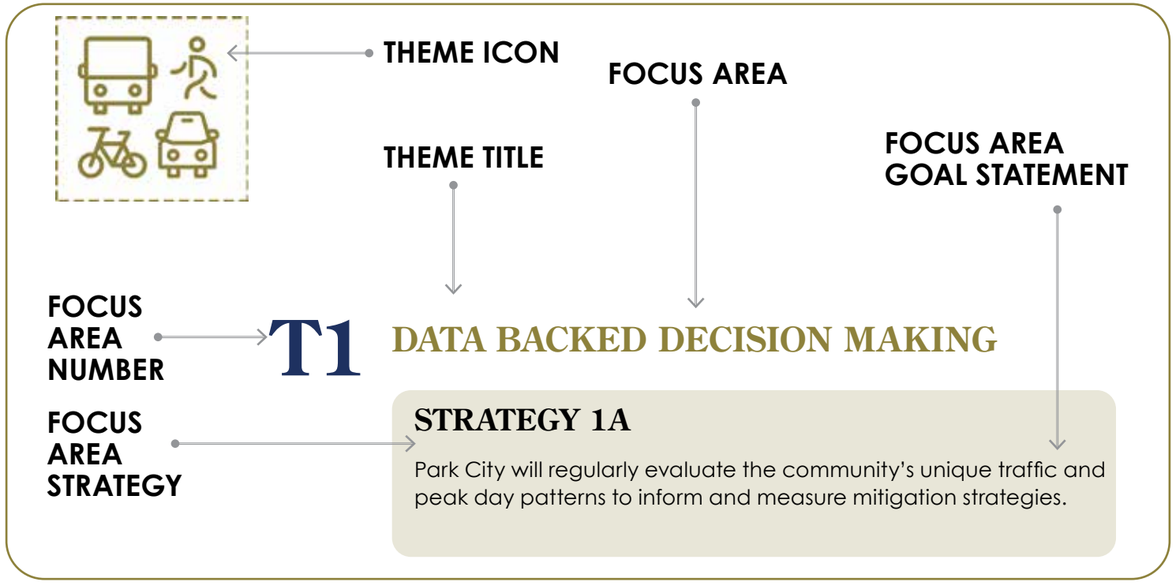
SUSTAINABILITY

We value our natural environment and preserve and protect natural areas.

FOCUS AREAS

- *Environment*
- *Wildfires*
- *Waste Reduction*
- *Energy Efficiency*





2

PLAN THEMES



TRANSPORTATION

We value a connected community with great access to recreation and open spaces and a variety of transportation options for visitors, workforce, and residents.

FOCUS AREAS

T1. Data Backed Decision Making

T2. Transit Improvements

T3. Traffic Management

T4. Parking

T5. Preserve Park City's Small-Town Feel

T6. Walkable and Bikeable Neighborhoods

T7. Special Events

T8. Emergency Planning

WHAT WE HEARD

71% of respondents feel the **biggest challenge in the eyes of the residents is traffic and congestion.** *(Survey)*

81% approximate increase in daytime population in Park City. *(Existing Trends)*

Residents prefer a focus on improved walkability and transit services for workers and visitors and prioritization of transportation improvements.

Park City residents feel that streets that prioritize walkability, and park and ride lots with express/worker transit service should be the top factors to consider when prioritizing projects in the next 5 to 10 years.

More than half of Park City residents reported that among all transportation challenges, infrastructure limitations creates the most issues.

PREFERRED SCENARIO

SCENARIO 2: More Difficult



34.63%

This scenario focuses on reducing car dependency while fostering a livable, transit-oriented, and pedestrian-focused environment.

SCENARIO 3: Most Difficult



34.07%

This scenario prioritizes people over cars, ensuring that visitors and residents alike can navigate Park City without relying on personal vehicles with consideration for the needs of residents.

TRANSPORTATION

INTRODUCTION

The results of the Statistically Valid Survey indicate that 71% of Park City residents find traffic and congestion to be Park City's biggest challenge. Residents indicated that prioritizing walkability and pedestrians is a top priority over the next five to ten years. A capture lot system for workers and visitors was the second most popular transportation option for respondents. Improving transit and easing congestion without impacting the small-town feel and open space that define Park City were also common themes.

In 2023, the leading non-interstate volumes in Park City occur along SR-224 (31,500 vehicles per day), SR-248 (21,000 vehicles per day), and Deer Valley Drive (19,500 vehicles per day). In 2023, of the 13,461 people that were employed within Park City, 87.4% lived outside of the city, meaning that the majority of the people who work in Park City live outside of the city and must commute to work from elsewhere. Overall, the city has a net inflow of commuters, with more people coming to the city to work than leaving the city to work. By 2050, SR-224 is expected to grow in traffic volumes by 5% to 33,000 vehicles, Deer Valley Drive by 10% to 21,500 vehicles, and SR-248 by 66% to 35,000 vehicles per day.

The Transportation Plan Theme provides an opportunity to address this key community priority. This Plan Theme focuses on ways to increase transit and mobility focused improvements while preserving Park City's small town feel. A key priority for these actions and strategies is to find solutions that will not require widening of existing roadways. Solutions to traffic and congestion are complex, and the community has indicated support for measures that would enable multi-modal improvements over improvements for individual cars. While the community prioritizes limitation of expansion of roads, there may be innovative solutions in the future that could be best implemented with some additional space. For this reason, this plan is clear that if lane widening is ever considered in the future, it must only be used to provide multi-modal improvements and should not be used to increase car driving lanes.

RECOMMENDATIONS

** Specific actions tied to each proposed strategy can be found in the Implementation Matrix under the Appendix chapter.*



T1 DATA BACKED DECISION MAKING

Park City will collect and analyze data under "Data backed decision making".

STRATEGY 1A
Park City will regularly evaluate the community's unique traffic and peak day patterns to inform and measure mitigation strategies.

T2 TRANSIT IMPROVEMENTS

Park City will prioritize an efficient and effective transit system that provides convenient, predictable, and reliable connections for visitors, the workforce, and residents.

STRATEGY 2A
Advance high-capacity transit on the SR-224 and SR-248 corridors in coordination with High Valley Transit and the Utah Department of Transportation (UDOT) to serve as the primary transit spines connecting regional capture lots to key destinations.

STRATEGY 2B
Build on the Short-Range Transit Plan and Transportation Master Plan Park City Forward to build the transit network, increase transit frequency, and improve regional connections.

STRATEGY 2C
Park City will develop a network of internal mobility hubs as shown in the Node Types Map, including ones in the Thaynes and Park Meadows neighborhoods, as well as more developed ones in Bonanza and Old Town, and supportive infrastructure to enhance first- and last-mile connections.

T3 TRAFFIC MANAGEMENT

Park City will enhance transit, walking, biking, and other active travel modes and utilize dynamic travel demand methods to ease vehicular congestion without expanding roads.

STRATEGY 3A
Evaluate long-term congestion pricing and/or flex-lanes on SR-224 and SR-248.

STRATEGY 3B
Park City will prioritize using pricing, mode shift, and land use policy, instead of roadway widening, to manage congestion.



T3

STRATEGY 3C
Deploy smart traffic management tools to inform dynamic operations and user guidance.

STRATEGY 3D
Strengthen policies that reduce reliance on single-occupancy vehicles by requiring and incentivizing multimodal transportation through planning, development, and transportation initiatives.

STRATEGY 3E
Reduce wildlife-vehicle collisions.

T4

PARKING

Park City will prioritize parking access for non-SOV (Single Occupancy Vehicle) modes to support the existing character.

STRATEGY 4A
Use parking pricing and policy updates to support mode shift goals, reduce vehicle congestion, and prioritize access for residents and high-occupancy travel.

STRATEGY 4B
Continue to implement the bike parking requirements of Ordinance No. 2023-18 for new development.

T5

PRESERVE PARK CITY'S SMALL TOWN FEEL

Park City will manage vehicular traffic and elevate pedestrian and bicyclist safety to preserve neighborhoods.

STRATEGY 5A
Implement Main Street circulation improvements to enhance safety and efficiency in Old Town and support a more walkable, less car-dependent downtown.

STRATEGY 5B
Continue to expand and implement traffic calming initiatives through the Neighborhoods First Streets Program.



T6

WALKABLE AND BIKEABLE NEIGHBORHOODS

Park City will enhance the safety and comfort of active transportation facilities to promote wider adoption.

STRATEGY 6A
Continue to build out the high-comfort active transportation network by implementing priority segments of the 2024 Bike and Pedestrian Plan.

STRATEGY 6B
Support winter access and maintenance to ensure year-round multimodal access.

STRATEGY 6C
Improve crossings and reduce barriers to ensure safety and accessibility on key corridors.

T7

SPECIAL EVENTS

Park City will be forward-thinking in transportation investments that can accommodate unique uses without overbuilding

STRATEGY 7A
In preparation for the 2034 Olympic Games, collaborate for transportation infrastructure and operational protocols to support the Games.

T8

EMERGENCY PLANNING

Park City will evolve their emergency planning as conditions change.

STRATEGY 8A
Update evacuation plans and public communication protocols to ensure emergency plans remain current, known to the public, and well-linked to transportation needs.



COMMUNITY CHARACTER

We value our unique community, quality of life, and authentic character. We support a variety of options that create housing opportunities for all groups within the community. We preserve our historic districts and cultural elements and celebrate the history of Park City.

FOCUS AREAS

C1. Small Town Feel

C2. Sense of Community

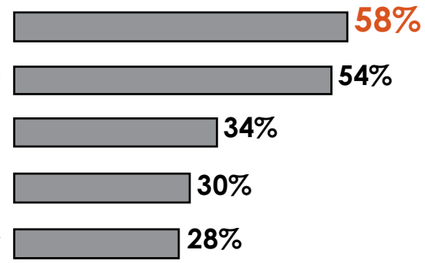
C3. Land Use Growth

C4. Technology

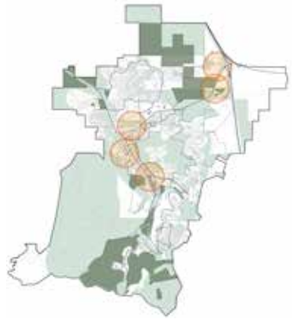
C5. Historic Preservation

WHAT WE HEARD

Which goals should Park City focus on? *(Statistically valid survey)*



PREFERRED SCENARIO



SCENARIO 1: Neighborhood Infill Development

38%

» This scenario focused on small-scale, medium-density projects that fit the local context. It emphasizes diverse housing typologies, while also incentivizing adaptive reuse. This supports vibrant, walkable neighborhoods and strengthens local economies.

» **54%** agreed that creative multimodal solutions to address traffic and mobility concerns is a desired mission for the city compared to increases in the existing road network. (Questionnaire)

» Overall strong support for Park City's vision statement, particularly highlighting its small-town character, natural environment, open space, and recreation opportunities. (Questionnaire)

Community feedback indicates a notable interest in developing walkable, mixed-use neighborhood centers.

A sense of community is the top value that represents Park City according to the statistically valid survey. Respondents from the survey feel that the City should focus on reinforcing and improving that sense of community.

Most residents cite the many opportunities for outdoor and recreation activities as a top reason why they decide to live in Park City. Residents also mention the balance of both small-town feel and easy access to services and access to Salt Lake City as a great benefit to living in Park City.

COMMUNITY CHARACTER

INTRODUCTION

During the General Plan community engagement process, we heard that preserving Park City's small-town feel and the natural setting were some of the key goals that the updated General Plan needs to address. Aligning land use recommendations with transportation strategies is a key component of this plan and is represented in the Node Types Map. Focusing on a growth scenario that prioritizes growing within existing city boundaries, supporting infill development, both for residential and mixed-use projects, and creating walkable neighborhoods with access to basic services, was chosen as the preferred option for the future of the city.

The preservation of historic structures, open spaces, view corridors, and cultural landscapes also defines Park City's sense of place and character. Park City's historic resources include commercial, residential, and mining structures/sites:

- 400+ Landmark & Significant Sites on Park City's Historic Sites Inventory
- 85+ Sites on the National Register of Historic Places
- 12 Mining Sites with 50+ Resources
- 3 District/Multiple Property Designations on the National Register of Historic Places
  - » Main Street Historic District (listed in 1979)
  - » Mining Boom Era Residences (Thematic District/ Multiple Property Listing; listed in 1984)
  - » Historic Mining Resources (Multiple Property Listing; listed in 2023)

Therefore, Park City will continue to protect and celebrate its historic resources from four historic eras:

- Settlement and Mining Boom Era [1868 – 1893]
- Mature Mining Era [1894 – 1930]
- Mining Decline and Emergence of Recreation Industry [1931 – 1962]
- Recreation and Resort Industry Establishment [1963 – 1982]

RECOMMENDATIONS



** Specific actions tied to each proposed strategy can be found in the Implementation Matrix under the Appendix chapter.*

C1 SMALL TOWN FEEL

Park City will maintain its small town feel and mountain community character.

STRATEGY 1A
Maintain existing road network and prioritize limiting road width expansions for additional travel lanes.

STRATEGY 1B
Support and ensure the year-round and long-term resilience of the Park City economy.

STRATEGY 1C
Encourage small scale compatible commercial infill.

STRATEGY 1D
Increase Park City's walkability through an improved pedestrian friendly environment.

STRATEGY 1E
Support the continued success of the multi-seasonal tourism economy while preserving the community character.

STRATEGY 1F
Prioritize high quality design in new developments and redevelopment that respects the existing scale, style, and massing of buildings.

C2 SENSE OF COMMUNITY

Park City will make sure its residents have sense of belonging and are provided with places and opportunities to gather and interact.

STRATEGY 2A
Protect Park City's character and unique sense of place.

STRATEGY 2B
Strengthen existing neighborhoods through context-sensitive design requirements and creation of gathering places.



STRATEGY 2C
Strive for equity and plan for all groups within the community.

STRATEGY 2D
Provide easy access to trails and recreation opportunities.

STRATEGY 2E
Continue to support Arts & Culture and incorporate it into the public realm.

C3 LAND USE & GROWTH

Park City will plan for future growth while protecting open spaces and its current scale.

STRATEGY 3A
Protect open space, discourage sprawl, and direct growth inward.

STRATEGY 3B
Create walkable mixed-use nodes that can accommodate new growth, while providing access to services, retail and transportation.

STRATEGY 3C
Evaluate potential station area planning around future BRT stops.

STRATEGY 3D
Encourage infill development and enable a variety of housing typologies that provide a diverse mix and respond to the needs of various demographic and socioeconomic groups.

STRATEGY 3E
Create a comprehensive plan for City properties and rights-of-ways to evaluate areas that need improvement in preparation of the 2034 Olympics and beyond.

C4 TECHNOLOGY

Park City will analyze options to incorporate technology to improve quality of life and overall communications.

STRATEGY 4A
Support the Integration of Smart City Infrastructure and technology that supports energy efficiency and renewables.



C5 HISTORIC PRESERVATION

Park City will protect, preserve, enhance, and celebrate the historic character of the community.

STRATEGY 5A
Develop a clear understanding of the ski era resources in Park City.

STRATEGY 5B
Confirm the key resources and sites related to Park City's Olympic host legacy.

STRATEGY 5C
Continue to document and monitor Mining Era resources, especially in Park City's residential and business districts, which provide the foundation of Park City's historic resources and character.

STRATEGY 5D
Continue to recognize preservation projects, share success stories to inspire future efforts, and provide technical resources to property owners.

STRATEGY 5E
Provide access to historic preservation best practices, recognizing the range and diversity of Park City's historic resources.

STRATEGY 5F
Continue to educate the community and visitors about the history and evolution of Park City.

STRATEGY 5G
Collaborate with the Park City Museum, Utah Historical Society, and other partners to help tell the story of less well-known aspects of Park City's history.

STRATEGY 5H
Continue to support the adaptive re-use of historic buildings through incentives.

STRATEGY 5I
Establish options to incentivize the preservation of the documented historic resources associated with the ski era.

STRATEGY 5J
Continue to foster collaborative efforts to preserve, protect, and promote Park City's historic resources.

STRATEGY 5K
Proactively work to protect the historic mining sites and structures from both physical and environmental damage.

COMMUNITY CHARACTER

C5

STRATEGY 5L
Continue to explore opportunities to integrate historic preservation with other initiatives, such as sustainability, workforce housing, arts/culture, and recreation/ trails/open space.

STRATEGY 5M
Proactively work to protect Old Town's historic resources from wildfire damage.

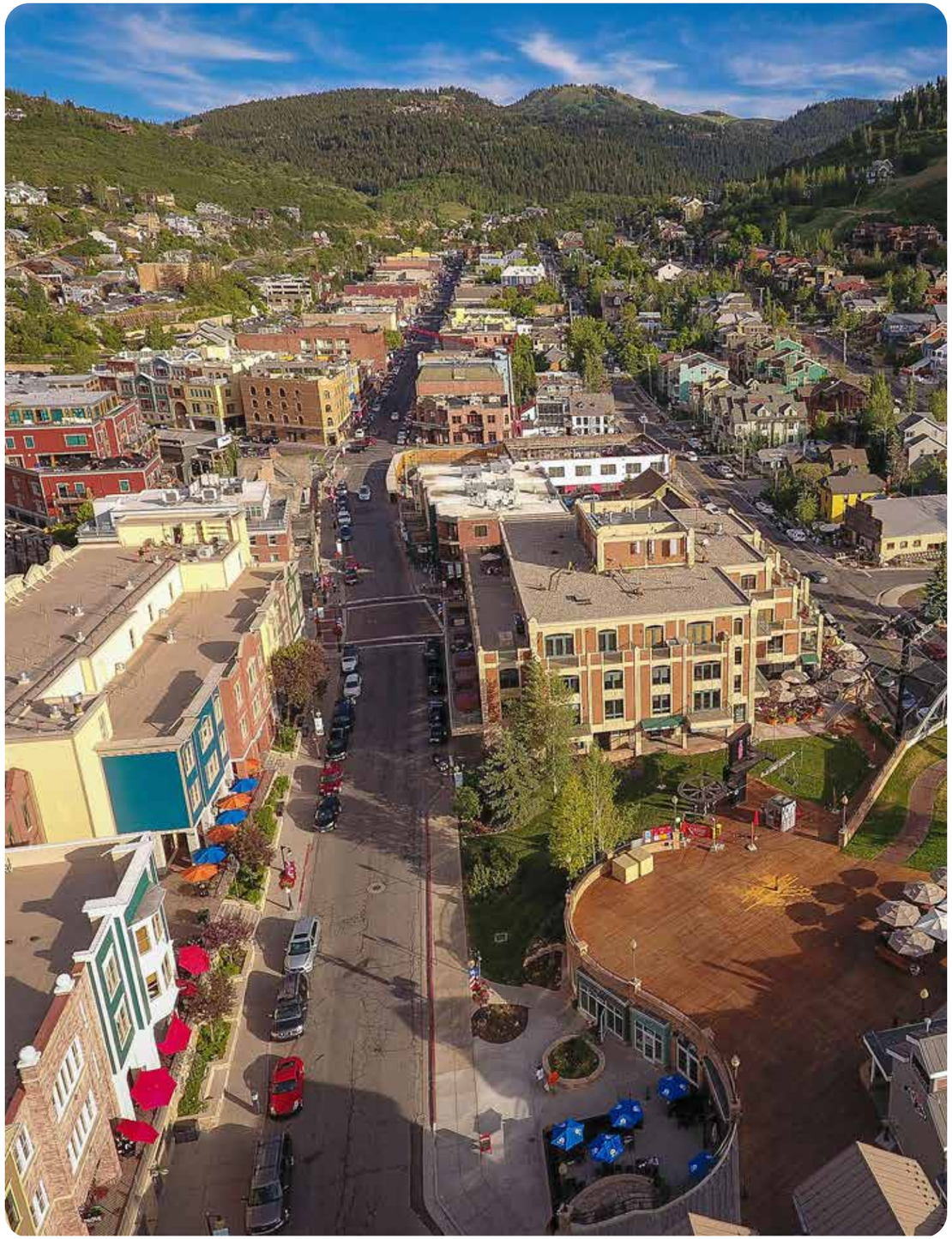
STRATEGY 5N
Support the integration of small-scale mixed-use components into Park City's older and historic neighborhoods to discourage sprawl and support walkable neighborhoods.

STRATEGY 5O
Continue to regularly assess and evaluate the Regulations for Historic Districts and Historic Sites in the Land Management Code (LMC) for consistency and potential modifications that further preservation efforts while supporting a degree of flexibility.

STRATEGY 5P
Periodically review newly constructed infill projects for suitability and compatibility of infill development within the Historic Districts.

STRATEGY 5Q
Continue to promote and strengthen Main Street as the historic core of Park City.

STRATEGY 5R
Support efforts for a pedestrian-first environment along Main Street and within Old Town.





MODERATE INCOME HOUSING

We will provide housing options for various groups, including workforce, seniors, and first-time home buyers.

FOCUS AREAS

H1. Variety of Housing Options

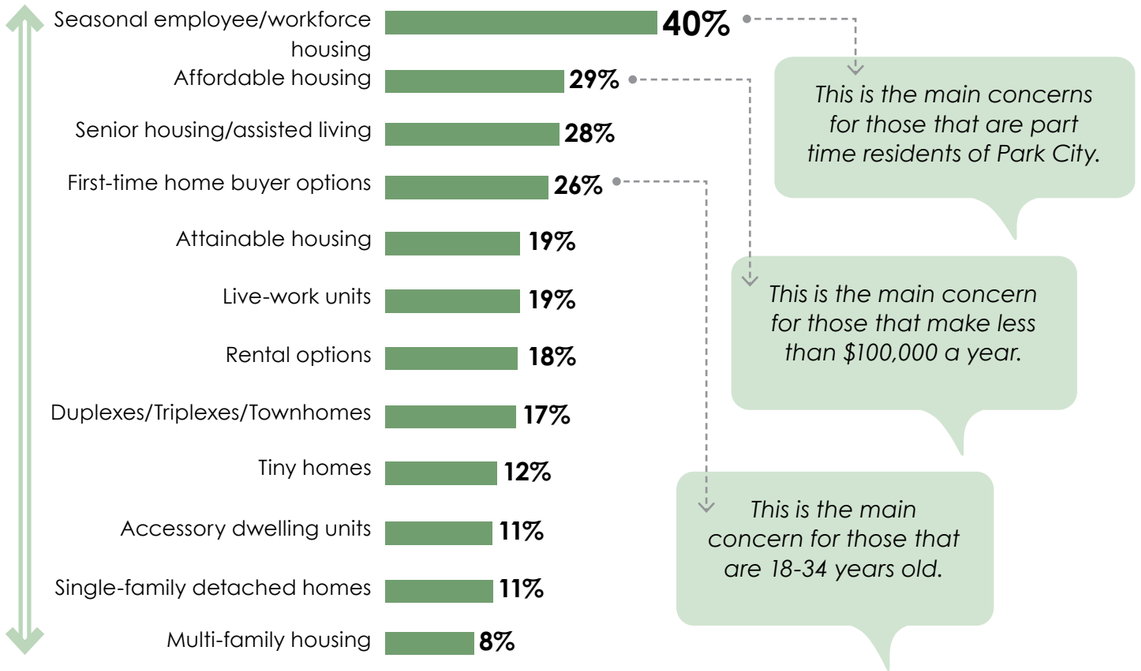
H2. Workforce Housing

WHAT WE HEARD

34% identified making the town more affordable and equitable as one of the key goals for the new General Plan. *(Survey)*

There is a need to accommodate a broader range of housing typologies within the city to better respond to the diverse needs of different demographics and age groups. (*Survey & Questionnaire*)

Housing Developments to Prioritize *(Survey)*



Preferred Types of Housing Developments *(Questionnaire)*

Mixed-Use Development



62%

Workforce Housing



52%

Medium- Density Housing



39%

MODERATE INCOME HOUSING

INTRODUCTION

Like many mountain communities in the West, Park City has seen an increase in housing costs over the past few decades, along with a shortage of options that meet the needs of diverse groups such as first-time homebuyers, older residents, and local workers.

Throughout the General Plan engagement process, including as part of the statistically valid survey, the community has identified affordability and equity as top priorities, focusing especially on seasonal and workforce housing, attainable housing, and affordable housing. With a significant number of people commuting into Park City each day, expanding affordable and workforce housing within city limits will help improve traffic and congestion, and reduce daily commutes.

The City has adopted a Moderate Income Housing Plan, as required by the State of Utah. The Strategies and Actions included in the General Plan are intended to support the city's Housing Plan and does not duplicate those efforts. Instead, the General Plan focuses on ways to support context-appropriate housing development and integration with transportation improvements as part of the Node Map.

RECOMMENDATIONS



** Specific actions tied to each proposed strategy can be found in the Implementation Matrix under the Appendix chapter.*

H1 VARIETY OF HOUSING OPTIONS

Park City will incentivize housing options for all residents.

STRATEGY 1A
Provide a range of housing options at varying price levels that address a tiered approach (affordable, attainable) to provide diverse housing options for all ages and groups of the population.

H2 WORKFORCE HOUSING

Park City will prioritize housing for 15% of the total workforce within the City boundary.

STRATEGY 2A
Continue to facilitate workforce housing in the City and increase incentives for employment centers to incorporate workforce housing in new developments.



WATER & OPEN SPACE PRESERVATION

We protect our resources and plan for future generations, natural hazards, and climate change. We preserve our open and natural lands and create a green buffer around Park City.

FOCUS AREAS

W1. Water Preservation

W2. Open Space Conservation

W3. Sensitive Lands

WHAT WE HEARD

54% of respondents want preserving the natural setting as one of the top goals for Park City. *(Survey)*

50% of respondents choose preservation of the natural environment as one of the top three characteristics associated with Park City. *(Survey)*

32% of respondents chose 'Preservation' as one of the top five values important for Park City. *(Survey)*

When it came to key mission statements asked about in the Questionnaire, preserving open spaces and conservation areas was the top priority for Park City residents, receiving the highest level of support. (*Questionnaire*)

Residents reported that parks and open spaces as well as conservation and natural spaces were the most important land use priorities.

Preservation is the second most popular value to improve and/or reinforce. Moreover, preserving a small-town feel and preserving nature were top goals that residents want the City to focus on.

Things that I love about Park City- Ease of access to great skiing and mountain biking along with natural beauty.

Access to nature, range of outdoor activities in a beautiful setting are some of the aspects valued about Park City.

When thinking about sustainability in Park City, respondents reported that wildfire mitigation, open space conservation, and water quality management should be the top priority for the next 5 to 10 years.

WATER & OPEN SPACE PRESERVATION

INTRODUCTION

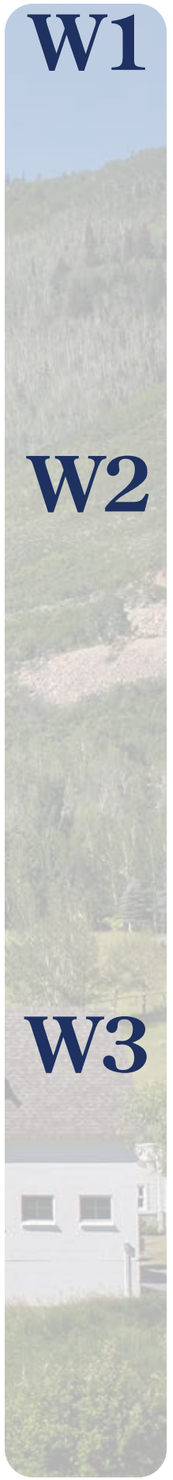
Preservation of open spaces and water resources are key considerations in the mountain-west and for the Park City community.

Public feedback during the General Plan process, strongly emphasizes the importance of preserving Park City's natural environment and open spaces. Over half of survey respondents (54%) identified the protection of the natural setting as a top goal, while 50% ranked it among the city's most defining characteristics. Additionally, 32% selected "Preservation" as one of the top five values for the community. In the public survey, conserving open spaces and natural areas emerged as the highest-priority mission statement, reflecting widespread public support for environmental stewardship and the protection of Park City's unique landscape.

Park City includes a number of sensitive lands areas - from wildlife corridors and waterways to historic mining soils - that are important to protect and conserve. The General Plan focuses on opportunities to protect existing water resources, address habitat fragmentation, and support soil remediation.

** Specific actions tied to each proposed strategy can be found in the Implementation Matrix under the Appendix chapter.*

RECOMMENDATIONS



W1 WATER PRESERVATION

Park City will support initiatives that result in water reduction and efficiency.

STRATEGY 1A
Reduce water demand and protect water supply through collaboration, education, and technology

STRATEGY 1B
Protect and improve water quality through a holistic and collaborative approach.

STRATEGY 1C
Continue to maintain water infrastructure in a state of good repair.

W2 OPEN SPACE CONSERVATION

Park City will implement plans and policies to protect and restore natural environments.

STRATEGY 2A
Protect and enhance natural environments for current and future generations through managing use, preventing degradation of environments, maintaining or improving ecological functions and biodiversity, and protecting existing natural areas from development.

STRATEGY 2B
Continue conservation efforts to increase the land preserved as open space.

STRATEGY 2C
Support efforts that maintain, add, and/or enhance natural features within urbanized areas of Park City to reduce heat island effect and improve access to green space for residents and visitors.

W3 SENSITIVE LANDS

Park City will maintain natural ecosystems that support wildlife health.

STRATEGY 3A
Support the maintenance and preservation of sensitive lands, including wildlife corridors.

STRATEGY 3B
Collaborate with surrounding local governments, conservation organizations, and community members to ensure that sensitive land considerations are integrated into regional planning efforts.

STRATEGY 3C
Continue to promote human health in areas affected by historic mining through comprehensive restoration programs.



SUSTAINABILITY

We value our natural environment and preserve and protect natural areas.

FOCUS AREAS

S1. Environmental Leadership

S2. Wildfires

S3. Waste Reduction

S4. Energy Efficiency

WHAT WE HEARD

61% of respondents want focusing on preserving of natural open spaces as the top priority in the next five years for Park City. *(Survey)*

55% of respondents want focus on wildfire mitigation as the top priority in the next 5-10 years for Park City. *(Survey)*

35% of respondents want trailhead parking and neighborhood mitigations, and trail development as the top priorities for Park City. *(Survey)*

Preferred Energy-reduction Strategies *(City-level)(Questionnaire)*

- Financial incentives such as rebate programs, tax credits or low-interest loans. **(75%)**
- Tiered pricing for water consumption to encourage conservation and reduce excessive use. **(58%)**
- Tiered pricing that accounts for energy use consumption of vacant homes. **(49%)**

Preferred Energy-reduction Strategies *(Individual-level)*

- Protecting homes and businesses from wildfire, such as creating a defensible space between landscaping and/or hardening the building with exterior improvements like ignition-resistant materials.
- Landscaping changes to decrease water utilization and/or preserve native landscaping, such as xeriscaping, pollinator gardens, and/or drip irrigation systems.

SUSTAINABILITY

INTRODUCTION

Public feedback throughout the General Plan process highlights a strong community desire for environmental preservation and proactive planning in Park City. A majority of respondents (61%) to the statistically valid survey, identified the protection of natural open spaces as the top priority for the next five years, while 55% emphasized wildfire mitigation as a key concern over the next decade.

Trailhead parking, neighborhood impacts, and trail development were also noted as important priorities. Residents expressed strong support for financial incentives to promote sustainability, with 75% of open house and questionnaire participants favoring rebate programs, tax credits, or low-interest loans. Tiered pricing strategies for water and energy use, especially for vacant homes were also popular, with 58% and 49% support respectively. On both city and individual levels, preferred strategies included water-efficient landscaping, such as xeriscaping and pollinator gardens, and wildfire resilience measures like defensible space and ignition-resistant building materials.

This feedback underscores a community-wide commitment to conservation, climate resilience, and thoughtful growth. The General Plan provides direction to implement these key considerations.

RECOMMENDATIONS

** Specific actions tied to each proposed strategy can be found in the Implementation Matrix under the Appendix chapter.*

S1 ENVIRONMENTAL LEADERSHIP

Park City leads efforts for environmental sustainability through programs, collaboration, partnerships, and training.

STRATEGY 1A
Develop Sustainability Education and Campaign to increase awareness of existing opportunities related to energy efficiency, renewable generation, indoor air quality, and electrification measures.

STRATEGY 1B
Develop sustainability programs to meet Park City's sustainability goals of full carbon neutrality by 2030 and 80 percent GHG reduction by 2050.

STRATEGY 1C
Develop a Climate Action and Resilience Plan and implement actions to further establish climate action efforts and environmental stewardship.

STRATEGY 1D
Coordinate with community groups, businesses, and resorts to establish and implement environmental standards and practices that promote sustainable tourism.

STRATEGY 1E
Continue to promote soil health through comprehensive soil remediation actions and monitoring programs.

STRATEGY 1F
Maintain an overarching consideration of fair and positive conditions through the implementation of all recommendations that tie to the community's values.

S2 WILDFIRES

Park City works proactively to reduce wildfire risk and support emergency efforts.

STRATEGY 2A
Collaborate interdepartmentally to implement actions, protocols, and policies present in the most recent wildfire hazard plans, such as the 2023 Community Wildfire Risk Assessment.

STRATEGY 2B
Develop programmatic approaches to assess wildfire risk on a more individualized basis and thoughtfully target spot mitigation improvements.

S3 WASTE REDUCTION

Park City works to reduce its envirnmental footprint by reducing, reusing, and recycling.

STRATEGY 3A
Establish waste reduction and diversion actions.

S4 ENERGY EFFICIENCY

Park City works to achieve net zero energy emissions through policy, technology, and action.

STRATEGY 4A
Prioritize policies that support next steps in achieving energy use reduction, adoption of renewable electricity, and future carbon neutrality.

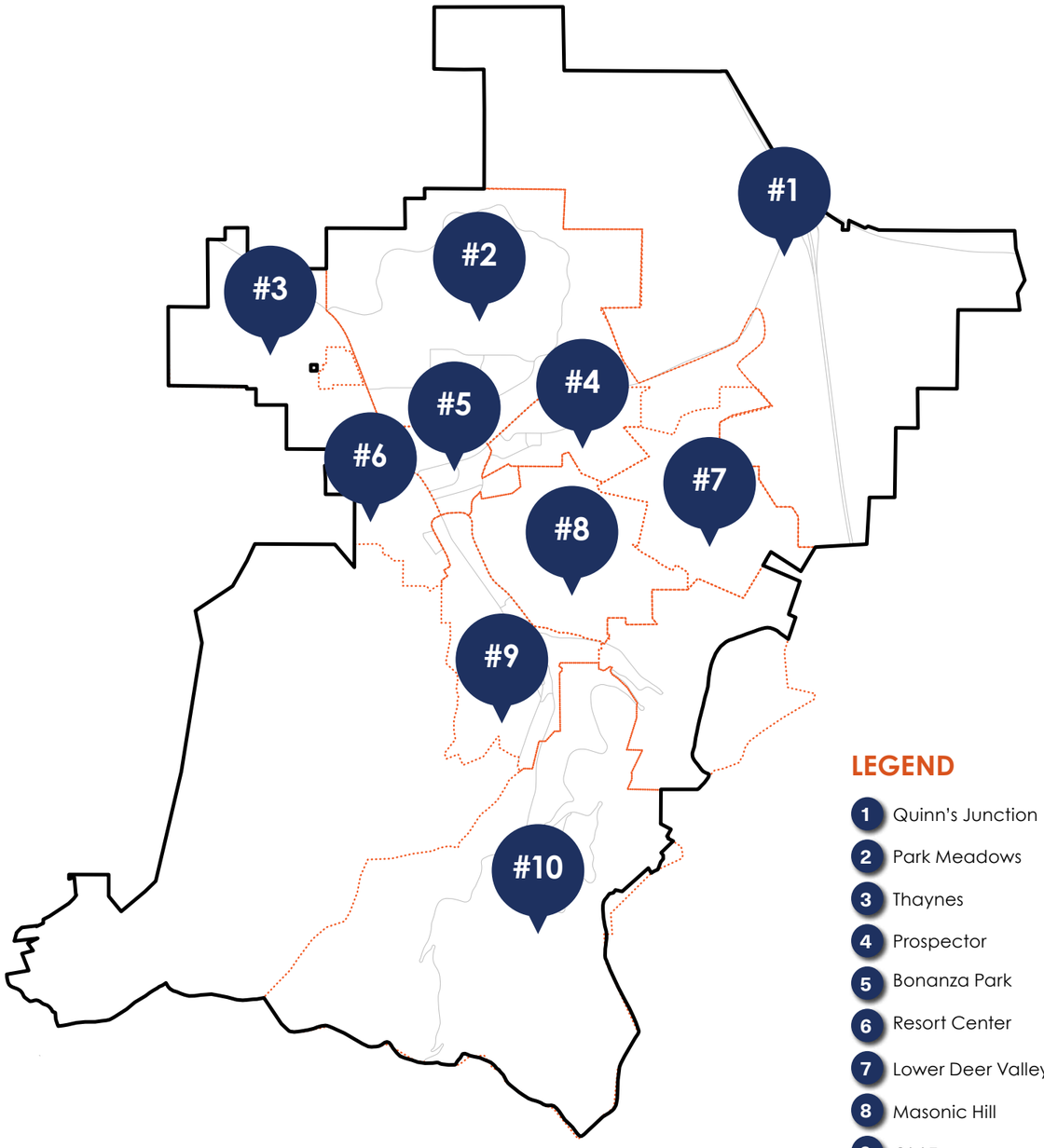
STRATEGY 4B
Explore modifications to transportation policies that incentivize or require more efficient operations.



3

NEIGHBORHOOD PLANS & RECOMMENDATIONS

NEIGHBORHOOD PLANS



LEGEND

1. Quinn's Junction
2. Park Meadows
3. Thaynes
4. Prospector
5. Bonanza Park
6. Resort Center
7. Lower Deer Valley
8. Masonic Hill
9. Old Town
10. Upper Deer Valley

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1" = -'

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KEY TERMS

- **OCCUPANCY**
  1. Owner-Occupied: *A housing unit is owner-occupied if the owner or co-owner lives in the unit even if it is mortgaged or not fully paid for.*
  2. Renter-Occupied: *All occupied housing units that are not owner occupied, whether they are rented or occupied without payment of rent, are classified as renter-occupied units.*
  3. Vacant Units: *A vacant housing unit is classified as no one living in the dwelling, unless its occupant or occupants are only temporarily absent, and will be returning. Units temporarily occupied by people who usually live elsewhere (like those staying in a beach cottage or renting a vacation home) are also counted as vacant units. Census data breaks down vacant units into various categories, such as for rent, for sale, and seasonal/recreational/occasional use.*
- **DAYTIME POPULATION:** *The estimated number of people present in a geographic area during typical business hours (9 a.m. to 5 p.m.), including both residents and inbound commuters (workforce and visitors). This figure helps assess demand for services and infrastructure throughout the day.*
- **NIGHTLY RENTALS:** *A nightly rental, also known as a short-term rental or vacation rental, refers to a dwelling unit rented out for a short period, typically less than 30 days, to tourists or travelers.*



View of the City

QUINN'S JUNCTION

NEIGHBORHOOD SNAPSHOT

Total Acres: 2209 Acres

Population: 374	**Average Density:** 0.25 per acre
Occupancy:	**Daytime Population:**
59.4% Owner Occupied	1048
12.4% Renter Occupied	865 Workers & Visitors
28.2% Vacant Units	183 Residents

Nightly Rentals: Prohibited in Park City Heights and allowed in the market-rate Studio Crossing units.

Affordable Housing:

Park City Heights – 79 units

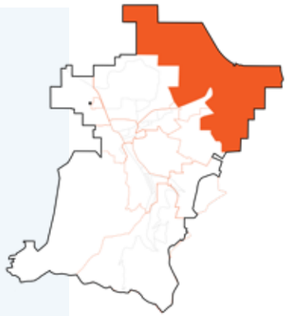
Peace House – 22 units

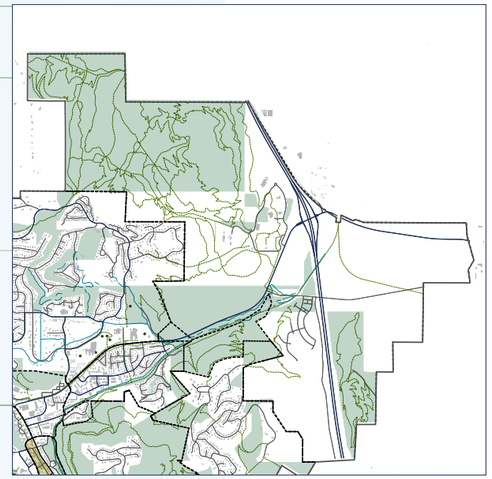
Studio Crossing – 185 units (under construction)

Sub-neighborhoods:

Park City Recreation Complex, National Ability Center, Park City Medical Campus, Studio Crossing, Park City Film Studio, Park City Heights

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Quinn's Junction



Quinn's Junction

RECOMMENDATIONS

CREATE A SENSE OF PLACE

- *Preserve and define the eastern entry corridor identity.*
- *Mitigate the visibility of surface parking lots along the eastern entry corridor.*
- *Consider compatibility in uses along the boundary with Summit County developments, while distinguishing Park City's entry corridor.*
- *Encourage community-gathering spaces and events.*
- *Strengthen the neighborhood with pedestrian and cyclist connections between disparate land uses.*
- *Establish design guidelines to unify the look and feel of new development in the neighborhood.*
- *Enforce nightly rental restrictions in Park City Heights.*

PROPOSE CONTEXT-APPROPRIATE INFILL

- *Quinns Mixed-Use Node: Explore compatible infill with locally-serving retail, services, office, medium density housing, and workforce housing.*
- *Quinns Mobility Hub: Create a convenient and intuitive capture lot for transit connections that align with Re-Create 248 transit improvements. Integrate multiple transportation modes including transit, carpooling, and bicycle connections to reduce cars driving into town. Allow for services that support and enhance the transit ridership experience like retail and child care.*
- *Institutional Node: Support the Park City Medical Campus and Recreation Facilities through potential limited and compatible infill for employee housing and basic services to promote a more self-sustaining and less car-dependent area.*

IMPROVE TRANSPORTATION NETWORK AND OPTIONS

- *Ensure a convenient and intuitive park-and-ride and transit connection in the neighborhood that captures and mitigates peak traffic.*
- *Mitigate downstream traffic associated with the Park City School Campus and peak-hour traffic.*
- *Improve north-south trail and open space connectivity across S.R. 248 with pedestrian and bike upgrades.*
- *Enhance trails from Park City Heights to Richardson Flat, including safe street crossings.*



PARK MEADOWS

NEIGHBORHOOD SNAPSHOT

Total Acres: 1555 Acres	**Vacant Lots:** 31
Population: 2487	**Average Density:** 0.95 per acre
Occupancy: 58.9% Owner Occupied 10.9% Renter Occupied 30.2% Vacant Units	**Daytime Population:** 1937 953 Workers & Visitors 984 Residents
Historic Sites: 2245 Monitor Drive 2414 Monitor Drive	**Parks:** Creekside Park

Nightly Rentals: Prohibited in areas zoned Single Family. Allowed in the areas zoned Residential Development and Residential Medium Density except for Fairway Meadows, Meadows Estate, and West Ridge.

Affordable Housing:

Parkside Apartments – 42 units

Holiday Village – 80 units

In 2023, the City approved the Holiday Village and Parkside Apartments (HOPA) redevelopment proposed by Mountainlands Community Housing Trust to increase the affordable units from 122 to 317.

Neighborhood Icons:

Eccles Center

Park City Municipal Athletic & Recreation Center

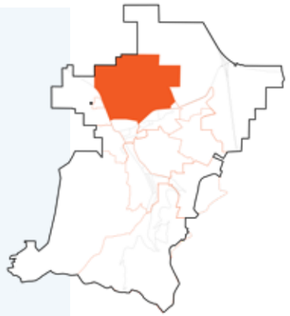
Park Meadows Golf Club

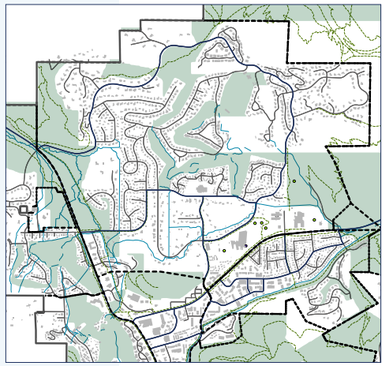
Park City School District Campus

Sub-neighborhoods:

Boothill Condominiums, Broken Spoke, Cove at Eagle Mountain, Eagle Pointe, Fairway Hills, Fairway Meadows, Fairway Village, Finnegans Bluff, Four Lakes Village, Gleneagles, Holiday Ranchettes, Lakeview Cottages, Meadow Estates, McLeod Creek, Park Meadows, Parkview, Racquet Club Village, Risner Ridge, Saddle Condominiums, Sandstone Cove, West Ridge, Willow Ranch, Windrift Condominiums.

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Park Meadows

RECOMMENDATIONS

CONNECTIVITY

- *Implement traffic calming measures to slow vehicles and discourage through traffic.*
- *Install traffic signage to improve safety for children and wildlife.*
- *Improve sidewalk connections and snow clearing in winter.*
- *Increase transit frequency – especially to connect residents to the resorts.*
- *Evaluate opportunities to connect residents to transit who are not proximate to a transit stop, including a potential neighborhood circulator or limited residential parking areas near transit stops.*
- *Establish new outdoor gathering spaces for residents.*

PRESERVE NEIGHBORHOOD CHARACTER

- *Preserve open spaces and wildlife habitats.*
- *Enforce designated trailhead parking to mitigate trail user parking in residential areas.*
- *Preserve a buffer between commercial clusters and the Park City School District Campus and residential areas.*
- *Partner with the Park City School District to improve circulation and traffic flow during peak times and to mitigate impacts on residential areas.*
- *Update home occupation regulations to protect the residential quality of life.*
- *For those areas within the neighborhood where nightly rentals are allowed, enforce regulations, including occupancy limitations, noise, trash, and parking. Evaluate potential prohibition of nightly rentals where allowed in primary resident areas.*
- *Mitigate outdoor pickleball in residential areas while allowing outdoor pickleball in recreation and commercial clusters.*
- *Update land use regulations to ensure compatibility as existing homes are demolished for the construction of new homes.*
- *Enforce the dark sky code and incentivize retroactive dark sky compliant lighting. Reevaluate seasonal lighting allowances.*
- *Comprehensively mitigate wildfire through targeted strategies.*

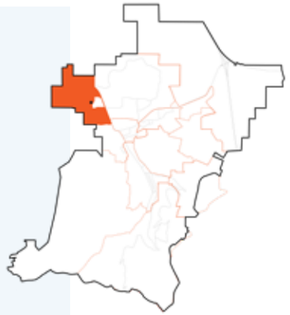


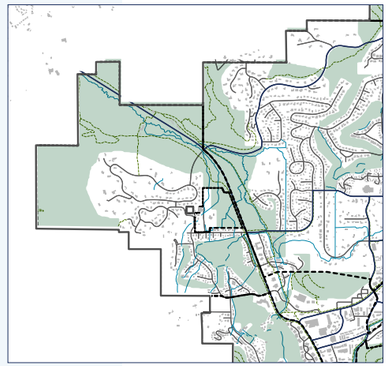
THAYNES

NEIGHBORHOOD SNAPSHOT

Total Acres: 660 Acres	**Vacant Lots:** 21
Population: 338	**Average Density:** 0.34 per acre
Occupancy: 57.5% Owner Occupied 10.5% Renter Occupied 32% Vacant Units	**Daytime Population:** 278 130 Workers & Visitors 148 Residents
Historic Sites: McPolin Barn	**Parks:** Rotary Park
Nightly Rentals: Prohibited.	
Affordable Housing: None	
Neighborhood Icons: McPolin Farm, Park City Golf Course North of Thaynes Canyon Drive	
Sub-neighborhoods: Aspen Springs, Iron Canyon, Thaynes Canyon, Thaynes Creek Ranch Estates	

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Thaynes



Thaynes



McPolin Barn

RECOMMENDATIONS

PRESERVE THE MCPOLIN BARN ENTRY CORRIDOR

- *Protect open space acreage along the entry corridor.*
- *Maintain the 250-foot Entry Corridor Protection Overlay setback along S.R. 224 to preserve Park City's mountain character and sweeping views.*
- *Uphold the platted restrictions limiting disturbance areas within residential lots.*
- *Update vantage points for context sensitive infill within the residential neighborhood.*
- *Implement comprehensive wildfire mitigation through targeted strategies in coordination with homeowner associations.*

INCREASE CONNECTIONS

- *Provide wildlife and pedestrian crossings for the open space corridors bisected by S.R. 224.*
- *Improve amenities and resident and pedestrian connections to transit stops along S.R. 224.*
- *Connect the pedestrian and bicyclist network within the residential areas.*

RETAIN THE PRIMARY RESIDENT NEIGHBORHOOD CHARACTER

- *Implement traffic calming measures to discourage speeding and through traffic.*
- *Designate and enforce trailhead parking to mitigate impacts in residential areas.*
- *Evaluate parking updates for Rotary Park to mitigate impacts in residential areas.*
- *Uphold the nightly rental prohibition.*



PROSPECTOR

NEIGHBORHOOD SNAPSHOT

Total Acres: 255 Acres	**Vacant Lots:** 31
Population: 1590	**Average Density:** 0.95 per acre
Occupancy: 23.7% Owner Occupied 32.6% Renter Occupied 43.6% Vacant Units	**Daytime Population:** 2297 1914 Workers & Visitors 383 Residents
Historic Sites: 2465 Doc Holiday Drive	**Parks:** Prospector Park

Nightly Rentals: Prohibited in Prospector Park and Chatham Crossing Subdivisions.

Affordable Housing:

Aspen Villas – 88 units

Carriage House – 1 unit

Central Park City Condos – 11 units

Prospector Square – 23 units

Silver Meadows Estates – 49 units

Neighborhood Icons:

Rail Trail

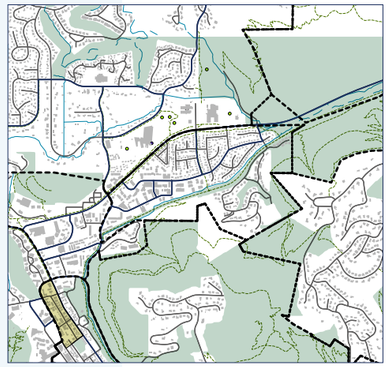
Silver Creek

Sub-neighborhoods:

Canyon Crossing, Chatham Crossing, Fenchurch Condos, Prospector Park, Prospector Square, Prospector Village, Silver Meadows Estates

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Prospector



Prospector

RECOMMENDATIONS

SUPPORT A VIBRANT COMMERCIAL DISTRICT

- *Develop an area plan emphasizing better connectivity, business growth, and neighborhood preservation.*
- *Partner with Prospector Square businesses to ensure functional and vibrant commercial pedestrian walkways and activated outdoor areas.*
- *Consider residential infill in commercial areas to allow a mix of uses.*
- *Enhance a sense of place through beautification of rights-of-way and strategic neighborhood improvements.*
- *Improve connectivity between Old Town, Bonanza Park, and Prospector neighborhoods, especially for pedestrians and bicyclists.*
- *Optimize shared parking within Prospector Square to efficiently support businesses and residents.*
- *Continue transit frequency and improve bus stops amenities.*
- *Update the neighborhood boundary to extend to west Bonanza Drive and south to the Rail Trail to encompass properties within the Prospector Square Subdivision.*

PRESERVE RESIDENTIAL NEIGHBORHOOD CHARACTER

- *Mitigate traffic during peak times, especially along Kearns Boulevard.*
- *Implement traffic calming measures to slow vehicles and discourage through traffic in residential areas. Consider potential roundabouts to improve traffic flow.*
- *Designate and enforce trailhead parking to mitigate trail users parking in commercial and residential areas.*
- *Maintain and preserve open space south of the Rail Trail and east of the neighborhood.*
- *Enforce nightly rental regulations, including occupancy limitations, parking, trash, noise, etc. in areas where they are allowed to protect the residential quality of life.*



BONANZA PARK

NEIGHBORHOOD SNAPSHOT

Total Acres: 200 Acres

Vacant Lots: 1

Population: 729

Average Density: 1.15 per acre

Occupancy:

38.0% Owner Occupied

41.9% Renter Occupied

20.1% Vacant Units

Daytime Population:

1553

1265 Workers & Visitors

288 Residents

Historic Feature:

In the 1940s, the Daughters of Utah Pioneers installed a memorial commemorating the settlers of Park City along the south of Kearns Boulevard near the Park Avenue intersection. The old town hall bell was later added to the site.

Parks:

Olympic Park

Welcome Plaza

Nightly Rentals: None

Affordable Housing

Snow Creek Cottages – 13 units

Rail Central – 24 units

Claimjumper Condos – 1 unit

1616 Short Line Drive (Transit Housing) – 13 units

Ironhorse and Fireside – 94 units

EngineHouse, a public-private development, will deliver 99 deed restricted units targeting 60% AMI.

Neighborhood Icons:

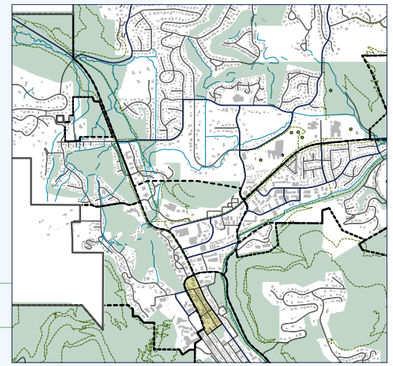
Cemetery Rail Trail

Sub-neighborhoods

Claimjumper Condos, Homestake Condos, Fireside Condos, Ironhorse Apartments, Snow Creek Cottages

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Bonanza Park

RECOMMENDATIONS

IN 2024, THE CITY ADOPTED THE BONANZA PARK SMALL AREA PLAN, ESTABLISHING SIX GOALS FOR THE NEIGHBORHOOD

- *Mixed Use: Create a mixed-use neighborhood with livability in mind.*
- *Local: Support locally-owned businesses and entrepreneurship.*
- *User-Friendly: Create a safe and intuitive network for pedestrians, cyclists, and transit users.*
- *Inclusive: Expand the availability of affordable and workforce housing units.*
- *Green: Create a more welcoming and sustainable community.*
- *Cultural: Weave arts and culture into the community fabric.*

A NEW BONANZA PARK MIXED-USE DISTRICT IS UNDER REVIEW FOR POTENTIAL ADOPTION

- *Sets the Foundation for Critical Connections: Street types and sidewalk, trail, and signature trails are established for improved connectivity. Property owners dedicating critical connections may qualify for increased density.*
- *Encourages Vibrant Streetscapes: Implements vertical zoning for vibrancy along internal neighborhood streets with active uses on the storefront level and residential and office uses on the upper stories. »*
- *Requires Pedestrian-Oriented Design: Outlines design guidelines for mixed-use pedestrian-scale development that is walkable, with community green spaces connected throughout.*
- *Supports Multi-Modal Transportation: Encourages parking reductions and transportation demand management plans for increased transit ridership and pedestrian and bike infrastructure to mitigate traffic.*
- *Encourages Existing Property Owners to Support Critical Connections: Establishes a path for property owners to reduce and transform existing parking for public access easements or community spaces that enhance walkability, bicycling, and transit ridership.*
- *Allows for Increased Height: The current code allows height exceptions for Master Planned Developments, but only if there is no increase in density. The proposed code allows for height exceptions up to 45 feet with an increase in density when project enhancements like affordable, attainable, and workforce housing, underground parking, transit and pedestrian/bicyclist improvements, and community-serving uses are provided.*
- *Allows for Development of Housing Options for Residents: The current Affordable Master Planned Development (AMPD) code allows for increased height, reduced setbacks and open space, and the potential for reduced parking but limits uses other than residential to 10,000 square feet and requires stepbacks between the third and fourth stories. The proposed code incorporates elements of the AMPD but with greater flexibility for mixed-use projects and also allows for a blend of units ranging from affordable to attainable to market-rate, so long as an average Area Median Income is achieved.*



RESORT CENTER

NEIGHBORHOOD SNAPSHOT

Total Acres: 265 Acres

Population:

5850 (average daily visitors/employees)

1800 (off-peak season daily visitors/employees)

17,000 (peak season daily visitors/employees)

13,000 (Average peak season daily visitors/ employees)

Occupancy:

9.6% Owner Occupied

3.3% Renter Occupied

78.1% Vacant Units

Average Density: 3.45 per acre

Historic Sites:

Silver King Consolidated Spiro Tunnel Complex

1895 Three Kings Drive

175 Snows Lane

205 Snows Lane

Affordable Housing:

Silver Star- 20 units

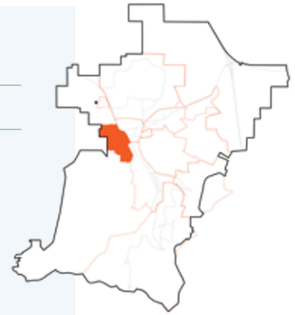
Neighborhood Icons:

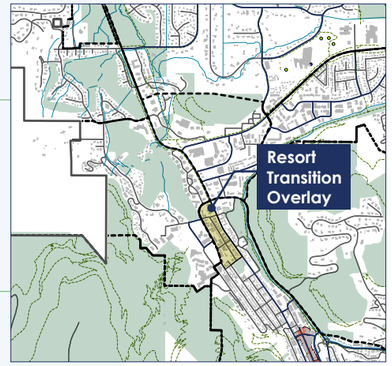
Glenwood Cemetery, Park City Golf Course, Park City Mountain Resort, Three Kings Water Treatment Plant, White Pine Touring Company

Sub-neighborhoods:

Park Avenue Condos, Payday Condos, Hotel Park City, Rothwell Subdivision, Silver King Condos, Shadow Ridge Condos, Silver Star, Snowflower Condos, Thaynes Canyon Subdivision Phases 4 and 5, and Three Kings Condos.

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Resort Center

RECOMMENDATIONS

PROMOTE REDEVELOPMENT THAT INTEGRATES A WORLD-CLASS RESORT WITH A STRONG SENSE OF COMMUNITY

- *Resort Center Mobility Hub and Infill: Integrate uses that support the guest experience at the resort base area, incorporate multiple transportation modes, and integrate workforce housing, offering an affordable alternative for seasonal and year-round employees. The hub will serve as a key transfer point within the transportation network to provide easy access to Bus Rapid Transit and other transportation methods like connections from the Salt Lake City International Airport and the resort area.*
- *Evaluate the Land Management Code to address opportunities for seasonal workforce housing types like single-room occupancy and dormitory development (see Housing Action 2A.10).*
- *Maintain the rural character of the transition area between the Resort Center and Thaynes neighborhood and Historic District compatibility between the Resort Center and Old Town.*

IMPROVE CONNECTIVITY

- *Continue coordination with the resort on paid parking and parking reservations and to improve traffic circulation during peak times.*
- *Install traffic calming measures in residential areas to discourage speeding and through traffic.*
- *Enhance pedestrian and bicyclist crosswalks and infrastructure within the neighborhood to nearby community assets like City Park, the library, senior center, trails, and open space.*
- *Improve transit frequency for locals and residents.*
- *Create a Resort Center and Old Town overlay to improve connectivity and transitions between the two neighborhoods.*



LOWER DEER VALLEY

NEIGHBORHOOD SNAPSHOT

Total Acres: 1332 Acres

Population: 550

Average Density: 0.61 per acre

Occupancy:

21.5% Owner Occupied

3.6% Renter Occupied

74.9% Vacant Units

Daytime Population:

1960

1703 Workers & Visitors

257 Residents

Affordable Housing:

St Regis- 4 units

Nightly Rentals: Prohibited in Hidden Oaks.

Unbuilt Units:

36 residential lots

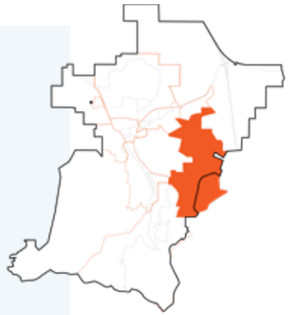
Snow Park Village

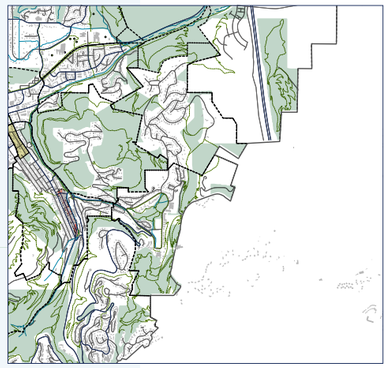
In 2025, the Planning Commission approved Phase I of Snow Park Village for an underground parking structure. The Phase II vertical development includes 219 Residential Unit Equivalents, 21,890 square feet of commercial uses, and support uses and is pending review.

Sub-neighborhoods:

Snow Park Condos, including Trails End, Lakeside, Aspen Wood, Fawngrove Pinnacle, Amber Daystar, Bristlecone, The Lodges, Silver Baron, Courchevel, Powder Run, St. Regis, and Black Diamond Lodge. Queen Esther Village, Nordic Village, Deer Lake Village, Deer Crest, Snowtop, Hidden Meadows, Hidden Oaks, Royal Oaks, Fox Tail, Hanover-Queen Esther, Morning Star, Snow Park, Solamere.

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Lower Deer Valley



Lower Deer Valley

RECOMMENDATIONS

BALANCE THE RESIDENT AND VISITOR EXPERIENCE

- *Mitigate peak traffic – not only in the neighborhood but downstream due to impacts within the neighborhood.*
- *Evaluate new egress connections to Highway 40/Deer Valley East Village for emergency egress, and/or to ease traffic during peak times with careful consideration not to impact Lower Deer Valley residential areas.*
- *Improve resident access to transit. Where routes do not go to residents, allow residents access to transit through limited residential parking permits or a neighborhood circulator.*
- *Improve pedestrian and bicyclist connectivity within the neighborhood and to Masonic Hill and Old Town.*
- *Evaluate more gathering places for locals like parks.*
- *Update neighborhood wayfinding signage to enhance the visitor experience.*
- *Improve management of nightly rentals, including occupancy limitations, parking, noise, outdoor lights, and trash management.*
- *Designate and manage sufficient trailhead parking areas to mitigate trail user impacts in residential neighborhoods.*
- *Enhance the aesthetic arrival experience to Lower Deer Valley.*

PROTECT OPEN SPACE AND NATURAL RESOURCES

- *Preserve the visual and aesthetic experience of arriving in Lower Deer Valley.*
- *Protect view corridors and open space.*
- *Implement wildfire mitigation strategies in partnership with the resort and homeowner associations.*
- *Balance e-bike use impacts on trails.*

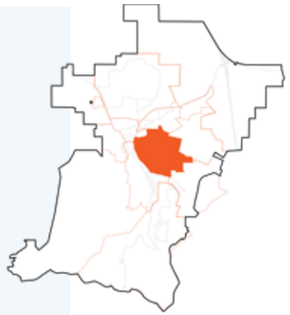


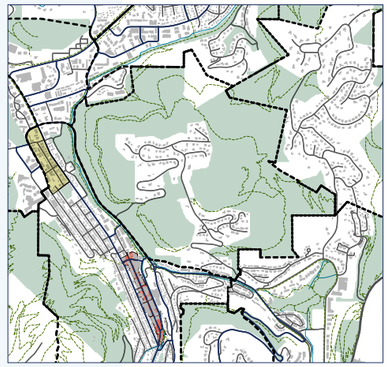
MASONIC HILL

NEIGHBORHOOD SNAPSHOT

Total Acres: 620 Acres	**Vacant Lots:** 30
Population: 471	**Average Density:** 0.59 per acre
Occupancy: 33.5% Owner Occupied 31.1% Renter Occupied 35.4% Vacant Units	**Daytime Population:** 279 57 Workers & Visitors 222 Residents
Nightly Rentals: Prohibited in the Aerie Subdivision, Sunny Side, April Mountain, and Mellow Mountain Estates.	
Sub-neighborhoods: Aerie, April Mountain, Condos along Deer Valley Drive, Mellow Mountain, Overlook at Old Town, and Sunny Side.	

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Masonic Hill



View of the neighborhood

RECOMMENDATIONS

PROTECT THE BALANCE BETWEEN OPEN SPACE AND RESIDENTIAL CLUSTERS

- *Preserve the natural environment within the neighborhood to conserve wildlife habitat through limits of disturbances, prohibition of tall fencing, establishing building pads for platted areas, and incentivizing native vegetation.*
- *Implement comprehensive wildfire mitigation through targeted strategies.*
- *Manage noxious weeds on City-owned open space and coordinate weed control in partnership with property owners.*

IMPROVE CONNECTIONS

- *Comprehensive improvements are needed at the Aerie Drive and Deer Valley Drive intersection for pedestrians, bicyclists, and vehicles.*
- *Better connect Masonic Hill with Old Town, Lower Deer Valley, and the Bonanza Park neighborhoods for pedestrians and bicyclists.*
- *Explore, assess, and implement limited residential parking and bike racks near transit to help residents access transit or consider a transit circulator for the neighborhood.*

PROTECT RESIDENT QUALITY OF LIFE

- *Maintain balance between primary residents and nightly rentals and enforce nightly rental regulations, including occupancy limitations, parking, noise, outdoor lights, and trash management.*
- *Mitigate trail use and trailhead parking impacts to the residential areas.*
- *Enforce construction hour limitations and on-street parking restrictions.*
- *Implement traffic calming measures to discourage speeding and through traffic.*



OLD TOWN

NEIGHBORHOOD SNAPSHOT

Total Acres: 532 Acres	**Vacant Lots:** 50
Population: 1338	**Average Density:** 3.91 per acre
Occupancy: 17.2% Owner Occupied 11% Renter Occupied 70.3% Vacant Units	**Daytime Population:** 4259 3926 Workers & Visitors 333 Residents
Historic Districts: Historic Residential Low – Density Historic Residential – 1 Historic Residential – 2 Historic Residential Medium Historic Commercial Business Historic Recreation Commercial	**Parks:** City Park, Library Park, Skateboard Park

Nightly Rentals: Allowed in all residential areas except for the Lower Rossi Hill (requires a Conditional Use Permit) and Western Historic Residential Low – Density and McHenry sub-neighborhoods (prohibited).

Affordable Housing:

Washington Mill – 8 units
The Line Condos – 22 units
1465 Park Avenue – 8 units
The Retreat at the Park – 8 units
Woodside Park Phase I – 11 units
Habitat Homes on Marsac Avenue – 2 units
516 Marsac Avenue – 3 units

Neighborhood Icons:

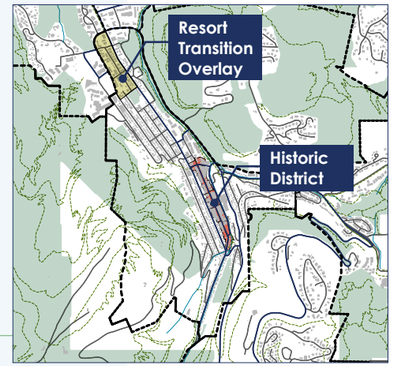
Main Street Historic District, Historic Mining Era Structures, Miner's Hospital, Park City Library and Santy Auditorium, Poison Creek Pathway, Shoe Tree, Park City Museum

Sub-neighborhoods:

Deer Valley Drive, Lower Old Town, Upper Old Town, Rossi Hill

**Source: 2024 ESRI Business Analyst Report, 2014 General Plan*





Old Town

RECOMMENDATIONS

PRESERVE THE HISTORIC NEIGHBORHOOD CHARACTER

- *Maintain and protect the City's unique Historic Districts.*
- *Update the Historic District regulations regularly and identify opportunities to support compatible infill and to streamline the review process for simple remodels.*
- *Incentivize historic building improvements through continued Historic District grants.*
- *Evaluate undergrounding of powerlines and other wildfire mitigation measures to protect Old Town and the City's historic assets.*

PROTECT RESIDENT QUALITY OF LIFE

- *Improve management of nightly rentals, including occupancy limitations, parking, noise, outdoor lights, and trash management. Consider a "Good Neighbor" initiative through outreach and education to highlight local regulations for management companies and visitors.*
- *Explore affordable and attainable housing infill in Old Town compatible with the Historic Districts.*
- *Enforce trailhead and neighborhood parking restrictions.*
- *Comprehensively address construction challenges in the dense neighborhood due to narrow rights-of-way, limited parking, and construction impacts.*
- *Relocate or better screen trash, recycling, and dumpsters in commercial areas. Evaluate updates to the Land Management Code to allow flexibility for commercial screening.*
- *Enforce trash and recycling receptacle regulations due to narrow streets, especially in winter. Evaluate updates to the Land Management Code to allow flexibility for residential screening.*

BETTER CONNECTIVITY

- *Connect visitors and employees to Main Street through transit and capture lots.*
- *Evaluate on-demand transit services, a circulator, or limited residential parking areas near transit for residents who do not live near a transit stop.*
- *Continue the trolley on Main Street/Swede Alley with consistent routes and predictable schedule.*
- *Evaluate updates to Old Town parking policies – both commercial and residential parking permit programs – to manage on-street parking limitations.*
- *Improve the pedestrian experience with increased crosswalks and safer winter-friendly sidewalks (Main Street, especially) and install ADA-accessible improvements.*
- *Improve pedestrian and bicyclist connections to adjacent neighborhoods like the Resort Center, Lower Deer Valley, Masonic Hill, and Bonanza Park.*



UPPER DEER VALLEY

NEIGHBORHOOD SNAPSHOT

Total Acres: 2343 Acres	**Vacant Lots:** 43
Population: 501	**Average Density:** 0.34 per acre
Occupancy: 19.3% Owner Occupied 5.2% Renter Occupied 75.5% Vacant Units	**Daytime Population:** 1293 1139 Workers & Visitors 154 Residents
Historic Sites: Ontario Mine Judge Mine	**Parks:** None

Nightly Rentals: Allowed in all but affordable deed restricted units.

Affordable Housing:

Grand Lodge – 1 unit
Silver Strike – 1 unit
Ironwood – 1 unit
Arrowleaf Lodge – 3 units
Montage – 10 units
Little Belle – 1 unit
Stag Lodge – 1 unit
Sterlingwood – 1 unit
Mt. Cervin – 1 unit
Deer Valley Club – 1 unit
Bald Eagle – 1 unit
Founders Place – 6 units
Sommet Blanc – 6 units

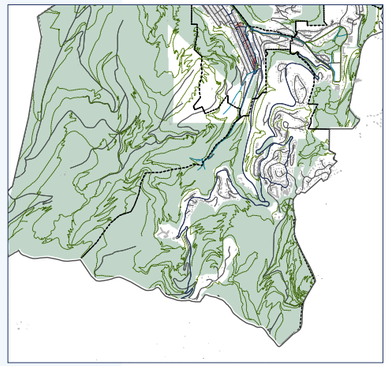
Neighborhood Icons:

Deer Valley Resort

Sub-neighborhoods:

American Flag, Bald Eagle, Empire Pass, Silver Lake, Huntsman Estates, Lookout at Deer Valley, Belleterre, Moonshadow, Bannerwood, Northside Village, The Montage, Sommet Blanc, Red Cloud, Empire Village, Argent, One Empire Pass, Village at Empire Pass, Arrowleaf, Larkspur, Belles at Empire Pass, Paintbrush Homes, Grand Lodge Condos, Ironwood, Nakoma





Upper Deer Valley

RECOMMENDATIONS

PROTECT OPEN SPACE

- *Continue investing in open space and preservation for locals to enjoy.*
- *Evaluate annexing Bonanza Flat into the City boundary.*
- *Retain buffers of native landscaping to preserve the natural shield that defines the neighborhood.*
- *Preserve the aesthetic as a grand scale within the forest.*
- *Comprehensively address wildfire mitigation and evacuation routes for residents and visitors.*

BALANCE RESORT AND RESIDENT AREAS

- *Improve nightly rental enforcement in the area, addressing impacts like occupancy limitations, outdoor lighting, trash management, parking, noise, etc.*
- *Evaluate updates to zoning to prohibit nightly rentals in areas that have transitioned to primary residential communities.*
- *Enforce trailhead parking to mitigate trail user impacts in residential areas.*

IMPROVE CONNECTIVITY

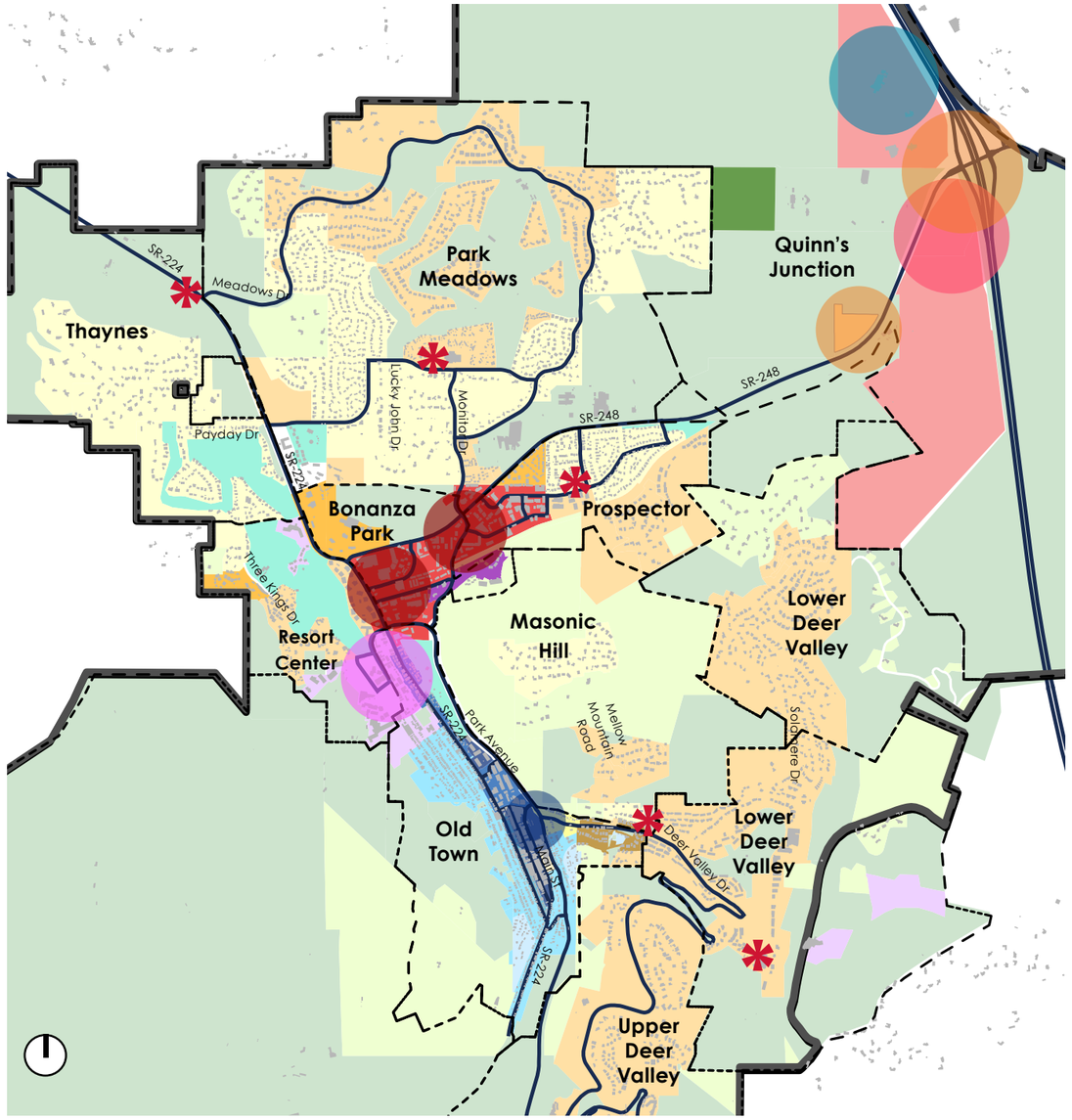
- *Address peak traffic comprehensively – traffic at the Marsac Roundabout and beyond limits resident access.*
- *Enforce traction requirements during winter conditions for all vehicles.*
- *Improve pedestrian and bicyclist connections both within the neighborhood and to Old Town and Lower Deer Valley.*



4

FUTURE LAND USE NODE TYPES

NODE TYPES MAP



ZONING LEGEND

- Community Transition
- Estate
- General Commercial
- Single Family
- Urban Park Zone
- Light Industrial
- Medical Cannabis Production Establishment Overlay
- Preserved Open Space
- Historic Commercial Business
- Historic Recreation Commercial
- Historic Residential
- Historic Residential- Low Density
- Historic Residential-Medium Density
- Historic Residential 2: Subzone A
- Historic Residential 2: Subzone B
- Residential- Low Density
- Residential- Medium Density
- Residential Development
- Residential Development- Medium Density
- Public Use Transition
- Recreation Commercial
- Recreation Open Space
- Regional Commercial Overlay

The Node Types Map includes existing zoning to illustrate the current neighborhood character and anticipated development patterns in each neighborhood. Specific Node Types are identified as circles on the map - these are opportunities for context-sensitive development that implements goals around commercial, mixed-use, and housing development found in the General Plan Themes. Neighborhood Mobility Hubs are identified on the map, and are intended to support first-and-last mile transportation connections within existing neighborhoods. Each node type includes a general description, anticipated future land use mix, and character imagery.

NODE TYPE LEGEND

- Quinn's Junction Community Mixed-Use Node
- Quinn's Junction Mobility Hub
- Quinn's Junction Institutional Hub
- Bonanza Park Mobility Hubs/Corridor Infill Node
- Resort Center Mobility Hub/Corridor Infill Node
- Old Town Mobility Hub/Corridor Infill Node
- Neighborhood Mobility Hubs



NODE TYPES DESCRIPTION

QUINN'S JUNCTION COMMUNITY MIXED-USE NODE

The proposed Community Mixed-Use node in Quinn's Junction is a larger node that includes retail, services, office, medium density housing, high density housing, and workforce housing. This node should be located at a key intersection, like the area along 248 and should serve a larger area, with retail and services that require a larger footprint.



FUTURE LAND USE MIX

- Medium Density Mixed Use
- Medium Density Residential
- High Density Residential
- Commercial



QUINN'S JUNCTION MOBILITY HUB

The Mobility Hub in Quinn's Junction is a centralized location that integrates multiple transportation modes, and serves as a key transfer point within the regional transportation network. It should be located adjacent to the Quinn's Junction Community Mixed-Use Node. This mobility hub should include a larger capture lot with basic services that serves as gateway to Park City and incentivizes commuters to use transit to travel into Park City and adjacent employment centers.



FUTURE LAND USE MIX

- Commercial
- Institutional



QUINN'S JUNCTION INSTITUTIONAL HUB

The Institutional Node in Quinn's Junction supports existing institutional areas, with uses focused primarily on services and local institutions, centers of employment, and housing for employees, consolidating existing areas, while incorporating housing and basic services to promote a more self-sustaining and less car-dependent area.



FUTURE LAND USE MIX

- Institutional
- Medium Density Mixed Use
- High Density Residential



BONANZA PARK MOBILITY HUBS/ CORRIDOR INFILL

The Bonanza Park Mobility Hub/ Corridor Infill areas are centralized locations that integrate multiple transportation modes, medium density residential infill (within a 1/4 mile radius), as well as basic services and retail. This node reinforces the existing character of Bonanza Park and focuses on increasing walkability, aligning with the goals of the recently adopted Small Area Plan of creating a livable mixed-use neighborhood, where local owned business and entrepreneurship are incentivized, and affordable and workforce housing are part of new development. These hubs should become safe and walkable areas, with an integrated network for transit users, pedestrians, and cyclists.

FUTURE LAND USE MIX

- Commercial
- Medium Density Mixed Use
- Medium Density Residential





RESORT CENTER MOBILITY HUB/ CORRIDOR INFILL

The Mobility Hub/ Corridor Infill Node in Resort Center will integrate medium and high density housing typologies, as well as workforce housing, services, and retail. It should offer an affordable alternative for seasonal and year-round employees, and incorporate mixed-use in an area that current lacks these uses, with the goal of creating a more walkable environment and decreasing car dependence.



FUTURE LAND USE MIX

- Medium Density Mixed Use
- Resort Commercial
- High Density Residential
- Commercial



OLD TOWN INFILL

The Old Town Infill Node focuses on residential infill in underutilized surface-level parking lots that have been identified as potential redevelopment opportunities and could be re-purposed to bring workforce into Old Town while preserving the Historic Main Street character and scale. This would improve connectivity, improve residents quality of life, stabilize workforce and business success, and enhance economic vibrancy.



FUTURE LAND USE MIX

- Medium Density Residential

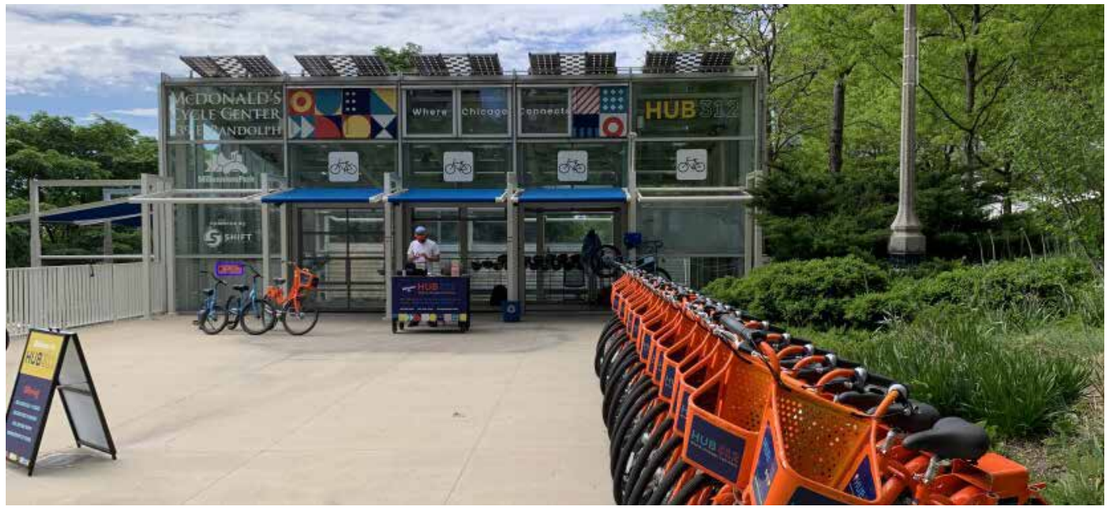


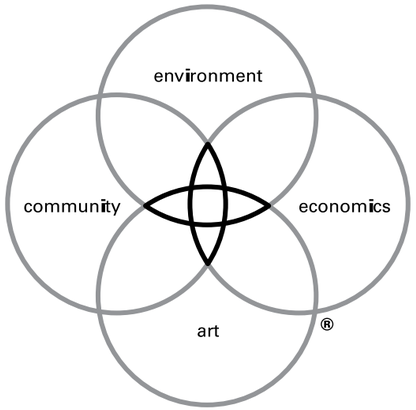
NEIGHBORHOOD MOBILITY HUBS

The Neighborhood Mobility Hubs serve as smaller-scale, locally focused gateways to the regional transportation network. Typically located in residential or lower-density mixed-use areas, these hubs support local fixed-route buses and on-demand services. They are designed to offer seamless connections to walking and biking facilities and, in some cases, limited parking for residents to access transit.









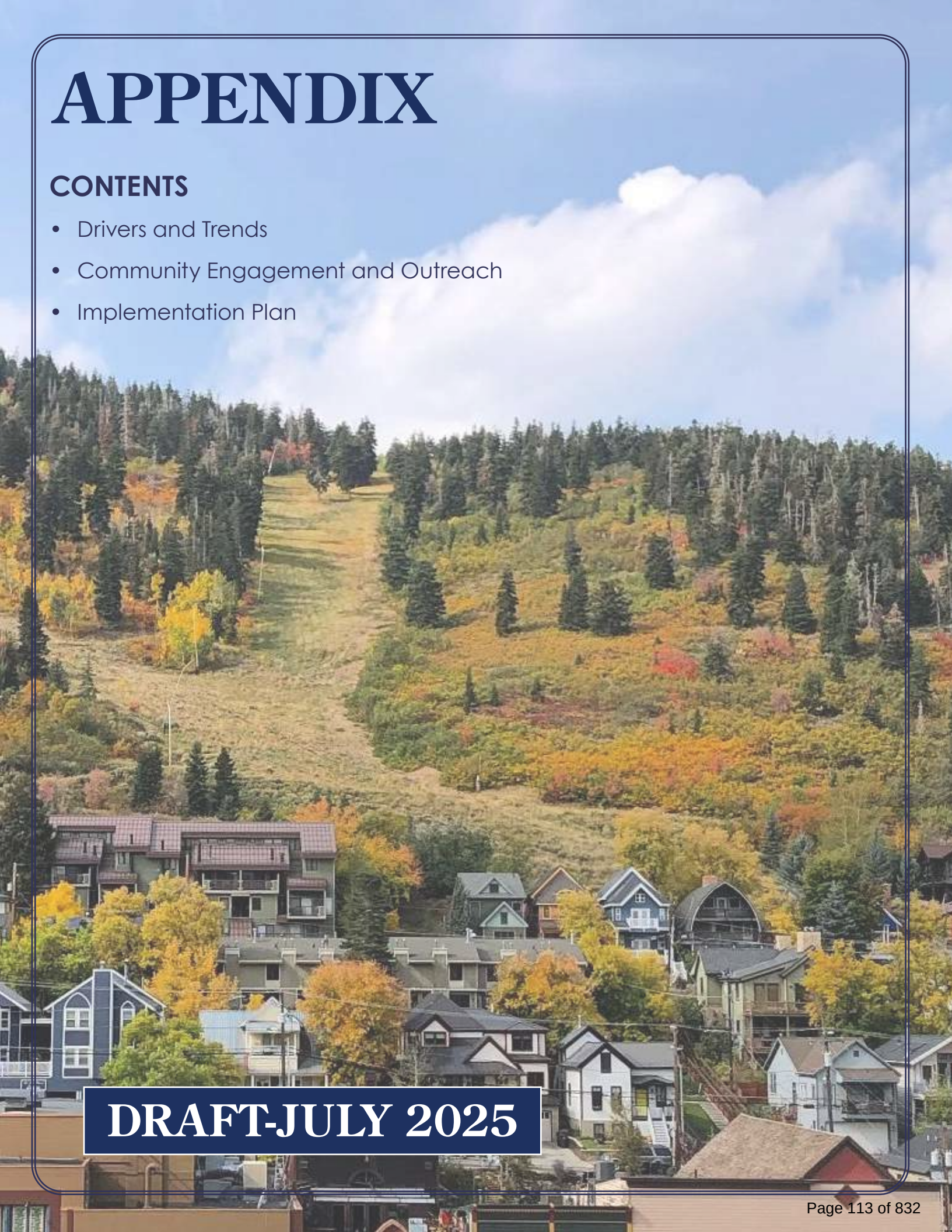
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APPENDIX

CONTENTS

- Drivers and Trends
- Community Engagement and Outreach
- Implementation Plan



DRAFT-JULY 2025



DRIVERS & TRENDS

REGIONAL CONTEXT

CONTEXT

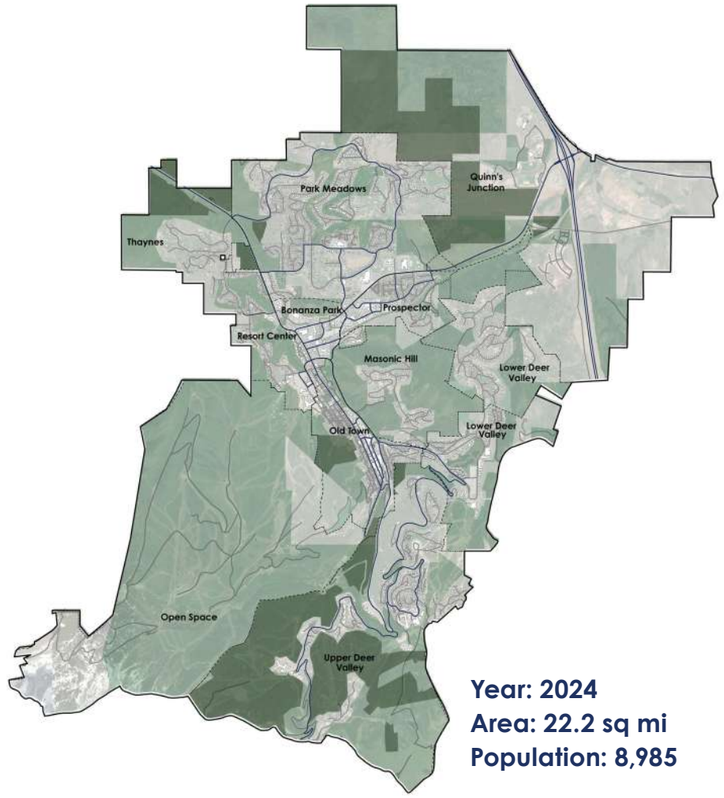
Covering roughly 22.2 square miles within the rapidly growing Wasatch Back, Park City is just 32 miles from the Wasatch Front, offering easy access from the I-80 corridor in the heart of Summit County, Utah. Deer Valley Resort and Park City Mountain, both within and surrounding the Park City community, are prime destinations for outdoor enthusiasts. Wasatch County – Utah's fastest growing county between 2010 and 2020 with continued growth – on the City's eastern and southern border includes developments like the Jordanelle Specially Planned Area with approximately 15,000 units, and the Military Installation Development Authority (MIDA) project area, including the Deer Valley East Village. The MIDA project area is planned to include seven hotels, over 1,000 condominium units, 410 townhomes, approximately 750 single-family homes, over 600 workforce housing units, and approximately 325,000 square feet of retail space, with potential increases under review. Hideout, Utah, incorporated in 2008 with continued boundary expansions, has a pending unit count of about 2,500. To the City's north and east within Summit County, development at The Canyons and Silver Creek continues, and projects like the Cline Dahle and Dakota Pacific are under review. Throughout the engagement process, community members noted that in the context of regional growth, preserving quality of life, Park City's small-town character, and open space buffer are critical concerns.



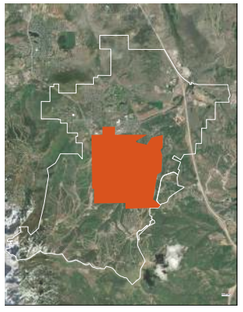
PARK CITY TODAY

GROWTH OVER THE YEARS

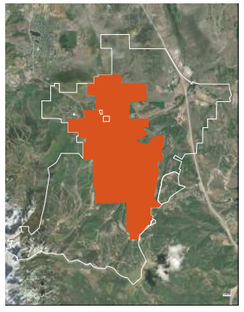
Since 1970, Park City has undergone a dramatic expansion in both land area and population but the increase in geography has far outpaced gains in resident numbers. In 1970, the City covered just 4.03 square miles and was home to 1,193 residents. By 1980, its footprint had nearly doubled to 7.27 square miles, yet the population rose to only 2,823. The following decade saw continued growth: in 1990 Park City encompassed 8.33 square miles with 4,448 people. After the Winter Olympics, boundaries more than doubled again to 17.64 square miles by 2012, while population climbed to 7,431. Today, in 2024, Park City spans 22.2 square miles,with a population of 8,985.



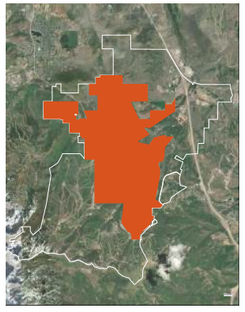
Year: 2024
Area: 22.2 sq mi
Population: 8,985



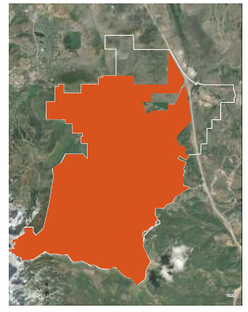
Year: 1970
Area: 4.03 sq mi
Population: 1,193



Year: 1980
Area: 7.27 sq mi
Population: 2,823



Year: 1990
Area: 8.33 sq mi
Population: 4,468



Year: 2012
Area: 17.64 sq mi
Population: 7,431

COMMUNITY PROFILE

KEY HIGHLIGHTS

- Based on the Mountainland Association of Governments' projections, Park City's full-time population is only projected to grow by a total of 202 residents (2%) between 2030 and 2050 under current trends.*
- Park City's population increases by 81% during the day, compared to 14% for the County. This trend shows that more people commute into Park City for work than those who commute out. Park City's daytime population is comprised of 80.55% workers and visitors, and 19.45% residents.
- The projected increase in employment in and around Park City indicates that in 2050 Park City is estimated to have 27,158 employees, with an increase of approximately 6,000 employees compared to 2020. This increase will likely have a significant impact on traffic and commuting patterns if no new workforce housing is provided within city boundaries and if transit focused improvements are not made.
- There has been an increase in the median age from 38.5 (2014) to 43.9 (2024). This along with current and projected age demographics suggest that Park City has an aging population with a high percentage of empty nesters and senior households.
- Of Park City's 8,585 housing units, just 33% are occupied, compared to 52% for the County, leaving 67% of Park City's housing units vacant. Of these, 77% or 4,438 units, are for seasonal, recreational, or occasional use, accounting for more than half of Park City's housing stock overall.
- According to the Park City Affordable Housing Analysis (Kem C. Gardner Policy Institute, 2023), about 37.5% of Park City's workforce lives within Summit County, and 62.5% live outside of the County, meaning many commute into the community for work.

**This depends on development of vested density at the resort base areas and the rezoning of the Bonanza Park neighborhood into a mixed-use district.*



Old Town

43.9 **Median Age** (2024)

59.2 **Diversity Index** (2024)

Diversity Index: *A measure that ranges from 0 to 100 indicating the likelihood that two randomly selected individuals in an area belong to different race or ethnic groups. A higher index suggests greater demographic diversity.*

80.5% **Daytime Population: Non-Residents**

Daytime Population: *The estimated number of people present in a geographic area during typical business hours (9 a.m. to 5 p.m.), including both residents and inbound commuters (workforce and visitors). This figure helps assess demand for services and infrastructure throughout the day.*

12.1% **Workforce living in the City**

56.2% **Employment in the Service Industry**

Population in the Service Industry: *The percentage of the civilian employed population working in service-related occupations, such as hospitality, food services, personal care, and recreation. This category is often prominent in tourism-driven economies.*

0.49 **Primary to Secondary Housing Ratio** (2024)

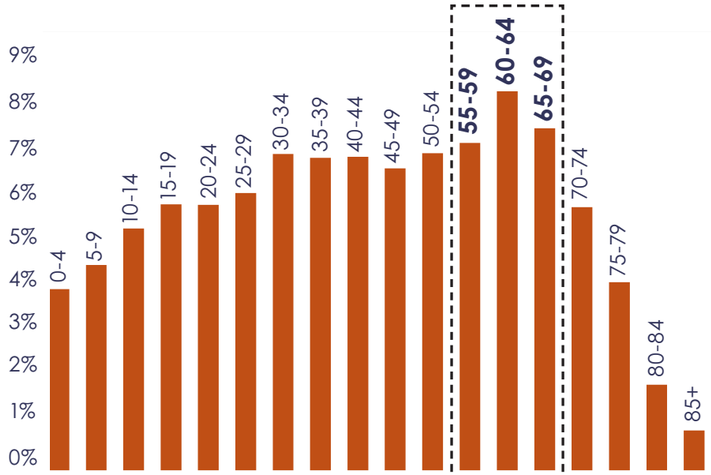
Primary to Secondary Housing Ratio: *The ratio comparing primary (full-time resident) housing units to secondary or seasonal/vacation homes. A lower ratio indicates a higher proportion of second homes relative to primary residences.*

Source: ESRI Business Analyst 2024

COMMUNITY PROFILE

AGE DEMOGRAPHICS

The highest concentration of residents is within the 55–69 age groups, suggesting a community that is aging. This has implications for housing needs, healthcare services, and mobility planning tailored to older adults. Lower percentages in the 0–14 and 15–24 age groups may indicate fewer young families or a lack of affordability for younger populations.



Age Groups in Park City (2024)
Source: ESRI Business Analyst 2024

TRANSPORTATION TRENDS

A vast majority of residents (over 80%) drove alone in 2023, highlighting Park City's dependence on private vehicles. Public transit, biking, and walking modes remain underutilized.

Total inbound traffic is expected to rise by nearly 30% between 2023 and 2050, reflecting regional growth and increased demand on infrastructure. Traffic on SR248 is projected to grow by two-thirds, more than on SR224, indicating it may become a key corridor requiring priority for upgrades, safety improvements, and multimodal integration.

Drove Alone: People
3086 (2023)

Carpool: People
275 (2023)

Walked or Bicycle: People
155 (2023)

Public Transit: People
175 (2023)

Worked from Home: People
1140 (2023)

Modes of Transport
Source: American Community Survey 5-year Estimates 2023

Average Annual Daily Traffic

Road	2023	2032	2050
SR224	31,500	32,000	33,000
SR248	21,000	25,500	35,000
Total Inbound	52,500	57,500	68,000

Source: UDOT Utah Statewide Travel Model 2024

MEDIAN HOME PRICE

The median home price has tripled in the last 10 years, rising from $1,000,000 in 2010 to $3,675,000 in 2024, raising concerns about affordability and access to homeownership within the community. The data shows a significant increase in median home prices over a 14-year period. The scale of the increase may affect housing market dynamics, including access to ownership and demand for different types of housing.

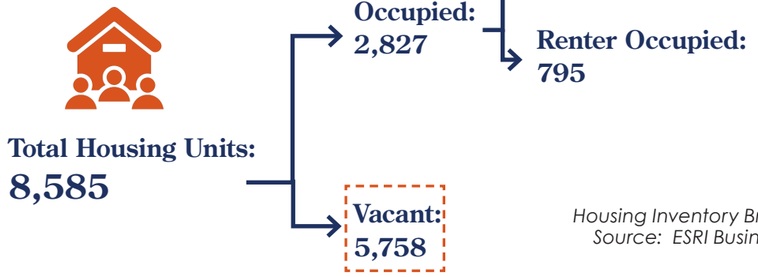
Median Home Price: 2010
$1,000,000

Median Home Price: 2024
$3,675,000

Source: Redfin, 2014 General Plan

HOUSING TRENDS

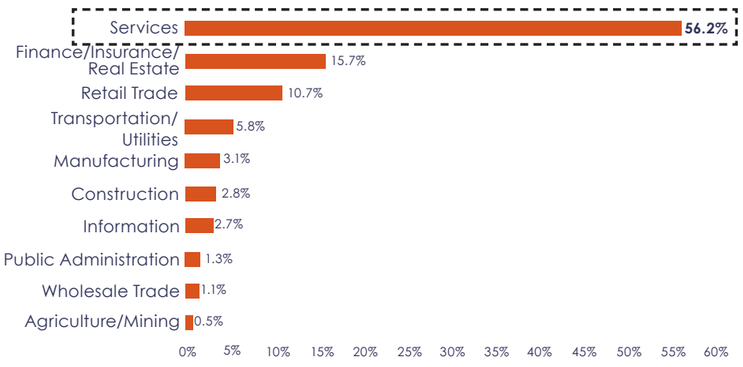
Out of 8,585 total housing units, only 2,827 are occupied, meaning over 67% of units are vacant, likely as second homes or short-term rentals. High vacancy rates often reflect seasonal use, with a significant number of homes serving as second residences or vacation properties.



Housing Inventory Breakdown (2024)
Source: ESRI Business Analyst 2024

EMPLOYMENT

According to 2024 data, the services sector accounts for 56.2% of employment in Park City. Other prominent sectors include finance/insurance/real estate (15.7%), retail trade (10.7%), and transportation/utilities (5.8%). he services sector, which includes hospitality, food services, and recreation, represents the majority of local employment reflecting the tourism-oriented economy.



Employment by Industry in Park City (2024)
Source: ESRI Business Analyst 2024

PLAN ALIGNMENT

PARK CITY GENERAL PLAN 2014

The 2014 General Plan establishes the foundational vision and guiding principles that continue to shape Park City's growth and conservation efforts. Built around the community's Core Values: Small Town Character, Natural Setting, Sense of Community, and Historic Character, it articulates a clear filter test of "keep Park City, Park City" for every policy decision. By documenting trends since the 2002 Winter Olympics and setting population targets around 7,500 residents, this Plan provides the baseline against which future updates measure both new development and preservation initiatives. Its emphasis on protecting the town's unique charm and natural surroundings ensures that as Park City evolves, it retains the very qualities that distinguish it from "Anywhere USA."

PARK CITY VISION 2020: FINAL VISION & STRATEGIC ACTION PLAN

Vision 2020 translates broad community aspirations into a concrete, ten-year framework of projects, policies, and performance check-ins. Crafted through an open and inclusive engagement process, it reflects a collective permission from residents to pursue bold but attainable actions that advance Park City's long-term vision. The Plan's structure, which embeds progress reviews every three to five years, offers a dynamic model for tracking implementation and course-correcting as needed.

PARK CITY FORWARD 2022

Park City Forward offers a thirty-year blueprint for the City's transportation network, marrying local values with pragmatic investment strategies. It addresses the evolving needs of residents, businesses, and visitors, ensuring that limited transportation funds are allocated to projects that bolster multimodal connectivity while respecting the City's natural setting and historic character. By anticipating growth in surrounding communities and coordinating with regional partners, this Plan positions Park City to manage traffic, transit, and trail expansion in harmony with broader Wasatch Back objectives.

PARK CITY SHORT RANGE TRANSIT PLAN 2020

The Short-Range Transit Plan serves as Park City's five-year operational playbook for public transportation, detailing route modifications, frequency adjustments, and fleet requirements. Functioning as both a business plan and tactical guide for Park City Transit (PCT), the SRTP aligns day-to-day service decisions with broader mobility goals. It allows policymakers to respond swiftly to shifting ridership patterns, budgetary changes, and emerging technologies, ensuring that transit service remains efficient, reliable, and responsive to community needs. As part of the General Plan Update, the SRTP's granular analysis anchors the Update's short-term action items in realistic service metrics and cost forecasts.

OPPORTUNITIES & CHALLENGES

OPPORTUNITIES

- **Preserving Community Values:** Residents strongly value Park City's sense of community, environmental quality, and authenticity. There is an opportunity to preserve these values while adapting to change.
- **Diversifying Housing Options:** Survey respondents supported a variety of housing types, especially seasonal employee housing, income-restricted housing, and smaller units to accommodate a broader range of residents.
- **Enhancing Transportation Choices:** Improving walkability, expanding bus routes, and implementing alternative parking strategies were identified as key steps to reduce congestion and improve mobility.
- **Supporting Parks and Open Space:** Parks, trails, and natural areas are among the most valued aspects of life in Park City. Continued investment in trail connections, preservation, and wildfire mitigation is widely supported.
- **Revitalizing Underutilized Areas:** Redevelopment of outdated properties and support for locally focused businesses can help reinforce neighborhood vibrancy while meeting evolving community needs.

CHALLENGES

- **Traffic and Congestion:** 71% of survey respondents identified traffic as the top challenge, especially related to event-based travel, recreation access, and workforce commuting.
- **Housing Affordability:** Many residents expressed concern over the lack of affordable and workforce housing, with only 12.1% of the workforce currently living within the city.
- **Growth Pressures:** Community members noted that managing growth while preserving quality of life, small-town character, and natural areas is a critical concern.
- **Transportation Infrastructure:** Limitations in transit availability, public parking, and walkability were seen as significant barriers to getting around, especially during peak visitor periods.
- **Balancing Tourism and Local Needs:** Residents expressed the need to balance the demands of tourism with everyday needs of full-time residents, including access to services, housing, and mobility.

**As articulated in the General Plan Survey and Engagement Process.*



Bonanza Flats



COMMUNITY ENGAGEMENT & OUTREACH

PLAN PROCESS

PROCESS OVERVIEW

The General Plan update process took place from June 2024 through August 2025 across five phases. In **Phase 1 (June–September 2024)**, staff compiled baseline data, then convened advisory bodies in **Phase 2 (July–October 2024). Phase 3 (November 2024–January 2025)** translated community feedback into a draft vision and goals, and **Phase 4 (December 2024–May 2025)** produced the Plan's required elements: land use, transportation, housing, water conservation. Finally, in **Phase 5 (June–August 2025)**, the draft was released for public comment and put up for adoption. **Three engagement windows** sought public input: Project Awareness & Values Identification (June–October 2024), Ideas & Alternatives Development (November 2024–March 2025), and Draft & Final Plan Sharing (April–July 2025).

ENGAGEMENT WINDOWS

1 PROJECT AWARENESS & VALUES IDENTIFICATION

- Council Interviews
- Advisory Committee Meeting
- Technical Advisory Committee Meeting
- Statistically Valid Survey
- Project Launch-Open House
- Project Website

2 IDEAS & ALTERNATIVES DEVELOPMENT

- Online Questionnaire
- Focus Groups
- Neighborhood Open Houses
- Continued Advisory Meetings
- Updates to Project Website
- Community Open House

3 DRAFT & FINAL PLAN SHARING

- Workshops with Advisory Committees
- Public Presentation
- Draft Plan for Public Comment
- Open House

PROJECT TIMELINE

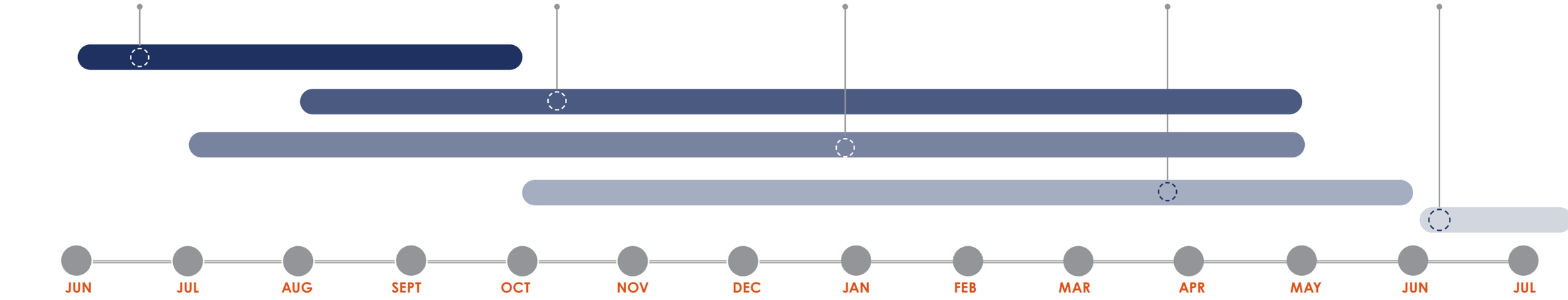
PHASE 1
Establish the Project Management Team. Compile Data and Existing Conditions.

PHASE 2
Identify and Establish Advisory Committees, Board and Commission Liaisons, and Stakeholder Groups. Conduct the Statistically Valid Survey

PHASE 3
Lead Community Visioning and Goals

PHASE 4
Develop General Plan Elements in conformance with Community Goals and the requirements of Utah Code

PHASE 5
General Plan Adoption



ENGAGEMENT OVERVIEW

ENGAGEMENT VISION

To create a shared Vision for Park City's General Plan through transparent and inclusive engagement among residents, stakeholders, and diverse voices, the project included three engagement windows.

1

ENGAGEMENT WINDOW

Project Awareness & Values Identification

SEPT - DEC 2024

2

ENGAGEMENT WINDOW

Ideas & Alternatives Development

JAN - MARCH 2025

3

ENGAGEMENT WINDOW

Draft & Final Plan Sharing

MAY - JULY 2025



Technical Advisory Committee Meetings



Open House 1



Open House 2



Open House 3

HOW WE ENGAGED IN THE COMMUNITY

1,118 TOTAL PARTICIPANTS

COMMUNITY INTERACTION

- *Open House*
- *Project Website*
- *Statistically Valid Survey*
- *Online Questionnaire*
- *Focus Groups*
- *Youth Council Work Session*

ADVISORY COMMITTEES

- *Technical Advisory Committee*
- *General Plan Advisory Committee*
- *Neighborhood Advisory Committees*

ADVISORY BOARDS

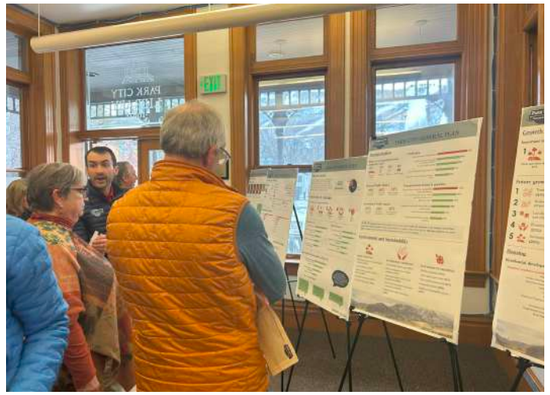
- *Historic Preservation Board*
- *Public Art Advisory Board*
- *Recreation Advisory Board*

CITY COUNCIL AND PLANNING COMMISSION

- *City Council Interviews and Presentation*
- *Planning Commission Presentation*

OPEN HOUSE









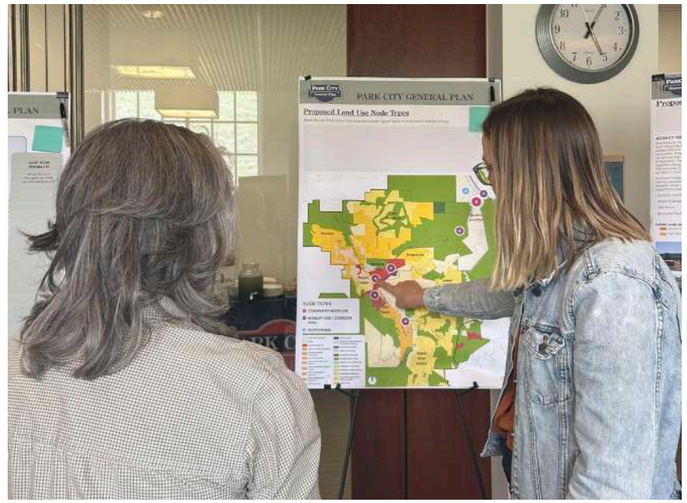
OPEN HOUSE 1

At the first Open House, community members examined the preliminary framework and shared fundamental concerns about preserving Park City's authentic mountain-town character while improving functionality. Attendees provided feedback on key topics, ranging from housing affordability and limited childcare access to traffic congestion, population pressures, and infrastructure demands. Participants emphasized the need to balance tourism-driven economic vitality with climate-resilience measures, and underscored that design solutions must honor the town's historic charm.

OPEN HOUSE 2

At the second Open House, community members reviewed the draft vision and emerging land-use scenarios, particularly scenarios 1 and 2 focused on neighborhood infill, transportation improvements and housing strategies. Attendees broadly affirmed the overarching priorities, endorsing historic-preservation initiatives alongside a suite of sustainability measures such as water-wise landscaping, rooftop solar, recycling and composting programs, and broader decarbonization efforts. They also expressed moderate-to-high interest in implementing dark-sky lighting standards and establishing community gardens.





OPEN HOUSE 3

At the final Open House, community members reviewed key recommendations and strategies organized around the five plan themes. Attendees examined each theme, and provided feedback on draft strategies. The event also presented tailored recommendations for individual neighborhoods based on neighborhood open houses and featured the proposed land-use node type map illustrating potential future development areas, such as mobility hubs and community mixed-use nodes. Overall, participants actively engaged with the materials and affirmed the direction of the draft plan. They welcomed the importance of preserving neighborhood character and transportation improvements, and suggested refinements to make the strategies clearer and more actionable.

KEY TAKEAWAYS

1. Park City aims to become more enjoyable for residents and visitors, reducing frustrations related to traffic and housing.

2. The Plan should be actionable, involving goals and strategies that can be implemented.

3. Park City is a community-oriented place with shared interests and love for nature. It offers outdoor activities and a sense of identity to be treasured.

STATISTICALLY VALID SURVEY

WHAT WE HEARD

The Community Survey was collected from November 14-27, 2024, with a total of 453 responses. For this survey, Park City residents were randomly sampled from the City's residential utilities list and the publicly available Utah registered voter file. Survey invitations were sent via email and text message. The data were weighted to reflect the demographics of Park City residents, specifically in regard to age, gender, race, and home ownership.

453 RESPONSES

KEY TAKEAWAYS

- *Park City residents are divided on the City's direction but value its small-town feel, natural setting, and outdoor activities.*
- *Community, environmental preservation, and a strong sense of place are top resident priorities.*
- *Traffic and congestion are the biggest concerns, with a strong desire for improved transportation services.*
- *Residents want better walkability and transit options, especially for workers, skiers, and easier access to events, recreation, and businesses.*
- *Nature preservation remains key, with priorities including trail expansion, open space protection, and wildfire mitigation.*

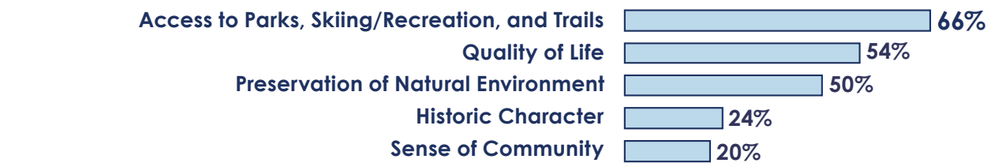
TOP 5 VALUES THAT REPRESENT PARK CITY

1. Community 50%
2. Uniqueness 36%
3. Environmental 35%
4. Preservation 32%
5. Authentic 26%

IMPORTANT LAND-USE PRIORITIES AT A NEIGHBORHOOD SCALE

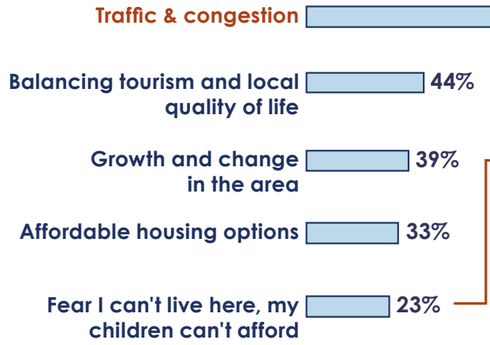
1. Parks and Open Space 47%
2. Conservation and Natural Space 45%
3. Affordable Housing 33%
4. Restaurants or Bars 22%
5. Medium-density Housing 17%

MOST VALUED CHARACTERISTICS OF PARK CITY

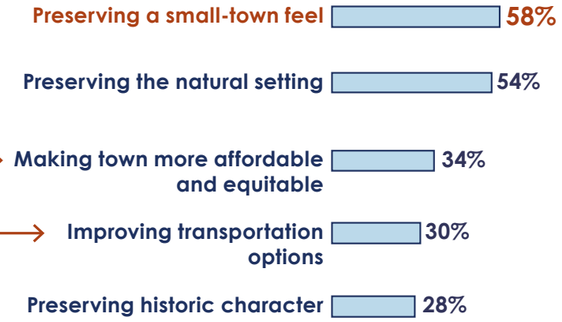


"I live in Park City because it is safe and offers a quality of life that emphasizes outdoor activity and overall health."

CHALLENGES FACED..



GOALS TO FOCUS ON..



2 in 3 Respondents overall agree that the City should simplify transportation for residents, even if it reduces visitor access, indicating that the focus should be more on residents' needs than on visitor access.

For median income less that $100,000 a year, affordable housing is the main priority.

Majority of Park City residents **preferred varied residential developments** over single-family detached homes.

" I moved here fifty years ago specifically for skiing but stayed because of the quality of life and the opportunity to raise my children in a healthy environment."

NEIGHBORHOOD ADVISORY MEETINGS

KEY TAKEAWAYS

1. Top concerns for neighborhood residents include advocating for bike/pedestrian safety along roadways and improving traffic measures to deal with congestion.

2. There is high demand for an expanded transportation system with more options and efficiency.

3. The participants emphasized the importance of maintaining the character of Park City.

NEIGHBORHOOD ADVISORY COMMITTEE MEETINGS SUMMARY

Park City includes ten distinct neighborhoods. Resident volunteers applied to serve on Advisory Committees for their neighborhood to help build project awareness and facilitate resident engagement in a series of open houses held from December2024 through February 2025 where residents reviewed the 2014 General Plan recommendations for their neighborhood and provided input on the recommendations for the 2025 General Plan outlined in the Neighborhood Plans.

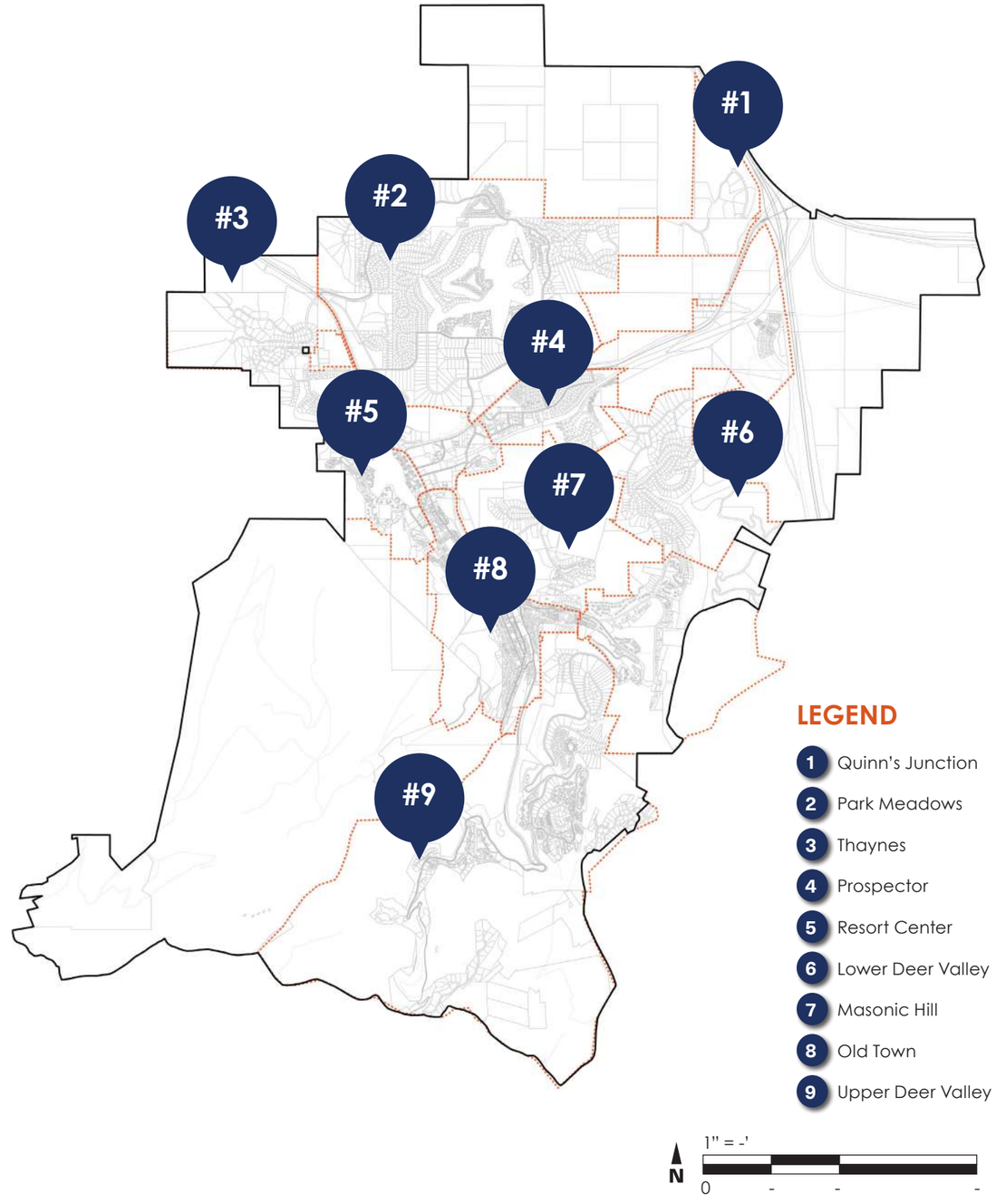
Let's Talk About Pedestrian Safety and Congestion Concerns.

Efficient Transportation Systems!

We Should Enforce Nightly Rental Restrictions!

We Need to Maintain the Safe, Small Town Vibe of Park City!

Sidewalks & Parking!



ONLINE QUESTIONNAIRE

OVERVIEW

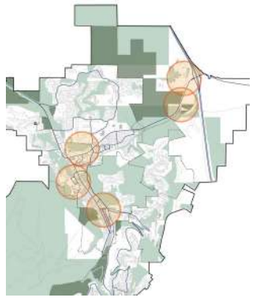
An online questionnaire was conducted from March 4th to March 25th, to collect feedback from Park City residents and community members regarding the city's vision statement and the mission statements considered essential to realizing this vision. Participants were asked to select their preferred land-use and transportation scenarios from the provided options. Additionally, they were invited to share input on priorities and strategies related to historic preservation, conservation, and sustainability.

538
RESPONSES

PREFERRED LAND-USE SCENARIO

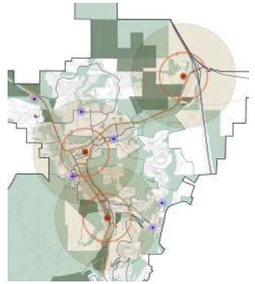
1. Neighborhood Infill Development — 38%

This land use strategy is ideal for a community looking to increase density thoughtfully through targeted infill, focusing on small-scale, medium-density projects that fit the local context. By concentrating new development around existing commercial areas, it emphasizes missing middle housing, employee housing, seasonal housing, and accessory dwelling units, while also incentivizing adaptive reuse. This approach supports vibrant, walkable neighborhoods, strengthens local economies, and aligns with Park City's efforts to promote housing diversity, sustainability, and balanced growth.



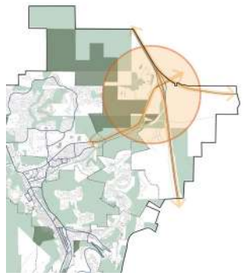
2. Transit Corridor Infill Development — 32%

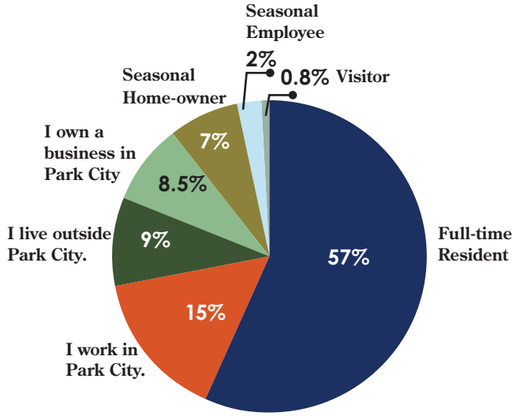
This land use strategy focuses on transit corridor infill development by increasing density along key transportation routes like Highways 224 and 248. It envisions larger mobility hubs integrated with mixed-use nodes to create a more walkable, connected system that enhances pedestrian access and incentivizes public transit use. By incorporating smaller neighborhood transit access points, this approach improves overall connectivity, supports sustainable mobility choices, and aligns with Park City's goals of linking land use and transportation to manage future development.



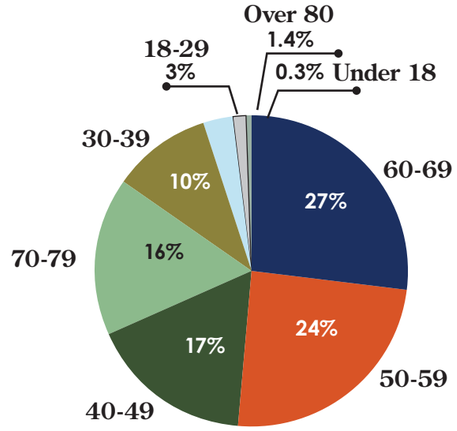
3. Major Mixed-Use Node Development — 30%

This land use strategy focuses on major mixed-use node development, aiming for medium to high-density growth anchored by a central commercial and mixed-use core with a new park-and-ride. It prioritizes strong transit connections to employment and recreation areas while identifying additional smaller mixed-use nodes to boost walkability and lessen vehicle dependence. This approach supports integrated, transit-oriented development that creates vibrant, connected neighborhoods while advancing Park City's vision for sustainable and balanced community development.





WHO DID WE HEAR FROM



WHO DID WE HEAR FROM: AGE GROUPS

PREFERRED TRANSPORTATION SCENARIO

1: Moderate Adjustments



31.3%

This transportation strategy is ideal for a community looking to make measurable improvements in mobility and accessibility without sacrificing flexibility. It prioritizes investments that can be adjusted over time, minimizes risk, and aligns with Park City's ongoing efforts to manage growth, reduce congestion, and enhance transportation options without drastic upheaval.

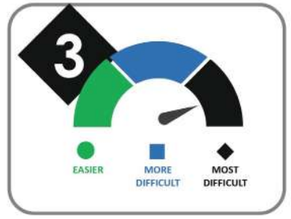
2: Pushing a Modal Shift



34.63%

This scenario is ideal for a community ready to take a bold stance on reducing car dependency while fostering a livable, transit-oriented, and pedestrian-focused environment. It offers a decisive shift towards addressing the City's congestion management goals while preserving its character and economic vitality. Though the transition may present political and logistical challenges, the long-term benefits of reduced congestion, improved public spaces, and a shift towards more sustainable modes may make it an attractive option.

3: Transformational Change



34.07%

This scenario is best suited for a community committed to a fundamental transformation toward sustainable, car-free mobility. It prioritizes people over cars, ensuring that visitors and residents alike can navigate Park City without relying on personal vehicles with consideration for the needs of residents. While the capital investment and political coordination required are significant, the long-term benefits of reduced congestion, improved public spaces, and extensive non-personal vehicle travel options make this a forward-thinking choice.



IMPLEMENTATION PLAN

CURRENT INITIATIVES: TRANSPORTATION

Park City has taken significant steps since the 2014 General Plan to address traffic, congestion, and transportation options. This section describes some of these achievements.

T2: TRANSIT IMPROVEMENTS

- The City is partnering with Summit County, High Valley Transit, and the Utah Department of Transportation to establish SR-224 Bus Rapid Transit.
- The Re-Create 248 Transit Study is focused on transforming travel along the SR-248 corridor. By considering the regional nature of traffic patterns and transportation needs, the study aims to identify solutions that expand mobility options for visitors, the workforce, and residents. The outcome will be an enhanced transit system along SR-248. Twelve potential transit modes and two corridor alignments are being evaluated. The goal is to identify a Locally Preferred Alternative by January 2026.
- The City supported increased capture lot usage at Richardson Flat and conducted needs analysis in partnership with Summit County for future capture lot site feasibility.
- As a result of a recent Emerging Disruptors transportation study, the City is working with Summit County and stakeholders to improve airport connections to the City.
- High Valley Transit operates low frequency service to Salt Lake City.
- The City piloted an on-demand micro transit system, but it was ultimately determined the pilot did not meet the goals due to the cost of operations.
- Park City Transit, Engineering, and Transportation Planning worked to improve Park Avenue bus stops and are working on improvements to 80 more stops through 2028.

T3: TRAFFIC MANAGEMENT

- Park City Forward, adopted in 2022, included 84 transportation initiatives with minimal recommendations to widen existing streets or highways.
- The City is advancing code amendments to reduce parking ratios, allow shared and off-site parking, set parking maximums, and support alternative strategies like carshare and EV spaces.
- The Bonanza Park Small Area Plan recommends a new walkable mixed-use zone where residents can live within ¼ mile of public transit, amenities, and services.
- The City hired a traffic manager to oversee traffic operations during the peak winter and event days, when traffic and transit are the busiest and need the most operational support.
- The City operates several TDM programs including Guaranteed Ride Home, Ride On Park City, and UTA Vanpool.
- The City launched and championed the Ride On platform that educates the public on alternative transportation choices and rewards businesses and individuals who compete in monthly and seasonal challenges.

T4: PARKING

- The Downtown and Main Street Parking Management Plan was completed and is regularly reviewed and updated regarding parking rates and enforcement policies.
- On April 27, 2023, the City Council adopted an Ordinance updating bike parking requirements for new development, including standards for outdoor racks and indoor bike storage.
- The City is updating Traffic Impact Study Guidelines and the Land Management Code to establish measurable options for developers to reduce single-occupancy vehicles and enhance transit ridership, walking, biking, and other modes of transportation through parking reductions and comprehensive Transportation Demand Management plans.

T5: PRESERVE PARK CITY'S SMALL-TOWN FEEL

- The Neighborhoods First Streets Program was developed to work with residents to make neighborhoods safer and more livable by implementing traffic calming strategies, resolve street parking concerns, and generally respond to requests from the public that impact our local streets.
- In the summer of 2025 Park City is implementing temporary traffic calming measures to evaluate the effectiveness before investing in permanent improvements.

T6: WALKABLE AND BIKEABLE NEIGHBORHOODS

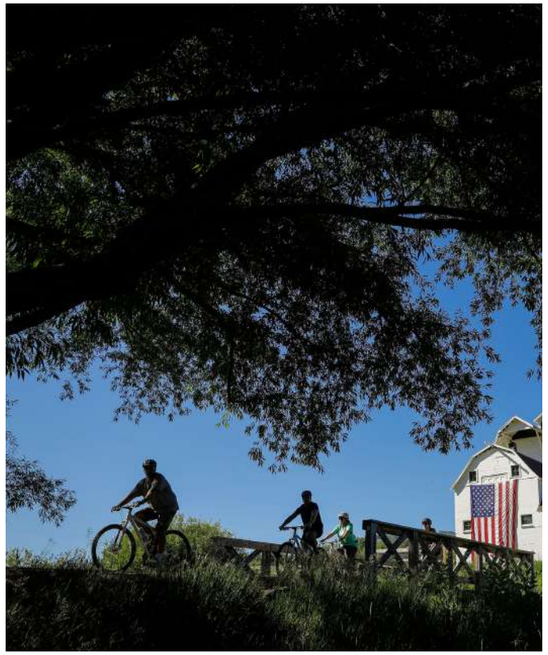
- City investments have been made to install bike racks throughout the community's business districts, transit stops, and recreational facilities.
- On January 4, 2018, the City Council adopted a Resolution, approving a complete streets policy to encourage walking, bicycling, and transit use while continuing safe operations for all users and modes.
- Bonanza Park Master Plan outlines possible connectivity improvements.

T7: SPECIAL EVENTS

- During peak events, the peak day management team establish drop and load zones for private transportation carriers.



Bus Transit System



Bike Trails

CURRENT INITIATIVES: COMMUNITY CHARACTER

Park City has taken significant steps since the 2014 General Plan to protect neighborhood character, promote historic preservation, and update the development review process. This section describes some of these achievements.

C1: SMALL TOWN FEEL

- Maximum residential lot sizes were established in the Historic Residential – 1, Historic Residential – 2, and Historic Residential Medium Zoning Districts.
- Since 2014, the Recreation Department upgraded the seasonal dome and sports lighting on fields to maximize playing light and minimizing neighborhood impacts from light pollution. Free outdoor ice skating and cross-country skiing are also beneficial to the local and visitor alike.
- In 2017 City Council adopted an Ordinance to define Conventional Chain Business as a business with ten or more other locations that operate with standardized menus, products, apparel, architectural design, and/or signage and logo. Conventional Chain Businesses are limited to no more than seven in Storefront Property within the HRC Zoning District and no more than 17 in Storefront Property within the HCB Zoning District.
- The City provides Economic Development Grants to local businesses.
- The City collaborated in the award of the return of the Winter Olympics – the 2034 Winter Olympics.
- The renewal of the United States Ski and Snowboard Association agreement for the MARC to continue to be 'An Official Training Center' for the US Ski and Snowboard Team was renewed through the 2034 Olympic Games.
- In 2020, the City Council adopted an Ordinance establishing a cap on Nightly Rentals in the Historic Residential – Low Density Zoning District. At the request of residents, the City Council approved the following ordinances:
  - Ordinance No. 2015-44 prohibiting nightly rentals in the Neighborhood of the Historic Residential – Low Zoning District.
  - Ordinance No. 2020-38 prohibiting nightly rentals in the Meadows Estates Subdivision.
  - Ordinance No. 2021-16 prohibiting nightly rentals in the Fairway Meadows Subdivision.
  - Ordinance No. 2021-52 prohibiting nightly rentals in the Hidden Oaks at Deer Valley Subdivision.
  - Ordinance No. 2023-16 prohibiting nightly rentals in the Chatham Crossing and West Ridge Subdivisions.

C2: SENSE OF COMMUNITY

- On November 19, 2020, the City Council adopted an Ordinance to create an Urban Park Zone, providing additional protections for the long-term continuation of Rotary Park, Creekside Park, Prospector Park, City Park, and the Municipal Golf Course. This was an important resident-led partnership with the City Council and Planning and Recreation staff.
- The adopted Bike and Ped Plan outlines planned improvements between citywide parks and recreation.
- On January 21, 2021, City Council adopted an Ordinance establishing dark sky regulations for outdoor lighting to minimize light impacts to wildlife and neighbors, preserving starry night skies. Since the adoption of the dark sky regulations, the City is retrofitting streetlights and upgrading the 118 streetlights leased from Rocky Mountain Power with dark sky compliant lights, and has brough City properties into compliance with the new regulations.
- The City has collaborated with Historic Park City Alliance, the Kimball Arts Festival, and permits special events that foster community involvement and promote arts and culture.
- In July of 2020, the City Council adopted Resolution No. 18-2020 appropriating 1% of Capital Improvement Project funds to be spent to acquire and integrate public art.
- In 2018 and 2023 the City coordinated art installations on utility boxes through the EmPOWERment project.

C3: LAND USE & GROWTH

- In July of 2024, the City Council adopted the Bonanza Park Small Area Plan to create a new mixed-use neighborhood.
- The City purchased the Treasure Hill, Bonanza Flat, and Clark Ranch open space acreage.
- City annexed approximately 1,200 acres in the southeast Quinn's Junction area and zoned the property Recreation and Open Space and Entry Corridor Protection and Sensitive Land Overlays to bring City-owned property allocated for open space and potential affordable housing into the City boundary.

C5: HISTORIC PRESERVATION

Celebration & Education:

- Ongoing recognition and celebration of preservation efforts through the City's annual Preservation Award.
- Education and information provided regarding outside financial support, such as state and federal historic tax credits.
- Incentives: Financial incentives for preservation, rehabilitation, and restoration continue to be offered through the City's Historic District Grant Program.

Stewardship, Collaboration, and Innovation:

- Established agreements with the two ski resort entities to identify historic mining structures and sites and implemented funding mechanisms for their preservation and protection.
- Preservation and stabilization efforts on several high-priority mining structures.

Documentation:

- Completion of Intensive Level Surveys (ILS) of all the City's designated historic resources.

Policy and Regulations:

- Compatibility standards implemented and adopted into the Land Management Code.
- Consideration of flexibility regarding seasonal enclosures and temporary structures; updates regarding parking and driveways.
- Updates to land use standards to maintain the vibrant, active nature of Main Street.
- Proposed illustration of the Design Guidelines to provide more clarity and understanding.
- Discussion and exploration of strategies related to enforcement of unauthorized alterations to infill projects.

Main Street:

- Updates to land use standards to maintain the vibrant, active nature of Main Street.
- Collaboration on Main Street planning and revitalization efforts.



Old Town

CURRENT INITIATIVES: MODERATE INCOME HOUSING

Park City has taken significant steps since the 2014 General Plan to achieve more affordable housing within the City as well as reduce barriers to build more attainable and affordable housing. This section describes some of these achievements.

H1: VARIETY OF HOUSING OPTIONS

- In 2021, the City adopted an Ordinance updating Accessory Apartment regulations to incentivize development, including removal of the requirement that the property owner live on site, removal of a cap on the number of Accessory Apartments allowed within a 300-foot radius, reducing the minimum size to 280 square feet, and allowing Accessory Apartments in the Community Transition Zoning District.
- RDA funds were used to complete three projects totaling 27 homeownership units. Another project, EngineHouse, is in production and will include 99 affordable rental units.
- In 2016, the City expanded the housing program to include two levels of affordability: affordable at 80% and below and attainable from 81-150% of Area Median Income.
- The City collects annual compliance reports for all deed restricted properties.
- Five-year housing assessments are completed with the help of the University of Utah Kem C. Gardner Institute detailing existing stock and needs.
- In 2021, a new Affordable Master Planned Development code was established to reduce setbacks and open space requirements and increase building height for projects that include more than 50% of the square footage as deed restricted affordable units.



Snow Creek Cottages



The Retreat at the Park Affordable Housing



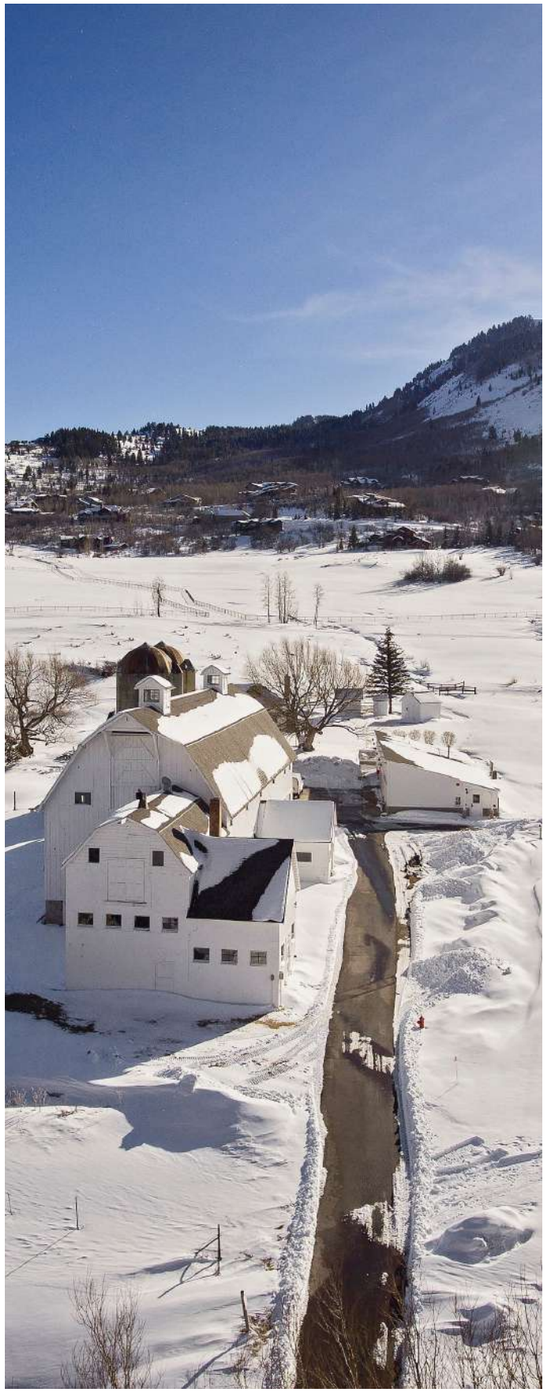
Snow Creek Cottages

CURRENT INITIATIVES: WATER AND OPEN SPACE PRESERVATION

Park City has taken significant steps since the 2014 General Plan to reduce water consumption for both domestic and commercial uses, as well as take proactive actions towards water conservation. This section describes some of these achievements.

W1: WATER PRESERVATION

- Park City has been proactive in minimizing water consumption for both domestic and commercial applications.
  - The City updated the water conservation plan in 2020.
  - The City adopted a water conservation goal for Weber Basin Drainage which targets a 33 percent reduction in water loss by 2030 using 2019 as a benchmark.
  - In the summer, almost 70 percent of Park City's water consumption is used for irrigation. Park City has implemented irrigation mandates to reduce the likelihood of overloading the roughly 11 MGD capacity of the Park City water system.
  - Park City has made significant steps since 2014 to reduce water loss which primarily occurs as potable water is transported through pipelines to outlets. Steps include: Metering of homes, residential, commercial, irrigation and snowmaking sites; establishment of the WaterSmart Portal, and leak tracking and notification system.
  - Following adoption of water-efficient landscape ordinances, Park City in conjunction with the Weber Basin Water Conservancy District is now offering a financial incentive to property owners that replace their grass lawns with drought and fire-resistant landscaping.



Mc Polin Barn



City's view during winter

CURRENT INITIATIVES: SUSTAINABILITY

Park City has taken significant steps since the 2014 General Plan to achieve net-zero carbon emission, incentivize energy efficient and waste reduction programs within the community. This section describes some of these achievements.

ADVOCACY

- Park City was an advocate and leader for decarbonization by starting the Mountain Towns 2030 movement in 2019, which drove Park City and others to strive for net zero carbon emissions by 2030 through the creation of a hub for participating communities to collaborate and share resources with one another.
- After the introduction of the Utah Community Renewable Energy Act, Rocky Mountain Power developed the Utah Renewable Communities program, which is a commitment to achieve net-100% renewable electricity by 2030. Park City is recognized as an anchor community, which symbolizes both its financial and ideological commitment to reaching the goals set forth by Utah Renewable Communities.
- Park City has been a member of Tree City USA for over 31 years. This initiative was created by the Arbor Day Foundation to ensure a commitment to urban forestry via adherence to four policies that contribute to the maintenance and growth of each jurisdiction's urban forest.

LOCAL EDUCATION AND OUTREACH

- Ride On Park City - A rewards program to incentivize the use of multimodal transportation to reduce congestion and carbon emissions associated with transportation.
- Try Transit Week - A biannual promotion of the local transit system through themed activities, events, and conversations with local transportation leaders.
- Summit Community Power Works Program: This program provides Summit County and Park City residents with informational resources and incentives to support their engagement with household energy and water conservation efforts. the creation of a hub for participating communities to collaborate and share resources with one another.

DECARBONIZATION BUILDINGS

- Park City established a net-zero energy performance standard for its municipal buildings in 2017, which is in the process of being updated.
- The City champions multiple incentivization programs to support developers in the construction of commercial and mixed-use buildings that operate with reduced or net-zero carbon emissions. These programs include the Utah Commercial Property Assessed Clean Energy program (C-PACE), Rocky Mountain Power's Whole Building Program, free commercial building energy assessments to all local businesses, and incentive packages for efficiency upgrades.
- Park City also has a progressive solar panel ordinance that allows the installation of solar panels.
- In addition to energy conservation, the Park City Utilities Department also uses pricing tools, water smart policies, leak detection, and place-based data measurements to support the conservation of the existing water supply.

LAND

- The McPolin Barn CO2 Sequestration Project (2018) has implemented regenerative agriculture to sequester carbon and improve soil health.
- Park City has implemented a biochar program that uses open space to reduce excess forest fire fuels, sequester carbon, and improve ecosystem health.

WASTE

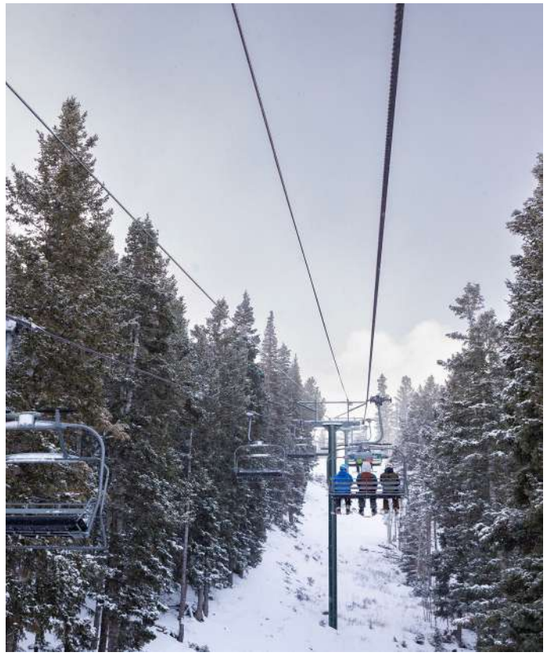
- To attain the City's overall decarbonization goals, Park City has set a goal to be zero-waste by 2030.

SUSTAINABLE TOURISM ENVIRONMENTAL CONSERVATION

- Park City has integrated policies and strategies that promote environmental conservation within the Park City tourism experience. This includes the Park City Sustainability and Open Space Department management of several undeveloped lands through conservation easements, including in the Quarry Mountain and Iron Mountain areas.

RESILIENT ECONOMY

- Park City has expanded its healthcare and medical facilities, supporting economic growth and resources for residents and visitors. In addition to efforts that create industry diversity, Park City has also engaged in efforts to encourage and back more local businesses over chain businesses within the City.
- According to the Park City Chamber of Commerce, there are 83 projects in progress citywide to support sustainable tourism. Through the emphasis on sustainable tourism, Park City can remain a resilient community that serves the needs of its visitors while providing stability for residents.



Ski-Lifts



Mountain Biking Trails

IMPLEMENTATION MATRIX OVERVIEW

The Implementation Matrix identifies the timeframe, departments, and partnerships anticipated for the implementation of each strategy.

- **Timeframe:** Identifies the timeline for the proposed strategies as it relates to implementation: Ongoing which refers to work that the city is already undertaking and is expected to continue; Near-Term which are intended to be implemented in the next 1 - 3 years; Medium-Term which are intended to be implemented in the next 5 years; and Long-Term which are intended to be implemented in 5 - 10 years.
- **Department:** This identifies the City Department(s) that would be responsible for supporting implementation of the strategies.
- **Partnerships:** This identifies non-city partners who may support the implementation of each strategy.



City Hall



TRANSPORTATION

We value a connected community with great access to recreation and open spaces and a variety of transportation options for visitors, workforce, and residents.

Departments required for Implementation: Transportation Planning, Planning, Engineering, Parking, Information Technology (IT), Public Works, Special Events, Executive, Emergency Management, Police, Building.

Partnerships required for Implementation: UDOT, Summit County, Wasatch County, State, High Valley Transit, Residents, Park City Chamber, Park City Fire District, Historic Park City Alliance, Resorts, Major Employers, Property and Business Owners, Homeowner and Master Owner Associations.

FOCUS AREA: DATA BACKED DECISION MAKING

STRATEGY	ACTIONS	TIMEFRAME
1A *Park City will regularly evaluate the community's unique traffic and peak day patterns to inform and measure mitigation strategies.*	Install City-controlled traffic counters at entry corridors and key intersections.	Ongoing
	Produce annual reports to track and monitor trends and to evaluate the effectiveness of implemented mitigation strategies.	

FOCUS AREA: TRANSIT IMPROVEMENTS

STRATEGY	ACTIONS	TIMEFRAME
2A *Advance high-capacity transit on the SR-224 and SR-248 corridors in coordination with High Valley Transit and the Utah Department of Transportation (UDOT) to serve as the primary transit spines connecting regional capture lots to key destinations.*	Support the planning, design, and implementation of SR-224 Bus Rapid Transit.	Medium-Term
	Complete the Re-Create 248 Transit Study in early 2026 to address projected corridor needs.	
	Identify the location for a capture lot along SR-248 by September 1, 2025.	

FOCUS AREA: TRANSIT IMPROVEMENTS

STRATEGY	ACTIONS	TIMEFRAME
2A *Advance high-capacity transit on the SR-224 and SR-248 corridors in coordination with High Valley Transit and the Utah Department of Transportation (UDOT) to serve as the primary transit spines connecting regional capture lots to key destinations.*	Partner with Summit County, Wasatch County, and UDOT to improve existing and develop new park-and-ride hubs identified in the capture lot capacity analysis to connect visitors and the such as retail, grocery, and childcare for employees and visitors, workforce with convenient and seamless access to parking, reliable transit connections, and supportive amenities.	Medium-Term
	Complete a detailed analysis of comprehensive capture lot capacity needs, addressing multiple horizon years, travel markets, and demand for special events by the summer of 2026.	
2B *Build on the Short-Range Transit Plan and Transportation Master Plan Park City Forward to build the transit network, increase transit frequency, and improve regional connections.*	Evaluate traffic signals and corridors for transit signal priority to provide more reliable transit operation.	Near-Term
	Increase headways on key internal routes to 10-15 minutes during peak hours.	
	Partner with High Valley Transit, Summit County, the Wasatch Front, and stakeholders to enhance the Park City-Salt Lake City Connect Route to provide direct and frequent service between Park City and the Salt Lake City International Airport.	
	Work toward dedicated transit lanes and other required infrastructure wherever feasible within Park City to maintain speed and reliability during congested periods.	
	Continue to electrify and modernize the City's transit fleet.	
	Establish a parking permit program that allows residents in areas not proximate to a transit stop to park near a transit stop in their neighborhood.	

FOCUS AREA: TRANSIT IMPROVEMENTS

STRATEGY	ACTIONS	TIMEFRAME
2B *Build on the Short-Range Transit Plan and Transportation Master Plan Park City Forward to build the transit network, increase transit frequency, and improve regional connections.*	Improve or replace the current mobile app used for transit service with an app that is more user friendly to a range of riders.	Near-Term
	Partner with High Valley Transit to increase service frequency to Wasatch Back communities to provide reliable commutes for the workforce.	
	Complete planned upgrades for local bus stops with improved amenities and accessibility features, including relevant route information, by 2026 and begin planning for the next round of improvements starting in 2026.	
	Track the performance of the summer Transit to Trails Program and make data-informed refinements and service expansions to improve user experience.	
	Evaluate new Transit to Trail connections to mitigate trail user parking in residential and commercial areas.	
	Evaluate transit improvements for trail users including regional park-and-rides and transit connections for recreation users in all seasons.	
	Evaluate the feasibility of a gondola system to connect key destinations within Park City, providing a high-capacity transit option that bypasses vehicle congestion.	
	Adopt design guidelines for transit stops compatible with the City's mountain town aesthetic.	

FOCUS AREA: TRANSIT IMPROVEMENTS

STRATEGY	ACTIONS	TIMEFRAME
2C *Park City will develop a network of internal mobility hubs as shown in the Node Types Map, including ones in the Thaynes and Park Meadows neighborhoods, as well as more developed ones in Bonanza and Old Town, and supportive infrastructure to enhance first- and last-mile connections.*	Improve pedestrian and bike access to key hubs from surrounding neighborhoods.	Near-Term
	Provide dynamic signage, real-time transit arrival information, and user-friendly wayfinding to support seamless multimodal transfers.	
	Build mobility hubs in areas with existing routes with high ridership, higher density, mixed-use development, and activity centers to support transit-oriented development and provide access for all users in areas like Old Town and Bonanza Park.	
	Co-locate bike shares, e-bike and transit charging infrastructure, and transit amenities such as; coffee stands, food trucks, and warming yurts, where demand exists.	

FOCUS AREA: TRAFFIC MANAGEMENT

STRATEGY	ACTIONS	TIMEFRAME
3A *Evaluate long-term congestion pricing and/ or flex-lanes on SR-224 and SR-248.*	Explore coordination with UDOT to institute a flex lane system to manage peak inbound and outbound traffic flows along SR-224 and SR-248 to add directional capacity without requiring roadway widening.	Long-term
	Explore the feasibility of congestion pricing and other demand-based policy tools along SR-224 and SR-248, with attention to mitigating impacts on the workforce and residents.	

FOCUS AREA: TRAFFIC MANAGEMENT

STRATEGY	ACTIONS	TIMEFRAME
3B *Park City will prioritize using pricing, mode shift, and land use policy, instead of roadway widening, to manage congestion.*	Update Zoning Districts to allow for mixed use within the City's commercial districts, such as Quinn's Junction and Bonanza Park, in key areas, reducing trip demand and length by bringing housing, jobs, and services closer together.	Ongoing
	Require event organizers to provide regional transit and shuttle services for major events, including connections to wider Summit County, the Wasatch Back, and the Wasatch Front. Expand charter bus and rideshare incentives for large gatherings.	
3C *Deploy smart traffic management tools to inform dynamic operations and user guidance.*	Coordinate with resort partners to expand real-time travel info, parking availability displays, and traffic monitoring.	Ongoing
	Coordinate traffic signal timing and publicly available traveler info systems with transit operations to minimize delay of transit at traffic signals and provide more accurate transit travel time estimates.	
	Evaluate traffic volumes and signal timing to optimize traffic signals to minimize vehicle delay.	
3D *Strengthen policies that reduce reliance on single-occupancy vehicles by requiring and incentivizing multimodal transportation through planning, development, and transportation initiatives.*	Incorporate trip reduction strategies and shared parking provisions into broader zoning reform efforts, including mixed-use friendly policies in areas like Quinn's Junction Community Mixed-Use Node.	Near-term
	Provide carpooling and vanpooling incentives, particularly for commuters, including construction teams.	
	Require major employers to appoint Transportation Demand Management coordinators to oversee and promote sustainable commute options and collaborate with City staff or an approved third-party entity to monitor compliance and trip reduction goals.	
	Continue developing clear policies for new developments, resorts, and major employers to integrate trip reduction strategies, establish mode-shift targets, and reduce parking through formal City mechanisms.	

FOCUS AREA: TRAFFIC MANAGEMENT

STRATEGY	ACTIONS	TIMEFRAME
3D *Strengthen policies that reduce reliance on single-occupancy vehicles by requiring and incentivizing multimodal transportation through planning, development, and transportation initiatives.*	Evaluate the effectiveness of the Ride On Park City program by analyzing its impact on mode share, seasonal variation, and travel behavior.	Near-term
	Annually recognize and celebrate the accomplishments of major employers who successfully implement Transportation Demand Management (TDM) strategies and highlight which strategies were most effective.	
3E *Reduce wildlife-vehicle collisions.*	Improve fencing along SR-224 and SR-248 to allow animal crossings at designated areas.	Ongoing
	Install streetlights along high crash corridors.	
	Provide median barriers with occasional gaps to allow animals to cross while enhancing drivers night-time vision.	
	The City will work with UDOT to explore locations along SR-224 and SR-248 for grade separated wildlife crossings.	
	Grade the shoulders of roadways more gently to provide better visibility to animals on the side of the road.	
	Mow and maintain roadway shoulders to remove animal food sources close to busy roadways.	
	Continue supporting animal awareness art such as the reflective silhouettes along SR-224.	

FOCUS AREA: PARKING

STRATEGY	ACTIONS	TIMEFRAME
4A *Use parking pricing and policy updates to support mode shift goals, reduce vehicle congestion, and prioritize access for residents and high-occupancy travel.*	Partner with resorts to further increase parking pricing and reservation systems as a strategy to reduce single-occupancy vehicle and personal vehicle use.	Near-term
	Integrate capture lots with ski resort transit service.	
	Conduct a city-wide parking study to assess the current parking needs, future needs, shared parking policies, and possible parking lots to eliminate or build in the future.	
	Update the Land Management Code to include parking maximums instead of parking minimums.	
	Develop policies and partnerships with private developments to implement policies that mitigate spillover parking impacts on nearby residents and businesses.	
	Update parking code to prohibit the leasing of parking spaces for uses other than those intended for the development.	
	Provide discounts or permit options for residents and employees to maintain equitable access to important destinations.	
	Eliminate excess surface parking lots in core areas, such as in Old Town, to make room for streetscape elements, active transportation, and transit.	
4B *Continue to implement the bike parking requirements of Ordinance No. 2023-18 for new development.*	Ensure ongoing implementation of the Install A Rack Program for public bike parking.	Ongoing
	Regularly evaluate the bike parking and bike storage requirements of Ordinance No. 2023-18 to ensure they reflect best practices. Identify incentives to bring existing developments into compliance.	

FOCUS AREA: PRESERVE PARK CITY'S SMALL TOWN FEEL

STRATEGY	ACTIONS	TIMEFRAME
5A *Implement Main Street circulation improvements to enhance safety and efficiency in Old Town and support a more walkable, less car-dependent downtown.*	Convert Main Street into a pedestrian and transit-only area during peak seasons and weekends to improve walking and biking access, support events, and enhance transit service.	Medium-term
	Preserve space for transit and emergency vehicle access.	
	Explore conversion to one-way traffic with wider sidewalks, with consideration of transit routes.	
	Work with downtown businesses to ensure sufficient parking and freight access.	
	Enforce e-bike regulations to ensure safety for all users of trails and roadways.	
5B *Continue to expand and implement traffic calming initiatives through the Neighborhoods First Streets Program.*	Use traffic calming measures such as curb extensions, signage, and striping to slow vehicles.	Ongoing
	Reduce street parking where it impairs visibility or crossing safety.	
	Support resident-led proposals for street redesign where appropriate.	
	Adopt design guidelines for traffic calming measures compatible with Park City's Mountain town and neighborhood aesthetics.	
	Combine traffic calming initiatives with pavement maintenance projects, larger capital projects, and bus stop improvements where applicable.	

FOCUS AREA: WALKABLE AND BIKEABLE NEIGHBORHOODS

STRATEGY	ACTIONS	TIMEFRAME
6A *Continue to build out the high-comfort active transportation network by implementing priority segments of the 2024 Bike and Pedestrian Plan.*	Where appropriate, consider reallocating select on-street parking to expand sidewalks or add separated pathways, improving comfort and connectivity for people walking and biking, particularly in areas with disconnected street networks or large-lot developments.	Ongoing
	Support trail and path interconnections to other jurisdictions.	
6B *Support winter access and maintenance to ensure year-round multimodal access.*	Prioritize timely snow removal on all designated walking and biking routes. Ensure snow storage does not obstruct sidewalks, crossings, or bike lanes.	Ongoing
	Update the City's snow removal codes to require sidewalks and trails on private property to be maintained and to prohibit snow storage on areas with public access easements.	
	Explore expanding compact winter maintenance equipment fleet specifically for sidewalks and protected bikeways.	
	Implement a heated sidewalk network in Old Town and at future mobility nodes.	
6C *Improve crossings and reduce barriers to ensure safety and accessibility on key corridors.*	Install pedestrian safety design elements such as high-visibility crosswalks and refuge islands (raised medians for separation of pedestrians from vehicular traffic) at intersections with known crash histories.	Near-term
	Adopt a Vision Zero policy to work towards improving safety across all Park City roadways and improving the appeal of active transportation through infrastructure investment, roadway speed reductions, and other measures.	
	Evaluate additional grade-separated crossings for walking and biking on SR-224 and SR-248.	
	Update the City's Complete Streets Policy.	
	Collaborate with Summit County to expand the bikeshare system.	

FOCUS AREA: SPECIAL EVENTS

STRATEGY	ACTIONS	TIMEFRAME
7A *In preparation for the 2034 Olympic Games, collaborate for transportation infrastructure and operational protocols to support the Games.*	Design flexible systems that serve Olympic needs without overbuilding infrastructure with limited long-term utility, setting Park City up for success in 2034 and beyond.	Near-term
	Evaluate today's opportunities and barriers to providing remote parking, managed access zones, and event-specific transit service.	
	Plan for staging areas, equipment sharing, and limited local road capacity.	

FOCUS AREA: EMERGENCY PLANNING

STRATEGY	ACTIONS	TIMEFRAME
8A *Update evacuation plans and public communication protocols to ensure emergency plans remain current, known to the public, and well-linked to transportation needs.*	Collaborate with the Emergency Management Team to align infrastructure with evacuation needs.	Near-term
	Regularly provide updated digital and printed evacuation route materials.	
	Evaluate the need for additional emergency egress roadways.	
	Assess evacuation route capacity as part of development project reviews.	



COMMUNITY CHARACTER

We value our unique community, quality of life, and authentic character. We support a variety of options that create housing opportunities for all groups within the community. We preserve our historic districts and cultural elements and celebrate the history of Park City.

Departments required for Implementation: Transportation Planning, Planning, Engineering, Economic Development, Information Technology (IT), Public Works, Public Utilities, Special Events, Executive, Emergency Management, Trails and Open Space, Recreation, Building, Water.

Partnerships required for Implementation: UDOT, Summit County, Park City, Neighborhood Residents, Park City Chamber, Park City Museum, Historic Park City Alliance, Resorts, Mountain Trails Foundation, Public Arts Advisory Board, Friends of Ski Mountain Mining History, Park City Mountain and Deer Valley Resort.

FOCUS AREA: SMALL TOWN FEEL

STRATEGY	ACTIONS	TIMEFRAME
1A *Maintain existing road network and prioritize limiting road width expansions for additional travel lanes.*	Align transportation improvements with Node Types Map and work within existing road geometries.	Ongoing
	Explore alternative transportation strategies to manage existing traffic and future volume increases.	

FOCUS AREA: SMALL TOWN FEEL

STRATEGY	ACTIONS	TIMEFRAME
1B *Support and ensure the year-round and long-term resilience of the Park City economy.*	Offer economic incentives and assistance for small and local businesses, including the creation of a revolving loan fund or a local grant program, particularly those that align with the City's community vision and goals.	Ongoing
	Streamline small business applications permits.	
	Work with regional higher education institutions, trade organizations, or non-profit organizations to establish learning opportunities for community members seeking additional skill development.	
	Explore additional tools beyond the existing Vibrant Commercial Storefront ordinance to ensure businesses remain active and open to the public, particularly along Main Street.	
	Explore opportunities to enable the economy to be responsive to broader economic changes, such as business diversification, shop local campaigns, and completing an economic risk assessment.	
1C *Encourage small scale compatible commercial infill.*	Review the City's land use tables to update uses appropriate in each Zoning District and Node Type.	Near-Term
	Support locally-serving commercial uses through initiatives like ground floor activation requirements, reduced parking minimums, and technical assistance such as streamlined permitting.	
	Support public private partnerships for small businesses and locally-serving commercial uses.	
	Explore the use of public infrastructure districts (PID), infrastructure financing districts (IFD), community reinvestment areas (CRA), and other increment financing to support targeted development areas, consistent with the identified nodes in the Node Types Map.	
	Create/support a City economic development program or entity to pursue economic development possibilities that brings together local business associations, provides support to local businesses, and diversifies the local economy.	

FOCUS AREA: SMALL TOWN FEEL

STRATEGY	ACTIONS	TIMEFRAME
1D *Increase Park City's walkability through an improved pedestrian friendly environment.*	Identify gaps in the pedestrian network and work to create a continuous pedestrian system.	Medium-Term
	Create walkable and universally accessible public realms in all new developments and around identified growth nodes, including continuous and ADA compliant sidewalks.	
	Explore potential code amendments to foster live- work opportunities in commercial areas.	
1E *Support the continued success of the multi-seasonal tourism economy while preserving the community character.*	Continue to support the Park City Chamber of Commerce's sustainable tourism plan, including visitor messaging and managing the impacts from tourism.	Ongoing
	Incorporate year-round workforce support programs to help employees in the tourism industry access housing, childcare, and other essential services, ensuring they can build sustainable lives within the community.	
	Allow cutting edge, green technology in appropriate areas to visually represent Park City's commitment to sustainable tourism.	
1F *Prioritize high quality design in new developments and redevelopment that respects the existing scale, style, and massing of buildings.*	Identify the attributes that make Park City unique and protect by incorporating regulations into the current zoning code.	Near-Term
	Define design elements for each neighborhood that reinforce neighborhood identity and sense of place.	

FOCUS AREA: SENSE OF COMMUNITY

STRATEGY	ACTIONS	TIMEFRAME
2A *Protect Park City's character and unique sense of place.*	Encourage the design of new development that is compatible with the scale, aesthetics and materiality of historic structures for Old Town and the character of each individual neighborhood.	Ongoing
	Limit development on agricultural lands to farm buildings, on-site housing, and accessory structures for operational agricultural sites.	
	Incentivize high quality design that respects the existing character and scale of Park City.	
2B *Strengthen existing neighborhoods through context-sensitive design requirements and creation of gathering places.*	Allow for improved connectivity between neighborhood nodes, such as through trails.	Near-Term
	Identify needs for gathering places by conducting a study to see if there are community park deficits within certain neighborhoods and plan for these in conjunction with the nodes identified in the Node Types Map.	
2C *Strive for equity and plan for all groups within the community.*	Continue to support and advance efforts related to community engagement for typically underrepresented demographics, including young people and those community members whose first language is not English.	Ongoing
	Work with other local governments to ensure community needs related to access to healthcare, childcare, multi-modal transportation, food, and other basic services are provided for all community members including underserved groups.	
	Work with community partners to provide information and facilitate conversation around planning topics with the Spanish-speaking community.	
	Study the needs of an aging community to consider opportunities to age in place, like attainable housing options, accessibility & mobility, services near residential areas, and programs to avoid isolation and loneliness.	
	Support community organizations and programs that provide bilingual education and communication opportunities.	

FOCUS AREA: SENSE OF COMMUNITY

STRATEGY	ACTIONS	TIMEFRAME
2D *Provide easy access to trails and recreation opportunities.*	Link mobility and transit improvements with trail and recreation access.	Ongoing
	Incentivize trail corridors and connection to existing trails in new developments or redevelopments.	
	Create a trail access management plan that includes parking and transit solutions at trailheads.	
2E *Continue to support Arts & Culture and incorporate it into the public realm.*	Incentivize public art as part of new developments by requiring art installations for larger developments and mixed-use development in accordance with the city's public arts policy.	Ongoing
	Update existing public art map / brochure with QR codes at art installation locations where more information about the artist and artwork is available.	
	Continue to support local artists and events.	
	Consider other types of summer festivals in partnership with the resorts for vibrancy.	
	Explore updates to the Land Management Code related to maker's spaces and adaptive reuse to ensure they are allowed in context-appropriate locations.	
	Support installation of public art on city owned parcels.	
	Support public art projects, festivals, and events that showcase the work and achievements of local and regional artists and craftsmen.	
	Support live music and other arts and culture events, including concert series, street performances, and festivals in resort areas, business districts and community gathering spaces, including alignment with special event permitting and municipal code regulation.	
	Explore a potential amphitheater or other type of facility for live music events.	

FOCUS AREA: LAND USE AND GROWTH

STRATEGY	ACTIONS	TIMEFRAME
3A *Protect open space, discourage sprawl, and direct growth inward.*	Allow context appropriate infill in existing neighborhoods to discourage sprawl and utilize existing infrastructure.	Ongoing
	Identify local and regional wildlife corridors through designation of open space and/or an overlay zone to ensure safe connections between natural areas for wildlife movement. Include overland wildlife corridors for SR 224, SR 248, and US 40 to accommodate wildlife movement.	
	Update the Sensitive Lands Overlay to ensure consistency with the original Overlay and reflects best practices.	
	Update the Land Management Code to allow for smaller lot sizes and compact development.	
	Study the incorporation of Accessory Apartments in residential neighborhoods where compatible to enable compact and efficient development in areas with existing infrastructure.	
	Continue to review and update the city's code to support the idea of mountain views along key entry corridors.	
	Ensure ecosystems health and wildlife corridors are reflected in zoning.	
	Create additional site planning requirements to site development in a way that preserves vegetation, slopes, landforms, and the like.	
	Evaluate and locate a new light industrial zone, medical cannabis production establishment overlay.	

FOCUS AREA: LAND USE AND GROWTH

STRATEGY	ACTIONS	TIMEFRAME
3B *Create walkable mixed-use nodes that can accommodate new growth, while providing access to services, retail and transportation.*	Incentivize and support residential development in and near Infill Nodes in areas like Quinn's Junction, Resort Center, and Old Town, consistent with the Node Types Map.	Medium-Term
	Incentivize and support small scale commercial development in and near Infill Nodes, consistent with the Future Land Use map (i.e. streamline building application process as one incentive).	
	Plan for future residential development in conjunction with transportation efforts, focusing along key transportation Corridors, consistent with the Node Types Map.	
3C *Evaluate potential station area planning around future BRT stops.*	Analyze the possibility of applying to HRTZ funding if area adjacent to future BRT stops complies with minimum density and affordability requirements defined by state law.	Long-Term
3D *Encourage infill development and enable a variety of housing typologies that provide a diverse mix and respond to the needs of various demographic and socioeconomic groups.*	Update residential and commercial Zoning Districts to allow for small scale residential infill where compatible with existing neighborhood character and scale.	Near-Term
	Allow the creation of Accessory Apartments in residential neighborhoods when compatible with existing character, and located in near proximity of transit, amenities, and services.	
	Explore the use of Design Guidelines to ensure that infill development is compatible with existing neighborhood mass and scale.	
	Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.	
3E *Create a comprehensive plan for City properties and rights-of-ways to evaluate areas that need improvement in preparation of the 2034 Olympics and beyond.*	Analyze availability of public properties and potential for small scale housing that can serve athletes and can then become workforce or seasonal housing.	Near-Term
	Prepare a plan of specific action with deadlines to ensure the community is at its best when hosting the Olympics in 2034 and beyond.	

FOCUS AREA: TECHNOLOGY

STRATEGY	ACTIONS	TIMEFRAME
4A *Support the Integration of Smart City Infrastructure and technology that supports energy efficiency and renewables.*	Develop a Citywide Fiber and Conduit Master Plan to ensure new developments and infrastructure projects incorporate high-speed broadband capacity.	Long-Term
	Promote co-location of small wireless facilities on existing structures and integrate aesthetically into the built environment, reducing the need for future macro towers.	
	Ensure the City's land use regulations accommodate and encourage emerging technologies, including AI systems, small wireless facilities, and smart infrastructure.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5A *Develop a clear understanding of the ski era resources in Park City.*	Conduct a Reconnaissance Level Survey (RLS) by 2026.	Near-Term
	Conduct an Intensive Level Survey (ILS) of key clusters/areas identified during the RLS by 2027.	
	Establish an honorary designation for properties that are identified as contributing to this era of Park City's history.	
5B *Confirm the key resources and sites related to Park City's Olympic host legacy.*	Create a GIS feature layer to document 2002 Olympic host-related sites and their key attributes.	Near-Term
	Create an ArcGIS StoryMap or Web Experience page to provide information regarding Park City's Olympic host-related sites in a user-friendly format.	
5C *Continue to document and monitor Mining Era resources, especially in Park City's residential and business districts, which provide the foundation of Park City's historic resources and character.*	Identify potential Mining Era resources not currently on the Historic Site Inventory and clarify why they are not included (e.g., removal requested, insufficient documentation, etc.)	Ongoing
	Streamline the current Historic Sites inventory into an online, searchable database using GIS or other location-based tools.	
	Update the knowledge of identified Mining Era residences with additional details to further the understanding of their importance and contribution to Park City's history.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5D *Continue to recognize preservation projects, share success stories to inspire future efforts, and provide technical resources to property owners.*	Invest in and expand education, outreach, and recognition efforts.	Ongoing
	Establish an annual event designed to celebrate exemplary preservation efforts, while also providing a regular means to educate and inform property owners about the benefits and opportunities of historic preservation.	
	Showcase the sustainability of historic preservation efforts by documenting and sharing information about the estimated embodied energy, durability of materials, and passive features of structures.	
5E *Provide access to historic preservation best practices, recognizing the range and diversity of Park City's historic resources.*	Provide regular training opportunities for staff and board members to understand and apply best practices to Park's City's regulatory and policy framework for historic resources.	Near-Term
5F *Continue to educate the community and visitors about the history and evolution of Park City.*	Celebrate and highlight Park City's mining, skiing, and 2002 Olympic Host legacies as defining eras for the city's character and history.	Ongoing
	Create an online resource, such as a webpage or ArcGIS StoryMap, to serve as a means for celebrating property owners' ongoing stewardship and preservation of the City's historic resources within the Historic District.	
	Use the online stewardship and preservation resource to provide: - A high-level and user-friendly overview of the purpose of the Historic District Regulations. - An overview of the process for making modifications to their properties. - Potential resources available to support property owners in their preservation efforts.	
	Leverage Park City's 2002 Olympic Host legacy to prepare for and support the 2034 Olympic Games.	
	Collaborate with the resorts and the Park City Museum to create educational and promotional materials for the Ski Resort and Olympic eras.	
	Continue to collaborate with the resorts, Friends of Ski Mountain Mining History, and the Park City Museum to create educational and promotional materials featuring the intersection of Park City's mine sites and resort activities.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5F *Continue to educate the community and visitors about the history and evolution of Park City.*	Collaborate with the Park City Museum to update and develop self-guided walking tour resources, in physical and digital formats. Evaluate developing both streamlined and more detailed versions to appeal to a range of ages and interest levels.	Ongoing
	Continue to celebrate Park City's history through public art and integrate historic information into existing and future educational and informational resources, such as the Park City Public Art StoryMap.	
5G *Collaborate with the Park City Museum, Utah Historical Society, and other partners to help tell the story of less well-known aspects of Park City's history.*	Document and confirm additional details regarding the ethnic groups that have called Park City home, either temporarily or long-term.	Near-Term
	Create a means to highlight and further recognize additional details, such as a plaque, award, or other means of recognition, in addition to existing forms of celebration and recognition.	
	Establish or expand educational materials that focus on Park City's historic and current cultural and ethnic diversity.	
	Develop a guided walking tour focused on highlighting areas historically occupied by ethnic groups, such as Park City's Chinatown.	
	Develop online resources and/or self-guided walking tour resources, such as ArcGIS StoryMaps to provide opportunities for residents and visitors to learn more about the many aspects of Park City's history.	
5H *Continue to support the adaptive re-use of historic buildings through incentives.*	Continue to research, identify, and utilize financial incentives for historic preservation efforts.	Ongoing
	Continue to offer the Historic District matching grant program to offer incentives for preservation, rehabilitation, and renovation of historic landmark sites. Consider having a "focus" for each round of grants to highlight different types of properties and needs.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5I *Establish options to incentivize the preservation of the documented historic resources associated with the ski era.*	Establish financial incentives for qualified resources of the ski industry identified by the Ski Era Intensive Level Survey (ILS).	Long-Term
	The financial incentives for the ski era can be established as a separate grant program or revolving loan fund from the programs supporting Park City's current Historic Sites Inventory, with requirements tailored toward ski era resources.	
	Consider regulatory exceptions for ski era sites, such as setback flexibility or parking exemptions, for property owners that record a façade easement.	
	Consider density bonus incentives if the ski era resource(s) of a site undergoing redevelopment are preserved.	
5J *Continue to foster collaborative efforts to preserve, protect, and promote Park City's historic resources.*	Continue to partner with Friends of Ski Mountain Mining History and the ski resorts on celebrating and highlighting the intersection of Park City's skiing and mining culture.	Ongoing
5K *Proactively work to protect the historic mining sites and structures from both physical and environmental damage.*	Establish an annual (or other regular recurring) wildfire mitigation process, to clear vegetation around/adjacent to historic mining sites.	Near-Term
	Establish strategies to counteract and prevent vandalism of remote mining sites and structures.	
5L *Continue to explore opportunities to integrate historic preservation with other initiatives, such as sustainability, workforce housing, arts/culture, and recreation/trails/open space.*	Integrate affordable and attainable housing with the preservation of historic structures, including the acquisition of additional properties.	Ongoing
	Create an awareness campaign to promote the connections between Historic Preservation and Sustainability.	
	Develop a tracking mechanism for estimating the embodied energy in Park City's existing and historic resources.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5M *Proactively work to protect Old Town's historic resources from wildfire damage.*	Collaborate with Rocky Mountain Power on efforts to underground power lines, establishing a timeline for undergrounding by 2026.	Near-Term
	Prioritize Old Town and the City's historic districts for undergrounding completion.	
5N *Support the integration of small-scale mixed-use components into Park City's older and historic neighborhoods to discourage sprawl and support walkable neighborhoods.*	Review the Land Management Code (LMC) to identify barriers to mixed uses in key historic neighborhoods, including Thaynes, Lower Deer Valley, Masonic Hill, and Park Meadows.	Medium-Term
	Establish parameters for the size, scale, and extent of allowing mixed uses in neighborhoods.	
5O *Continue to regularly assess and evaluate the Regulations for Historic Districts and Historic Sites in the Land Management Code (LMC) for consistency and potential modifications that further preservation efforts while supporting a degree of flexibility.*	Consider requiring more detailed mitigation plans to ensure construction activity does not cause physical damage or disturb the future integrity of nearby Historic Sites.	Ongoing
	Annually evaluate and update, as needed, the LMC to maintain regulatory consistency and to reflect changes and developments in available materials and best practices for sustainability.	
	Evaluate streetscape standards that support walkability efforts and reinforce the historic nature of Park City's older neighborhoods/urban form.	
	Evaluate modifications that may target better infill compatibility for the Historic Districts.	
	Evaluate updates to the LMC to support the preservation and compatible rehabilitation and/or renovation of ski era structures.	
	Evaluate the potential for a Carbon Tax or Land Management Code update to incentivize the reuse and renovation of existing and historic structures rather than demolition.	
	Consider integrating requirements for deconstruction of historic structures to the Application for Demolition and Certificate of Appropriateness for Demolition process.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5P *Periodically review newly constructed infill projects for suitability and compatibility of infill development within the Historic Districts.*	Identify issues that threaten the aesthetic experience of the districts and refine the LMC based on findings. The aesthetic experience shall be measured from the pedestrian experience at the primary street frontage.	Near-Term
	Analyze the influence of site design and architecture as part of the review.	
5Q *Continue to promote and strengthen Main Street as the historic core of Park City.*	Continue the partnerships with the Historic Park City Alliance (HPCA) and the Park City Museum to address the needs and concerns of local business owners.	Ongoing
	Retain a civic presence in the Main Street area.	
	Continue to use Main Street as a key location for events, festivals, and celebrations. Ensure improvements are geared toward supporting these crowds – restrooms, drinking fountains, shade, etc.	
	Develop a grant program tailored for business owners of historic commercial structures.	
	Evaluate and document potential new assets in the Main Street area through a bi-annual Reconnaissance Level Survey (RLS).	
	Retain existing historic assets in the Main Street area using incentives and regulations.	
	Regularly review and update the LMC to: - Ensure vertical zoning is effective for creating and maintaining a vibrant streetscape. - Ensure compatible infill while supporting the use of new materials and construction methods and techniques.	
	Work to re-establish a cultural element in the Main Street area through strategic partnerships.	

FOCUS AREA: HISTORIC PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
5R *Support efforts for a pedestrian-first environment along Main Street and within Old Town.*	Regularly evaluate Land Management Code regulations for residential and commercial parking requirements and identify opportunities to reduce the impacts of parking in Old Town.	Long-Term
	Regularly evaluate the Old Town Residential Parking Permit program to ensure balance between resident, business, and visitor parking.	
	Continue to prioritize people-centric spaces while respecting the cultural heritage of Main Street.	
	Transform surface parking lots into underground parking structures to create opportunities for more open spaces or compatible infill development.	
	Update the Land Management Code to encourage pedestrian-oriented design and to minimize the visual impacts of cars in the Historic Districts.	



MODERATE INCOME HOUSING

We will provide housing options for various groups, including workforce, seniors, and first-time home buyers.

Departments required for Implementation: Housing, Planning.

Partnerships required for Implementation: Mountainlands Community Housing Trust, Park City Chamber, Historic Park City Alliance, Resorts, Major Employers.

FOCUS AREA: VARIETY OF HOUSING OPTIONS

STRATEGY	ACTIONS	TIMEFRAME
1A *Provide a range of housing options at varying price levels that address a tiered approach (affordable, attainable) to provide diverse housing options for all ages and groups of the population.*	Evaluate existing incentives for construction of affordable and attainable housing. Focus on mixed-use node areas as identified in the Node Types Map.	Long-Term
	Incentivize housing developments that provide a housing mix and incorporate senior living housing.	
	Evaluate Accessory Apartment regulations to understand obstacles to development.	
	Evaluate allowing duplexes in single-family neighborhoods in the context of compatibility and factors like proximity to transit and services.	
	Regularly evaluate the Affordable Master Planned Development code to ensure compatible projects and to update to reflect current market conditions.	
	Consider an Accessory Apartment toolkit that establishes pre-approved plans and evaluates the potential for pre-fabrication and a pilot program for installations.	

FOCUS AREA: VARIETY OF HOUSING OPTIONS

STRATEGY	ACTIONS	TIMEFRAME
1A *Provide a range of housing options at varying price levels that address a tiered approach (affordable, attainable) to provide diverse housing options for all ages and groups of the population.*	Create an affordable housing toolkit that aligns development needs with existing scale and character in each neighborhood as shown in the Node Types Map and proposed building typologies.	Long-Term
	Evaluate allowing tiny homes as an appropriate housing typology in the Quinn's Junction Mixed-Use Node, based on compatibility with scale and surrounding land uses.	

FOCUS AREA: WORKFORCE HOUSING

STRATEGY	ACTIONS	TIMEFRAME
2A *Continue to facilitate workforce housing in the City and increase incentives for employment centers to incorporate workforce housing in new developments.*	Implement resident occupied deed restrictions to enable the workforce to live in the community.	Ongoing
	Evaluate the current code regarding parking requirements for workforce housing development that is deed restricted and within a ¼ mile walk of a transit stop that includes a sidewalk / trail to access. Update as needed.	
	Coordinate with regional partners, resorts and major employers to create workforce housing.	
	Expand the City's land banking program to include sites for workforce housing.	
	Regularly review the Land Management Code incentives for affordable housing to make sure they reflect current market conditions.	
	Work with private landowners including resorts, to expand housing stock and typologies.	
	Create land use regulations for seasonal workforce housing typologies like single-room occupancy or dormitory-style projects that reflect best practices, provide quality amenities for tenants, and are compatible in scale, massing, and design.	
	Establish a strategic plan with local governments, businesses, and developers to build local expertise and share the risk and return for housing projects.	
	Establish a strategic plan with local governments, businesses, and developers to build local expertise and share the risk and return for housing projects.	
	Evaluate existing and pipeline developments, water and wastewater infrastructure, and traffic generation to determine where capacity exists for deed restricted infill housing.	



WATER AND OPEN SPACE PRESERVATION

We protect our resources and plan for future generations and climate change. We strive to preserve our open and natural lands and create a green buffer around Park City.

Departments required for Implementation: Water, Sustainability, Planning, Transportation, Engineering, Executive, Trails and Open Space, Building, Environmental Regulatory Affairs.

Partnerships required for Implementation: Property Management Companies, Park City Chamber, Historic Park City Alliance, Summit County, Wasatch County, Summit Lands Conservancy and Utah Open Lands, Homeowner and Master Owner Associations, Property Owners, Business Owners, UDOT, State and Federal Agencies.

FOCUS AREA: WATER PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
1A *Reduce water demand and protect water supply through collaboration, education, and technology.*	Incentivize water efficiency improvements in existing developments, such as offering rebates for turf replacement, smart irrigation controllers, or water audits.	Long-Term
	Encourage remodels and conversions of outdoor spaces to adopt water-efficient landscaping rather than focusing solely on indoor fixtures.	
	Continue updating land use regulations to require or encourage water-wise landscaping, including examples like native plantings and drip irrigation systems.	
	Incentivize water-wise development: Combine ordinances and incentives to encourage better water-wise landscaping and best practices for both existing and new developments.	
	Support water conservation initiatives including pricing tools, leak protection, place-based data measurements, and water-wise policies to conserve existing supply.	

FOCUS AREA: WATER PRESERVATION

STRATEGY	ACTIONS	TIMEFRAME
1A *Reduce water demand and protect water supply through collaboration, education, and technology.*	Evaluate site-level water demand during development approval processes, particularly for outdoor water use, to promote long-term cost efficiency and sustainable design.	Long-Term
	Incorporate water efficiency standards for landscaping that define a maximum water budget for irrigated landscape areas and plant water use categories.	
	Partner with programs like Localscapes and Utah Water Ways to amplify water conservation messaging and adoption of sustainable landscaping practices.	
	Explore tiered water pricing strategies to incentivize efficient use and reduce wasteful consumption.	
	Coordinate with resorts to improve snowmaking efficiency through technology, weather monitoring, water recapture, and optimized schedules.	
	Collaborate with the Utah Division of Water Resources on expanded cloud seeding programs to enhance water supply and snowpack.	
1B *Protect and improve water quality through a holistic and collaborative approach.*	Safeguard water delivery systems from wildfire threats by installing fire-resistant materials, establishing defensible space around key infrastructure, and incorporating green infrastructure and water infiltration practices.	Long-Term
	Monitor and evaluate PFAS levels in groundwater wells and assess feasibility of treatment options; incorporate findings into mitigation planning.	
	Work with ski industry partners to proactively manage and mitigate emerging contaminants, like PFAS, through treatment and dilution strategies.	
	Evaluate risks associated with artificial turf, particularly its contribution to microplastics and PFAS contamination, and consider alternatives that support water efficiency and public health.	
1C *Continue to maintain water infrastructure in a state of good repair.*	Develop and implement a 20-year asset management plan to anticipate needs and budget for aging infrastructure improvements.	Ongoing
	Identify water infrastructure investments that align with 2034 Winter Olympic Games planning, leveraging opportunities to secure external funding or partnerships.	
	Coordinate with other departments to align water infrastructure upgrades with roadway, trail, or other capital projects.	

FOCUS AREA: OPEN SPACE CONSERVATION

STRATEGY	ACTIONS	TIMEFRAME
2A *Protect and enhance natural environments for current and future generations through managing use, preventing degradation of environments, maintaining or improving ecological functions and biodiversity, and protecting existing natural areas from development.*	Continue to support policies that protect, rehabilitate, and maintain wetlands, riparian zones, and other natural areas to enhance their ability to filter pollutants, provide habitat for wildlife, and store water.	Long-Term
	Create and adopt a natural resource management plan for public open space to balance human use with ecosystem health and protection of biodiversity. Natural resource plans should address best practices for urban environments including, but not limited to, erosion and invasive species.	
	Develop additional carbon sequestration projects, such as open space conservation, carbon-sequestering vegetation growth, and biochar application (i.e., soil amendments using processed plant matter that is carbon rich produced from biomass sources such as wood chips, plant residues and agricultural waste products).	
2B *Continue conservation efforts to increase the land preserved as open space.*	Utilize the 2025 Park City General Plan's conservation analysis layer to create a matrix to prioritize open space acquisitions based on existing environmental conditions and community values, including ecosystem health, sensitive lands, wildlife corridors, viewsheds, and recreation.	Ongoing
	Continue to use restrictive covenants such as deed restrictions and conservation easements to protect and expand open space values.	
	Continue to allocate annual dedicated public funds to ongoing open space acquisitions to maintain key ecological resources, wildlife habitats, and/or migration corridors.	
	Evaluate increased opportunities for preservation of open space through comprehensive updates to the Transfer of Development Rights (TDR) sending zones and identify appropriate areas for increased density within receiving zones.	
	Establish land stewardship education and incentive programs for private landowners with property dedicated as open space.	

FOCUS AREA: OPEN SPACE CONSERVATION		
STRATEGY	**ACTIONS**	**TIMEFRAME**
2C *Support efforts that maintain, add, and/or enhance natural features within urbanized areas of Park City to reduce heat island effect and improve access to green space for residents and visitors.*	*Complete and implement a Forestry Plan to develop, maintain, and protect the city's tree canopy.*	Medium-Term
	Evaluate areas outside of the Sensitive Lands Overlay to determine whether additional land use regulations are needed to protect the City's natural resources. Additional regulations could include: *- Setbacks from water resources such as streams and wetlands based on best practices (e.g., 50 – 500 ft.) and an evaluation of the water resource.* *- Compatible uses that do not impact flooding or water quality in areas adjacent to streams and wetlands.* *- Steep slope management during development that prevents adverse effects (e.g., erosion). Consider establishing a Steep Slope Conditional Use Permit for construction on lots with slopes of 30% or greater for properties that are outside of the Historic Districts.*	
	Update land use regulations related to impermeable surface area of lots to ensure proper drainage, hydrology, and mitigation of heat island effect.	
	Encourage improvements to stream corridors, such as stream restoration, streambank stabilization and/or restoration of riparian buffer areas, to enhance a range of benefits such as, but not limited to: wildlife corridor and breeding and foraging habitat improvements, water quality improvements, reduction of heat island effect, a more resilient flood zone, and a reduction in peak flow that reduces infrastructure erosion and flooding potential.	
	Encourage local agriculture through adoption of standards for community gardens and support structures within neighborhoods and public common areas. See Healthy Food Policy Project – Zoning for Urban Agriculture.	

FOCUS AREA: SENSITIVE LANDS		
STRATEGY	**ACTIONS**	**TIMEFRAME**
3A *Support the maintenance and preservation of sensitive lands, including wildlife corridors.*	Update the boundary and regulations of the Sensitive Land Overlay of the Land Management Code to reflect best practices for ridgeline protection, mitigation on steep slopes, wetland and stream setbacks, and wildlife corridors and habitat.	Medium-Term
	Utilize findings of the Park City Natural Resource Inventory study to identify sensitive lands to be protected within the Sensitive Lands Overlay.	
	Identify local and regional wildlife corridors with a protected area designation, establish buffer zones around these habitats to minimize human impact and maintain natural landscapes, and implement land-use planning and zoning regulations that prioritize the preservation and connectivity of these corridors. Reevaluate local wildlife corridors approximately every 10 years unless major changes in vegetation are present which may necessitate more frequent evaluation.	
	Within Master Planned Developments, encourage development practices that minimize habitat fragmentation and maintain ecological connectivity (without increasing wildfire risk), such as cluster lot design tactics, wildlife friendly fencing, reduction of fish barriers, and contiguous open space requirements.	
	Develop overland wildlife corridors for SR-224, SR-248, and US 40 to accommodate wildlife movement. Evaluate transportation improvement projects for potential conflicts with wildlife movements.	
	Identify opportunities to reduce fish barriers, which are obstacles that impede the ability of fish to travel where necessary to complete their life cycles, and improve stream corridors during infrastructure upgrades and new development.	

FOCUS AREA: SENSITIVE LANDS

STRATEGY	ACTIONS	TIMEFRAME
3B *Collaborate with surrounding local governments, conservation organizations, and community members to ensure that sensitive land considerations are integrated into regional planning efforts.*	Collaborate with Summit County, the Wasatch Front, and Wasatch Back communities to identify and protect regional wildlife corridors and sensitive lands (e.g., collaborate with the Utah Geospatial Resource Center).	Long-Term
	Collect and share data for the systems that have influences beyond municipal borders, including: ecosystems, waterways, wildlife corridors, air quality, shared view corridors, open space, and scenic roadways (e.g., collaborate with Utah Department of Natural Resources). Incorporate findings into regional planning strategies.	
	Update the City's Annexation Policy Plan to expand the green buffer that surrounds the City and ensures that City-owned open space can be brought into the City boundary.	
3C *Continue to promote human health in areas affected by historic mining through comprehensive restoration programs.*	Continue to maintain environmental programs that embrace the City's responsibilities to protect public health and environment as set forth in the Park City's Soils Ordinance.	Ongoing
	Continue efforts to mitigate and restore contaminated soils to reduce the city's liability and demonstrate compliance with federal regulations.	
	Investigate value and feasibility of designating portions of contaminated soils as Brownfield District to potentially receive redevelopment planning assistance and EPA Brownfields Grants for future redevelopment efforts. See Brownfields Program - Utah Department of Environmental Quality.	

SUSTAINABILITY

We value our natural environment and preserve and protect natural areas.

Departments required for Implementation: Sustainability, Planning, Transportation, Trails and Open Space, Building, Environmental Regulatory Affairs, Emergency Management.

Partnerships required for Implementation: Property Management Companies, Resorts, Hotels, Major Employers, Park City Chamber, Historic Park City Alliance, Summit County, Homeowner and Master Owner Associations, Property Owners, State and Federal Agencies, Recycle Utah.

FOCUS AREA: ENVIRONMENTAL LEADERSHIP

STRATEGY	ACTIONS	TIMEFRAME
1A *Develop Sustainability Education and Campaign to increase awareness of existing opportunities related to energy efficiency, renewable generation, indoor air quality, and electrification measures.*	Advance education and partnership efforts that mitigate waste generation and GHG emissions, including second homes and nightly rentals.	Medium-Term
	Collaborate interdepartmentally to create and share resources for best practices in sustainable community development.	
	Use influence through the Olympics and Paralympics Games event period to showcase Park City's climate innovations. Message to organizing committee stakeholders how to support impactful decarbonization efforts and waste reduction strategies.	
1B *Develop sustainability programs to meet Park City's sustainability goals of full carbon neutrality by 2030 and 80 percent GHG reduction by 2050.*	Partner with organizations to provide energy reduction advisory services for residents and businesses.	Near-Term
	Partner with utilities and the state to offer building operator training on energy management for larger businesses.	
	Examine and utilize innovating green financing mechanisms to fund zero emissions infrastructure, and grant assistance for residents and businesses to reduce their energy use and GHG emissions.	

FOCUS AREA: ENVIRONMENTAL LEADERSHIP

STRATEGY	ACTIONS	TIMEFRAME
1C *Develop a Climate Action and Resilience Plan and implement actions to further establish climate action efforts and environmental stewardship.*	Develop a tracking mechanism for goals, objectives, and strategies related to sustainability and resilience to record and communicate progress.	Near-Term
	Join efforts with other local communities such as Moab, as established in their Climate Action Plan, to advocate for higher-performance building code requirements statewide.	
	Create a climate action awareness campaign to promote interdisciplinary sustainability-oriented habits that serve overall community resilience.	
	Improve and foster communication and education with residents and commercial property owners to promote sound environmental management practices and compliance requirements.	
	Engage in interdepartmental and interjurisdictional collaboration to create educational campaigns aiming to protect and improve ecosystems in Park City and the surrounding region.	
	Encourage City employees to keep current on training and best practices related to their functions within the City's environmental responsibilities, such as supporting involvement with industry groups.	
	Work with community partners and conservation groups, such as the Green Business Program, to increase the effectiveness of the City's practices supporting its mission of environmental stewardship. Ensure that public participation continues to be integral to the City's environmental best practices.	
1D *Coordinate with community groups, businesses, and resorts to establish and implement environmental standards and practices that promote sustainable tourism.*	Collaborate with local resorts to introduce grooming vehicles and other machinery associated with recreational opportunities with reduced carbon emissions. See precedent example: Avoriaz/Morzine, France.	Medium-Term
	Consult with resorts and other businesses to assess existing energy performance and emissions related to on-site buildings and operations. Work to plan for energy upgrades and community-scale efficiency and resiliency interventions.	
	Introduce a program, similar to the CopenPay Pilot Program, that incentivizes visitors to engage in activities and volunteer opportunities that encourage sustainable tourism habits.	
	Evaluate retroactive compliance requirements for outdoor lighting to protect the night sky.	
	Continue to support Park City Chamber's Sustainable Tourism Plan for tourism reimagined, where a commitment to long-term sustainability balances the environment, economy, quality of life and visitor experience, including exploration of local carbon offsets for increased visitor stays.	

FOCUS AREA: ENVIRONMENTAL LEADERSHIP

STRATEGY	ACTIONS	TIMEFRAME
1E *Continue to promote soil health through comprehensive soil remediation actions and monitoring programs.*	Continue long-term monitoring programs to track soil health and ensure the effectiveness of remediation efforts.	Ongoing
	Explore the value and feasibility of using phytoremediation tactics, which involves planting hyperaccumulator species that can absorb heavy metals and other pollutants from the soil, helping to clean and restore the soil over time.	
	For areas not intended for redevelopment, advance planning efforts to recontour and revegetate contaminated soils to promote natural drainage patterns, stabilize the soil, and prevent erosion.	
	Evaluate a potential grant program for soil remediation or a program to educate property owners about soil remediation grant opportunities.	
1F *Maintain an overarching consideration of fair and positive conditions through the implementation of all recommendations that tie to the community's values.*	Create a policy that ensures positive quality of life and outcomes for all residents, with reference to existing and future policies that are associated with clean energy and energy efficiency, clean transportation, remediation and reduction of pollution, clean water and wastewater infrastructure, and conservation of natural resources.	Long-Term

FOCUS AREA: WILDFIRES

STRATEGY	ACTIONS	TIMEFRAME
2A *Collaborate interdepartmentally to implement actions, protocols, and policies present in the most recent wildfire hazard plans, such as the 2023 Community Wildfire Risk Assessment.*	Develop and implement community-wide wildfire awareness education and outreach campaigns.	Near-Term
	Maintain current pre-attack, evacuation, and community wildfire preparedness plans.	
	Engage in fuel treatments by reducing the quantity of flammable materials in and around Park City, particularly reducing fuels in the understory on the slopes and following FireWise principles around buildings. Utilize best practices in smoke and carbon emissions reduction for pile burning for on-site biochar production.	

FOCUS AREA: WILDFIRES

STRATEGY	ACTIONS	TIMEFRAME
2A *Collaborate interdepartmentally to implement actions, protocols, and policies present in the most recent wildfire hazard plans, such as the 2023 Community Wildfire Risk Assessment.*	Strengthen community and landowner relations, enabling cross-boundary collaboration and increasing the likelihood of developing partnerships to receive funding from wildfire protection grants.	Near-Term
	Use the results from current resources on Wildfire risk to prioritize fuel treatment areas. (Examples include: Park City Wildfire Risk Assessment portal (Community Wildfire Risk Assessment | Engage Park City) and the Park City Community Wildfire Preparedness Plan Risk Assessment Reports. Develop and engage quantitative risk assessment analyses to model wildfire risk levels if gaps in the available risk assessments are identified.	
	Monitor the success of completed fuel treatments in locations outside Park City. Use available mapping solutions in support of awareness and planned activities (e.g., utilize resources such as https://www.esri.com/en-us/disaster-response/disasters/wildfires).	
	Integrate wildfire mitigation techniques like Defense Zones into the cities' landscaping standards.	
	Update building design and material standards to increase wildfire resiliency.	
2B *Develop programmatic approaches to assess wildfire risk on a more individualized basis and thoughtfully target spot mitigation improvements.*	Establish a Fire Property Assessment Program to allow property owners to understand their individualized risks and receive unique mitigation action guidance. Utilize the most up to date resources from local, state, and federal sources.	Near-Term
	Provide resources to encourage creating defensible space for wildfire protection. Example from Summit County, Colorado.	
	Offer a grant program (Truckee, California) to incentivize public-private partnerships in developing wildfire-resilient projects and improvements such as fire detection equipment, fuel reduction activities, and emergency signage additions.	

FOCUS AREA: WASTE REDUCTION

STRATEGY	ACTIONS	TIMEFRAME
3A *Establish waste reduction and diversion actions.*	Require waste reduction in construction mitigation plans through strategies such as minimizing the amount of materials where possible and waste diversion through material reuse, sorting, and recycling procedures.	Medium-Term
	Continue work with Historic Park City Alliance and expand coordination to other businesses to implement waste streams and propose an approach to zero waste.	
	Refocus outreach to restaurants and bars and expand availability of glass drop-offs to increase glass diversion.	
	Adopt resolution and code to require all businesses to register with an authorized hauler, with haulers required to disclose annual waste hauled, including materials diverted from landfill and ultimate hauling destinations.	
	Continue to support community organizations working on zero waste programs.	
	Restrict the types of materials used for to-go containers, such as Styrofoam and single use plastics.	
	Facilitate waste reduction and improved landfill diversion programs in coordination with businesses.	
	Refocus outreach to restaurants and bars and expand availability of glass drop-offs to increase glass diversion.	
	Conduct regular waste characterization studies to evaluate conditions not captured in the existing study.	
	As required by the Olympics International Organizing Committee, develop a municipal environmental purchasing policy for goods, services, and associated supply chains. See also: City of Moab Sustainability Action Plan.	

FOCUS AREA: ENERGY EFFICIENCY

STRATEGY	ACTIONS	TIMEFRAME
4A *Prioritize policies that support next steps in achieving energy use reduction, adoption of renewable electricity, and future carbon neutrality.*	Adopt a Zero Emissions Stretch Code that is integrated with ASHRAE 90.1 standard and International Energy Conservation Code best practices to promote greater energy efficiency and emission reduction than the base energy code.	Medium-Term
	Following Resolution 32-2018, which established Park City's goal of reaching 100% renewable electricity by 2030, continue to prioritize coordination with utility providers to support next steps allowable by the Community Renewable Energy Act.	
	Adopt requirements for new development to be oriented for passive and/or renewable energy.	
	Adopt requirements for new developments to be oriented for passive solar design, which involves strategically orienting buildings and using materials that naturally collect, store, and distribute solar energy.	
	Develop a GHG emissions inventory and tracking system to monitor energy use of different building types and any potential Olympic venues.	
	Incorporate environmental considerations as an integral part of reviewing future development and redevelopment projects. Develop policies that require contributions to locally offset the proportion of GHG emissions associated with the development's use.	
	Following Resolution 32-2018, which established Park City's goal of reaching 100% renewable electricity by 2030, continue to prioritize coordination with utility providers to support next steps allowable by the Community Renewable Energy Act.	
	Explore opportunities for Thermal Energy Networks utilization for snowmelt and heating and cooling buildings.	
	Ensure water heaters inspected adhere to ULN standard for Utah.	
	Integrate energy considerations and water conservation in the "Good Cause" review standards for plat amendments that accommodate a larger residence.	
	Partner with organizations to offer free residential energy advisory services.	
	Evaluate the feasibility of community-scale programs such as rooftop solar bulk buy or heat pumps and weatherization offers.	
	Develop a commercial energy benchmarking ordinance and program, similar to Aspen's Building IQ.	
	Review the Land Management Code for opportunities to encourage building and site improvements that support the city's climate goals.	

FOCUS AREA: ENERGY EFFICIENCY

STRATEGY	ACTIONS	TIMEFRAME
4B *Explore modifications to transportation policies that incentivize or require more efficient operations.*	Develop an electric vehicle transition plan for transit vehicles to support the transition to a no- and low-energy bus fleet.	Medium-Term
	Develop a municipal fleet electrification plan.	
	Create incentives for the installation of electric vehicle charging stations in existing developments.	
	Create a sustainable freight management plan that details potential delivery hubs to reduce vehicle miles traveled by freight vehicles and associated carbon emissions within Park City.	

Planning Commission
Staff Report

Subject: **Hot Creek Subdivision**
Application: **PL-23-05973**
Author: **Virgil Lund, Planner II**
Date: **July 23, 2025**
Type of Item: **Subdivision**

Recommendation

(I) Review the proposed one-Lot 2.83-acre Subdivision for the construction of a private Restaurant, (II) conduct a public hearing, and (III) consider approving the Subdivision based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Talisker Club 2.0 LLC Applicant Representative: Rhett Riding
Location:	10206 Twisted Branch Road
Zoning District:	Recreation Open Space, Sensitive Land Overlay
Adjacent Land Uses:	Resort Open Space
Reason for Review:	The Planning Commission reviews, conducts a public hearing, and takes Final Action on Subdivisions.[1]

CUP	Conditional Use Permit
LMC	Land Management Code
MPD	Master Planned Development
ROS	Recreation Open Space
ROW	Right-of-Way

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

Summary

The Applicant proposes a 2.83-acre one-Lot Subdivision (Attachment 1) to construct a private Restaurant that is being reviewed by the Planning Commission as a Conditional Use Permit (CUP) concurrently with this Subdivision.

[1] LMC § 15-7.1-2



Figure 1: Proposed Subdivision in Red, Surrounding Parcels in Yellow

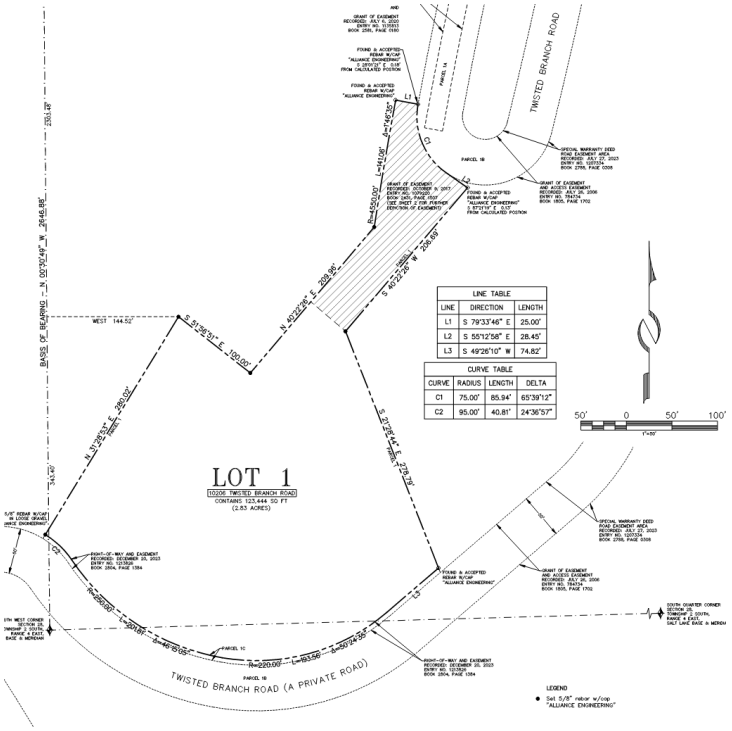


Figure 2: Proposed Subdivision

Background

On May 10, 1997, the City Council approved Ordinance No. 99-30 annexing approximately 1,750 acres in the Flagstaff Mountain/Empire Pass area into Park City. Pursuant to the Flagstaff/Empire Pass Master Planned Development (MPD) outlining Development within the annexed area, the Applicant was required to submit 14 technical reports/studies to address utilities, impacts to wildlife, open space management, project phasing, and construction mitigation. In December 2001, the Planning Commission approved the 14 technical reports.

On December 13, 2006, the Planning Commission held a public hearing on proposed Development Agreement amendments to include the Montage Resort and to modify Mountain Village development. The Planning Commission forwarded a positive recommendation to the City Council. On February 1, 2007, the City Council adopted Ordinance No. 07-10 approving the Development Agreement amendments. On March 2, 2007, the Amended and Restated Development Agreement was recorded with Summit County (Recorder Entry No. 806100).

Section 2.6 of the Amended Development Agreement states: "Developer may construct a private Restaurant (Beano's Cabin at Beaver Creek-style), at a location to be determined at the CUP phase. No private parking areas or vehicular access will be allowed except (i) access and space for patron drop-offs and pickups, and (ii) access, loading areas and circulation for emergency, delivery and service vehicles. The size of the private Restaurant shall be determined by the Planning Commission at the CUP review phase and shall be between 7,000 and 10,000 square feet."

On February 13, 2008, the Planning Commission approved a Conditional Use Permit (CUP) for a 9,954-square-foot private Restaurant at 10206 Twisted Branch Road.

On April 8, 2009 the Planning Commission approved a one-year extension for the private Restaurant CUP.

A building permit was never submitted for the proposed private Restaurant, and the application expired due to inactivity.

On June 13, 2018, the Planning Commission discussed a proposal for a four-Lot Subdivision which included multiple parcels along Twisted Branch Road. The draft Ordinance attached to the packet for the June 13 meeting includes the following Condition of Approval:

> *"Prior to recordation of this plat, the owner's dedication language for Parcel 1 (REDUS, Park City) shall state that as Owner of the parcel identified on this plat as Parcel 1, hereby irrevocably offers to dedicate the road, known as Twisted Branch Road, for public use as a roadway, which shall remain a private roadway until the dedication thereof is accepted by the City."*

On July 11, 2018, the Planning Commission continued the proposed Subdivision to a

date uncertain (Minutes, p. 2). The application expired due to inactivity.
The proposed Subdivision being reviewed concurrently with this CUP is for a one-Lot Subdivision. Twisted Branch Road is under different ownership, and the Applicant does not have authority to pursue the dedication of Twisted Branch Road.

On August 8, 2018, the Planning Commission approved an amendment to Flagstaff Technical Report #15 *Construction Mitigation Plan*. This amendment approved 10206 Twisted Branch Road as a location to receive clean, excavated soil as part of the Flagstaff Mountain construction and development (August 8, 2018 Agenda Packet, p.192; Minutes, p. 26).

On August 25, 2023, the Applicant submitted a CUP application for a private Restaurant. On March 13, 2024, the Planning Commission opened a public hearing and continued the CUP application for a private Restaurant to a date uncertain (March 13, 2024 Planning Commission Minutes, p. 2). This application expired due to inactivity.

On December 17, 2024, the Applicant submitted a CUP application for a 2,862-square-foot private Restaurant with a 2,807-square-foot patio for Outdoor Dining and events.

Flagstaff Technical Report #5 *Open Space Management Plan* considers the proposed Restaurant, mentioned in Section 3.8, p. 10: “Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA “Beano’s Cabin”) in the [Developed Recreation Open Space] DROS. The facility is to be located within the ski terrain near to the Mountain Village.”

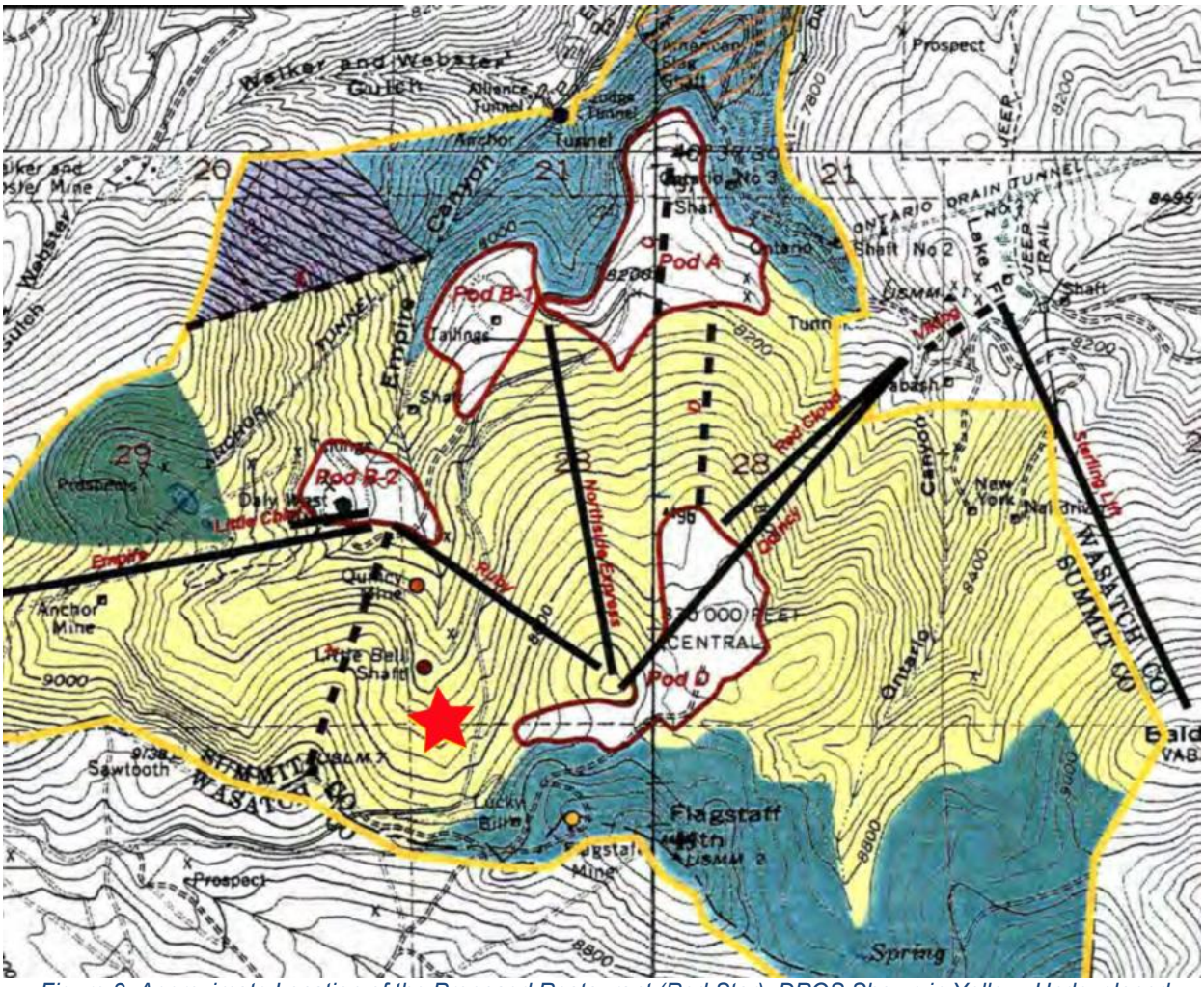


Figure 3: Approximate Location of the Proposed Restaurant (Red Star), DROS Shown in Yellow, Undeveloped Recreation Open Space in Blue

The Site for the proposed Restaurant is in Developed Recreation Open Space (DROS) within the existing Deer Valley ski terrain near Silver Lake village and Empire base area.



Figure 4: Approximate Location of the Proposed Restaurant (Red Star) In Relation to Deer Valley's Ski Terrain and Mountain Village

Analysis

(I) The proposed Subdivision complies with the requirements of the Recreation and Open Space (ROS) Zoning District.

The purpose of the ROS District is to:

1. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
2. Permit recreational Uses and preserve recreational Open Space land,
3. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses,
4. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests, and
5. Encourage sustainability, conservation, and renewable energy.

The proposed Subdivision complies with the purpose of the ROS District in that it establishes a Lot for the development of a private on-mountain Restaurant that

complies with the Annexation Agreement and Open Space requirements for Flagstaff Mountain.

Development Requirement	Analysis
Lot Size: There is no minimum or maximum Lot Size in the ROS Zoning District.	**Complies.**

(II) The proposed Subdivision complies with the requirements outlined in LMC Chapter 15-7.

Final Subdivision Plat Request
The Hot Creek Subdivision is a minor Subdivision, containing one Lot fronting Twisted Branch Road, a private street. Pursuant to LMC § 15-7.1-3(A), the Planning Commission may combine the requirements of a Preliminary Plat and Final Subdivision Plat into one submittal. The Applicant requests review of a Final Subdivision Plat.

LMC § 15-7.3-2 outlines the relevant general Subdivision requirements:

Subdivision Name
The proposed name of the Subdivision must not duplicate, or too closely approximate, the name of any other Subdivision platted with Summit County**.** On June 28, 2025, the County Recorder confirmed the name "Hot Creek Subdivision" does not duplicate or approximate the name of any other Subdivision in Summit County.

Limits of Disturbance/ Vegetation Protection
The Applicant's existing conditions survey shows a small group of aspen and pine trees in the northwest corner of the proposed Lot. No development is proposed in this area. Staff recommends Condition of Approval 5:

> *The Significant Vegetation located in the northwest corner of Lot 1 must be protected during construction and maintained.*

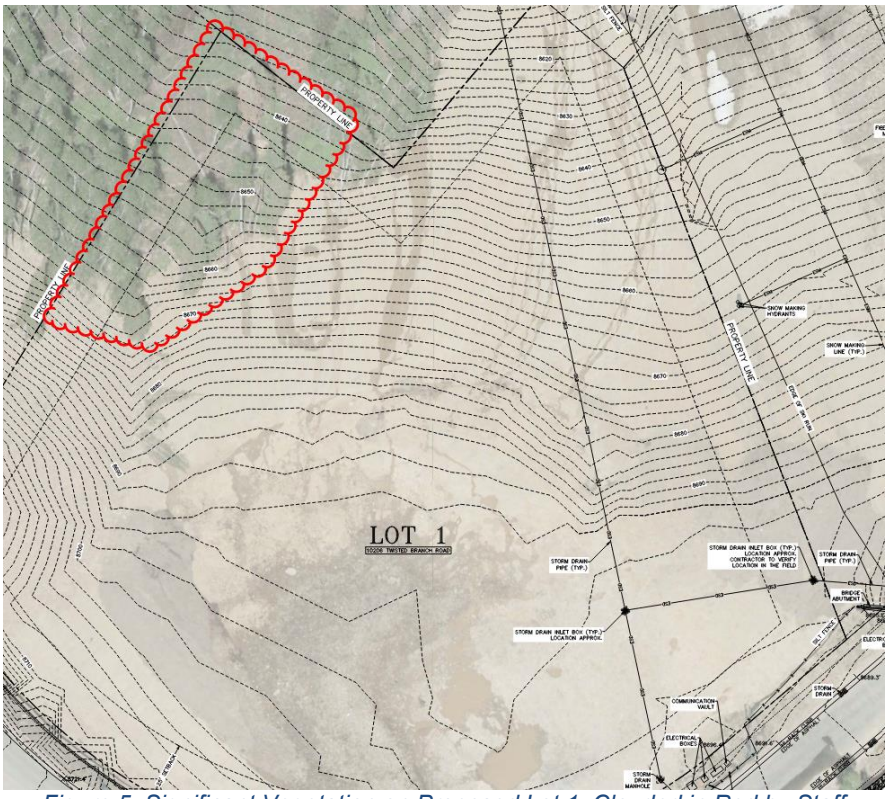


Figure 5: Significant Vegetation on Proposed Lot 1, Clouded in Red by Staff

Ridge Line Development

Lot 1 is approximately 1,000 feet from the nearest ridgeline and is not visible from any designated Vantage Points.



Figure 6: Lot 1 (Red Star) in Relation to the Designated Ridgeline shown in Yellow

Open Space
Section 2.9.6 of the Flagstaff DA states that all land outside of the development pods shall be zoned ROS-MPD and shall remain as Open Space. The proposed Restaurant is in the designated Open Space area, but is contemplated as an allowed use in Section 2.6 of the Flagstaff DA. Members of the Talisker Club will have access to the Restaurant off the Bandana ski run in the winter. In the summer, members could access the Restaurant via the Road to Ruby mountain bike trail. No hiking or biking trails will be impacted by the proposal.

Roads
The proposed Lot for the Hot Creek Subdivision is accessed off Twisted Branch Road, through Parcel 1C. There is an existing access easement (Recorder No. 1213826) which gives the Applicant (Talisker Club 2.0 LLC) an easement for vehicular and pedestrian ingress and egress over and across Parcel 1C (owned by Redus Park City LLC). This easement was recorded on December 20, 2023. Staff recommends Condition of Approval 9:

> *"If the City, UDOT and/or the owner of Twisted Branch Road and other parties later agree to allow expanded public use or dedication of Twisted Branch Road, Talisker Club 2.0 LLC, its successors, and Talisker club members shall not object to, or veto expanded public use or dedication."*

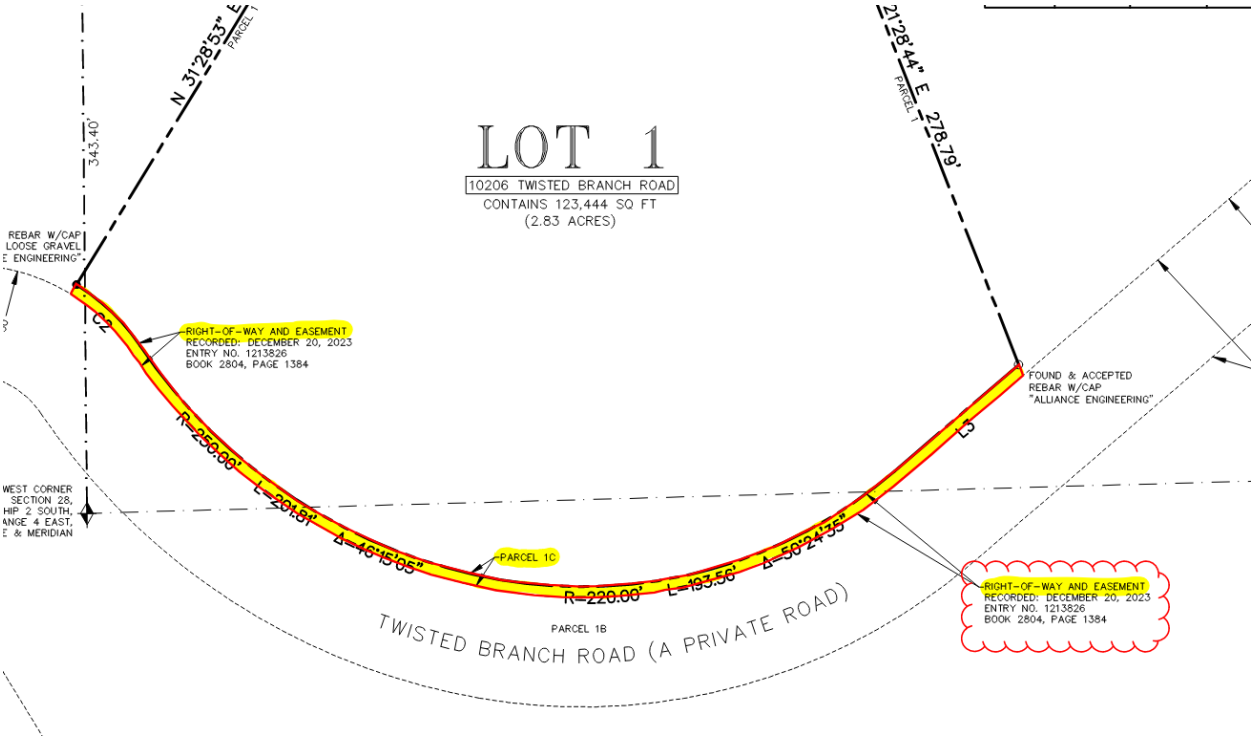


Figure 7: Parcel 1C and Access Easement on Proposed Plat, Highlighted in Yellow by Staff

Utility Lines
There are no recorded Utility easements within the proposed Lot 1. There is an existing

easement for Snyderville Basin Water Reclamation District along Twisted Branch Road (Summit County Recorder Entry No. 784734).

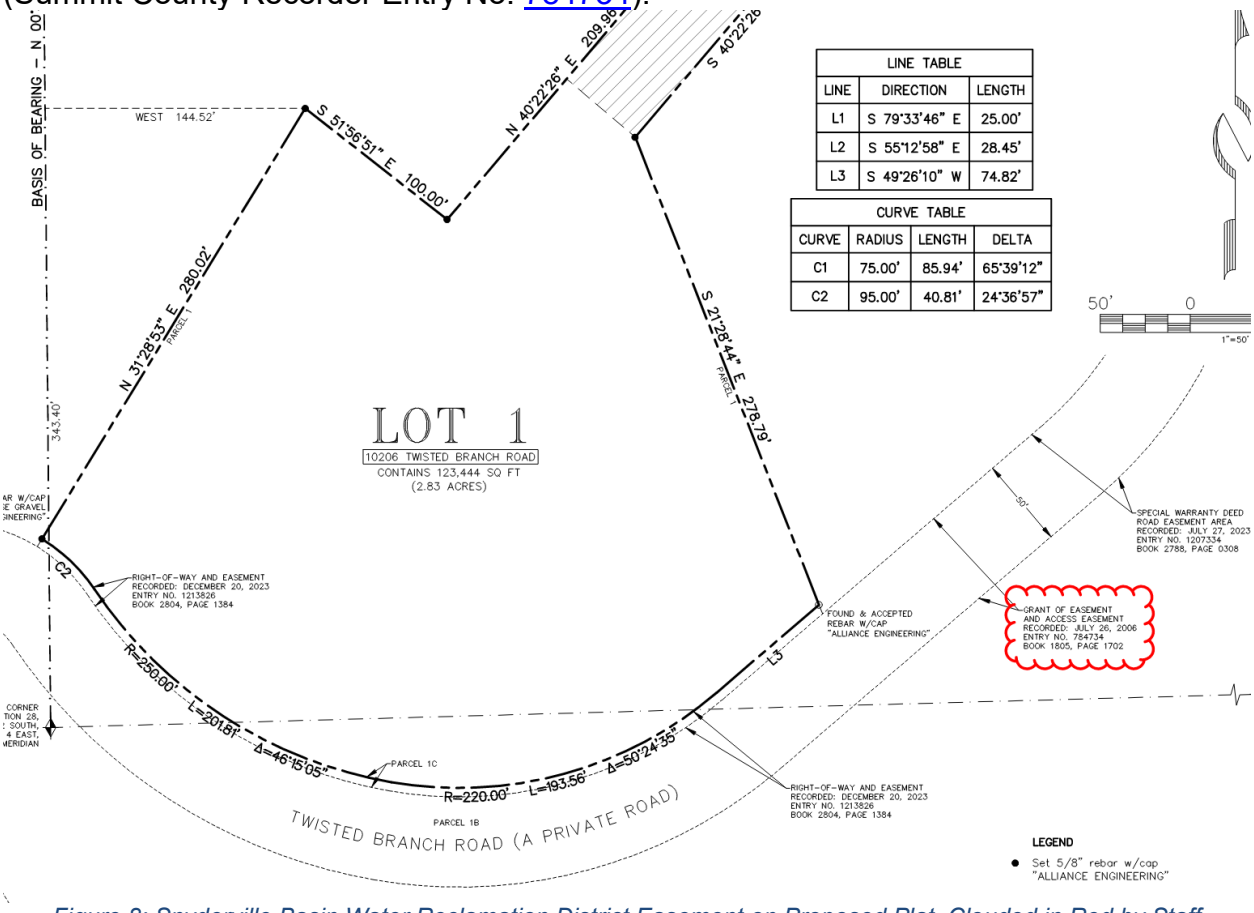


Figure 8: Snyderville Basin Water Reclamation District Easement on Proposed Plat, Clouded in Red by Staff

Drainage Ways
There are no drainage ways within the proposed Subdivision.

Soil Conditions
On August 8, 2018, the Planning Commission approved an amendment to the Flagstaff Technical Report #15 *Construction Mitigation Plan* which established 10206 Twisted Branch Road as a receiving Site for clean, excavated soil within the Flagstaff/Empire Pass area. The Applicant estimates that approximately 15,000 cubic yards of soil have been deposited at the Site. The Applicant provided a Geotechnical Report detailing the soil conditions at the Site and recommendations for development on the existing soils (Exhibit B).

Staff recommends Condition of Approval 6 to mitigate and control erosion on the Lot:

> *Erosion control shall consist of re-vegetating all exposed surfaces with a native plant mix. The Applicant shall install erosion control blankets on all Slopes steeper than 40 percent.*

Trails and Sidewalks

There are no public or private trails on Lot 1. The nearest trails to Lot 1 are the Corvair, Mid Mountain, and Payroll mountain bike trails. Access to these trails will not be affected by the proposed Restaurant on the Lot.



Figure 9: Existing Trails (Yellow) Surrounding Proposed Lot 1 (Red)

Deer Valley's Bandana ski run goes through Lot 1 (see Figure 10 below). A recorded easement permits Deer Valley continued use of the ski run (Summit County Recorder Entry No. 1079220).

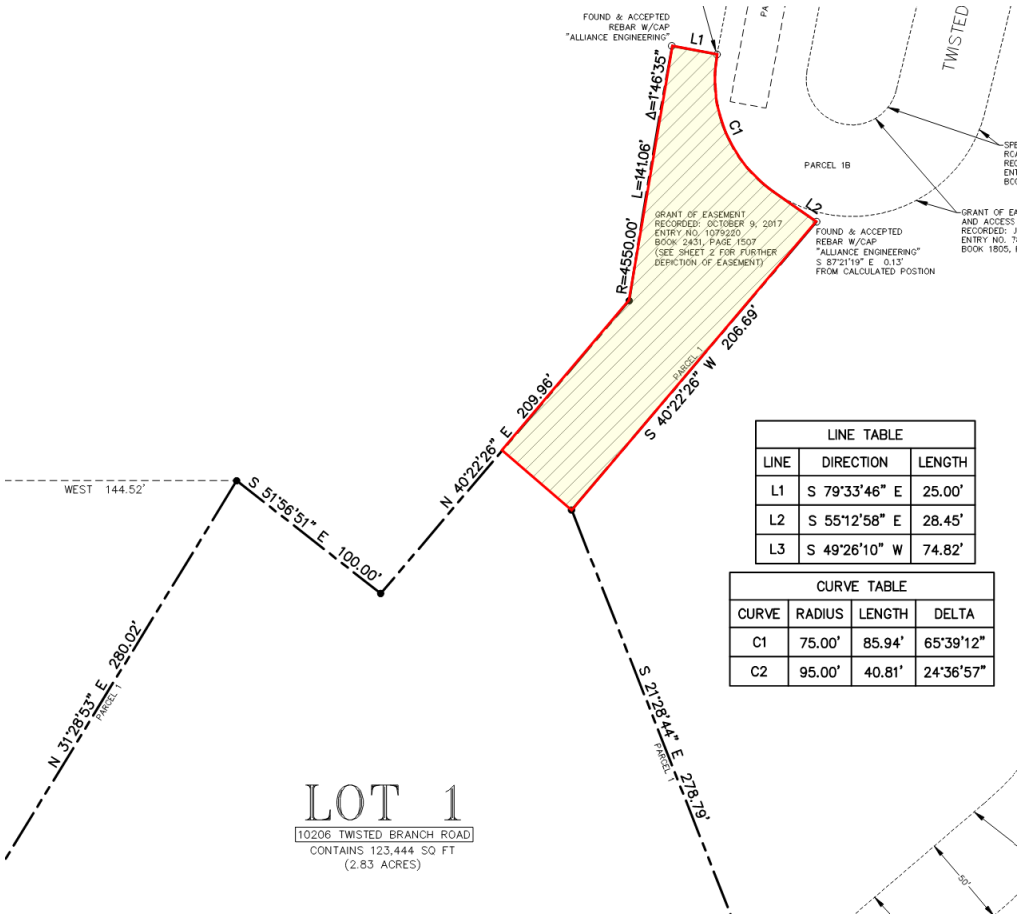


Figure 10: Ski Easement Highlighted in Yellow, On Proposed Lot 1

Topsoil Preservation and Final Grading
Staff recommends Condition of Approval 6 to mitigate and control erosion on the Lot:

> *Erosion control shall consist of re-vegetating all exposed surfaces with a native plant mix. The Applicant shall install erosion control blankets on all Slopes steeper than 40 percent.*

Architectural Standards
LMC § 15-5-5 outlines restrictions on architectural styles, prohibitions on siding materials, amount of exterior wall materials, and roof shapes and materials. The Applicant proposes constructing the Restaurant of stone, wood, and metal siding, and a standing-seam metal roof. These materials comply with architectural requirements. The Applicant does not propose any prohibited siding, roof, or architectural style.

LMC § 15-5-5(K) outlines requirements for trash and recycling enclosures. The Applicant proposes to construct a trash and recycling enclosure near the drop-off area. The enclosure will be screened on all sides with steel and matches the design of the proposed Structure.

On December 13, 2024, the Empire Pass Design Review Board approved the proposed

design for the Restaurant.

All Development at the Hot Creek Subdivision must comply with the Empire Pass Design Guidelines and receive approval from the Empire Pass Design Review Board (Condition of Approval 7).

Waterbodies and Water-Courses
No existing waterbodies or water-courses are within the proposed Subdivision.

LMC § 15-7.3-3 outlines general Lot design requirements:

Building Sites
The proposed Restaurant is in an appropriate location adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club. Section 2.6 of the Amended Development Agreement requires that the Restaurant be between 7,000 and 10,000 square feet. The Applicant proposes a Structure that is 2,862 square feet with a 400-square-foot area for Outdoor Dining, less than the allowable density for the Site. See Condition of Approval 8.

Square Footage
The proposed Building is less than the square footage described in Section 2.6 of the Flagstaff DA and is adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club.

Lot Dimensions
LMC § 15-7.3-3(D) requires that the Side Lot Lines shall be at right angles to Street lines. The proposed Lot shows the Side Lot Lines are at right angles to Twisted Branch Road.

Revegetation, Seed and Sod
Staff recommends Condition of Approval 6 to mitigate and control erosion on the Lot (see above analysis).

Drainage
The proposal will be evaluated by the Engineering Department for compliance with drainage requirements at the building permit plan review phase.

Debris and Waste
Staff recommends Condition of Approval 3:

> *Unless otherwise approved by the City Engineer and Building Official, no cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Subdivision at the time of issuance of a Certificate of Occupancy for the private Restaurant.*

(III) There is Good Cause for the Hot Creek Subdivision.
LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

There is Good Cause for the proposed Subdivision because a Lot is created for the development of the private Restaurant outlined in Section 2.6 of the Flagstaff Development Agreement. While the Restaurant is not open to the public, it complies with Section 2.6 of the Flagstaff DA which outlines that the Restaurant shall be private and provides ski-in/ski-out access for members of the Talisker Club. The character of the Upper Deer Valley Neighborhood is preserved by limiting parking and traffic and requiring all guests and staff to access the Restaurant by shuttle.

(IV) The Development Review Committee reviewed the proposal on January 21, 2025, and confirmed the proposal conforms to their requirements.[2]

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

Notice
Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 9, 2025. Staff mailed courtesy notice to property owners within 300 feet on July 9, 2025. The *Park Record* published courtesy notice on July 9, 2025.[3]

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

Alternatives
The Planning Commission may:

- Approve the Hot Creek Subdivision.
- Deny the Hot Creek Subdivision and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

[2] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[3] LMC § 15-1-21

Exhibits

A: Draft Final Action Letter

Attachment 1: Proposed Subdivision

B: Geotechnical and Soils Report

Planning Department

July 23, 2025

Rhett Riding

CC: Talisker Club 2.0 LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	10206 Twisted Branch Road
Zoning District:	Recreation Open Space, Sensitive Land Overlay
Application:	Subdivision
Project Number:	PL-23-05973
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	July 23, 2025
Project Summary:	The Applicant proposes a one-Lot Subdivision at 10206 Twisted Branch Road.

Action Taken

On July 23, 2025, the Planning Commission conducted a public hearing and approved the Hot Creek Subdivision according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The Applicant proposes a 2.83-acre one-Lot Subdivision to construct a private Restaurant.
2. On May 10, 1997, the City Council approved Ordinance No. 99-30 annexing approximately 1,750 acres in the Flagstaff Mountain/Empire Pass area into Park City.
3. Pursuant to the Flagstaff/Empire Pass Master Planned Development (MPD) outlining Development within the annexed area, the Applicant was required to submit 14 technical reports/studies to address utilities, impacts to wildlife, open

space management, project phasing, and construction mitigation. In December 2001, the Planning Commission approved the 14 technical reports.

4. On December 13, 2006, the Planning Commission held a public hearing on proposed Development Agreement amendments to include the Montage Resort and to modify Mountain Village development. The Planning Commission forwarded a positive recommendation to the City Council.
5. On February 1, 2007, the City Council adopted Ordinance No. 07-10 approving the Development Agreement amendments.
6. On March 2, 2007, the Amended and Restated Development Agreement was recorded with Summit County (Recorder Entry No. 806100).
7. Section 2.6 of the Amended Development Agreement states: “Developer may construct a private Restaurant (Beano’s Cabin at Beaver Creek-style), at a location to be determined at the CUP phase. No private parking areas or vehicular access will be allowed except (i) access and space for patron drop-offs and pickups, and (ii) access, loading areas and circulation for emergency, delivery and service vehicles. The size of the private Restaurant shall be determined by the Planning Commission at the CUP review phase and shall be between 7,000 and 10,000 square feet.”
8. On February 13, 2008, the Planning Commission approved a Conditional Use Permit (CUP) for a 9,954-square-foot private Restaurant at 10206 Twisted Branch Road.
9. On April 8, 2009 the Planning Commission approved a one-year extension for the private Restaurant CUP.
10. A building permit was never submitted for the proposed private Restaurant, and the application expired due to inactivity.
11. On June 13, 2018, the Planning Commission discussed a proposal for a four-Lot Subdivision which included multiple parcels along Twisted Branch Road. The draft Ordinance attached to the packet for the June 13 meeting includes the following Condition of Approval:
    a. “Prior to recordation of this plat, the owner’s dedication language for Parcel 1 (REDUS, Park City) shall state that as Owner of the parcel identified on this plat as Parcel 1, hereby irrevocably offers to dedicate the road, known as Twisted Branch Road, for public use as a roadway, which shall remain a private roadway until the dedication thereof is accepted by the City.”

12. On July 11, 2018, the Planning Commission continued the proposed Subdivision to a date uncertain. The application expired due to inactivity.
13. The proposed Subdivision being reviewed concurrently with this CUP is for a one-Lot Subdivision. Twisted Branch Road is under different ownership, and the Applicant does not have authority to pursue the dedication of Twisted Branch Road
14. On August 8, 2018, the Planning Commission approved an amendment to Flagstaff Technical Report #15 Construction Mitigation Plan. This amendment approved 10206 Twisted Branch Road as a location to receive clean, excavated soil as part of the Flagstaff Mountain construction and development.
15. On August 25, 2023, the Applicant submitted a CUP application for a private Restaurant. On March 13, 2024, the Planning Commission opened a public hearing and continued the CUP application for a private Restaurant to a date uncertain. This application expired due to inactivity.
16. On December 17, 2024, the Applicant submitted a CUP application for a 2,862-square-foot private Restaurant with a 2,807-square-foot patio for Outdoor Dining and events at 10206 Twisted Branch Road.
17. Flagstaff Technical Report #5 Open Space Management Plan considers the proposed Restaurant, mentioned in Section 3.8, p. 10: “Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA “Beano’s Cabin”) in the [Developed Recreation Open Space] DROS. The facility is to be located within the ski terrain near to the Mountain Village.”
18. The Site for the proposed Restaurant is in Developed Recreation Open Space (DROS) within the existing Deer Valley ski terrain near Silver Lake village and Empire base area.
19. The proposed Subdivision complies with the requirements of the Recreation and Open Space (ROS) Zoning District.
    a. The purpose of the ROS District is to:
        i. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
        ii. Permit recreational Uses and preserve recreational Open Space land,
        iii. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses,

iv. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests, and
v. Encourage sustainability, conservation, and renewable energy.

b. The proposed Subdivision complies with the purpose of the ROS District in that it establishes a Lot for the development of a private on-mountain restaurant that complies with the Annexation Agreement and Open Space requirements for Flagstaff Mountain.
c. Lot Size.
    i. There is no minimum or maximum Lot size in the ROS Zoning District.

20. The proposed Subdivision complies with the requirements outlined in LMC Chapter 15-7.
    a. The Hot Creek Subdivision is a minor Subdivision, containing one Lot fronting Twisted Branch Road, a private street. Pursuant to LMC § 15-7.1-3(A), the Planning Commission may combine the requirements of a Preliminary Plat and Final Subdivision Plat into one submittal. The Applicant requests review of a Final Subdivision Plat.
    b. LMC § 15-7.3-2 outlines the relevant general Subdivision requirements.
        i. Subdivision Name.
            1. The proposed name of the Subdivision must not duplicate, or too closely approximate, the name of any other Subdivision platted with Summit County. On June 28, 2025, the County Recorder confirmed the name “Hot Creek Subdivision” does not duplicate or approximate the name of any other Subdivision in Summit County.
        ii. Limits of Disturbance/ Vegetation Protection.
            1. The Applicant’s existing conditions survey shows a small group of aspen and pine trees in the northwest corner of the proposed Lot. No development is proposed in this area.
        iii. Ridge Line Development.
            1. Lot 1 is approximately 1,000 feet from the nearest ridgeline and is not visible from any designated Vantage Points.
        iv. Open Space.
            1. Section 2.9.6 of the Flagstaff DA states that all land outside of the development pods shall be zoned ROS-MPD and shall

remain as Open Space. The proposed Restaurant is in the designated Open Space area, but does not decrease the amount of required Open Space in the Flagstaff Annexation Area, as outlined in Section 2.6 of the Flagstaff DA. Members of the Talisker Club will have access to the Restaurant off the Bandana ski run in the winter. In the summer, members could access the Restaurant via the Road to Ruby mountain bike trail. No hiking or biking trails will be impacted by the proposal.

v. Roads.
    1. The proposed Lot for the Hot Creek Subdivision is accessed off Twisted Branch Road, a private road, through Parcel 1C. There is an existing access easement (Recorder No. 1213826) which gives the Applicant (Talisker Club 2.0 LLC) an easement for vehicular and pedestrian ingress and egress over and across Twisted Branch Road (owned by Redus Park City LLC). This easement was recorded on December 20, 2023.

vi. Utility Lines.
    1. There are no recorded Utility easements within the proposed Lot 1. There is an existing easement for Snyderville Basin Water Reclamation District along Twisted Branch Road (Summit County Recorder Entry No. 784734).

vii. Drainage Ways.
    1. There are no drainage ways within the proposed Subdivision.

viii. Soil Conditions.
    1. On August 8, 2018, the Planning Commission approved an amendment to the Flagstaff Technical Report #15 Construction Mitigation Plan which established 10206 Twisted Branch Road as a receiving Site for clean, excavated soil within the Flagstaff/Empire Pass area. The Applicant estimates that approximately 15,000 cubic yards of soil have been deposited at the Site. The Applicant provided a Geotechnical Report detailing the soil conditions at the Site and recommendations for development on the existing soils.

ix. Trails and Sidewalks.
    1. There are no public or private trails on Lot 1. The nearest trails to Lot 1 are the Corvair, Mid Mountain, and Payroll mountain bike trails. Access to these trails will not be affected by the proposed Restaurant on the Lot.
    2. Deer Valley's Bandana ski run goes through Lot 1. A recorded easement permits Deer Valley continued use of the ski run (Summit County Recorder Entry No. 1079220).
x. Topsoil Preservation and Final Grading.
    1. See Condition of Approval 6.
xi. Architectural Standards.
    1. LMC § 15-5-5 outlines restrictions on architectural styles, prohibitions on siding materials, amount of exterior wall materials, and roof shapes and materials. The Applicant proposes constructing the Restaurant of stone, wood, and metal siding, and a standing-seam metal roof. These materials comply with architectural requirements. The Applicant does not propose any prohibited siding, roof, or architectural style.
    2. LMC § 15-5-5(K) outlines requirements for trash and recycling enclosures. The Applicant proposes to construct a trash and recycling enclosure near the drop-off area. The enclosure will be screened on all sides with steel and matches the design of the proposed Structure.
    3. On December 13, 2024, the Empire Pass Design Review Board approved the proposed design for the Restaurant.
xii. Waterbodies and Water-Courses.
    1. No existing waterbodies or water-courses are within the proposed Subdivision.

c. LMC § 15-7.3-3 outlines general Lot design requirements.
    i. Building Sites.
        1. The proposed Restaurant is in an appropriate location adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club. Section 2.6 of the Amended Development Agreement requires that the Restaurant be between 7,000 and 10,000 square feet. The

Applicant proposes a Structure that is 2,862 square feet with a 400-square-foot area for Outdoor Dining, less than the allowable density for the Site.

ii. Square Footage.
    1. The proposed Building is less than the square footage described in Section 2.6 of the Flagstaff DA and is adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club.

iii. Lot Dimensions.
    1. LMC § 15-7.3-3(D) requires that the Side Lot Lines shall be at right angles to Street lines. The proposed Lot shows the Side Lot Lines are at right angles to Twisted Branch Road.

iv. Revegetation, Seed and Sod.
    1. See Condition of Approval 6.

v. Drainage.
    1. The proposal will be evaluated by the Engineering Department for compliance with drainage requirements at the building permit plan review phase.

vi. Debris and Waste.
    1. See Condition of Approval 3.

21. There is Good Cause for the Hot Creek Subdivision.
    a. LMC § 15-15-1 defines Good Cause as "[Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."
    b. There is Good Cause for the proposed Subdivision because a Lot is created for the development of the private Restaurant outlined in Section 2.6 of the Flagstaff Development Agreement. While the Restaurant is not open to the public, it complies with Section 2.6 of the Flagstaff DA which outlines that the Restaurant shall be private and provides ski-in/ski-out access for members of the Talisker Club. The character of the Upper Deer

Valley Neighborhood is preserved by limiting parking and traffic and requiring all guests and staff to access the Restaurant by shuttle.

22. The Development Review Committee reviewed the proposal on January 21, 2025, and confirmed the proposal conforms to their requirements.
23. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 9, 2025. Staff mailed courtesy notice to property owners within 300 feet on July 9, 2025.
24. The Park Record published courtesy notice on July 9, 2025.

Conclusions of Law

1. There is Good Cause for the Hot Creek Subdivision because a Lot is created for the development of a private Restaurant as outlined in Section 2.6 of the Flagstaff Development Agreement.
2. The Hot Creek Subdivision is consistent with LMC Chapter 15-2.7 *Recreation and Open Space Zoning District* and Chapter 15-7 *Subdivisions*.
3. Neither the public nor a person will be materially injured by the Hot Creek Subdivision.
4. Approval of the Hot Creek Subdivision, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Hot Creek Subdivision Plat for compliance with State law, the LMC, and the Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record the plat with Summit County within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval for the Subdivision will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. Unless otherwise approved by the City Engineer and Building Official, no cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Subdivision at the time of issuance of a Certificate of Occupancy for the private Restaurant.
4. All Conditions of Approval from the Flagstaff Development Agreement shall apply.

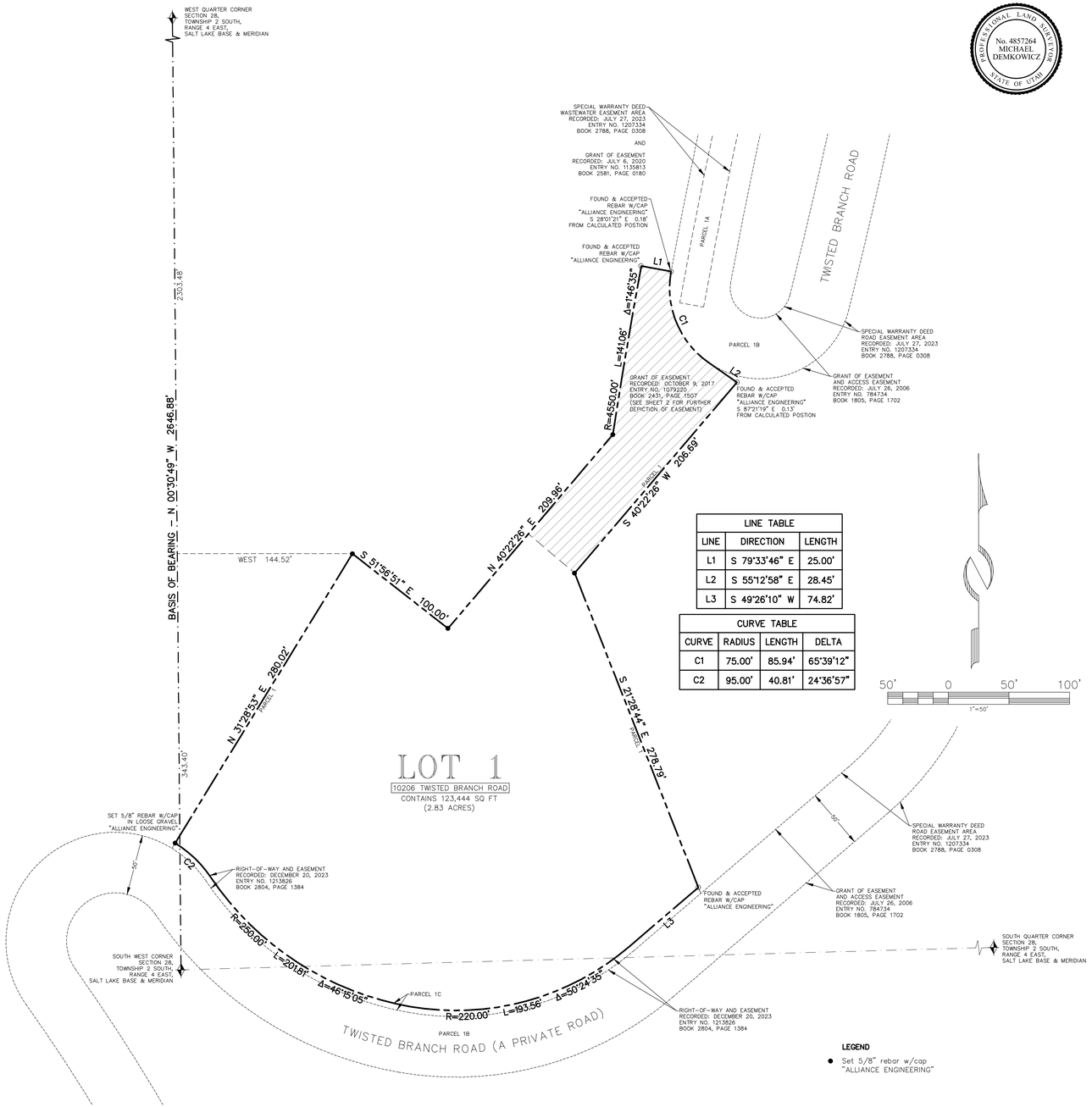
5. The Significant Vegetation located in the northwest corner of Lot 1 must be protected during construction and maintained.
6. Erosion control shall consist of re-vegetating all exposed surfaces with a native plant mix. The Applicant shall install erosion control blankets on all Slopes steeper than 40 percent.
7. All Development at the Hot Creek Subdivision must comply with the Empire Pass Design Guidelines and receive approval from the Empire Pass Design Review Board.
8. The Flagstaff Development Agreement allows for the construction of a Restaurant between 7,000 and 10,000 square feet. The proposed Restaurant is 2,862 square feet. The remaining square footage cannot be used on any other site in the Flagstaff MPD area and any increase in square footage to the Restaurant will trigger an additional Conditional Use Permit to be reviewed by the Planning Commission. The height approval for the Restaurant shall not apply to any future expansion unless separately approved by the Planning Commission.
9. If the City, UDOT and/or the owner of Twisted Branch Road and other parties later agree to allow expanded public use or dedication of Twisted Branch Road, Talisker Club 2.0 LLC, its successors, and Talisker club members shall not object to, or veto expanded public use or dedication.

If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org.

Sincerely,

Christin Van Dine
Planning Commission Chair

CC: Virgil Lund



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 79°33'46" E	25.00'
L2	S 55°12'58" E	28.45'
L3	S 49°26'10" W	74.82'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	75.00'	85.94'	65°39'12"
C2	95.00'	40.81'	24°36'57"

SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed a survey and have referenced a record of survey map of the existing property boundaries in accordance with Section 17–23–17 and have verified the boundary locations and have placed monuments as represented on the plat. I do further certify that by authority of the owners, I have prepared this subdivision plat of the property described hereon, hereafter to be known as HOT CREEK SUBDIVISION.

No. 4857264
MICHAEL
DEMKOWICZ
PROFESSIONAL LAND SURVEYOR
STATE OF UTAH

LEGAL DESCRIPTION

PARCEL 1:

A parcel of land located in the Southwest Quarter of Section 28, the Southeast Quarter of Section 29 and the Northwest Quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point that is North 00°30'49"West 343.40 feet coincident with the section line and East 144.52 feet from a 3–1/4" aluminum cap and pipe at the Southwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 51°56'51" East 100.00 feet; thence North 40°22'26" East 209.96 feet to a point on a non–tangent curve to the right having a radius of 4,550.00 feet, of which the radius point bears South 81°20'20" East; thence Northerly along the arc of said curve 141.06 feet through a central angle of 01°46'35"; thence South 79°33'46" East 25.00 feet to a point on a non–tangent curve to the left having a radius of 75.00 feet, of which the radius point bears North 79°33'46" East, said point being on the boundary of that certain Amended and Restated Declaration of Access Easement, recorded June 13, 2017, as Entry No. 1071473 in the Office of the Recorder, Summit County, Utah; thence coincident with said access easement and Southerly along the arc of said curve 85.94 feet through a central angle of 65°39'12"; thence South 55°12'58" East 28.45 feet; thence South 40°22'26" West 206.69 feet; thence South 21°28'44" East 278.79 feet; thence South 49°26'10" West 74.82 feet to a point on a curve to the right having a radius of 220.00 feet, of which the radius point bears North 40°33'50" West; thence along the arc of said curve 193.56 feet through a central angle of 50°24'35" to a point of compound curve to the right having a radius of 250.00 feet, of which the radius point bears North 09°50'45" East; thence Northwesterly along the arc of said curve 201.81 feet through a central angle of 46°15'05" to a point of reverse curve to the left having a radius of 95.00 feet, of which the radius point bears South 56°05'50" West; thence Northwesterly along the arc of said curve 40.81 feet through a central angle of 24°36'57"; thence North 31°28'53" East 280.02 feet to the point of beginning.

The Basis of Bearing for the above description is North 00°30'49"West 2,646.88 feet between the Southwest corner and the West Quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

PARCEL 1A:

Together with a perpetual, nonexclusive right–of–way and easement, as conveyed in Special Warranty Deed, recorded July 27, 2023, as Entry No. 1207334, in Book 2788, Page 308, for the laying, construction, installation, use, operation, inspection, servicing, maintenance, repair, removal, alteration, enlargement, relocation and replacement (collectively, the "Wastewater Activities") of one or more underground pipelines and related facilities and improvements as a sanitary sewer for the collection and transportation of wastewater under, through and across the property (the "Wastewater Easement Area") described as follows, together with a perpetual, nonexclusive right of ingress and egress to and from and along the Wastewater Easement Area for the Wastewater Activities:

A 20–foot wide easement located in the Southwest Quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement being 10 feet on either side of the following described centerline:

Beginning at a point that is South 00°30'49" East 690.50 feet coincident with the section line and East 652.16 feet from the West Quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the Easterly boundary of B2 East Subdivision, recorded March 7, 2018, as Entry No. 1087538 in the Office of the Recorder, Summit County, Utah; and running thence North 71°07'40" East 26.81 feet; thence South 24°02'49" East 85.16 feet to a point on a curve to the right having a radius of 496.70 feet, of which the radius point bears South 65°57'11" West; thence along the arc of said curve 405.12 feet through a central angle of 46°43'53" to a point of reverse curve to the left having a radius of 4503.30 feet, of which the radius point bears South 67°18'56" East; thence along the arc of said curve 986.69 feet through a central angle of 12°33'13" and terminating.

The basis of bearing for the above description is South 00°30'49" East 2646.88 feet between the West Quarter corner and the Southwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

PARCEL 1B:

Together with a perpetual, nonexclusive right–of–way and easement, as conveyed in Special Warranty Deed, recorded July 27, 2023, as Entry No. 1207334, in Book 2788, Page 308, for vehicular and pedestrian ingress and egress on, over and across the property, described as follows:

A parcel of land located in the West half of Section 28, the Southeast Quarter of Section 29, the Northeast Quarter of Section 32 and the Northwest Quarter of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point that is North 00°30'49" West 157.00 feet coincident with the section line and East 643.05 feet from the West Quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian (a 3–1/4" aluminum cap and pipe was set on the section line South 00°30'49" West 12.00 feet from the quarter corner location), said point being on the boundary of Marsac Avenue right of way, recorded June 28, 2002, as Entry No. 623451 in the office of the recorder, Summit County, Utah; and running thence along Marsac Avenue right of way South 64°06'13" East 50.00 feet; thence South 25°53'47" West 31.85 feet to a point on a curve to the left having a radius of 475.00 feet, of which the radius point bears South 64°06'13" East; thence along the arc of said curve 196.38 feet through a central angle of 23°41'17"; thence South 02°12'30" West 123.76 feet to a point on a curve to the left having a radius of 375.00 feet, of which the radius point bears South 87°47'30" East; thence along the arc of said curve 59.05 feet through a central angle of 09°01'18"; thence South 75°35'15" West 51.67 feet to a point on a curve to the left having a radius of 30.00 feet, of which the radius point bears South 14°24'45" East; thence along the arc of said curve 52.17 feet through a central angle of 99°38'04"; thence South 24°02'49" East 469.37 feet to a point on a curve to the right having a radius of 525.00 feet, of which the radius point bears South 65°57'11" West; thence along the arc of said curve 428.20 feet through a central angle of 46°43'53" to a point of reverse curve to the left having a radius of 4475.00 feet, of which the radius point bears South 67°18'56" East; thence Southerly along the arc of said curve 956.54 feet through a central angle of 12°14'50" to a point of compound curve to the left having a radius of 25.00 feet, of which the radius point bears South 79°33'46" East; thence Easterly along the arc of said curve 76.99 feet through a central angle of 176°26'25" to a point of compound curve to the left having a radius of 4975.00 feet, of which the radius point bears North 76°00'10" West; thence Northerly along the arc of said curve 321.87 feet through a central angle of 03°42'25" to a point of reverse curve to the right having a radius of 75.00 feet, of which the radius point bears South 79°42'35" East; thence Easterly along the arc of said curve 226.54 feet through a central angle of 173°03'41"; thence South 03°21'06" West 392.14 feet to a point on a curve to the right having a radius of 1025.00 feet, of which the radius point bears North 86°38'54" West; thence along the arc of said curve 211.22 feet through a central angle of 11°48'25" to a point of compound curve to the right having a radius of 250.00 feet, of which the radius point bears North 74°50'29" West; thence Southwesterly along the arc of said curve 149.56 feet through a central angle of 34°16'39"; thence South 49°26'10" West 233.46 feet to a point on a curve to the right having a radius of 275.00 feet, of which the radius point bears North 40°33'50" West; thence along the arc of said curve 241.95 feet through a central angle of 50°24'35" to a point of compound curve to the right having a radius of 305.00 feet, of which the radius point bears North 09°50'45" East; thence Northwesterly along the arc of said curve 246.21 feet through a central angle of 46°15'05" to a point of reverse curve to the left having a radius of 40.00 feet, of which the radius point bears South 56°05'50" West; thence Southwesterly along the arc of said curve 126.68 feet through a central angle of 181°26'58" to a point of reverse curve to the right having a radius of 1525.00 feet, of which the radius point bears South 54°38'52" West; thence Southeasterly along the arc of said curve 273.26 feet through a central angle of 10°16'00" to a point of reverse curve to the left having a radius of 375.00 feet, of which the radius point bears North 64°54'52" East; thence Easterly along the arc of said curve 607.09 feet through a central angle of 92°45'25"; thence North 62°09'27" East 324.38 feet to a point on a curve to the left having a radius of 425.00 feet, of which the radius point bears North 27°50'33" West; thence along the arc of said curve 231.93 feet through a central angle of 31°16'00" to a point of reverse curve to the right having a radius of 75.00 feet, of which the radius point bears South 59°06'33" East; thence Southeasterly along the arc of said curve 181.22 feet through a central angle of 138°26'24" to a point on the Southwesterly boundary of Red Cloud Subdivision, recorded on February 27, 2005, as Entry No. 724721 in the office of the recorder, Summit County, Utah; thence coincident with the boundary of Red Cloud Subdivision the following five (5) courses: 1) continuing along the arc of said curve 80.07 feet through a central angle of 61°10'16" to a point of reverse curve to the left having a radius of 215.00 feet, of which the radius point bears South 39°29'53" East; thence 2) Southwesterly along the arc of said curve 150.27 feet through a central angle of 40°02'47"; thence 3) South 10°27'20" West 165.38 feet to a point on a curve to the right having a radius of 625.00 feet, of which the radius point bears North 79°32'40" West; thence 4) along the arc of said curve 394.15 feet through a central angle of 36°08'00"; thence 5) South 46°35'19" West 192.32 feet; thence continuing South 46°35'19" West 210.61 feet to a point on a curve to the right having a radius of 200.00 feet, of which the radius point bears North 43°24'41" West; thence along the arc of said curve 362.62 feet through a central angle of 36°08'00"; thence North 10°27'20" East 165.38 feet to a point on a curve to the right having a radius of 265.00 feet, of which the radius point bears South 79°32'40" East; thence along the arc of said curve 185.22 feet through a central angle of 40°02'47" to a point of reverse curve to the left having a radius of 25.00 feet, of which the radius point bears North 39°29'53" West; thence Northwesterly along the arc of said curve 87.10 feet through a central angle of 199°36'40" to a point of reverse curve to the right having a radius of 475.00 feet, of which the radius point bears North 59°06'33" West; thence Southwesterly along the arc of said curve 259.21 feet through a central angle of 31°16'00"; thence South 62°09'27" West 324.38 feet to a point on a curve to the right having a radius of 425.00 feet, of which the radius point bears North 27°50'33" West; thence along the arc of said curve 688.04 feet through a central angle of 92°45'25" to a point of reverse curve to the left having a radius of 1475.00 feet, of which the radius point bears South 64°54'52" West; thence Northwesterly along the arc of said curve 264.30 feet through a central angle of 10°16'00" to a point of reverse curve to the right having a radius of 90.00 feet, of which the radius point bears North 54°38'52" East; thence Northeasterly along the arc of said curve 285.02 feet through a central angle of 181°26'58" to a point of reverse curve to the left having a radius of 255.00 feet, of which the radius point bears North 56°05'50" East; thence Southeasterly along the arc of said curve 205.85 feet through a central angle of 46°15'05" to a point of compound curve to the left having a radius of 225.00 feet, of which the radius point bears North 09°50'45" East; thence Easterly along the arc of said curve 197.96 feet through a central angle of 50°24'35"; thence North 49°26'10" East 233.46 feet to a point on a curve to the left having a radius of 200.00 feet, of which the radius point bears North 40°33'50" West; thence along the arc of said curve 119.65 feet through a central angle of 34°16'39" to a point of compound curve to the left having a radius of 975.00 feet, of which the radius point bears North 74°50'29" West; thence Northerly along the arc of said curve 200.92 feet through a central angle of 11°48'25"; thence North 03°21'06" East 392.14 feet to a point on a curve to the left having a radius of 25.00 feet, of which the radius point bears North 86°38'54" West; thence along the arc of said curve 75.51 feet through a central angle of 173°03'41" to a point of reverse curve to the right having a radius of 5025.00 feet, of which the radius point bears North 79°42'35" West; thence Southerly along the arc of said curve 325.10 feet through a central angle of 03°42'25" to a point of compound curve to the right having a radius of 75.00 feet, of which the radius point bears North 76°00'10" West; thence Westerly along the arc of said curve 230.96 feet through a central angle of 176°26'25" to a point of compound curve to the right having a radius of 4525.00 feet, of which the radius point bears South 79°33'46" East; thence Northerly along the arc of said curve 967.23 feet through a central angle of 12°14'50" to a point of reverse curve to the left having a radius of 475.00 feet, of which the radius point bears North 67°18'56" West; thence Northerly along the arc of said curve 387.42 feet through a central angle of 46°43'53"; thence North 24°02'49" West 469.37 feet to a point on a curve to the right having a radius of 30.00 feet, of which the radius point bears North 65°57'11" East; thence along the arc of said curve 52.17 feet through a central angle of 99°38'04"; thence North 75°35'15" East 10.21 feet to a point on a non–tangent curve to the right having a radius of 425.00 feet, of which the radius point bears North 89°08'22" East; thence Northerly along the arc of said curve 22.76 feet through a central angle of 03°04'07"; thence North 02°12'30" East 123.76 feet to a point on a curve to the right having a radius of 525.00 feet, of which the radius point bears South 87°47'30" East; thence along the arc of said curve 217.05 feet through a central angle of 23°41'17"; thence North 25°53'47" East 31.85 feet to the point of beginning.

PARCEL 1C:

Together with a Right–of–Way and Easement, as conveyed in that Right–of–Way and Easment, recorded December 20, 2023, as Entry No. 1213826, in Book 2804, Page 1384, for a perpetual, noexclusive right–of–way and easement for vehicular and pedestrian ingress and egress on, over and across the property located in Summit County, Utah, described as follows:

A parcel of land located in the Southwest quarter of Section 28, the Southeast quarter of Section 29, and the Northwest quarter of Section 33, all Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point being located North 00°30'49" West 67.97 feet coincident with the section line and East 427.32 feet from the Northwest corner of Section 33, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the Southeasterly corner of that certain Special Warranty Deed, recorded July 27, 2023, as Entry No. 1207334 in the Office of the Recorder, Summit County, Utah; and running thence South 21°28'44" East 5.29 feet to the "Road Easement Area" in said Special Warranty Deed; thence coincident with said "Road Easement Area" the following four (4) courses: 1) South 49°26'10" West 73.09 feet to a point on a curve to the right having a radius of 225.00 feet, of which the radius point bears North 40°33'50" West; thence 2) along the arc of said curve 197.96 feet through a central angle of 50°24'35" to a point of compound curve to the right having a radius of 255.00 feet, of which the radius point bears North 09°50'45" East; thence 3) along the arc of said curve 205.85 feet through a central angle of 46°15'05" to a point of reverse curve to the left having a radius of 40.00 feet, of which the radius point bears South 56°05'50" West; thence 4) along the arc of said curve 38.67 feet through a central angle of 24°36'57"; thence North 31°28'53" East 5.00 feet to a point on a non–tangent curve to the right having a radius of 95.00 feet, of which the radius point bears South 31°28'53" West, said point being the Westernmost corner of said Special Warranty Deed, said point also being on the South boundary of said Special Warranty Deed; thence coincident with said South boundary the following four (4) courses: 1) along the arc of said curve 40.81 feet through a central angle of 24°36'57" to a point of reverse curve to the left having a radius of 250.00 feet, of which the radius point bears North 56°05'50" East; thence 2) along the arc of said curve 201.81 feet through a central angle of 46°15'05" to a point of compound curve to the left having a radius of 220.00 feet, of which the radius point bears North 09°50'45" East; thence 3) along the arc of said curve 193.56 feet through a central angle of 50°24'35"; thence 4) North 49°26'10" East 74.82 feet to the point of Beginning.

NOTES

1. This subdivision plat is subject to the Conditions of Approval in the Final Action Letter dated the _____ day of _____, 2025, and on file with the Planning Department (PL–25–_____).
2. See Sheet 2 for further depiction of Parcels 1A & 1B.
3. See survey S–_____, filed with Summit County on _____, 2025
4. Lot A (referred to as Lot 2 in the Amended Flagstaff Development Agreement) is designated as the site for the Private Restaurant permitted under Section 2.6 of the Amended Flagstaff Development Agreement. Lot A is also designated as a site for placement of clean fill exported from development sites within the Flagstaff Annexation Area. Since Lot A is a site for placement of fill, Building Heights for the Private Restaurant shall be measured from Finished Grade, not Natural Grade. Building Height shall not exceed 28' from top of fill (Finished Grade) or 33' if roof pitch is greater than or equal to 4:1. No Unit Equivalents are allocated to Lot A.
5. The maximum ridgeline elevation for the Private Restaurant is 8723'–5".

HOT CREEK SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28,
THE SOUTHEAST QUARTER OF SECTION 29,
AND THE NORTHWEST QUARTER OF SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

5/29/25 JOB NO.: 16–9–23 FILE: X:\Empire\dwg\srv\plat2023\160923.dwg

435–649–9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2025

BY _____

PLANNING COMMISSION

RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2025

BY _____
CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2025

BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2025

BY _____
PARK CITY ATTORNEY

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY OF _____, 2025

BY _____
SUMMIT COUNTY GIS COORDINATOR

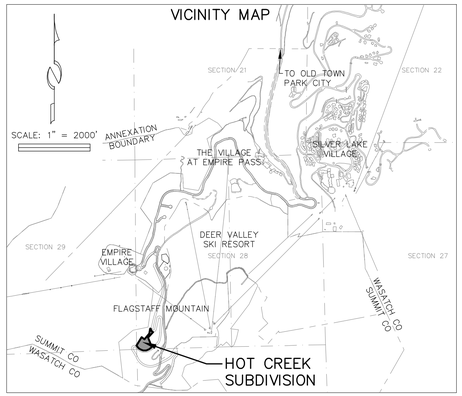
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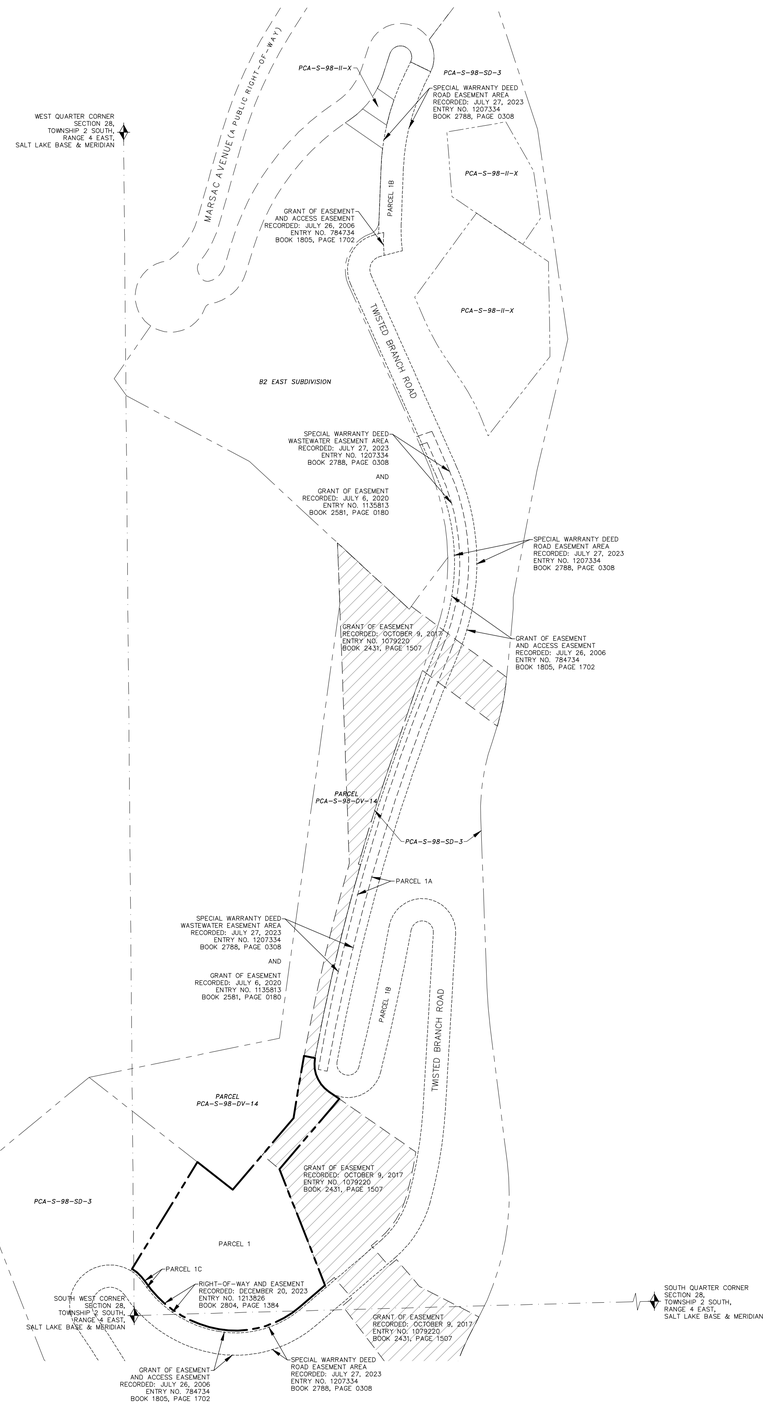
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____

_____ FEE

_____ RECORDER

TIME _____ DATE _____ ENTRY NO. _____





OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the described tract of land, and hereby causes the same to create one lot of record, together with easements as set forth to be hereafter known as HOT CREEK SUBDIVISION.

In witness whereof, the undersigned set his hand this _____ day of _____, 2025.

Talisker Club 2.0 LLC, a Delaware limited liability company

By: Storied Deer Valley, LLC, a Delaware limited liability company, its sole member

By: _____
Jeff Butterworth, President

ACKNOWLEDGMENT

STATE OF _____)
:ss.
COUNTY OF _____)

On this _____ day of _____, 2025, Jeff Butterworth personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the President of Storied Deer Valley, LLC, a Delaware limited liability company, sole member of Talisker Club 2.0, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed HOT CREEK SUBDIVISION.

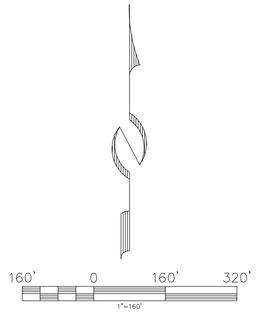
By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____



HOT CREEK SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28,
THE SOUTHEAST QUARTER OF SECTION 29,
AND THE NORTHWEST QUARTER OF SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
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5/29/25

SHEET 2 OF 2

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Geotechnical Investigation

Hot Creek Restaurant
10206 Twisted Branch Road
Park City, Utah
IGES Project No. 03511-031

Original: December 19, 2023
Revised: June 28

Prepared for:
Storied Deer Valley, LLC
9785 North Tuhaye Park Drive
Kamas, UT 84036



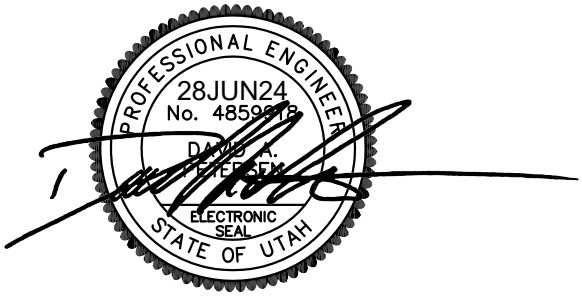
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Geotechnical Investigation
Hot Creek Restaurant
10206 Twisted Branch Road
Park City, Utah

IGES Job No. 03511-031

Original: December 19, 2023
Revised: June 28, 2024

Prepared by:



David A. Petersen, P.E.
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Reviewed by:



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1.0 EXECUTIVE SUMMARY

This report presents the results of a geotechnical investigation completed for the proposed Hot Creek restaurant at 10206 Twisted Branch Road in Park City, Utah. Based on the subsurface conditions encountered, the subject site is suitable for the proposed residential construction provided that the recommendations presented in this report are incorporated into the design and construction of the project. A brief summary of the critical observations, conclusions, and recommendations is included below:

- Based on our observations, the site is covered by 33 to 35 feet of undocumented fill sols that extend to native soil or bedrock.
- No groundwater was encountered in any of the borings completed for our investigation.
- Native soils observed below the undocumented fill soils and above the bedrock consist of colluvium. Bedrock consists primarily of granodiorite that is very hard and weathers to clay and granitic powder.
- Recommendations for general site grading, design of foundations, slabs-on-grade, moisture protection and soil corrosivity as well as other aspects of construction are included in this report. Due to the presence of over 30 feet of undocumented fil, IGES recommends removal of all undocumented fill, buried vegetation and organic topsoil prior to construction. The exposed native soil should be benched in horizontal planes to receive the structural fill.
- Footings should be established on native soils, bedrock or on a zone of structural fill extending to these soils. IGES observed that up to 16 feet of undocumented fill was encountered in the most recent borings completed in the new building location; over 30 feet of undocumented fill soils were observed over the entire site based on the original four borings. IGES recommends that the owner remove all undocumented fill, buried vegetation and organic topsoil prior to placing structural fill for support of the new structure or give consideration to constructing the proposed structure(s) on micro-piles or helical piers extending to suitable soil/bedrock strata.
- For flexible pavement sections over undocumented fill soils, IGES recommends a minimum of 4/12/12 (inches of asphalt/road base/granular borrow) as discussed in Section 6.7 of this report. If undocumented fill soils are left in place, IGES recommends reworking a minimum of 3-feet of the undocumented fill material below the pavement section. A rigid pavement section of 6/8/12 (inches of concrete/road base/granular borrow) is recommended for heavy traffic areas.

NOTICE: The executive summary is not intended to replace the information presented in the report, of which the executive summary is an essential part. The executive summary should not be used separately from the report and is only provided as an overview, to summarize the primary conclusions and recommendations. The executive summary may omit a number of details, any one of which could be crucial to the proper interpretation and application of the report and implementation of the recommendations.

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2.0 INTRODUCTION

2.1 PURPOSE AND SCOPE OF WORK

This report presents the results of a geotechnical investigation completed for the proposed Hot Creek restaurant to be located at 10206 Twisted Branch Road in Park City, Utah (see Figure A-1, *Site Vicinity Map* and Figure A-2, *Site Map* in Appendix A). The purposes of this investigation were to assess the nature and engineering properties of the subsurface soils; to provide recommendations for design and construction of foundations, slabs-on-grade, and pavement; to assess settlement, lateral earth pressures, and to identify other geotechnical issues such as fill, shallow bedrock, collapsible soils, infiltration and groundwater.

The scope of work completed for this study included soil sampling, laboratory testing, engineering analyses, and preparation of this report. Our services were performed in accordance with our proposal and signed authorization.

The recommendations presented in this report are subject to the limitations presented in the **Limitations** section of this report (Section 7.1).

2.2 PROJECT DESCRIPTION

Our understanding of the project is based on information provided by the Client. We anticipate that the restaurant structure will be one to three stories, a lightly loaded metal- or wood-framed structure founded on conventional strip and spread footings. It is our understanding that no more than 2 feet of additional fill will be placed at this site.

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3.0 METHODS OF STUDY

3.1 FIELD INVESTIGATION

As a part of this investigation, subsurface soil conditions were explored by advancing four borings on October 12, 2023 using a truck mounted Geoprobe hollow stem auger rig and advancing four more borings on May 20, 2024; approximate locations of the explorations are shown on Figure A-2 (*Site Map*). The additional borings completed in May of 2024 were needed after the proposed location for the new structure changed. Photos of the site and of select borings are included in Figure A-3 (*Site Photos*) in Appendix A. Graphic logs of the subsurface conditions, as encountered at the time of our excavations, have been presented as Figures A-4 to A-11 in Appendix A. A *Key to Soil Symbols and Terminology* used on the test pit logs is included as Figure A-12.

Samples were collected at approximate 5-foot intervals using a standard split spoon (SPT) sampler. Bulk samples were collected and placed in 5-gallon buckets. Borings were then backfilled with soils from the auger cuttings. All samples were transported to our laboratory to evaluate the engineering properties of the various earth materials observed. The soils were classified in general accordance with the *Unified Soil Classification System* (USCS).

3.2 LABORATORY INVESTIGATION

Geotechnical laboratory tests were completed on select bulk soil samples obtained during our field investigation. The laboratory testing program was designed to evaluate the engineering characteristics of onsite earth materials. The results of the laboratory tests are presented in Appendix B. Laboratory testing completed during this investigation included:

- Water Content (ASTM D7263)
- Liquid Limit, Plastic Limit, and Plasticity Index of Soils (ASTM D4318)
- Fines Content (ASTM D1140)
- Gradation (ASTM D6913)
- Standard Proctor (ASTM D698)
- Modified Proctor (ASTM D1557)
- California Bearing Ratio (ASTM 1883)
- Load to Prevent Swell of Cohesive Soils
- Corrosion Testing-sulfate and chloride concentrations, pH and resistivity (AASHTO T288 & T289, ASTM D4327 & C1580)

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3.3 ENGINEERING ANALYSIS

Engineering analyses were performed using soil data obtained from the laboratory test results and empirical correlations from material density, depositional characteristics and classifications. Analyses were performed using formulas, calculations and software that represent methods currently accepted by the geotechnical industry. These methods include settlement, bearing capacity, lateral earth pressures, and trench stability. Appropriate factors of safety were applied to the results consistent with industry standards and the accepted standard of care.

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4.0 GENERALIZED SITE CONDITIONS

4.1 SURFACE CONDITIONS

The subject site has a maximum elevation of approximately 8,714 feet above mean sea level and a minimum elevation of approximately 8,640 feet above mean sea level, with the site sloping down to the north. The site is located on a slope in an alpine setting that is covered primarily by undocumented fill soils and some native vegetation.

4.2 SUBSURFACE CONDITIONS

4.2.1 Earth Materials

Soils observed at the site were comprised primarily of undocumented fill soils that appear to have come from nearby sources. A thin layer of native colluvial soils was observed below the undocumented fill soils overlying granodiorite bedrock.

Undocumented Fill Soils

Undocumented fill soils comprised of relatively loose Clayey SAND with gravel (SC), Clayey GRAVEL (GC), Clayey GRAVEL with sand (GC), and Silty GRAVEL with sand (GM) that were moist and moderate yellow brown were observed in each boring to a depth of approximately 9.5 to 35 feet. Undocumented soils also included Lean CLAY with gravel (CL) and Sandy Lean CLAY with gravel (CL) that was medium stiff to stiff, moist, brown to dark yellow orange. Roots and organics were observed in the samples and larger rocks including cobbles and boulders were reported by the drillers to be present in the undocumented fill soils.

Colluvium

Colluvial soils including Clayey SAND with gravel (SC) having a thickness of approximately 6.5 feet were observed in B-2 and B-5 through B-8 . This unit was observed to be dense, moist, dark yellow orange in color with roots.

4.2.2 Groundwater

Groundwater was not encountered in any of the borings completed for this site. Seasonal fluctuations in precipitation, surface runoff from adjacent properties, or other on or offsite sources may increase moisture conditions. Groundwater conditions can be expected to rise or fall several feet seasonally depending on the time of year. Based on our field investigation, we anticipate that groundwater is not likely to impact the proposed construction.

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4.2.3 Swelling Soils

Three Load to Prevent Swell tests were completed on representative samples of clayey soils obtained from the undocumented fill soils. To complete this test, each of these samples were removed from the bag and allowed to dry out in the laboratory for a period of approximately 3 days. The soils were then remolded to a dry density comparable to 95 percent of the maximum dry density (modified proctor – ASTM D1557) and inundated with water. The load required to prevent the soils from swelling was recorded. The results are presented in Table 4.2.3A: Load to Prevent Swell Summary Results.

Table 4.2.3A
Load to Prevent Swell Summary Results

Location	Depth	Load to Prevent Swell (psf)
B-2	1.0	7,821
B-3	1.0	2,940
B-3	7.5	5,801

4.2.4 Chemical Testing

Chemical testing was completed as a part of this investigation on a representative sample of the near-surface soils. The test results are presented below in table 4.2.4A.

Table 4.2.4A
Summary of Chemical Testing Results

Location	Depth	pH	Soluble Chloride (ppm)	Soluble Sulfate (ppm)	Minimum Resistivity (Ohm-cm)
B-3	1	8.3	50	<50	1,891

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5.0 GEOLOGIC CONDITIONS

5.1 GENERAL GEOLOGIC SETTING

The site is located at an elevation between 8,640 and 8,714 feet at Deer Valley in the southwestern part of Summit County, Utah south of downtown Park City. Deer Valley is situated in the central section of the Wasatch Mountains in Salt Lake County. The Wasatch Mountains contain a broad depositional history of thick Precambrian and Paleozoic sediments that have been subsequently modified by various tectonic episodes that have included thrusting, folding, intrusion, and volcanic activity, as well as scouring by glacial and fluvial processes (Stokes, 1987). The uplift of the Wasatch Mountains occurred relatively recently during the Late Tertiary Period (Miocene Epoch) between 12 and 17 million years ago (Milligan, 2000). Since uplift, the Wasatch Front has seen substantial modification due to such occurrences as movement along the Wasatch Fault and associated spurs (Hintze, 1993). The site is in the Central Wasatch segment at its intersection with the Uinta Mountains trend. The central segment is the widest section of the Wasatch Range due, in large part, to great intrusions of igneous rock not found elsewhere in the range (Stokes, 1987).

5.2 SITE GEOLOGY

Surface units on the site are mapped as Flagstaff Mountain stock (fm), Park City Formation (Ppc), and Weber Quartzite (IPw). fm is described as “porphyry consisting of phenocrysts of plagioclase typically 1/10 to 1/2 inch long set in dark-gray, fine-grained to aphanitic matrix”. Ppc is described as “pale-gray-weathering fossiliferous and cherty limestone containing a medial phosphatic shale member”. IPw is described as “pale-gray, tan-weathering quartzite and limy sandstone with some interbedded gray to white limestone and dolomite” (Baker et al., 1966).

5.3 SEISMICITY

Following the criteria outlined in the 2018 International Building Code (IBC, 2018), spectral response at the site was evaluated for the *Maximum Considered Earthquake* (MCE) which equates to a probabilistic seismic event having a two percent probability of exceedance in 50 years (2PE50). Spectral accelerations were determined based on the location of the site using the *ASCE-7 Hazard Tool*; this software incorporates seismic hazard maps depicting probabilistic ground motions and spectral response data developed for the United States by the U. S. Geological Survey. These maps have been incorporated into the *International Building Code* (IBC) (International Code Council, 2018).

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To account for site effects, site coefficients that vary with the magnitude of spectral acceleration and *Site Class* are used. Site Class is a parameter that accounts for site amplification effects of soft soils and is based on the average shear wave velocity of the upper 100 feet (30 meters, Vs_{30}); site classifications are identified in Table 5.3A.

Table 5.3A
Site Class Categories

Site Class	Earth Materials	Shear Wave Velocity Range (Vs_{30}) ft/s
A	Hard Rock	>5,000
B	Rock	2,500 - 5,000
C	Very Dense Soil/Soft Rock	1,200 - 2,500
D	Stiff Soil	600 - 1,200
E	Soft Soil	<600
F	Special Soils Requiring Site-Specific Evaluation (e.g., liquefiable)	n/a

Based on our field exploration and our understanding of the geology in this area, the site is underlain by several feet of undocumented fill soils overlying volcanic granodiorite bedrock, which would classify as Site Class B. However, lacking site-specific shear wave velocity measurements, IBC requires a conservative approach, therefore, Site Class C values have been used. Based on Site Class C site coefficients, the short- and long-period *Design Spectral Response Accelerations* are presented in Table 5.3B. For geotechnical practice, the geo-mean peak ground acceleration (PGA_M) is presented in Table 5.3C.

It should be noted that, for certain structures, particularly those with a longer fundamental natural period, a site-specific seismic hazard analysis may be required; the Structural Engineer should review ASCE-7-16 11.4.8 to assess whether Exception #2 is applicable for their structure. If the simplified approach and mapped spectral accelerations as allowed by Exception #2 are not applicable to this project, IGES should be contacted regarding the completion of a site-specific seismic hazard analysis, which would necessarily include on-site shear wave velocity measurements.

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Table 5.3B
Spectral Accelerations for MCE, Risk-Targeted Values (Structural)

Mapped B/C Boundary S_a (g)		Site Coefficient (Site Class C)		Design Sa (g)		
Ss	S_1	F_a	F_v	PGA	S_{DS}	S_{D1}
0.601	0.215	1.26	1.5	0.202	0.505	0.215

1) T_L=8
2) Exception #2 taken, see ASCE-7-16 11.4.8-2, a site-specific ground-motion hazard analysis may be required for some structures

Table 5.3C
Spectral Accelerations for MCE, Geo-Mean Values (Geotechnical)

Mapped B/C Boundary PGA (g)	Site Coefficient F_{PGA} (Site Class C)	PGA_M (g)
0.265	1.2	0.318

5.4 OTHER GEOLOGIC HAZARDS

Geologic hazards and conditions can be defined as naturally occurring geologic conditions or processes that could present a danger to human life and property or result in impacts to conventional construction procedures. These hazards and conditions must be considered before development of the site. There are several hazards and conditions in addition to seismicity and faulting that if present at a site, should be considered in the design of critical and essential facilities. The hazards considered for this site include liquefaction, landslides, debris-flow and flooding, and rockfall.

5.4.1 Liquefaction

Certain areas within the Intermountain region possess a potential for liquefaction during seismic events. Liquefaction is a phenomenon whereby loose, saturated, granular soil deposits lose a significant portion of their shear strength due to excess pore water pressure buildup resulting from dynamic loading, such as that caused by an earthquake. Among other effects, liquefaction can result in densification of such deposits causing settlement of overlying layers after an earthquake as excess pore water pressures are dissipated. The primary factors affecting liquefaction potential of a soil deposit are: (1) level and duration of seismic ground motions; (2) soil type and consistency; and (3) depth to groundwater.

Referring to the *Liquefaction Special Study Areas, Wasatch Front and Nearby Areas, Utah* published by the Utah Geological Survey, the site is located within an area currently designated as "very low" for liquefaction potential. The upper 41.5 feet are not

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considered liquefiable based on our field observations and laboratory testing; however, A full liquefaction study was not part of the scope of work and is beyond the standard of care for the project.

5.4.2 Landslides

Neither Baker et al. (1966) nor Elliot and Harty (2010) show the property to be on a mapped landslide deposit.

5.4.3 Debris-Flow and Flooding

Debris-flows are slurries of water, soil, and rock that typically deposit on existing alluvial fans located at the mouth of active canyons, while flooding typically occurs in drainage channels and lowland areas within a drainage basin.

According to Baker et al. (1966), the site is neither on nor adjacent to an existing alluvial fan.

5.4.4 Rockfall

Rockfall is a type of mass-wasting process that involves rocks and small rock masses becoming loose or dislodged and moving downslope. Rockfall can involve rocks falling, rolling, and bouncing. Rockfall is based on several factors, including geology, topography, and climate. Sources typically include boulders on steep slopes and bedrock outcrops.

Based on our observations, there are no significant outcrops or other source areas for rockfall.

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6.0 ENGINEERING CONCLUSIONS AND RECOMMENDATIONS

6.1 GENERAL CONCLUSIONS

Based on the subsurface conditions encountered at the site, the subject site is suitable for construction of the proposed Hot Creek restaurant at 10206 Twisted Branch Road at the Deer Valley Ski Resort in Park City, Utah provided that the recommendations presented in this report are incorporated into the design and construction of the project. IGES observed approximately 9.5 - 35 feet of undocumented fill soils at the site, with approximately 16 feet being observed within the proposed footprint of the new restaurant, and therefore recommends that the owner remove all undocumented fill, buried vegetation and organic topsoil prior to placing structural fill to support the proposed structure. Alternatively, the owner may give consideration to constructing the structure on micro-piles, helical piers, or other deep foundation system.

6.2 EARTHWORK

Prior to the placement of structural fill for the restaurant, general site grading is recommended to provide proper support for fill and pavement sections. Site grading is also recommended to provide proper drainage and moisture control.

6.2.1 General Site Preparation

Ideally, all undocumented fill should be removed from within the footprint of the proposed structure. Taking into consideration the footprint of the structure relative to the area of the undocumented fill, consideration should be given to removing all undocumented fill at the site prior to construction. It is recommended that an experienced Geotechnical Engineer observe the removal of undocumented fill soils.

6.2.2 Excavations

Following removal of the undocumented fill soils, the exposed, underlying native soils should then be grubbed to remove any vegetation that was previously buried along with the topsoil containing heavy organics. The native soils should then be benched to create horizontal planes to receive the anticipated structural fill. A keyway should be constructed to receive the fill to be placed for support of the structure.

Bedrock encountered at depth in the borings was relatively strong and largely unweathered. If excavations extend into the bedrock, such as for the keyway or benching, they may require a larger excavator with a hoe ram, a bulldozer with a ripper, or potentially blasting.

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6.2.3 Excavation Stability

The contractor is responsible for site safety, including all temporary slopes and trenches excavated at the site and design of any required temporary shoring. The contractor is responsible for providing the "competent person" required by OSHA standards to evaluate soil conditions. Soil types are expected to consist of *Type C* soils (undocumented fill soils) in the upper 35 to 40 feet.

Based on Occupational Safety and Health (OSHA) guidelines for excavation safety, trenches in the soil with vertical walls up to 5 feet in depth may be occupied. Where very moist soil conditions, undocumented fill soils or groundwater is encountered, or when the trench is deeper than 5 feet, we recommend a trench-shield or shoring be used as a protective system to workers in the trench. Sloping of the sides at 1.5H:1V (34 degrees) in *Type C* soils may be used as an alternative to shoring or shielding. Cuts into the bedrock may be constructed vertically up to 10 feet and then a 2-foot bench constructed before resuming another vertical cut. All 10-foot bedrock cuts should be observed by a geologist before continuing.

6.2.4 Structural Fill and Compaction

All fill placed for the support of structures, flatwork or pavements, should consist of structural fill. Structural fill may consist of existing undocumented fill soils on site. Due to a relatively high load required to prevent swell, existing soils on site, if used as structural fill, must be compacted wet of the optimum moisture content (OMC) and not allowed to dry out. This will require nearly full-time observation and testing to be completed properly. The presence of cobbles and boulders can be expected in the undocumented fill soils observed on site, if the contractor desires to use the existing soils as structural fill, they will need to be crushed or screened to remove particles greater than 4 inches in nominal diameter.

Structural fill may also consist of IGES-approved imported material. All structural fill should be free of vegetation and debris and contain **no rocks larger than 4 inches in nominal size** (6 inches in greatest dimension). Topsoil may not be used as structural fill; this material must be kept segregated from other soils intended to be used as structural fill.

All structural fill should be placed in maximum 6-inch loose lifts if compacted by small hand-operated compaction equipment, maximum 8-inch loose lifts if compacted by light-duty rollers, and maximum 12-inch loose lifts if compacted by heavy duty compaction equipment that is capable of efficiently compacting the entire thickness of the lift. These values are *maximums*; the Contractor should be aware that thinner lifts may be necessary

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to achieve the required compaction criteria. We recommend that all structural fill be compacted on a horizontal plane, unless otherwise approved by IGES. Structural fill placed beneath footings and pavements should be compacted to at least 97 percent of the maximum dry density (MDD) as determined by ASTM D-1557. The moisture content must be at or slightly above the optimum moisture content (OMC) for all structural fill – compacting dry of optimum is discouraged, especially if the native soils are used as structural fill as described above. Any imported fill materials should be approved by IGES prior to importing. Also, prior to placing any fill, the excavations should be observed by IGES to confirm that unsuitable materials have been removed, such as soft, porous, or organic soil. In addition, proper grubbing, grading and benching should precede placement of fill, as described in this report. All fill placed below the structure should be keyed into the native slope and benched according to Section 6.4 of this report.

All utility trenches should be backfilled with structural fill compacted to at least 95 percent of the MDD as determined by ASTM D-1557.

Backfill around foundation walls should be placed in 12-inch loose lifts or thinner and compacted to 90 percent of the MDD at or slightly above the OMC as determined by ASTM D1557. Failure to properly moisture-condition and compact foundation wall backfill may result in settlements of up to several inches. If native soils that have been allowed to dry out are used as backfill against foundation walls and later become hydrated, they will have the potential to deflect foundation walls.

Specifications from governing authorities having their own precedence for backfill and compaction should be followed where applicable.

6.3 RETAINING WALLS

The soils data provided in this report should be used for retaining wall or rockery design. Careful judgement should be used when selecting soil strengths, location and depth relative to the wall placement should be reviewed prior to selection. Retaining wall design should be completed under a separate design package that contains construction drawings and specifications for each specific wall. The design package should include elevation (profile) drawings, stationing, section drawings and construction specifications for the particular wall type and planned accessories such as fencing or drainage swales. Drawings should be completed so that accurate construction layout can be provided.

6.4 SLOPE GRADING RECOMMENDATIONS

The following generalized recommendations are for engineered slopes (fill slopes). Recommendations for grading of engineered slopes are intended to minimize the

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potential for future surficial failures, in addition to more deep-seated failures. For the purposes of this report, surficial failure includes excessive erosion, soil creep, sloughing, slumping, mass wasting, rockfall, and similar relatively shallow failures.

We recommend that permanent engineered fill slopes be constructed no steeper than 2H:1V; however, steeper slopes may be allowed provided geosynthetic reinforcement is incorporated into the slope design. The maximum height of a fill slope should be no greater than 50 feet, horizontal benches having a minimum horizontal distance of 5 feet should be constructed at a maximum vertical spacing interval of 20 feet, except as allowed by IGES with specific recommendations and provisions that are provided in writing.

General recommendations for construction of engineered slopes are presented in the following sections.

6.4.1 General Specifications

Fill slopes taller than 10 feet should be constructed with a keyway. In general, the keyway back cut should be constructed no steeper than 1H:1V gradient. Flatter back cuts will reduce the potential for back cut failures. Front cuts should be cut at a maximum 1H:1V slope gradient unless field conditions indicate a flatter gradient should be used to provide adequate stability, or where hard bedrock will allow a 0.5H:1V cut.

6.4.2 Keyway Sizing

As a minimum, keyways should be excavated 2 feet below toe grade for slopes up to 20 feet, and 3 feet below toe grade for slopes up to 50 feet; deeper keyway excavations may be necessary, depending on the height of the slope and prevailing geologic conditions. Keyway widths should be ½ the height of the slope but need not be wider than 15 feet (see Figure D-1 in Appendix D for a graphic illustration). The width of a keyway is measured horizontally from the toe of slope (top of front cut) to the toe of the back cut (heel), with a 2 percent drop to the heel. The depth of a keyway is measured from the toe of the fill slope to the bottom of the keyway.

6.4.3 Benching

Where fills are to be placed on ground with slopes steeper than 5H:1V, the ground should be stepped or benched (see Figure D-1 for a graphic illustration). At a minimum, benches should be constructed every four (4) vertical feet. Benches shall be excavated a minimum lateral depth of four (4) feet into competent material or as otherwise recommended by IGES. However, the *lowest* bench should be excavated a minimum lateral depth of 10 feet into competent material (this measurement may include the key width). Drains should be

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placed on every other bench and daylighted to the side of the fill section to reduce the potential for the fill section to become saturated.

6.4.4 Slope Protection

Slope planting and other measures should be provided immediately following construction. Slope protection polymers, straw waddles, and/or jute mesh should also be considered to limit the amount of erosion on slopes subject to erosion until landscaping and other permanent erosion protection measures are fully in place. Additional slope protection measures are addressed below.

6.4.4.1 During Construction

Over-wetting the soils prior to, during, or after construction may result in softening and pumping, causing equipment mobility problems and difficulty in achieving compaction. Every effort should be taken to ensure positive drainage away from the structure and roadway areas to reduce the potential for water to migrate below pavements. The recommended minimum slope is two percent (2%) in pavement areas. Moisture should not be allowed to infiltrate the soils in the vicinity of, or upslope from, the roadways.

6.4.4.2 Slope Protection

To aid in maintaining surficial slope stability, we recommend that a water interceptor swale be constructed at the top of all engineered slopes (cut slopes, fill slopes). This swale should be designed to intercept all uphill slope drainage and divert the drainage around the slopes. The drainage should be controlled as it travels around the slopes and should be tied into the curb and gutter, or other drainage system.

6.5 FOUNDATIONS

IGES does not recommend the structure be constructed directly on the undocumented fill soils. Shallow spread or continuous wall footings should be established *entirely* on undisturbed native soils or *entirely on* bedrock. Alternatively, the foundations may be constructed on structural fill that is keyed and benched into the native slope according to Section 6.4 of this report. All footing excavations should be observed by IGES or other qualified geotechnical engineer prior to constructing footings..

Shallow spread or continuous wall footings constructed on relatively undisturbed native soils, bedrock or on structural fill described previously may be proportioned utilizing a maximum net allowable bearing pressure of **2,500 pounds per square foot (psf)** for dead load plus live load conditions. A one-third increase may be used for transient wind and seismic loads. If required, all fill beneath the foundations should consist of structural fill

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and should be placed and compacted in accordance with our recommendations presented in Section 6.2.4 of this report.

All foundations exposed to the full effects of frost should be established at a minimum depth of 42 inches below the lowest adjacent final grade. Interior footings, not subjected to the full effects of frost (i.e., a continuously heated structure), may be established at higher elevations, however, a minimum depth of embedment of 12 inches is recommended for confinement purposes. The minimum recommended footing width is 24 inches for continuous wall footings and 36 inches for isolated spread footings.

If the owner desires to leave the undocumented fill in place below the planned restaurant, the structure should be constructed on deep foundations such as micropiles or helical piers; see Section 6.12 for additional considerations and recommendations. Leaving the undocumented fill in place will incur a risk of the fill settling underneath the structure and leaving voids. The settlement could also cause damage to concrete slabs-on-grade, pavements and other amenities constructed directly on these soils.

6.6 SETTLEMENT

Static settlement of properly designed and constructed conventional foundations, founded as described above, are anticipated to be on the order of 1 inch or less. Differential settlement is expected to be half of total settlement over a distance of 30 feet. As indicated previously, over 30 feet of undocumented fill soils are present on the site. Failure to carefully implement each recommendation in this report could result in settlement of the structure that exceeds the estimates presented above. IGES recommends that the owner give consideration to constructing the structure on micro-piles or another deep foundation alternative such as helical piers and that precautions be taken to reduce the amount of water infiltration into the fill soils to the maximum extent possible.

6.7 EARTH PRESSURES AND LATERAL RESISTANCE

Lateral forces imposed upon conventional foundations due to wind or seismic forces may be resisted by the development of passive earth pressures and friction between the base of the footing and the supporting soils. In determining the frictional resistance, a coefficient of friction of 0.40 should be used for concrete in contact with existing on site fill soils or 0.45 if constructed on relatively granular imported structural fill or bedrock.

In general, foundations that are fixed at the top should be designed using at-rest lateral earth pressures. However, foundation walls for buried or partially buried structures may

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be designed for active pressures if no more than 8 feet of the wall extends below grade and laterally supported by flexible diaphragms according to the IBC.

Based on estimated internal angles of friction of 30 degrees, the ultimate lateral earth pressures for fine-grained soils acting against buried structures may be computed from the lateral pressure coefficients or equivalent fluid densities presented in Table 6.7A:

Table 6.7A
Recommended Lateral Earth Pressure Coefficients for Static Conditions

	Fine-Grained Soil (Phi=30°)	
Condition	**Lateral Pressure Coefficient**	**Equivalent Fluid Density (pounds per cubic foot)**
Active*	0.33	40
At-rest**	0.50	60
Passive*	3.00	360

* Based on Coulomb's equation

** Based on Jaky

These values should be used with an appropriate factor of safety against overturning and sliding. A value of 1.5 is typically used. Additionally, if passive resistance is calculated in conjunction with frictional resistance, the passive resistance should be reduced by ½.

The coefficients and densities presented in the table above assume no buildup of hydrostatic pressures, a vertical wall face and flat back slope. The force of the water should be added to the presented values if hydrostatic pressures are anticipated. Proper grading and other drainage recommendations provided previously in this report will help to reduce the potential for buildup of hydrostatic pressures if implemented. Clayey soils drain poorly and may swell upon wetting, thereby greatly increasing lateral pressures acting on earth retaining structures; therefore, clayey soils with a potential for swelling should not be used as retaining wall backfill.

6.8 PAVEMENT

Based upon the earth materials observed during our field work and the laboratory-determined CBR value of 6.2 was used for calculating the pavement section for the site. Anticipated traffic volumes were not available at the time this report was prepared; thus, based on past experience with similar residential projects, IGES has estimated an equivalent single axle load (ESAL) of 150,000 over a 30-year design life. Based on these

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estimates and our subsequent analysis, IGES has designed a pavement section utilizing AASHTO design methodology; the pavement design is summarized in Table 6.8A.

Table 6.8A
Pavement Section

Pavement Type	Asphalt (in.)	Concrete (in.)	Road Base (in.)	Granular Borrow Subbase (in.)
Flexible	4	-	12	12
Rigid	-	6	8	12

Asphalt has been assumed to be a high stability plant mix, base course material should be composed of crushed stone with a minimum CBR of 70. Asphalt should be compacted to a minimum density of 96% of the Marshall value; base course and all structural fill placed below pavement should be compacted to at least 95% of the MDD as determined by ASTM D-1557. If undocumented fill soils are left in place beneath the asphalt, IGES recommends removing a minimum of 3 feet of this material prior to placing structural fill below the pavement section.

It is our experience that pavement in areas where vehicles frequently turn around, stop, backup, load and unload, including the entrance and exit areas and dumpster areas often experience more distress. If the owner wishes to prolong the life of the pavement in these areas, consideration should be given to using a Portland cement concrete (rigid) pavement in these areas. For the rigid pavement section design, IGES has assumed a flexural strength of the concrete at 28 days of at least 600 psi, road base with a minimum CBR value of 70 and a load transfer coefficient of 2.7 for doweled joints with edge support. Concrete should consist of a low slump, low water cement ratio mix, with a minimum 28-day compressive strength of 4,000 psi. The base course should be compacted to at least 95% of the MDD as determined by ASTM D-1557.

IGES also recommends that the contractor review and become familiar with the minimum recommendations and guidelines contained in Summit County's Public Works minimum guidelines before bidding and constructing.

6.9 MOISTURE PROTECTION AND SURFACE DRAINAGE

As part of good construction practices, moisture should not be allowed to infiltrate into the fill soils of the development. As such, design strategies to minimize ponding and infiltration near the structure should be implemented as follows:

1. Backfill around foundations should consist of non-expansive soils placed in maximum 12-inch loose lifts, moisture conditioned to the optimum moisture content and

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compacted to approximately 90 percent of the maximum dry density as established by the Modified Proctor (ASTM D1557) in landscaped areas and a minimum of 95 percent beneath concrete slabs or other structural elements. Compacting by means of injecting water or "jetting" is not recommended.

2. Rain gutters should be installed to collect and discharge all roof runoff a minimum of 10-feet from foundation elements or as far away as is practically possible. If 10-feet cannot be achieved then a pipe, swale or other conveyance feature should be installed to carry the water immediately away from the foundation. Chain down-spouts are not suitable down-spouts.
3. The ground surface within 15-feet of the foundations should be sloped to drain away from structure with a minimum fall of 9 inches (5%). If 15-feet cannot be achieved, then the ground surface should be sloped to the property line or as far as practical and a conveyance feature used to carry the water to the front or rear of the property.

IGES recommends that no pressurized irrigation take place on this property. It is recommended that landscaping with native plants not requiring irrigation or xeriscaping be used.

6.10 PRELIMINARY SOIL CORROSION POTENTIAL

Based on laboratory testing results presented in Section 4.2.4, our experience in this area and the data from the nearby project we have provided the following general recommendations. Based on our professional experience, the following recommendations are made:

- Site soils are expected to exhibit *severe corrosivity* with respect to steel in direct contact with site soils. Consideration should be given to retaining the services of a qualified corrosion engineer to provide an assessment of any metal that will be in contact with native soils.
- Site soils are expected to exhibit a *low potential for sulfate attack* with respect to concrete in direct contact with native site soils. Conventional Type I/II Portland cement, or equivalent, may be used for all concrete in contact with site soils.

6.11 CONCRETE SLAB-ON-GRADE CONSTRUCTION

To minimize settlement and cracking of slabs, and to aid in drainage beneath the concrete floor slabs, all concrete slabs should be founded on a minimum 4-inch layer of clean gravel overlying properly prepared subgrade. If undocumented fill soils are encountered below areas of slab-on-grade construction, they should be removed to a minimum depth of 36 inches and replaced with structural fill as recommended in Section 6.2.4. Due to the potential for expansive soils to be present (Section 4.2.3), precautions should be implemented to reduce the potential for expansive soils to heave and cause damage to

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concrete slabs (Section 6.2.4). IGES recommends that following completion of the excavation for concrete slab-on-grade construction, that the exposed soils be moisture conditioned so that the moisture content is equal to or greater than the in-situ moisture content. If concrete slabs are constructed on fill soils that have been allowed to dry out, there is an increased risk for these soils to expand and cause damage to the slab. The 4-inch layer of gravel should consist of free-draining gravel with no more than 5 percent passing the No. 200 mesh sieve that should be vibrated in place for densification.

All concrete slabs should be designed to minimize cracking as a result of shrinkage. Consideration should be given to reinforcing the slab with a welded wire fabric, re-bar, or fiber mesh. Slab reinforcement should be designed by the structural engineer; however, as a minimum, slab reinforcement should consist of 4'' × 4'' (W4.0×W4.0) welded wire mesh within the middle third of the slab. We recommend that concrete be tested to assess that the slump and/or air content are in compliance with the plans and specifications. We recommend that concrete be placed in general accordance with the requirements of the American Concrete Institute (ACI). A Modulus of Subgrade Reaction of **150 psi/inch** may be used for design.

Our experience indicates that use of reinforcement in slabs and foundations can generally reduce the potential for cracking resulting from drying and shrinkage. However, some cracking can be expected as the concrete cures. Minor cracking is considered normal; however, it is often aggravated by a high water/cement ratio, high concrete temperature at the time of placement, small nominal aggregate size, and rapid moisture loss due to hot, dry, and/or windy weather conditions during placement and curing. Cracking due to temperature and moisture fluctuations can also be expected. The use of low slump concrete can reduce the potential for shrinkage cracking; saw cuts in the concrete at strategic locations can help to control and reduce undesirable shrinkage cracks.

6.12 CONSTRUCTION CONSIDERATIONS

Based on our observations and data presented previously, over 30 feet of undocumented fill soils are present at the site including approximately 16 feet observed beneath the proposed footprint of the new structure. If the undocumented fill soils are removed and the footings for the structure are constructed on a zone of structural fill, this zone of structural fill will likely be 20 feet thick, or greater. Failure to entirely remove the undocumented fill soils (Section 4.2.1), properly bench the native slope prior to replacing with engineered fill (Section 6.4.2), or properly compact the structural fill (Section 6.2.4) could result in settlement and/or slope movement that exceeds tolerable structural limits. IGES recommends that the owner retain IGES to document the complete removal of undocumented fill soils, to document proper benching, and to complete full time observation and testing of the placement and compaction of structural fill. It is also

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imperative to provide proper drainage away from the structure, parking and roadway areas to reduce the potential for water to infiltrate into the fill soils (Section 6.9). Careful planning should be implemented so that the storage of snow removal takes place in an area where water from the snowmelt does not infiltrate into the fill soils, roadway, parking lot, or vicinity of the restaurant.

If the owner desires to leave the undocumented fill in place below the planned restaurant, the structure should be constructed on deep foundations such as micropiles or helical piers. Leaving the undocumented fill in place will incur a risk of the fill substantial settling underneath the structure. This settlement, if it occurs, could also cause damage to concrete slabs-on-grade, pavements and other amenities constructed directly on these soils as well as potential movement of the slope. If micropiles, helical piers or other deep foundation alternative is selected, they should extend to the native colluvial soils observed approximately 10 to 16 feet below the existing site grade and extend a minimum of 7.5 feet into the native colluvial soils or weathered bedrock.

Every effort should be made to divert surface runoff from precipitation, snow melt and any other source away from the fill section so that it is not allowed to infiltrate into the fill soils. IGES recommends that no pressurized irrigation take place on the site.

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7.0 CLOSURE

7.1 LIMITATIONS

The concept of risk is a significant consideration of geotechnical analyses. The analytical means and methods used in performing geotechnical analyses and development of resulting recommendations do not constitute an exact science. Analytical tools used by geotechnical engineers are based on limited data, empirical correlations, engineering judgment and experience. As such the solutions and resulting recommendations presented in this report cannot be considered risk-free and constitute IGES's best professional opinions and recommendations based on the available data and other design information available at the time they were developed. IGES has developed the preceding analyses, recommendations and designs, at a minimum, in accordance with generally accepted professional geotechnical engineering practices and care being exercised in the project area at the time our services were performed. No warrantees, guarantees or other representations are made.

The information contained in this report is based on limited field testing and understanding of the project. The subsurface data used in the preparation of this report were obtained largely from the explorations made for this project. It is very likely that variations in the soil, rock, and groundwater conditions exist between and beyond the points explored. The nature and extent of the variations may not be evident until construction occurs and additional explorations are completed. If any conditions are encountered at this site that are different from those described in this report, IGES must be immediately notified so that we may make any necessary revisions to recommendations contained in this report. In addition, if the scope of the proposed construction or grading changes from those described in this report, our firm must also be notified.

This report was prepared for our client's exclusive use on the project identified in the foregoing. Use of the data, recommendations or design information contained herein for any other project or development of the site not as specifically described in this report is at the user's sole risk and without the approval of IGES, Inc. It is the client's responsibility to see that all parties to the project including the designer, contractor, subcontractors, etc. are made aware of this report in its entirety. The use of information contained in this report for bidding purposes should be done at the contractor's option and risk.

We recommend that IGES be retained to review the final design plans, grading plans and specifications to determine if our engineering recommendations have been properly incorporated in the project development documents. We also recommend that IGES be retained to evaluate construction performance and other geotechnical aspects of the projects as construction initiates and progresses through its completion.

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APPENDIX A



IGES EST. 1998	**Geotechnical Investigation – Hot Creek Restaurant** Storied Deer Valley 03511-031	Site Vicinity Map	Project location	**Figure** **A-1**



Geotechnical Investigation – Hot Creek Restaurant
Storied Deer Valley
03511-031

Site Map

Project location
Soil borings

Figure
A-2





Date of Pictures: October 12, 2023

IGES Project Number: 03511-031	Geotechnical Investigation Hot Creek Restaurant 10206 Twisted Branch Road Park City, Utah	Site Photos	**Figure** **A-3a**





Date of Pictures: October 12, 2023

IGES Project Number: 03511-031	Geotechnical Investigation Hot Creek Restaurant 10206 Twisted Branch Road Park City, Utah	Site Photos	**Figure** **A-3b**





Date of Pictures: October 12, 2023

IGES Project Number: 03511-031	Geotechnical Investigation Hot Creek Restaurant 10206 Twisted Branch Road Park City, Utah	Site Photos	**Figure** **A-3c**





Date of Pictures: October 12, 2023

IGES Project Number: 03511-031	Geotechnical Investigation Hot Creek Restaurant 10206 Twisted Branch Road Park City, Utah	Site Photos	**Figure** **A-3d**





Date of Pictures: May 20, 2024





Date of Pictures: May 20, 2024

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-1

Page 1 of 1

Date Started:	10/12/2023	Project Number:	03511-031	Remarks:	
Date Completed:	10/12/2023	Boring Elevation:	N/A	-	
Logged By:	Dylan Butt	Drill Rig:	Geoprobe 3100GT		
Driller:	JT	Boring Diameter:	8"		
Drilling Firm:	Direct Push Services	Depth:	36.5'		
Coordinates:	40.609360, -111.508890	Water Level At Time Of Drilling:	N/A	Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	% Sand	% Fines	Moisture Content (%)	Liquid Limit	Plasticity Index
0	Undocumented Fill **Silty GRAVEL with Sand**, medium dense, moist, dark yellow orange, volcanics and sand with some low plasticity clay							
5	Loose	2-4-5	8.9	50.1	41	17.47		
10	Dense	7-7-8	32	29.5	38.5	11.60		
15	**Clayey SAND with Gravel**, loose, very moist, moderate yellow brown, low plasticity fines	2-x-1						
20	Medium stiff, very low recovery due to cobbles, drillers note some occasional boulders and cobbles in fill	4-2-2						
25		2-4-5	43.1	29	27.9	10.1		
30	Stiff, very moist, quartzite cobble in tip of sampler	6-6-6			26.7	2.49	35	18
	33.0							
35	Granodiorite Bedrock, very hard, weathers to clay and granitic powder	6-25-24						
	36.5							
	End of Boring, refusal on dense rock, no groundwater encountered							

Graphics Legend

Silty Gravel

SPT - Standard Penetration Test

FIGURE

A-4

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-2

Date Started:	10/12/2023	Project Number:	03511-031	Remarks:	-
Date Completed:	10/12/2023	Boring Elevation:	N/A		
Logged By:	Dylan Butt	Drill Rig:	Geoprobe 3100GT		
Driller:	JT	Boring Diameter:	8"		
Drilling Firm:	Direct Push Services	Depth:	41.5'		
Coordinates:	40.609278, -111.508487	Water Level At Time Of Drilling:	N/A	Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	Lab: % Sand	Lab: % Fines	Lab: Moisture Content (%)	Lab: Liquid Limit	Lab: Plasticity Index
				Undocumented Fill **Silty GRAVEL with Sand**, medium dense, moist, dark yellow orange							
5				darker, with organics							
10				**Lean CLAY with Gravel**, medium stiff, moist, brown							
15				**Clayey SAND with Gravel**, loose, very moist, moderate yellow brown	3-3-3			38.1	3.56	39	22
20				**Clayey GRAVEL**, loose, very moist, moderate yellow brown, low plasticity index	2-3-3						
25				**Sandy Lean CLAY with Gravel**, stiff, moist, dark yellow orange, uniform color with a root sand is medium- to coarse-grained, volcanics, low to moderate plasticity	2-2-2	10.8	37.4	51.8	18.90	42	21
30				**Clayey GRAVEL**, loose, very moist, moderate yellow brown, low plasticity index, rock stuck in sampler tip	6-2-1						
35			SC	Native 35.1 **Clayey SAND with Gravel**, dense, moist, dark yellow orange, , roots	6-5-6	18	14.6	67.4	11.87		
40				41.5	7-20-22						
				End of Boring, no groundwater encountered							

Graphics Legend

Silty Gravel

SC

Grab - Grab Sample

SPT - Standard Penetration Test

FIGURE

A-5

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-3

Date Started:	10/12/2023	Project Number:	03511-031	Remarks:	-
Date Completed:	10/12/2023	Boring Elevation:	N/A		
Logged By:	Dylan Butt	Drill Rig:	Geoprobe 3100GT		
Driller:	JT	Boring Diameter:	8"		
Drilling Firm:	Direct Push Services	Depth:	11.5'		
Coordinates:	40.609140, -111.508958	Water Level At Time Of Drilling:	N/A	Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	Lab: % Sand	Lab: % Fines	Lab: Moisture Content (%)	Lab: Liquid Limit	Lab: Plasticity Index
				Undocumented Fill							
				Clayey GRAVEL, loose, moist, moderate yellow brown	1-3-6			41.8	16.95	34	17
5					1-1-2						
					3-2-2	14.7	33.3	52	10.03	37	19
10					3-7-6			41	10		
				Medium dense 11.5							
				End of Boring, no groundwater encountered							

Graphics Legend

Clayey Gravel

Grab - Grab Sample

SPT - Standard Penetration Test

-

FIGURE

A-6

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-4

Date Started:	10/12/2023	Project Number:	03511-031	Remarks:	-
Date Completed:	10/12/2023	Boring Elevation:	N/A		
Logged By:	Dylan Butt	Drill Rig:	Geoprobe 3100GT		
Driller:	JT	Boring Diameter:	8"		
Drilling Firm:	Direct Push Services	Depth:	11.5'		
Coordinates:	40.609030, -111.508622	Water Level At Time Of Drilling:	N/A	Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab % Gravel	Lab % Sand	Lab % Fines	Lab Moisture Content (%)	Lab Liquid Limit	Lab Plasticity Index
				Undocumented Fill							
				Clayey GRAVEL, loose, moist, moderate yellow brown	2-1-2						
5			GC	Medium dense	5-7-12						
					6-7-3	44.7	28.3	27	20.9		
10				Loose	1-1-3	65.3	19.5	15.2	10.9		
				11.5							
				End of Boring, no groundwater encountered							

Graphics Legend

GC

Grab - Grab Sample

SPT - Standard Penetration Test

-

FIGURE

A-7

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-5

Date Started:	05/20/2024	Project Number:	03511-034	Remarks:	
Date Completed:	05/20/2024	Boring Elevation:	N/A	-	
Logged By:	DB	Drill Rig:	Geoprobe 7822DT		
Driller:	Conner	Boring Diameter:	8"		
Drilling Firm:	Direct Push	Depth:	21.5'		
Coordinates:	40.609125, -111.508719	▽ Water Level At Time Of Drilling:	N.E.	▼ Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	% Sand	% Fines	Moisture Content (%)	Liquid Limit	Plasticity Index
5			GM	**Undocumented Fill**; **Silty GRAVEL with sand** - medium dense, moist, dark yellow orange, low plasticity							
10											
15				16.0	2-1-2						
			SC	**Undocumented Fill**; **Sandy Lean CLAY** - soft, moist, blackish brown, organic odor, roots and debris common 17.0	9-10-7						
20				**Native Colluvium**; **Clayey SAND with gravel** - dense, moist, dark yellow orange, Low Plasticity, some parts are Sandy Lean CLAY (CL), occasional clasts of weathered porphery, unit resembles colluvium 19.0	9-12-10						
				Granodiorite Porphery Bedrock; moist, dark yellow orange, highly weathered, minimally fractured, medium soft to soft, easily disaggregates to a Clayey SAND (SC), common phenocrysts of plagioclase, felspar, mica, and quartz 21.5							
				End of Boring							

Graphics Legend

GM — Sandy Lean Clay

SC

SS - Small Split Spoon

FIGURE

A-8

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-6

Date Started:	05/20/2024	Project Number:	03511-034	Remarks:	
Date Completed:	05/20/2024	Boring Elevation:	~8699.0'	-	
Logged By:	DB	Drill Rig:	Geoprobe 7822DT		
Driller:	Conner	Boring Diameter:	-		
Drilling Firm:	Direct Push	Depth:	19.5'		
Coordinates:	40.609013, -111.508709	▽ Water Level At Time Of Drilling:	N.E.	▼ Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	% Sand	% Fines	Moisture Content (%)	Liquid Limit	Plasticity Index
5			GM	**Undocumented Fill**; **Silty GRAVEL with sand** - medium dense, moist, dark yellow orange, low plasticity							
10				Cobble blocks sampler	20-27-16						
				14.0							
15			SC	**Native Colluvium**; **Clayey SAND with gravel** - dense, moist, dark yellow orange, Low Plasticity, some parts are Sandy Lean CLAY (CL), occasional clasts of weathered porphery, trace roots, unit resembles colluvium	11-16-14						
				17.0	19-20-17						
				Granodiorite Porphery Bedrock; moist, dark yellow orange, highly weathered, minimally fractured, medium soft to soft, easily disaggregates to a Clayey SAND (SC), common phenocrysts of plagioclase, felspar, mica, and quartz							
				19.5							
				End of Boring							

Graphics Legend

GM

SC

SS - Small Split Spoon

Modified CA - Modified California Sampler

FIGURE

A-9

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-7

Date Started:	05/20/2024	Project Number:	03511-034	Remarks:	-
Date Completed:	05/20/2024	Boring Elevation:	~8689.1'		
Logged By:	DB	Drill Rig:	Geoprobe 7822DT		
Driller:	Conner	Boring Diameter:	-		
Drilling Firm:	Direct Push	Depth:	23.5'		
Coordinates:	40.609157, -111.508985	▽ Water Level At Time Of Drilling:	N.E.	▼ Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	% Sand	% Fines	Moisture Content (%)	Liquid Limit	Plasticity Index
0			GM	**Undocumented Fill**; **Silty GRAVEL with sand** - medium dense, moist, dark yellow orange							
5											
10											
15				cobble plugged sampler 16.0	11-23-26						
20			SC	**Native Colluvium**; **Clayey SAND with gravel** - dense, moist, dark yellow orange, Low Plasticity, some parts are Sandy Lean CLAY (CL), occasional clasts of weathered porphery, unit resembles colluvium 22.0	5-7-7 10-6-6						
				Granodiorite Porphery Bedrock; moist, dark yellow orange, highly weathered, minimally fractured, medium soft to soft, easily disaggregates to a Clayey SAND (SC), common phenocrysts of plagioclase, felspar, mica, and quartz 23.5	30-21-17						
				End of Boring							

Graphics Legend

GM

SC

SS - Small Split Spoon

-

FIGURE

A-10

Geotechnical Investigation - Hot Creek Restaurant

10206 Twisted Branch Road, Park City, Utah

B-8

Date Started:	05/20/2024	Project Number:	03511-034	Remarks:	-
Date Completed:	05/20/2024	Boring Elevation:	~8703.7'		
Logged By:	DB	Drill Rig:	Geoprobe 7822DT		
Driller:	Conner	Boring Diameter:	-		
Drilling Firm:	Direct Push	Depth:	16.5'		
Coordinates:	40.609039, -111.508993	Water Level At Time Of Drilling:	N.E.	Delayed Water Level:	N/A
		Cave-in At Time Of Drilling:	N/A	Delayed Water Observation Date:	N/A

Depth (Ft)	Sample Graphic	Graphic Log	USCS	Visual Classification and Remarks	Blow Counts	Lab: % Gravel	Lab: % Sand	Lab: % Fines	Lab: Moisture Content (%)	Lab: Liquid Limit	Lab: Plasticity Index
5			GM	**Undocumented Fill**; **Silty GRAVEL with sand** - soft, very moist, medium brown, Low Plasticity	2-1-2						
					6-12-9						
				Fill; Sample disturbed by rock 9.5							
10			SC	**Native Colluvium**; **Clayey SAND** - dense, moist, dark yellow orange, Low Plasticity, some parts are Sandy Lean CLAY (CL), occasional clasts of weathered porphery, unit resembles colluvium 14.0	6-7-5						
15				**Granodiorite Porphery Bedrock**; moist, dark yellow orange, highly weathered, minimally fractured, medium soft to soft, easily disaggregates to a Clayey SAND (SC), common phenocrysts of plagioclase, felspar, mica, and quartz 16.5	13-16-20						
				End of Boring							

Graphics Legend

GM

SC

SS - Small Split Spoon

-

FIGURE

A-11

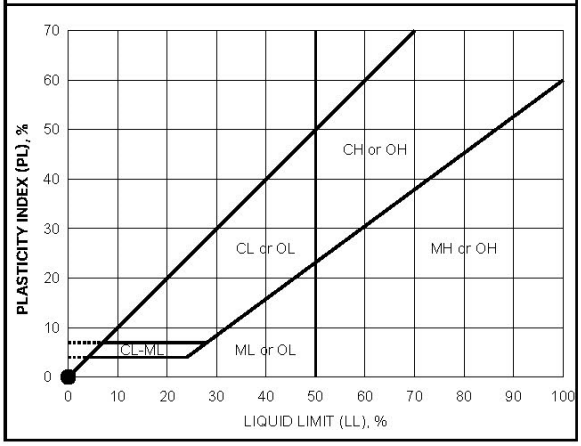
SOIL CLASSIFICATION CHART PER ASTM D 2488

PRIMARY DIVISIONS			SECONDARY DIVISIONS		
			GROUP SYMBOL	GROUP NAME	
COARSE-GRAINED SOILS more than 50% retained on No. 200 sieve	GRAVEL more than 50% of coarse fraction retained on No. 4 sieve	CLEAN GRAVEL less than 5% fines	GW	well-graded GRAVEL	
			GP	poorly-graded GRAVEL	
		GRAVEL with DUAL CLASSIFICATIONS 5% to 12% fines	GW-GM	well-graded GRAVEL with silt	
			GP-GM	poorly-graded GRAVEL with silt	
			GW-GC	well-graded GRAVEL with clay	
			GP-GC	poorly-graded GRAVEL with clay	
		GRAVEL with FINES more than 12% fines	GM	silty GRAVEL	
			GC	clayley GRAVEL	
			GC-GM	silty, clayley GRAVEL	
	SAND 50% or more of coarse fraction retained on No. 4 sieve	CLEAN SAND less than 5% fines	SW	well-graded SAND	
			SP	poorly-graded SAND	
		SAND with DUAL CLASSIFICATIONS 5% to 12% fines	SW-SM	well-graded SAND with silt	
			SP-SM	poorly-graded SAND with silt	
			SW-SC	well-graded SAND with clay	
			SP-SC	poorly-graded SAND with clay	
		SAND with FINES more than 12% fines	SM	silty SAND	
			SC	clayley SAND	
			SC-SM	silty, clayley SAND	
FINE-GRAINED SOILS 50% or more passes No. 200 sieve	SILT and CLAY liquid limit less than 50%	INORGANIC	CL	lean CLAY	
			ML	SILT	
			CL-ML	silty CLAY	
		ORGANIC	OL (PI > 4)	organic CLAY	
			OL (PI < 4)	organic CLAY	
	SILT and CLAY liquid limit 50% or more	INORGANIC	CH	fat CLAY	
			MH	elastic SILT	
		ORGANIC	OH (plots on or above 'A'-line)	organic CLAY	
			OH (plots below 'A'-line)	organic SILT	
	Highly Organic Soils		PT	Peat	

GRAIN SIZE

DESCRIPTION		SIEVE SIZE	GRAIN SIZE	APPROXIMATE SIZE
Boulders		> 12"	> 12"	Larger than backetball-sized
Cobbles		3 - 12"	3 - 12"	Fist-sized to backetball-sized
Gravel	Coarse	3/4 - 3"	3/4 - 3"	Thumb-sized to fist-sized
	Fine	#4 - 3/4"	0.19 - 0.75"	Pea-sized to thumb-sized
Sand	Coarse	#10 - #4	0.079 - 0.19"	Rock-salt-sized to pea-sized
	Medium	#40 - #10	0.017 - 0.079"	Sugar-sized to rock-salt-sized
	Fine	#200 - #40	0.0029 - 0.017"	Flour-sized to sugar-sized
Fines		Passing #200	< 0.0029"	Flour-sized and smaller

PLASTICITY CHART



APPARENT DENSITY - COARSE-GRAINED SOIL

APPARENT DENSITY	SPOOLING CABLE OR CATHEAD		AUTOMATIC TRIP HAMMER	
	SPT (blows/foot)	MODIFIED SPLIT BARREL (blows/foot)	SPT (blows/foot)	MODIFIED SPLIT BARREL (blows/foot)
Very Loose	≤ 4	≤ 8	≤ 3	≤ 5
Loose	5 - 10	9 - 21	4 - 7	6 - 14
Medium Dense	11 - 30	22 - 63	8 - 20	15 - 42
Dense	31 - 50	64 - 105	21 - 33	43 - 70
Very Dense	> 50	> 105	> 33	> 70

CONSISTENCY - FINE-GRAINED SOIL

CONSISTENCY	SPOOLING CABLE OR CATHEAD		AUTOMATIC TRIP HAMMER	
	SPT (blows/foot)	MODIFIED SPLIT BARREL (blows/foot)	SPT (blows/foot)	MODIFIED SPLIT BARREL (blows/foot)
Very Soft	< 2	< 3	< 1	< 2
Soft	2 - 4	3 - 5	1 - 3	2 - 3
Firm	5 - 8	6 - 10	4 - 5	4 - 6
Stiff	9 - 15	11 - 20	6 - 10	7 - 13
Very Stiff	16 - 30	21 - 39	11 - 20	14 - 26
Hard	> 30	> 39	> 20	> 26

APPENDIX B

Liquid Limit, Plastic Limit, and Plasticity Index of Soils

(ASTM D4318)

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Project: Hot Creek Resturant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/23/2023
By: BRR
Grooving tool type: Plastic
Liquid limit device: Mechanical
Rolling method: Hand

Boring No.: B-1
Sample:
Depth: 30.0'
Description: Brown lean clay

Preparation method: Air Dry
Liquid limit test method: Multipoint
Screened over No.40: Yes
Larger particles removed: Dry sieved

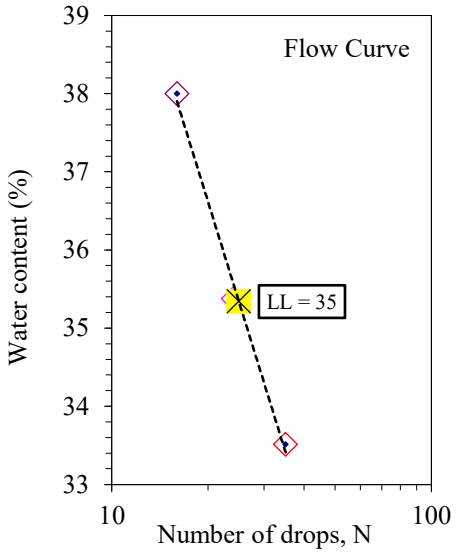
Plastic Limit

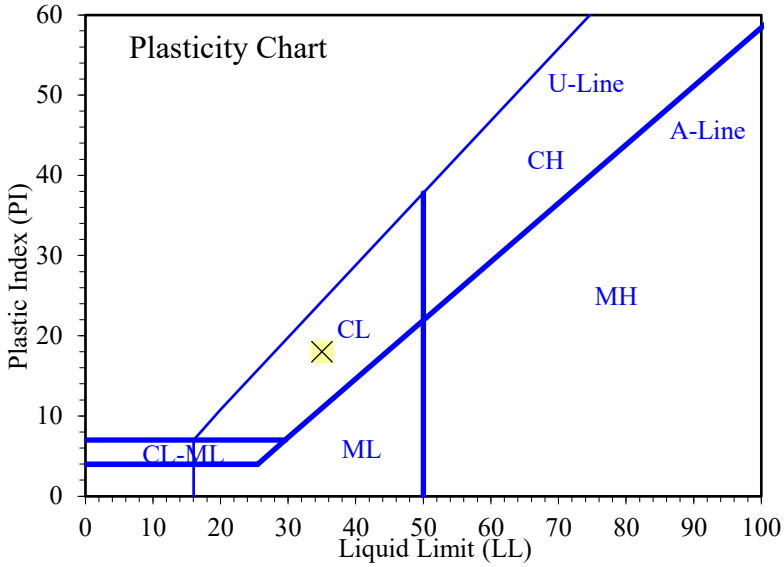
Determination No	1	2				
Wet Soil + Tare (g)	13.79	13.42				
Dry Soil + Tare (g)	12.81	12.52				
Water Loss (g)	0.98	0.90				
Tare (g)	7.08	7.06				
Dry Soil (g)	5.73	5.46				
Water Content, w (%)	17.10	16.48				

Liquid Limit

Determination No	1	2	3			
Number of Drops, N	35	24	16			
Wet Soil + Tare (g)	12.23	12.78	14.05			
Dry Soil + Tare (g)	10.99	11.28	12.34			
Water Loss (g)	1.24	1.50	1.71			
Tare (g)	7.29	7.04	7.84			
Dry Soil (g)	3.70	4.24	4.50			
Water Content, w (%)	33.51	35.38	38.00			
One-Point LL (%)		35				

Liquid Limit, LL (%)	**35**
Plastic Limit, PL (%)	**17**
Plasticity Index, PI (%)	**18**





Entered by:_____
Reviewed:_____

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Liquid Limit, Plastic Limit, and Plasticity Index of Soils

(ASTM D4318)

© IGES 2004, 2023

Project: Hot Creek Resturant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/23/2023
By: BRR
Grooving tool type: Plastic
Liquid limit device: Mechanical
Rolling method: Hand

Boring No.: B-2
Sample:
Depth: 15.0'
Description: Brown lean clay

Preparation method: Air Dry
Liquid limit test method: Multipoint
Screened over No.40: Yes
Larger particles removed: Dry sieved

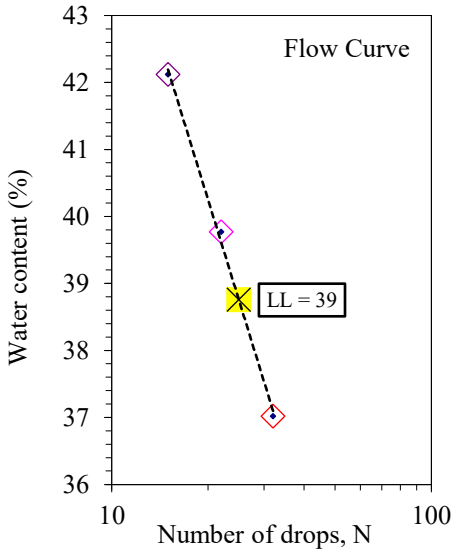
Plastic Limit

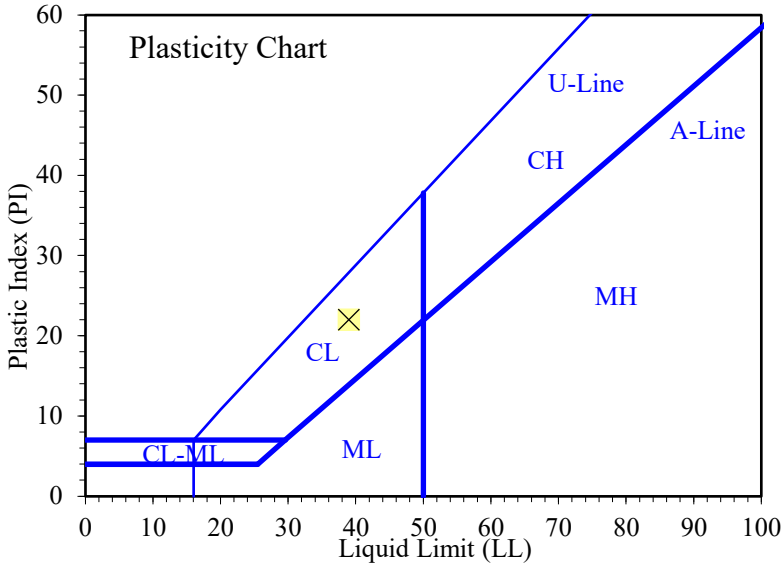
Determination No	1	2				
Wet Soil + Tare (g)	13.42	13.95				
Dry Soil + Tare (g)	12.48	12.95				
Water Loss (g)	0.94	1.00				
Tare (g)	7.05	7.03				
Dry Soil (g)	5.43	5.92				
Water Content, w (%)	17.31	16.89				

Liquid Limit

Determination No	1	2	3			
Number of Drops, N	32	22	15			
Wet Soil + Tare (g)	12.07	11.96	12.74			
Dry Soil + Tare (g)	10.73	10.58	11.27			
Water Loss (g)	1.34	1.38	1.47			
Tare (g)	7.11	7.11	7.78			
Dry Soil (g)	3.62	3.47	3.49			
Water Content, w (%)	37.02	39.77	42.12			
One-Point LL (%)		39				

Liquid Limit, LL (%)	**39**
Plastic Limit, PL (%)	**17**
Plasticity Index, PI (%)	**22**





Entered by:_____
Reviewed:_____

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Liquid Limit, Plastic Limit, and Plasticity Index of Soils

(ASTM D4318)

© IGES 2004, 2023

Project: Hot Creek Resturant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/25/2023
By: RH
Grooving tool type: Plastic
Liquid limit device: Mechanical
Rolling method: Hand

Boring No.: B-2
Sample:
Depth: 25.0'
Description: Brown lean clay

Preparation method: Wet
Liquid limit test method: Multipoint
Screened over No.40: Yes
Larger particles removed: Wet sieved

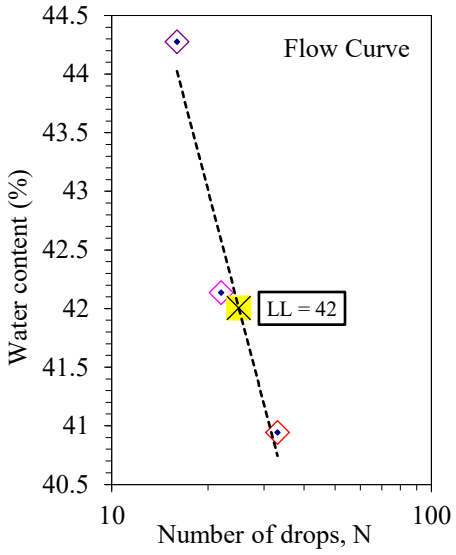
Plastic Limit

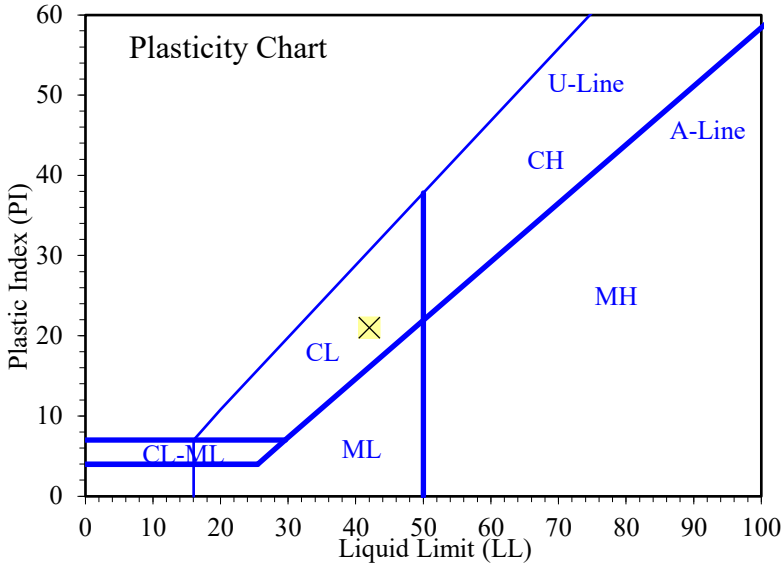
Determination No	1	2				
Wet Soil + Tare (g)	14.30	14.01				
Dry Soil + Tare (g)	13.03	12.78				
Water Loss (g)	1.27	1.23				
Tare (g)	7.10	7.06				
Dry Soil (g)	5.93	5.72				
Water Content, w (%)	21.42	21.50				

Liquid Limit

Determination No	1	2	3			
Number of Drops, N	33	22	16			
Wet Soil + Tare (g)	13.19	14.37	14.41			
Dry Soil + Tare (g)	11.54	12.20	12.36			
Water Loss (g)	1.65	2.17	2.05			
Tare (g)	7.51	7.05	7.73			
Dry Soil (g)	4.03	5.15	4.63			
Water Content, w (%)	40.94	42.14	44.28			
One-Point LL (%)		41				

Liquid Limit, LL (%)	**42**
Plastic Limit, PL (%)	**21**
Plasticity Index, PI (%)	**21**





Entered by:_____
Reviewed:_____

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Liquid Limit, Plastic Limit, and Plasticity Index of Soils

(ASTM D4318)

© IGES 2004, 2023

Project: Hot Creek Resturant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/25/2023
By: RH
Grooving tool type: Plastic
Liquid limit device: Mechanical
Rolling method: Hand

Boring No.: B-3
Sample:
Depth: 2.5'
Description: Brown lean clay

Preparation method: Air Dry
Liquid limit test method: Multipoint
Screened over No.40: Yes
Larger particles removed: Dry sieved

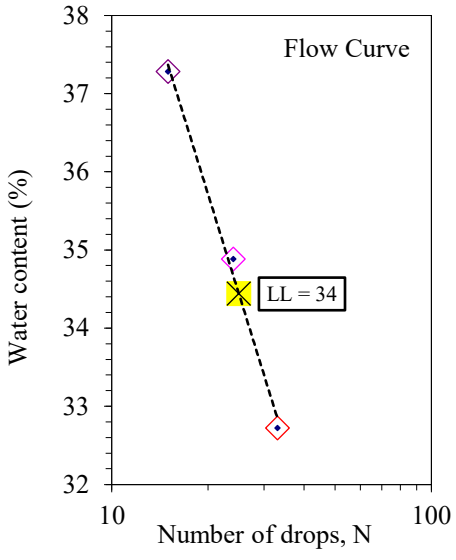
Plastic Limit

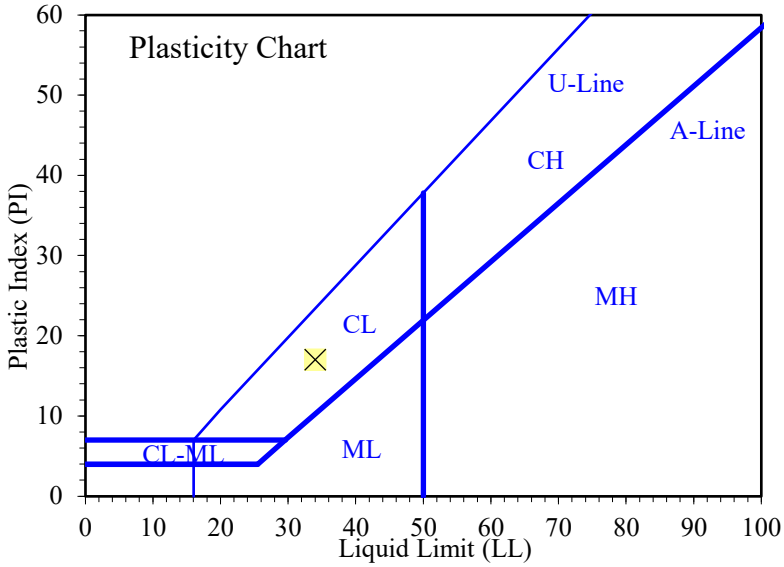
Determination No	1	2				
Wet Soil + Tare (g)	13.82	13.44				
Dry Soil + Tare (g)	12.82	12.50				
Water Loss (g)	1.00	0.94				
Tare (g)	7.06	7.06				
Dry Soil (g)	5.76	5.44				
Water Content, w (%)	17.36	17.28				

Liquid Limit

Determination No	1	2	3			
Number of Drops, N	33	24	15			
Wet Soil + Tare (g)	12.80	13.43	13.48			
Dry Soil + Tare (g)	11.55	11.93	11.75			
Water Loss (g)	1.25	1.50	1.73			
Tare (g)	7.73	7.63	7.11			
Dry Soil (g)	3.82	4.30	4.64			
Water Content, w (%)	32.72	34.88	37.28			
One-Point LL (%)		35				

Liquid Limit, LL (%)	**34**
Plastic Limit, PL (%)	**17**
Plasticity Index, PI (%)	**17**





Entered by:_____
Reviewed:_____

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Liquid Limit, Plastic Limit, and Plasticity Index of Soils

(ASTM D4318)

© IGES 2004, 2023

Project: Hot Creek Resturant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/25/2023
By: RH
Grooving tool type: Plastic
Liquid limit device: Mechanical
Rolling method: Hand

Boring No.: B-3
Sample:
Depth: 7.5'
Description: Brown lean clay

Preparation method: Wet
Liquid limit test method: Multipoint
Screened over No.40: Yes
Larger particles removed: Wet sieved

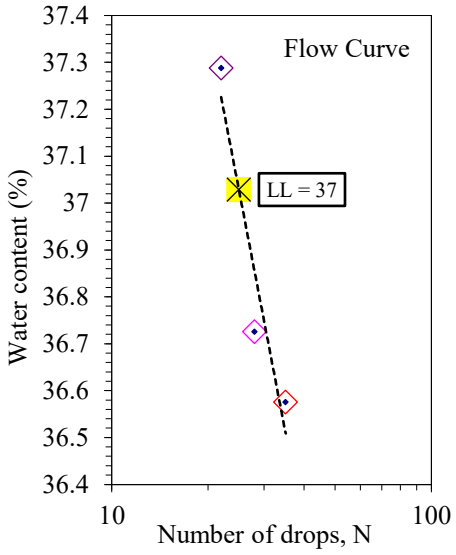
Plastic Limit

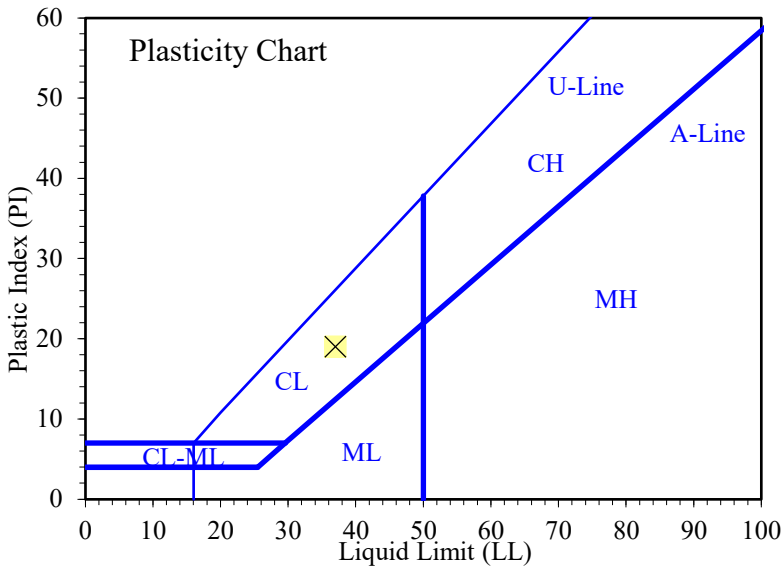
Determination No	1	2				
Wet Soil + Tare (g)	13.95	13.59				
Dry Soil + Tare (g)	12.97	12.61				
Water Loss (g)	0.98	0.98				
Tare (g)	7.64	7.01				
Dry Soil (g)	5.33	5.60				
Water Content, w (%)	18.39	17.50				

Liquid Limit

Determination No	1	2	3			
Number of Drops, N	35	28	22			
Wet Soil + Tare (g)	10.85	10.86	12.58			
Dry Soil + Tare (g)	9.91	10.03	11.26			
Water Loss (g)	0.94	0.83	1.32			
Tare (g)	7.34	7.77	7.72			
Dry Soil (g)	2.57	2.26	3.54			
Water Content, w (%)	36.58	36.73	37.29			
One-Point LL (%)		37	37			

Liquid Limit, LL (%)	**37**
Plastic Limit, PL (%)	**18**
Plasticity Index, PI (%)	**19**





Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[ALv2.xlsm]5

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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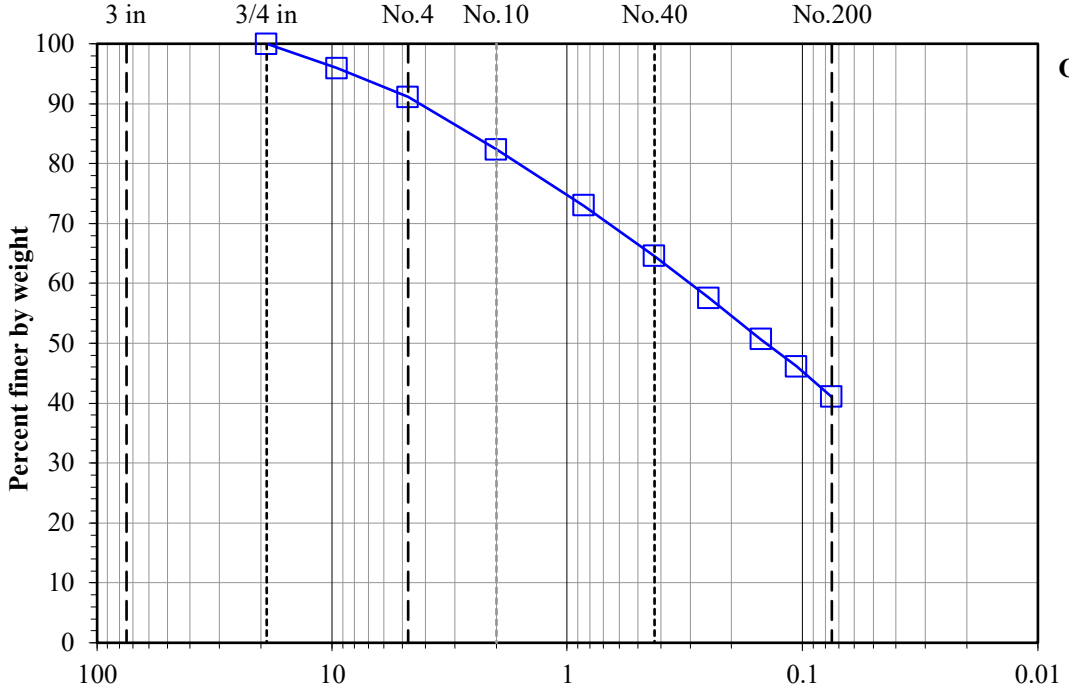
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/26/2023
By: SE

Boring No.: B-1
Sample:
Depth: 5.0'
Description: Brown clayey sand

	Moist	Dry
Split:	Yes	
Split sieve:	3/8"	
Total sample wt. (g):	738.33	628.71
+3/8" Coarse fraction (g):	26.55	25.82
-3/8" Split fraction (g):	216.56	183.43
Split fraction:	0.959	

Water content data	C.F.(+3/8")	S.F.(-3/8")
Moist soil + tare (g):	149.70	344.09
Dry soil + tare (g):	148.97	310.96
Tare (g):	123.15	127.53
Water content (%):	2.8	18.1

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer	
6"	-	150	-	
4"	-	100	-	
3"	-	75	-	
1.5"	-	37.5	-	
1"	-	25	-	
3/4"	-	19	100.0	
3/8"	25.82	9.5	95.9	←Split
No.4	9.13	4.75	91.1	
No.10	25.89	2	82.4	
No.20	43.83	0.85	73.0	
No.40	59.97	0.425	64.5	
No.60	73.32	0.25	57.6	
No.100	86.51	0.15	50.7	
No.140	95.23	0.106	46.1	
No.200	104.88	0.075	41.1	



Gravel (%): 8.9
Sand (%): 50.1
Fines (%): 41.1

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]1

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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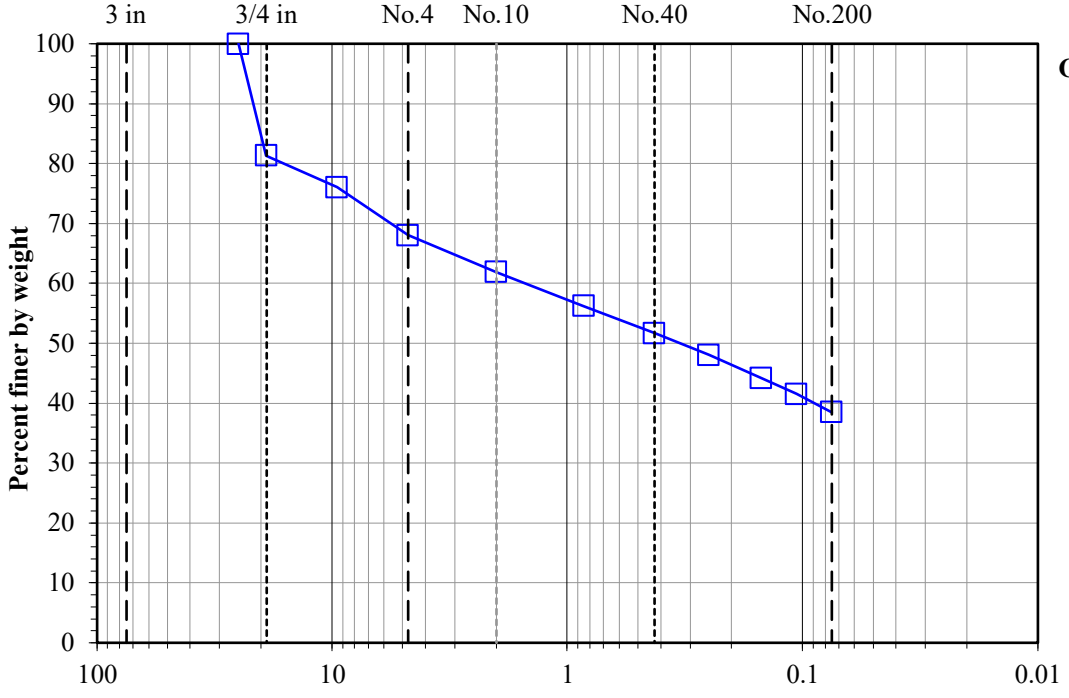
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/26/2023
By: SE

Boring No.: B-1
Sample:
Depth: 10.0'
Description: Brown clayey gravel with sand

	Moist	Dry
Split:	Yes	
Split sieve:	3/8"	
Total sample wt. (g):	399.51	357.94
+3/8" Coarse fraction (g):	87.88	85.84
-3/8" Split fraction (g):	226.20	197.51
Split fraction:	0.760	

Water content data	C.F.(+3/8")	S.F.(-3/8")
Moist soil + tare (g):	248.53	353.20
Dry soil + tare (g):	246.48	324.51
Tare (g):	160.38	127.00
Water content (%):	2.4	14.5

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer	
6"	-	150	-	
4"	-	100	-	
3"	-	75	-	
1.5"	-	37.5	-	
1"	-	25	100.0	
3/4"	66.80	19	81.3	
3/8"	85.84	9.5	76.0	←Split
No.4	20.76	4.75	68.0	
No.10	36.76	2	61.9	
No.20	51.40	0.85	56.2	
No.40	63.26	0.425	51.7	
No.60	72.62	0.25	48.1	
No.100	82.72	0.15	44.2	
No.140	89.54	0.106	41.6	
No.200	97.37	0.075	38.5	



Gravel (%): 32.0
Sand (%): 29.5
Fines (%): 38.5

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]2

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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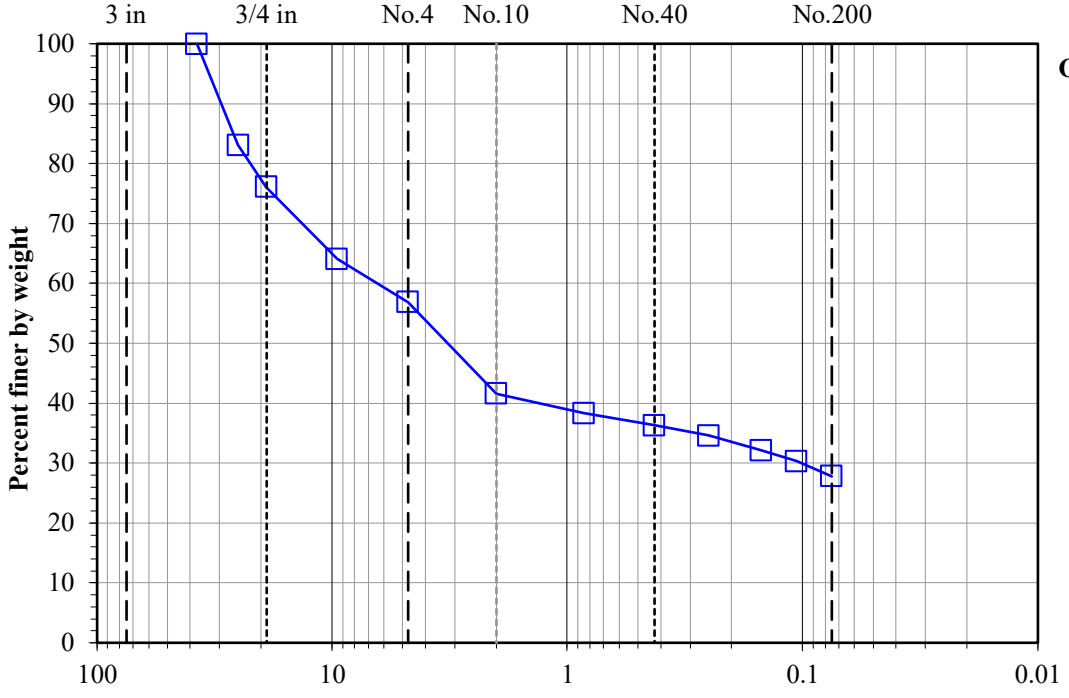
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/25/2023
By: CJ

Boring No.: B-1
Sample:
Depth: 25.0'
Description: Brown clayey gravel with sand

	Moist	Dry
Split:	Yes	
Split sieve:	No.4	
Total sample wt. (g):	468.65	425.50
+No.4 Coarse fraction (g):	186.11	183.49
-No.4 Split fraction (g):	204.17	174.88
Split fraction:	0.569	

Water content data	C.F.(+No.4)	S.F.(-No.4)
Moist soil + tare (g):	322.54	327.54
Dry soil + tare (g):	319.79	298.25
Tare (g):	126.90	123.37
Water content (%):	1.4	16.7

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer	
6"	-	150	-	
4"	-	100	-	
3"	-	75	-	
1.5"	-	37.5	100.0	
1"	71.83	25	83.1	
3/4"	101.75	19	76.1	
3/8"	152.91	9.5	64.1	
No.4	183.49	4.75	56.9	←Split
No.10	47.00	2	41.6	
No.20	57.06	0.85	38.3	
No.40	63.21	0.425	36.3	
No.60	68.59	0.25	34.6	
No.100	76.07	0.15	32.1	
No.140	81.63	0.106	30.3	
No.200	89.24	0.075	27.9	



Gravel (%): 43.1
Sand (%): 29.0
Fines (%): 27.9

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]3

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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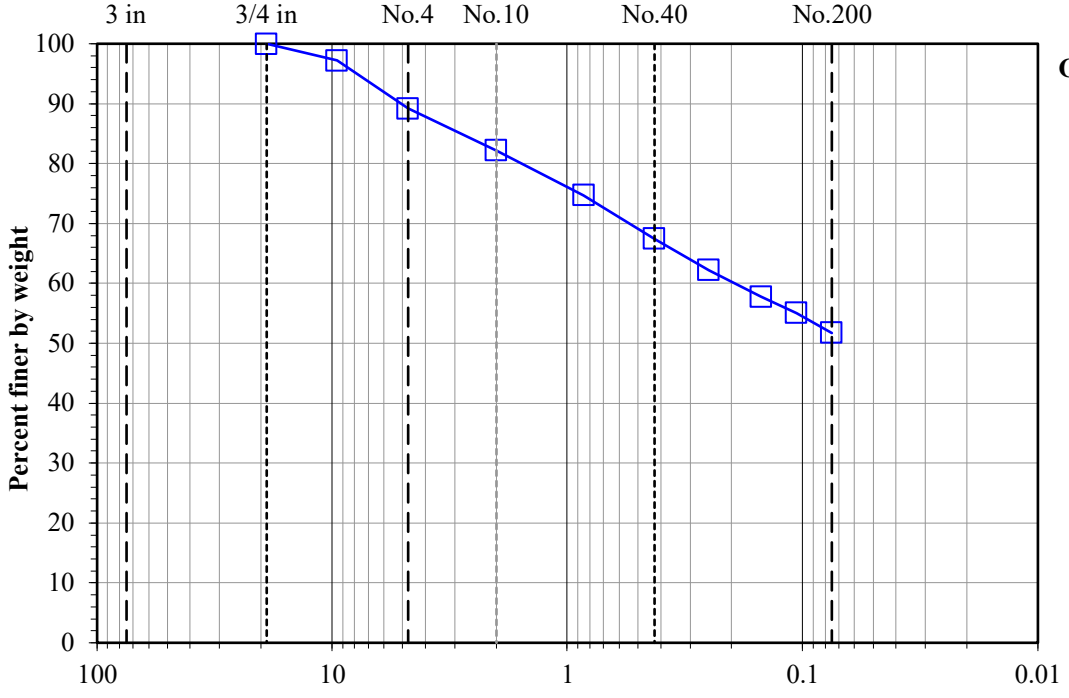
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/20/2023
By: JJ

Boring No.: B-2
Sample:
Depth: 25.0'
Description: Brown sandy clay

	Moist	Dry
Split:	Yes	
Split sieve:	3/8"	
Total sample wt. (g):	774.22	649.68
+3/8" Coarse fraction (g):	18.58	18.33
-3/8" Split fraction (g):	208.05	173.83
Split fraction:	0.972	

Water content data	C.F.(+3/8")	S.F.(-3/8")
Moist soil + tare (g):	43.70	332.53
Dry soil + tare (g):	43.45	298.31
Tare (g):	25.13	124.48
Water content (%):	1.4	19.7

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer	
6"	-	150	-	
4"	-	100	-	
3"	-	75	-	
1.5"	-	37.5	-	
1"	-	25	-	
3/4"	-	19	100.0	
3/8"	18.33	9.5	97.2	←Split
No.4	14.28	4.75	89.2	
No.10	26.83	2	82.2	
No.20	40.21	0.85	74.7	
No.40	53.17	0.425	67.5	
No.60	62.57	0.25	62.2	
No.100	70.49	0.15	57.8	
No.140	75.35	0.106	55.1	
No.200	81.21	0.075	51.8	



Gravel (%): 10.8
Sand (%): 37.4
Fines (%): 51.8

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]4

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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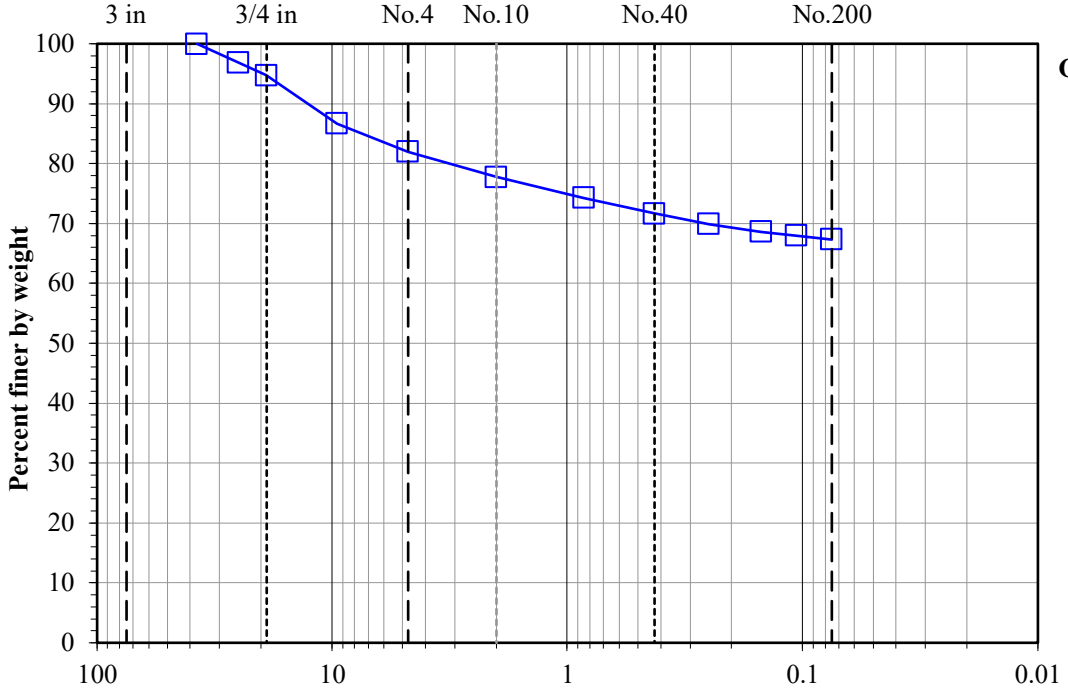
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/26/2023
By: SE

Boring No.: B-2
Sample:
Depth: 35.0'
Description: Light brown gravelly clay

	Moist	Dry
Split:	Yes	
Split sieve:	3/8"	
Total sample wt. (g):	792.99	708.88
+3/8" Coarse fraction (g):	98.86	94.60
-3/8" Split fraction (g):	693.74	613.94
Split fraction:	0.867	

Water content data	C.F.(+3/8")	S.F.(-3/8")
Moist soil + tare (g):	239.51	364.27
Dry soil + tare (g):	235.23	339.96
Tare (g):	140.30	152.94
Water content (%):	4.5	13.0

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer	
6"	-	150	-	
4"	-	100	-	
3"	-	75	-	
1.5"	-	37.5	100.0	
1"	22.26	25	96.9	
3/4"	37.12	19	94.8	
3/8"	94.60	9.5	86.7	←Split
No.4	33.01	4.75	82.0	
No.10	62.92	2	77.8	
No.20	87.77	0.85	74.3	
No.40	106.13	0.425	71.7	
No.60	118.54	0.25	69.9	
No.100	127.77	0.15	68.6	
No.140	132.30	0.106	68.0	
No.200	136.43	0.075	67.4	



Gravel (%): 18.0
Sand (%): 14.6
Fines (%): 67.4

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]5

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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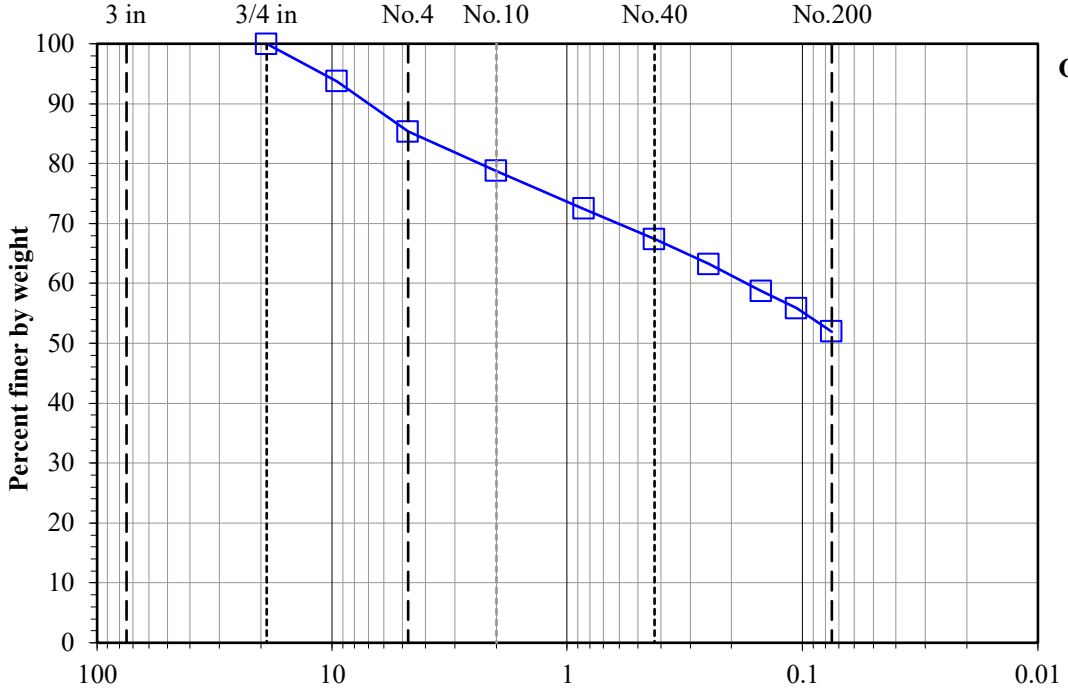
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/26/2023
By: BRR

Boring No.: B-3
Sample:
Depth: 7.5'
Description: Brown sandy clay

Split:	Yes	
Split sieve:	No.10	
	Moist	Dry
Total sample wt. (g):	256.03	232.73
No.10 Coarse fraction (g):	49.99	49.41
-No.10 Split fraction (g):	69.58	61.91
Split fraction:	0.788	

Water content data	C.F.(+No.10)	S.F.(-No.10)
Moist soil + tare (g):	181.48	195.93
Dry soil + tare (g):	180.85	188.26
Tare (g):	127.51	126.35
Water content (%):	1.2	12.4

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer	
6"	-	150	-	
4"	-	100	-	
3"	-	75	-	
1.5"	-	37.5	-	
1"	-	25	-	
3/4"	-	19	100.0	
3/8"	14.63	9.5	93.7	
No.4	34.14	4.75	85.3	
No.10	49.41	2	78.8	←Split
No.20	4.94	0.85	72.5	
No.40	8.95	0.425	67.4	
No.60	12.22	0.25	63.2	
No.100	15.73	0.15	58.8	
No.140	18.03	0.106	55.8	
No.200	21.03	0.075	52.0	



Gravel (%): 14.7
Sand (%): 33.3
Fines (%): 52.0

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]6

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

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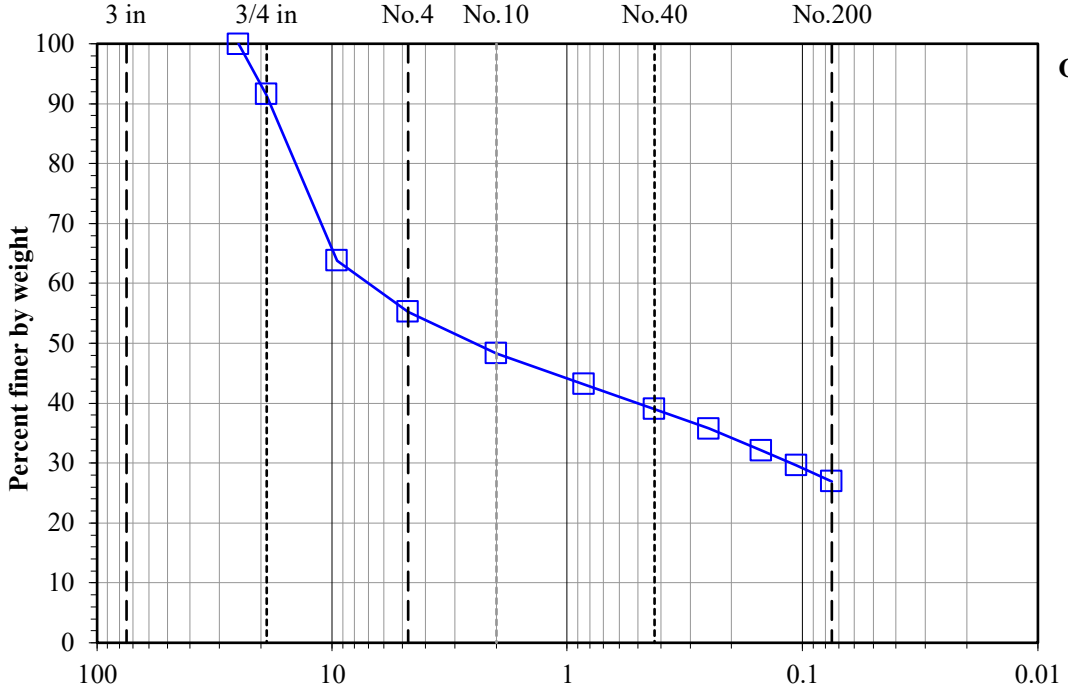
Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/26/2023
By: CJ

Boring No.: B-4
Sample:
Depth: 7.5'
Description: Brown clayey gravel with sand

Split:	No	
	Moist	Dry
Total sample wt. (g):	216.37	178.91
	-	
Split fraction:	1.000	

Water content data		
Moist soil + tare (g):	-	339.36
Dry soil + tare (g):	-	301.90
Tare (g):	-	122.99
Water content (%):	0.0	20.9

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer
6"	-	150	-
4"	-	100	-
3"	-	75	-
1.5"	-	37.5	-
1"	-	25	100.0
3/4"	15.08	19	91.6
3/8"	64.72	9.5	63.8
No.4	80.04	4.75	55.3
No.10	92.46	2	48.3
No.20	101.68	0.85	43.2
No.40	109.09	0.425	39.0
No.60	114.90	0.25	35.8
No.100	121.42	0.15	32.1
No.140	125.93	0.106	29.6
No.200	130.65	0.075	27.0



Gravel (%): 44.7
Sand (%): 28.3
Fines (%): 27.0

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]7

Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis

(ASTM D6913)

© IGES 2004, 2023

Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/26/2023
By: CJ

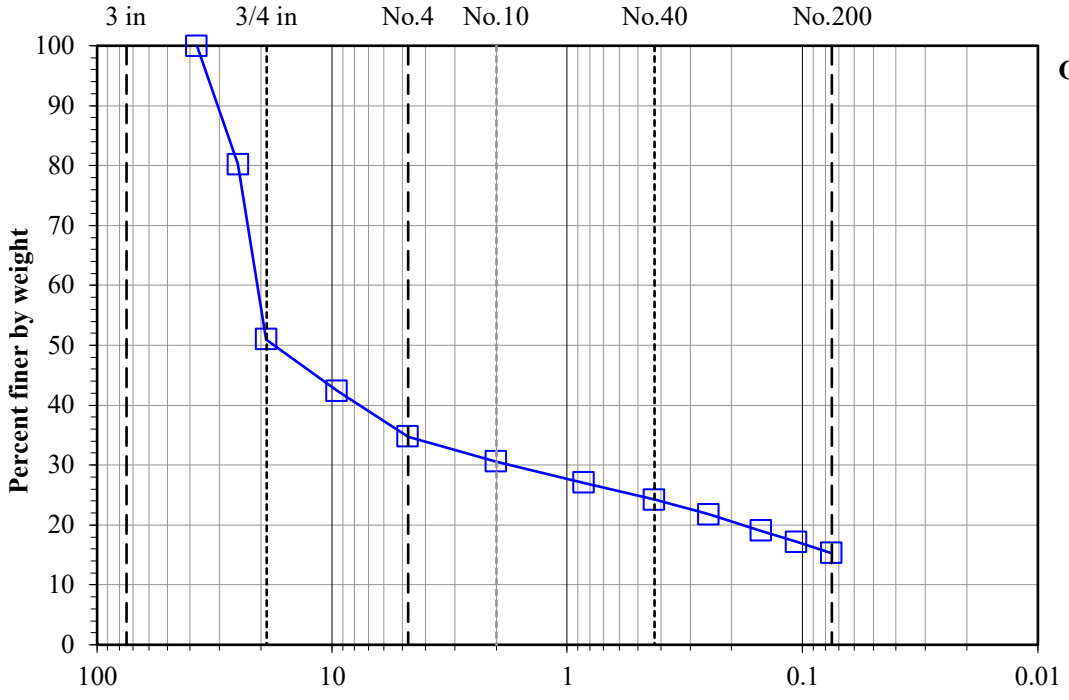
Boring No.: B-4
Sample:
Depth: 10.0'
Description: Light brown clayey gravel with sand

	Moist	Dry
Split:	No	
Total sample wt. (g):	193.16	174.24
	-	
Split fraction:	1.000	

Water content data

Moist soil + tare (g):	-	313.25
Dry soil + tare (g):	-	294.33
Tare (g):	-	120.09
Water content (%):	0.0	10.9

Sieve	Accum. Wt. Ret. (g)	Grain Size (mm)	Percent Finer
6"	-	150	-
4"	-	100	-
3"	-	75	-
1.5"	-	37.5	100.0
1"	34.44	25	80.2
3/4"	85.43	19	51.0
3/8"	100.35	9.5	42.4
No.4	113.72	4.75	34.7
No.10	120.99	2	30.6
No.20	127.11	0.85	27.0
No.40	132.04	0.425	24.2
No.60	136.31	0.25	21.8
No.100	141.06	0.15	19.0
No.140	144.31	0.106	17.2
No.200	147.61	0.075	15.3



Gravel (%): 65.3
Sand (%): 19.5
Fines (%): 15.3

Comments:
These results are in nonconformance with Method D6913 because the minimum dry mass was not met.

Entered by:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[GSDv2.xlsm]8

Amount of Material in Soil Finer than the No. 200 (75µm) Sieve

(ASTM D1140)

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Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/25/2023
By: BRR/CJ

Sample Info.	Boring No.	B-1	B-2	B-3	B-3				
	Sample								
	Depth	30.0'	15.0'	2.5'	10.0'				
	Split	Yes	Yes	Yes	Yes				
	Split Sieve*	No.40	No.40	3/8"	No.10				
	Method	B	B	B	B				
Specimen soak time (min)		400	400	380	360				
Moist total sample wt. (g)		166.05	94.63	549.54	375.69				
Moist coarse fraction (g)		102.85	43.84	71.91	125.84				
Moist split fraction + tare (g)		281.16	170.70	362.44	184.00				
Split fraction tare (g)		223.60	125.04	127.44	123.51				
Dry split fraction (g)		56.16	44.09	200.94	54.99				
Dry retained No. 200 + tare (g)		239.90	137.42	230.02	143.69				
Wash tare (g)		223.60	125.04	127.44	123.51				
No. 200 Dry wt. retained (g)		16.30	12.38	102.58	20.18				
Split sieve* Dry wt. retained (g)		102.17	43.63	69.46	123.37				
Dry total sample wt. (g)		163.83	92.67	477.86	350.50				
Coarse Fraction	Moist soil + tare (g)	227.36	197.84	110.30	249.17				
	Dry soil + tare (g)	226.68	197.63	107.85	246.70				
	Tare (g)	124.51	154.02	38.39	123.33				
	Water content (%)	0.67	0.48	3.53	2.00				
Split Fraction	Moist soil + tare (g)	281.16	170.70	362.44	184.00				
	Dry soil + tare (g)	279.76	169.13	328.38	178.50				
	Tare (g)	223.60	125.04	127.44	123.51				
	Water content (%)	2.49	3.56	16.95	10.00				
Percent passing split sieve* (%)		**37.6**	**52.9**	**85.5**	**64.8**				
Percent passing No. 200 sieve (%)		**26.7**	**38.1**	**41.8**	**41.0**				

Comments:				
	These results are in nonconformance with Method D1140 because the minimum dry mass was not met. Specimen not tested at the as-received water content.	These results are in nonconformance with Method D1140 because the minimum dry mass was not met. Specimen not tested at the as-received water content.	These results are in nonconformance with Method D1140 because the minimum dry mass was not met.	These results are in nonconformance with Method D1140 because the minimum dry mass was not met.

Entered by:_____

Reviewed:_____

Laboratory Compaction Characteristics of Soil

(ASTM D698 / D1557)

© IGES 2004, 2023

Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/24/2023
By: KC

Boring No.: B-2
Sample:
Depth: 1.0'
Sample Description: Brown clayey sand with gravel
Engineering Classification: Not requested
As-received water content (%): Not requested

Method: ASTM D1557 C
Mold Id. INC 7
Mold volume (ft^3): 0.0752

Preparation method: Moist
Rammer: Mechanical-sector face
Rock Correction: Yes * See results below
Percent fraction retained, Pc (%) 7.4
Percent fraction passing, Pf (%) 92.6

Optimum water content (%): 12.6
Maximum dry unit weight (pcf): 119.5

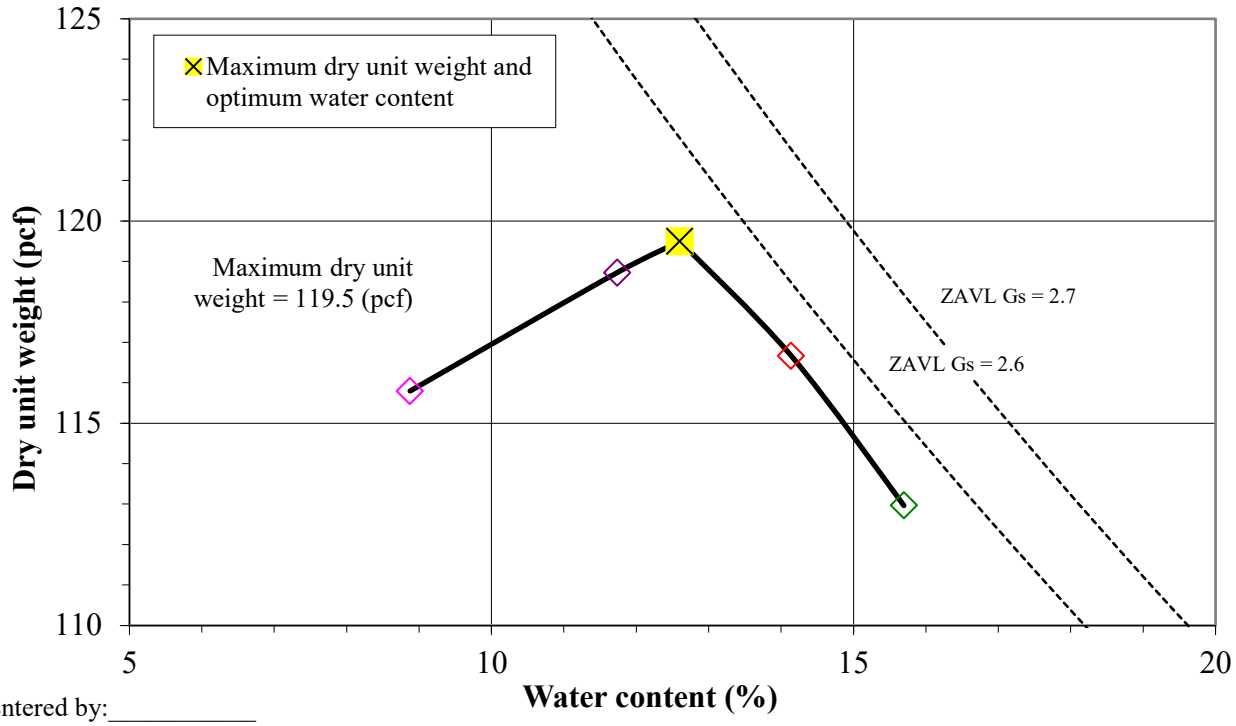
Point Number	-4%	-2%	As is	-6%				
Wt. Sample + Mold (g)	10985.0	11002.3	10918.2	10760.4				
Wt. of Mold (g)	6458.9	6458.9	6458.9	6458.9				
Wet Unit Wt., γ_m (pcf)	132.7	133.2	130.7	126.1				
Wet Soil + Tare (g)	1078.09	1249.45	1561.92	1234.00				
Dry Soil + Tare (g)	998.03	1135.84	1413.50	1159.22				
Tare (g)	315.74	332.24	467.83	316.51				
Water Content, w (%)	**11.7**	**14.1**	**15.7**	**8.9**				
Dry Unit Wt., γ_d (pcf)	**118.7**	**116.7**	**113.0**	**115.8**				

*Correction of Unit Weight and Water Content for Soils Containing Oversize Particles

(ASTM D4718)

Corrected water content (%): 11.8
Corrected dry unit weight (pcf): 122.0

Oversized fraction, +3/4-in. (%): 7.4
Water content, +3/4-in. (%): 1.7
Sieve for oversized fraction: 3/4-in.
Bulk specific gravity, Gs: 2.65 Assumed



Entered by:_____

Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[PROCTORv3.xlsm]1

Laboratory Compaction Characteristics of Soil

(ASTM D698 / D1557)

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Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/24/2023
By: RH

Boring No.: B-3
Sample:
Depth: 1.0'
Sample Description: Orange-brown clay
Engineering Classification: Not requested
As-received water content (%): Not requested

Method: ASTM D698 C
Mold Id. INC 7
Mold volume (ft^3): 0.0752

Preparation method: Moist
Rammer: Mechanical-sector face
Rock Correction: Yes * See results below
Percent fraction retained, Pc (%) 9.2
Percent fraction passing, Pf (%) 90.8

Optimum water content (%): 14.7
Maximum dry unit weight (pcf): 114.8

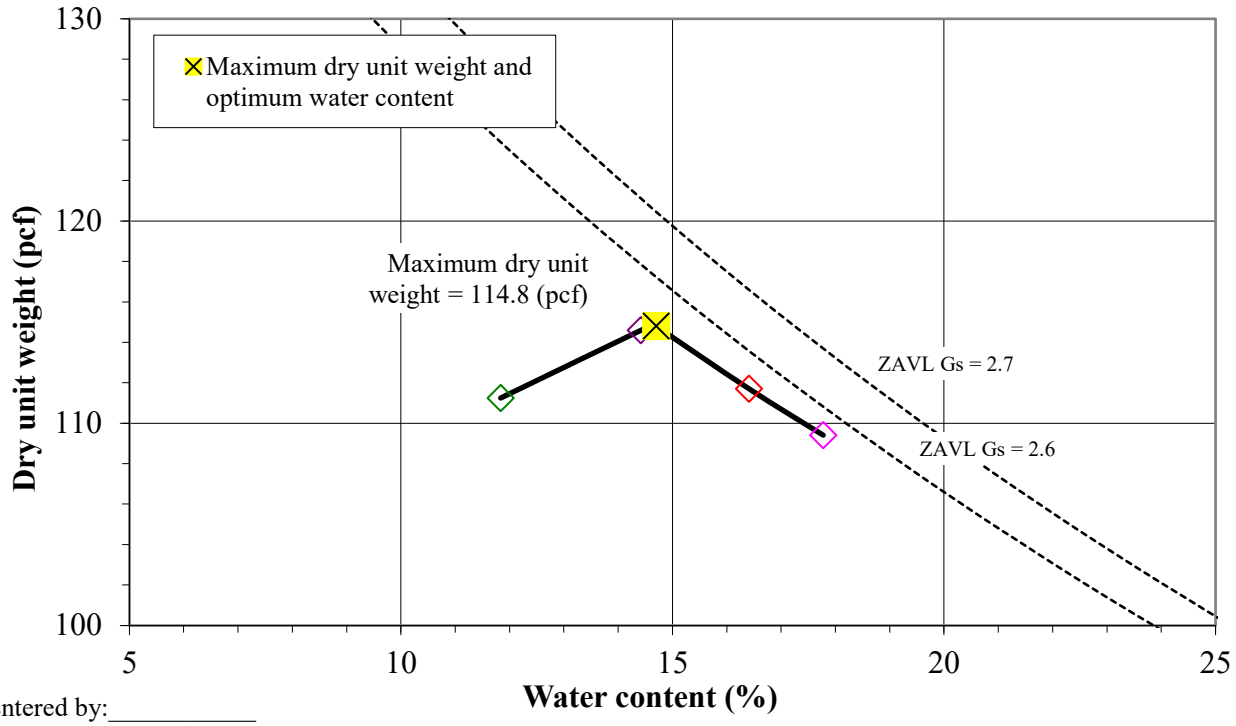
Point Number	-2%	As Is	-4%	+2%				
Wt. Sample + Mold (g)	10933.3	10895.9	10704.1	10855.7				
Wt. of Mold (g)	6459.3	6459.3	6459.3	6459.3				
Wet Unit Wt., γ_m (pcf)	131.1	130.0	124.4	128.9				
Wet Soil + Tare (g)	1099.89	1310.50	1319.38	1247.21				
Dry Soil + Tare (g)	1002.96	1172.01	1222.99	1105.84				
Tare (g)	330.76	327.96	408.61	310.43				
Water Content, w (%)	**14.4**	**16.4**	**11.8**	**17.8**				
Dry Unit Wt., γ_d (pcf)	**114.6**	**111.7**	**111.2**	**109.4**				

*Correction of Unit Weight and Water Content for Soils Containing Oversize Particles

(ASTM D4718)

Corrected water content (%): 13.7
Corrected dry unit weight (pcf): 118.1

Oversized fraction, +3/4-in. (%): 9.2
Water content, +3/4-in. (%): 3.3
Sieve for oversized fraction: 3/4-in.
Bulk specific gravity, Gs: 2.65 Assumed



Entered by:_____

Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[PROCTORv3.xlsm]2

California Bearing Ratio

(ASTM D 1883)

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Project: Hot Creek Restaurant
Number: 03511-031
Location: 10206 Twisted Branch Road
Date: 10/31/2023
By: RH/JJ

Boring No.: B-3
Sample:
Depth: 1.0'
Original Method: ASTM D698 C
Engineering Classification: Not requested
Condition of Sample: Soaked
Scalp and Replace: No

Maximum Dry Unit Weight (pcf): 114.8
Optimum Water Content (%): 14.7
Relative Compaction (%): 100.1
0.1 in. CBR (%): 6.0
0.2 in. CBR (%): 6.2

As Compacted Data			Before	After
Mold Id.	CBR-8	Wet Soil + Tare (g)	760.61	587.02
Wt. of Mold + Sample (g)	11063.8	Dry Soil + Tare (g)	702.46	537.53
Wt. of Mold (g)	6574.5	Tare (g)	310.50	214.16
Dry Unit Weight (pcf)	114.9	Water Content (%)	14.8	15.3
After Soaking Data			**Average**	**Top 1 in.**
Wt. of Mold + Sample (g)	11112.4	Wet Soil + Tare (g)	1006.89	504.30
Dry Unit Weight (pcf)	6574.5	Dry Soil + Tare (g)	888.16	464.15
		Tare (g)	165.37	224.02
		Water Content (%)	16.4	16.7

Swell Data

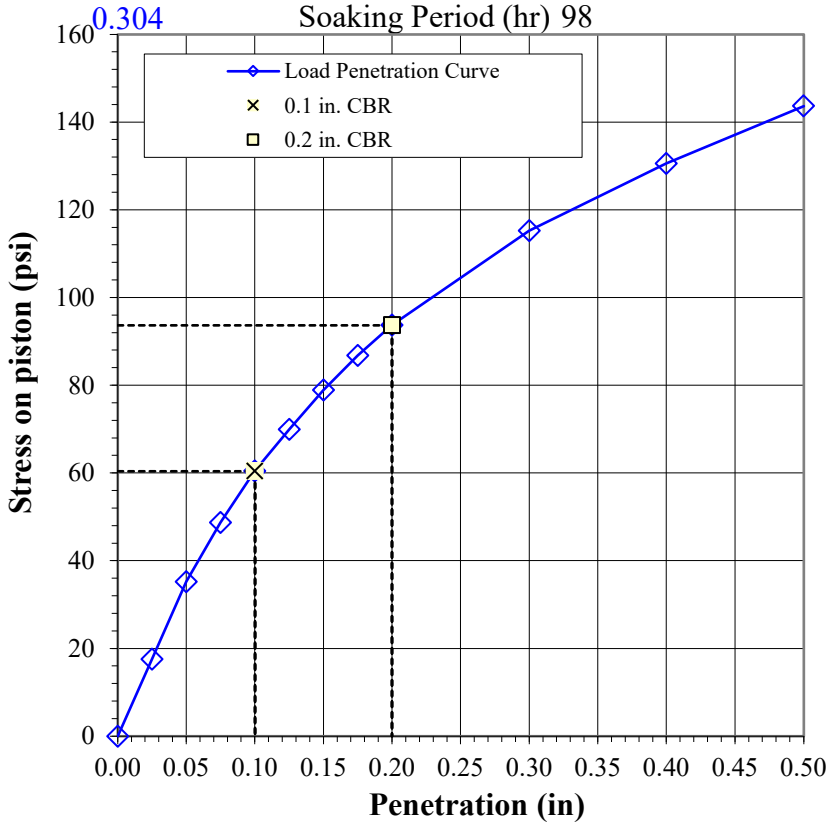
Date	Time	Dial
10/26/2023	9:47	0.398
10/30/2023	11:27	0.304

Surcharge (psf) 50
Swell (%) -2.05
Soaking Period (hr) 98

Penetration Data	Piston ID	CBR T1

Zero load (lb) = 0
Area of Piston (in^2) = 3.0

Penetration (in.)	Raw Load (lb)	Piston Stress (psi)	Std. Stress (psi)
0.000	0	0	
0.025	53	18	
0.050	106	35	
0.075	146	49	
0.100	181	60	1000
0.125	210	70	1125
0.150	237	79	1250
0.175	260	87	1375
0.200	281	94	1500
0.300	346	115	1900
0.400	392	131	2300
0.500	431	144	2600



Entered By:_____
Reviewed:_____

Z:\PROJECTS\03511_Storied_Deer_Valley\031_Hot_Creek_Restaurant\[CBR.xlsm]1

Load to Prevent Swell of Cohesive Soils

© IGES 2006, 2023

Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 11/7/2023
By: CJ

Boring No.: B-2
Sample:
Depth: 1.0'
Sample Description: Brown clayey sand with gravel
Engineering Classification: Not requested
Sample type: Laboratory compacted

Compaction specifications: Provided by client

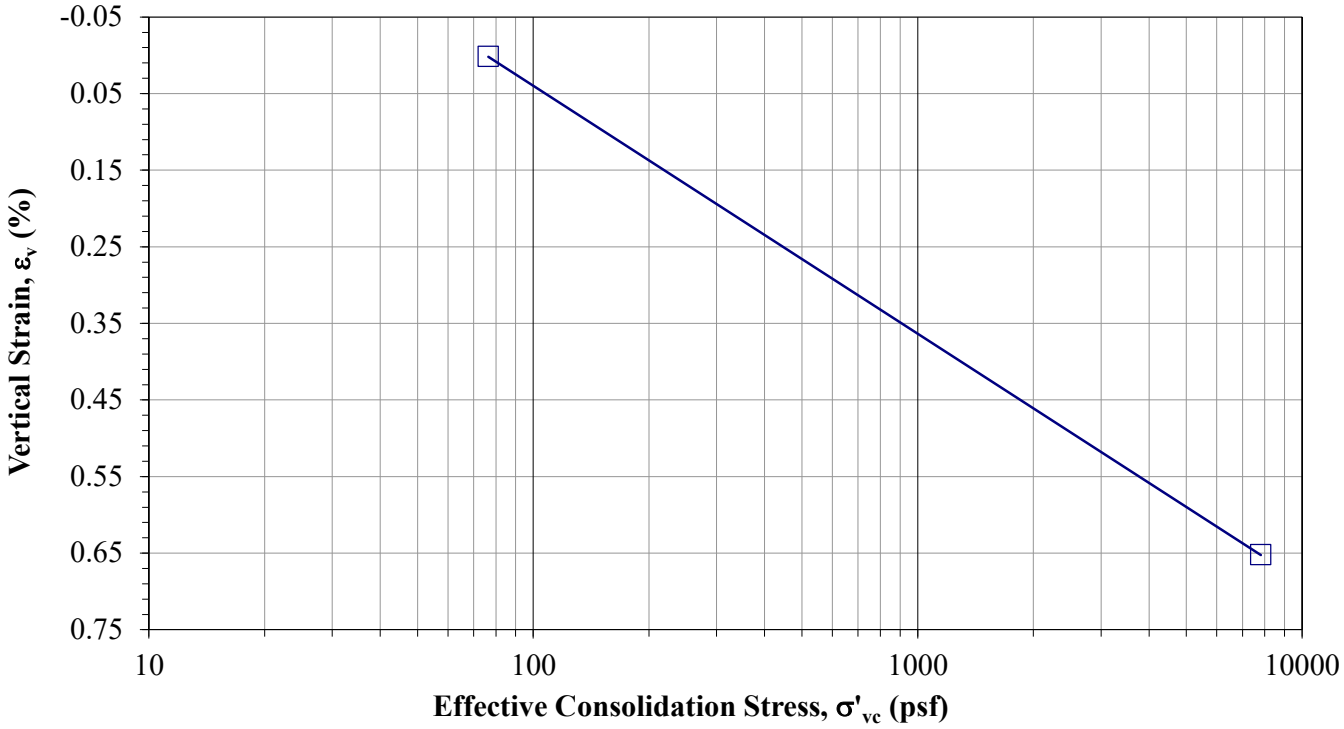
Dry unit weight: 113.5 pcf
at 4.7 (%) w

Stress (psf)	Dial (in.)	1-D ε_v (%)	H_c (in.)	e
Seating	0.0000	0.00	0.9180	0.484
76	0.0000	0.00	0.9180	0.484
7821	0.0060	0.65	0.9120	0.474

Inundation stress (psf), timing: Seating Beginning
Specific gravity, G_s 2.70 Assumed

	Initial (o)	Final (f)
Sample height, H (in.)	0.918	0.912
Sample diameter, D (in.)	2.428	2.428
Mass rings + wet soil (g)	174.50	191.36
Mass rings/tare (g)	41.79	41.79
Moist unit wt., γ_m (pcf)	118.9	134.9
Wet soil + tare (g)	87.66	191.36
Dry soil + tare (g)	84.77	168.50
Tare (g)	23.73	41.79
Water content, w (%)	4.7	18.0
Dry unit wt., γ_d (pcf)	113.6	114.3
Saturation	0.27	1.00

*Note: C_v, C_c, C_r, and σ_p' to be determined by Geotechnical Engineer.



Comments: Test specimen air-dried for 72 hours then remolded to 95% MDUW. The load to prevent swell is 7821 psf.

Entered: _____
Reviewed: _____

Load to Prevent Swell of Cohesive Soils

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Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 11/14/2023
By: CJ

Boring No.: B-3
Sample:
Depth: 1.0'
Sample Description: Orange brown clay
Engineering Classification: Not requested
Sample type: Laboratory compacted

Compaction specifications: Provided by client

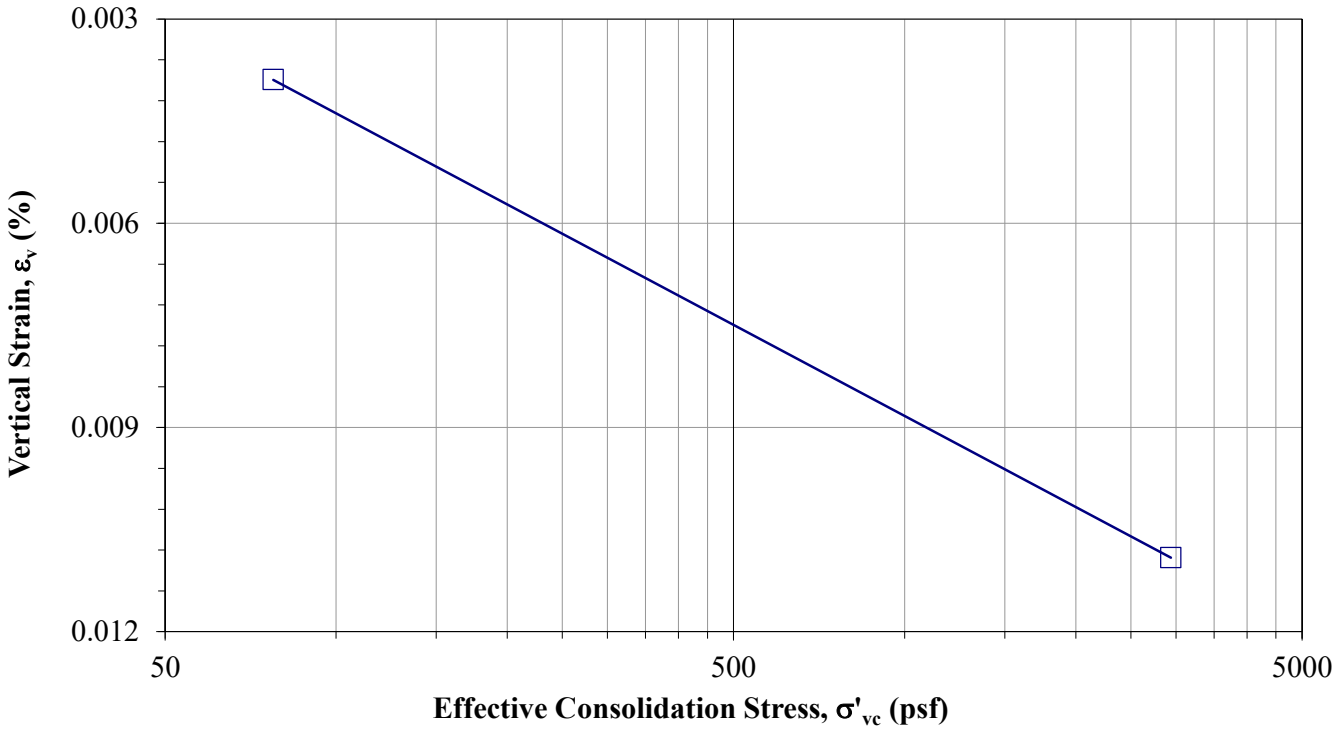
Dry unit weight: 111.4 pcf
at 9.7 (%) w

Stress (psf)	Dial (in.)	1-D ε_v (%)	H_c (in.)	e
Seating	0.0000	0.00	0.9190	0.505
78	0.0000	0.00	0.9190	0.505
2940	0.0001	0.01	0.9189	0.505

Inundation stress (psf), timing: Seating Beginning
Specific gravity, G_s 2.70 Assumed

	Initial (o)	Final (f)
Sample height, H (in.)	0.919	0.919
Sample diameter, D (in.)	2.402	2.402
Mass rings + wet soil (g)	178.83	190.36
Mass rings/tare (g)	44.54	44.54
Moist unit wt., γ_m (pcf)	122.8	133.4
Wet soil + tare (g)	86.55	190.36
Dry soil + tare (g)	81.00	166.97
Tare (g)	23.73	44.54
Water content, w (%)	9.7	19.1
Dry unit wt., γ_d (pcf)	112.0	112.0
Saturation	0.52	1.00

*Note: C_v, C_c, C_r, and σ_p' to be determined by Geotechnical Engineer.



Comments: Test specimen air-dried for 72 hours then remolded to 97% MDUW. The load to prevent swell is 2940 psf.

Entered: _____
Reviewed: _____

Load to Prevent Swell of Cohesive Soils

© IGES 2006, 2023

Project: Hot Creek Restaurant
No: 03511-031
Location: 10206 Twisted Branch Road
Date: 11/14/2023
By: CJ

Boring No.: B-3
Sample:
Depth: 7.5'
Sample Description: Brown sandy clay
Engineering Classification: Not requested
Sample type: Laboratory compacted

Compaction specifications: Provided by client

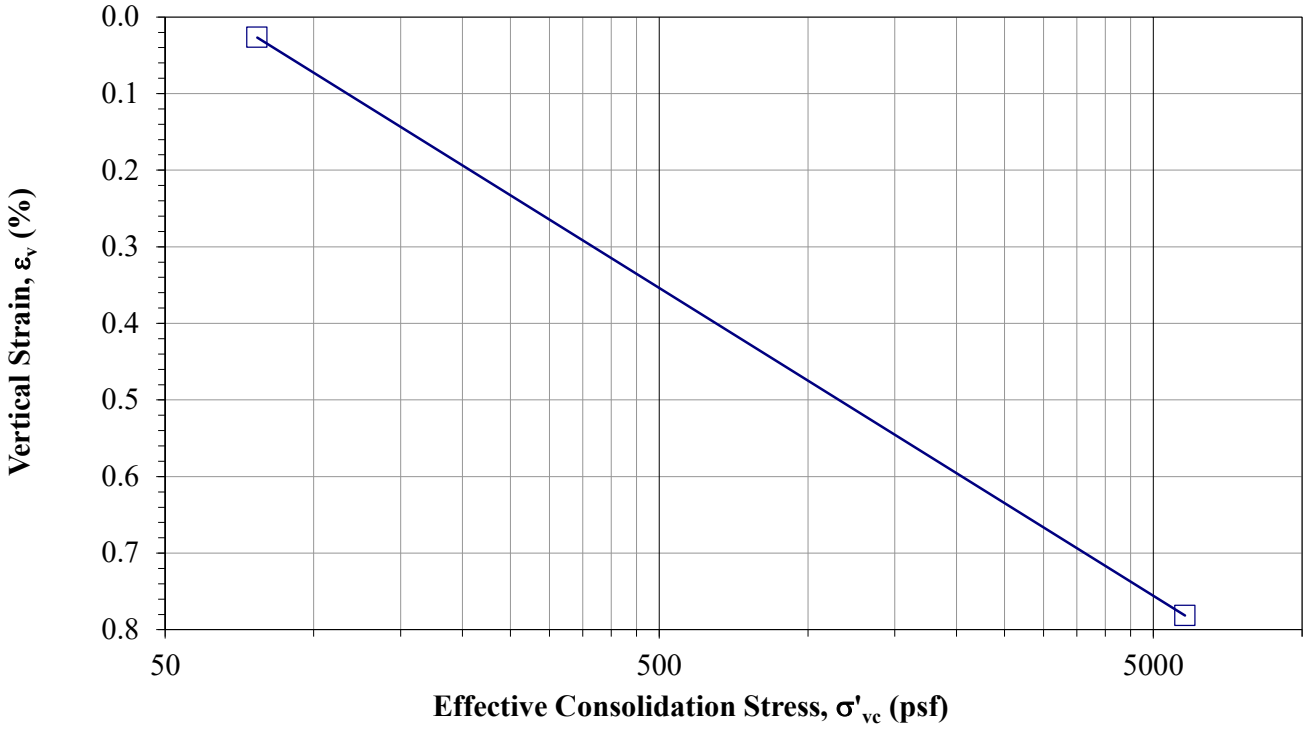
Dry unit weight: 111.4 pcf
at 2.6 (%) w

Inundation stress (psf), timing: Seating Beginning
Specific gravity, G_s 2.70 Assumed

Stress (psf)	Dial (in.)	1-D ε_v (%)	H_c (in.)	e
Seating	0.0000	0.00	0.9170	0.512
77	0.0002	0.03	0.9168	0.512
5801	0.0072	0.78	0.9098	0.500

	Initial (o)	Final (f)
Sample height, H (in.)	0.917	0.910
Sample diameter, D (in.)	2.423	2.423
Mass rings + wet soil (g)	169.26	189.57
Mass rings/tare (g)	42.37	42.37
Moist unit wt., γ_m (pcf)	114.3	133.7
Wet soil + tare (g)	53.75	189.57
Dry soil + tare (g)	53.00	166.09
Tare (g)	23.74	42.37
Water content, w (%)	2.6	19.0
Dry unit wt., γ_d (pcf)	111.5	112.3
Saturation	0.14	1.00

*Note: C_v, C_c, C_r, and σ_p' to be determined by Geotechnical Engineer.



Comments: Test specimen air-dried for 72 hours then remolded to 97% MDUW. The load to prevent swell is 5801 psf.

Entered: _____
Reviewed: _____

Minimum Laboratory Soil Resistivity, pH of Soil for Use in Corrosion Testing, and Ions in Water by Chemically Suppressed Ion Chromatography *(AASHTO T 288, T 289, ASTM D4327, and C1580)*

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Project: **Hot Creek Restaurant**
No: **03511-031**
Location: 10206 Twisted Branch Road
Date: 10/21/2023
By: JJ

Sample info.	Boring No.	B-3							
	Sample								
	Depth	1.0'							
Water content data	Wet soil + tare (g)	50.54							
	Dry soil + tare (g)	47.13							
	Tare (g)	23.46							
	Water content (%)	14.4							
Chem. data	pH	8.3							
	Soluble chloride (ppm)	50							
	Soluble sulfate (ppm)	<50							
Resistivity data	Pin method	2							
	Soil box	Miller Small							
		Approximate Soil condition (%)	Resistance Reading (Ω)	Soil Box Multiplier (cm)	Resistivity (Ω-cm)	Approximate Soil condition (%)	Resistance Reading (Ω)	Soil Box Multiplier (cm)	Resistivity (Ω-cm)
		As is	11330	0.67	7591				
		+3	5042	0.67	3378				
		+6	3941	0.67	2640				
		+9	2823	0.67	1891				
		+12	2824	0.67	1892				
	Minimum resistivity (Ω-cm)	**1891**							

Entered by:_____
Reviewed:_____

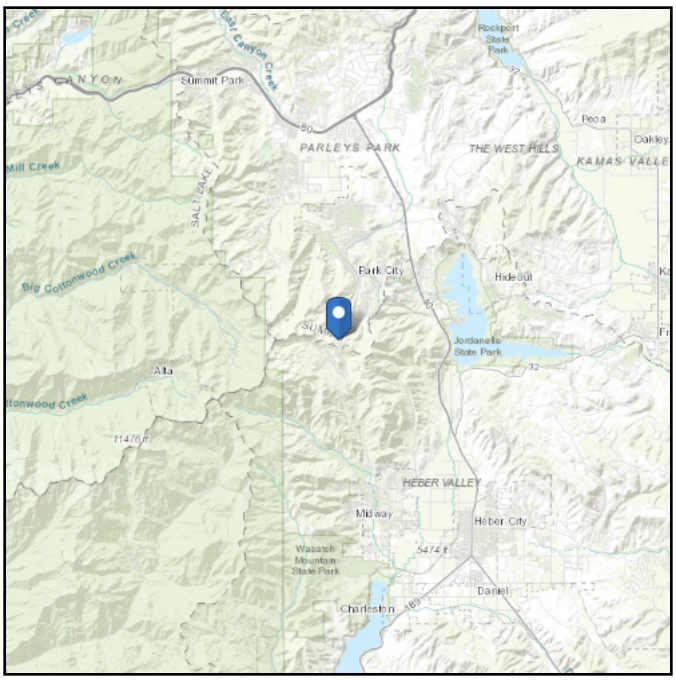
APPENDIX C

ASCE 7 Hazards Report

Address:
No Address at This Location

Standard:	ASCE/SEI 7-16	**Latitude:**	40.6092
Risk Category:	II	**Longitude:**	-111.508584
Soil Class:	C - Very Dense Soil and Soft Rock	**Elevation:**	8674.004299159336 ft (NAVD 88)





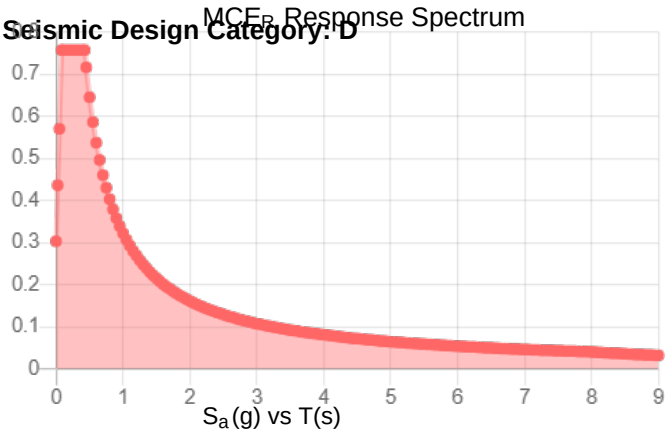
Seismic

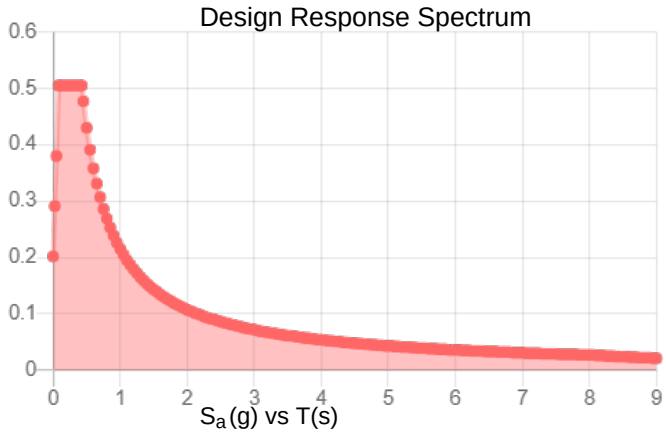
Site Soil Class: C - Very Dense Soil and Soft Rock

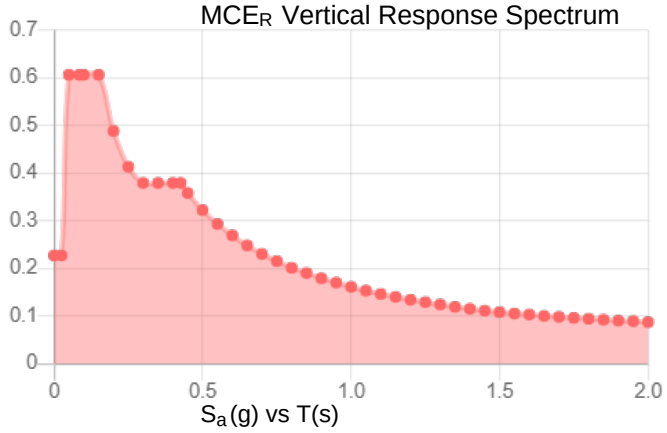
Results:

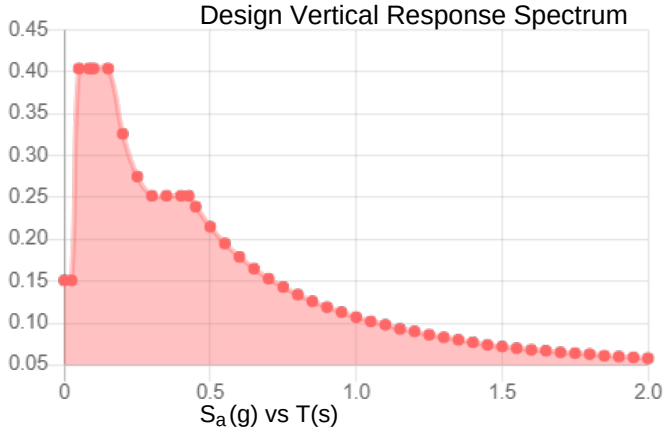
S_S :	0.601	S_{D1} :	0.215
S_1 :	0.215	T_L :	8
F_a :	1.26	PGA :	0.265
F_v :	1.5	PGA_M :	0.318
S_{MS} :	0.757	F_{PGA} :	1.2
S_{M1} :	0.322	I_e :	1
S_{DS} :	0.505	C_v :	1

Seismic Design Category: D









Data Accessed: Tue Dec 19 2023

Date Source:

USGS Seismic Design Maps based on ASCE/SEI 7-16 and ASCE/SEI 7-16 Table 1.5-2. Additional data for site-specific ground motion procedures in accordance with ASCE/SEI 7-16 Ch. 21 are available from USGS.

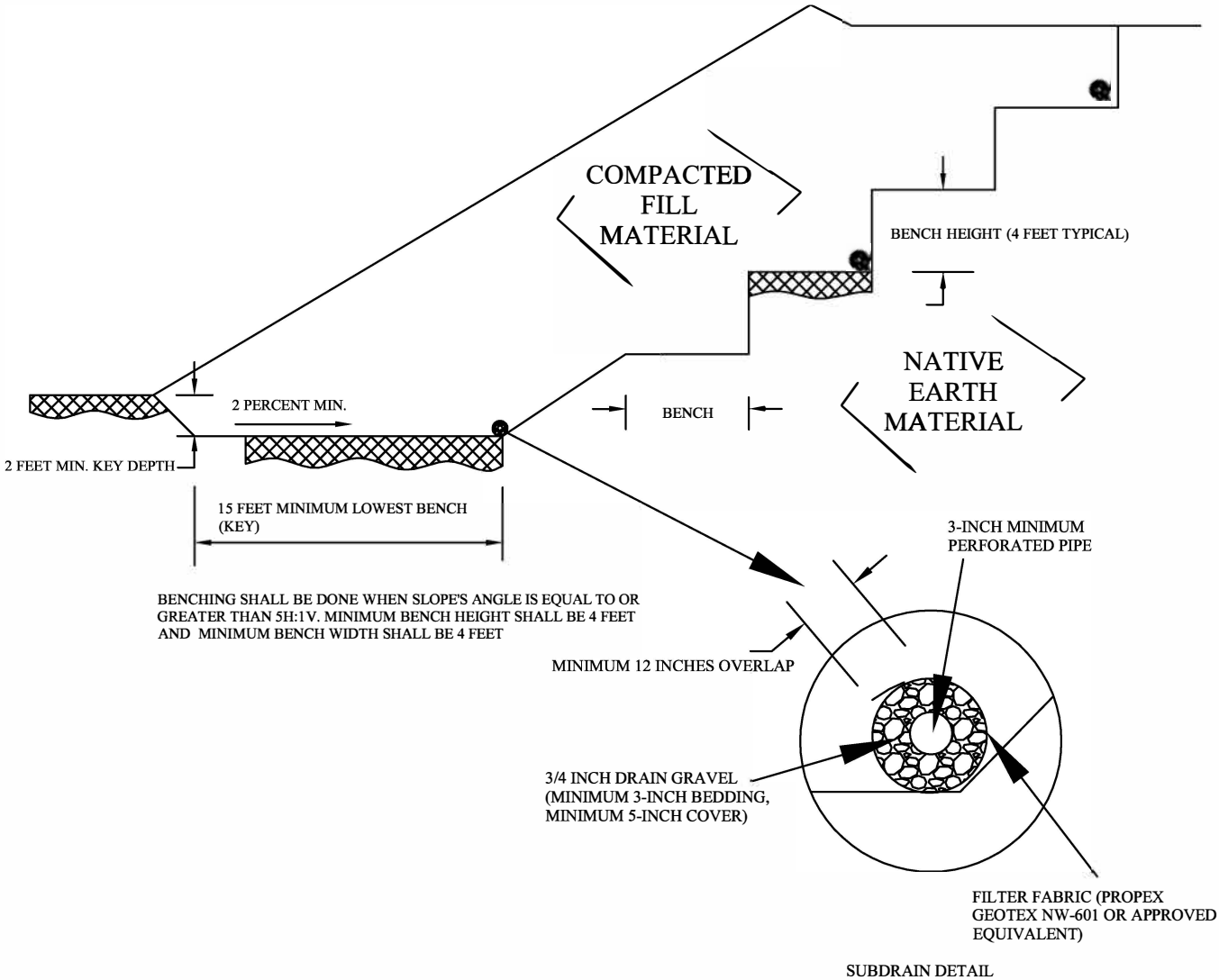
The ASCE 7 Hazard Tool is provided for your convenience, for informational purposes only, and is provided “as is” and without warranties of any kind. The location data included herein has been obtained from information developed, produced, and maintained by third party providers; or has been extrapolated from maps incorporated in the ASCE 7 standard. While ASCE has made every effort to use data obtained from reliable sources or methodologies, ASCE does not make any representations or warranties as to the accuracy, completeness, reliability, currency, or quality of any data provided herein. Any third-party links provided by this Tool should not be construed as an endorsement, affiliation, relationship, or sponsorship of such third-party content by or from ASCE.

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APPENDIX D

KEYING AND BENCHING DETAIL



SUBDRAIN DETAIL

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No.	Revision/Issue	Date

Geotechnical Investigation
Hot Creek
10206 Twisted Branch Road
Park City, Utah
Project Number 03511-031

Drawing Notes

Figure
D-1

6/16/16
dap

Planning Commission
Staff Report

Subject: **10206 Twisted Branch Road**
Application: **PL-24-06370**
Author: **Virgil Lund, Planner II**
Date: **July 23, 2025**
Type of Item: **Conditional Use Permit**

Recommendation

(I) Review the proposed Conditional Use Permit (CUP) for:

- A 2,862-square-foot private Restaurant.
- A 400-square-foot Outdoor Dining area accommodating up to 30 guests.
- An 800-square-foot tent to be installed up to five times per year on an ongoing basis not to exceed 14 days at one time.

(II) Conduct a public hearing.
(III) Consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter (Exhibit A).

Description

Applicant:	Jeff Butterworth, Talisker Club 2.0 LLC Applicant Representative: Rhett Riding, Talisker Club
Location:	10206 Twisted Branch Road
Zoning District:	Recreation and Open Space, Sensitive Land Overlay
Adjacent Land Uses:	Resort Open Space
Reason for Review:	Section 2.6 of the Amended Flagstaff Development Agreement describes a private Restaurant that may be developed at a location to be determined in the CUP review process.

CUP	Conditional Use Permit
DA	Development Agreement
DRC	Development Review Committee
LMC	Land Management Code
MPD	Master Planned Development

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

Summary

The Applicant proposes to construct a 2,862-square-foot private Restaurant with a 400-square-foot area for Outdoor Dining for up to 30 guests at 10206 Twisted Branch Road within the Empire Pass area. The Applicant has a pending application for a 2.83-acre

one-Lot Subdivision for the Restaurant reviewed by the Planning Commission concurrently with this Application (PL-23-05973).



Figure 1: Proposed Development Site

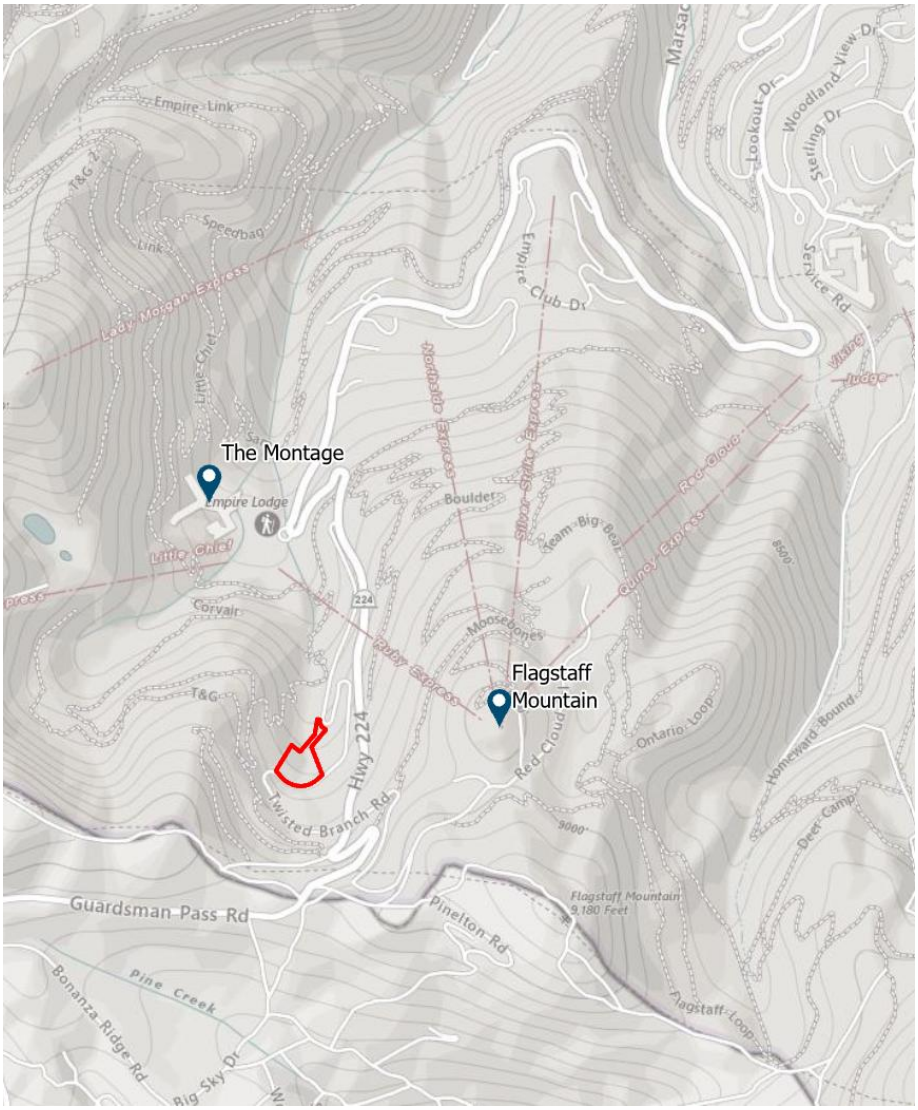


Figure 2: 10206 Twisted Branch Road Highlighted in Red



Figure 3: Applicant's Rendering of Proposed Restaurant

Background

See the April 23, 2025 Planning Commission Staff Report for background and history on 10206 Twisted Branch Road. The Planning Commission requested additional information:

- Background regarding whether the proposed Restaurant access off Twisted Branch Road complies with City Engineering Standards and whether there is a distancing requirement for a curb cut between the proposed access point and the existing bridge.
    - The Engineering Department requires Condition of Approval 19: "The Applicant shall update their plans prior to building permit submittal to shift access to the private Restaurant 20 feet further from the ski bridge to clear site distance requirements, as approved by the City Engineer."

Analysis

(I) The proposal complies with the Recreation and Open Space (ROS) Zoning District requirements outlined in Land Management Code Chapter 15-2.7.

Setbacks

LMC § 15-2.7-3 requires that all Structures must be no less than 25 feet from the Lot lines.

Complies: The proposed Restaurant exceeds this requirement and is greater than 50 feet from the Side and Rear Lot lines. The Restaurant is 26 feet from the Front Lot line. The Outdoor Dining area is greater than 50 feet from the Front, Side, and Rear Lot lines.

LMC § 15-2.7-3(A) establishes Fences and retaining walls, paths, patios, and driveways

as Setback exceptions.

Complies: The Applicant proposes to construct one four-foot-tall stacked-rock retaining wall measuring approximately 105 feet in length, a pedestrian path approximately 110 feet in length, a 410-square-foot patio, and a circular driveway in the Front Setback.

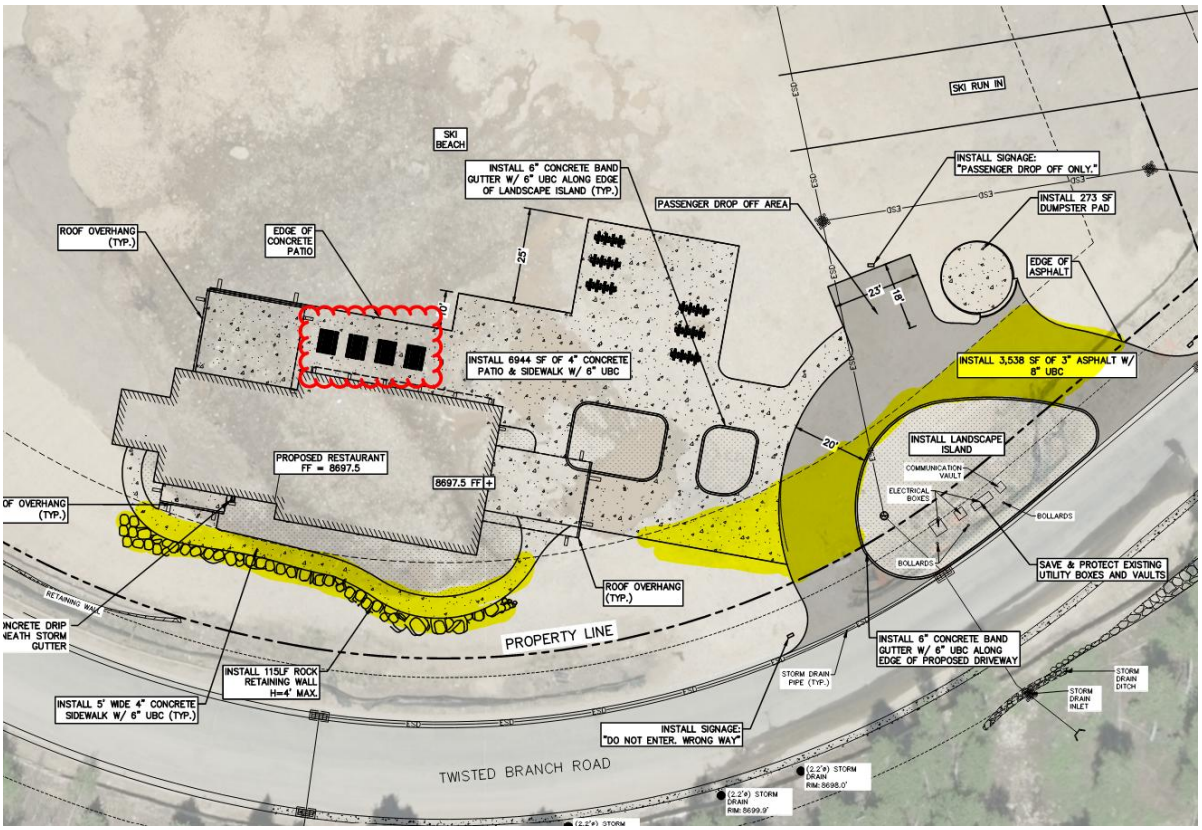


Figure 4: Applicant's Site Plan with Setback Exceptions Highlighted and Outdoor Dining Area Clouded in Red

Architectural Regulations
LMC § 15-5-5 outlines restrictions on architectural styles, prohibitions on siding materials, amount of exterior wall materials, and roof shapes and materials.

Complies: The Applicant proposes constructing the Restaurant of stone, wood, and metal siding, and a standing-seam metal roof. These materials comply with architectural requirements. The Applicant does not propose any prohibited siding, roof, or architectural style.

On December 13, 2024, the Empire Pass Design Review Board approved the proposed design for the Restaurant (Exhibit F).

LMC § 15-5-5(K) outlines requirements for trash and recycling enclosures.

Complies: The Applicant proposes to construct a trash and recycling enclosure near the drop-off area. The enclosure will be screened on all sides with steel and matches

the design of the proposed Restaurant.

Building Height
LMC § 15-2.7-4 outlines Building Height requirements in the ROS District: No Structure may be erected to a height greater than 28 feet from Existing Grade.

Exception Requested: The Applicant requests a building height exception pursuant to LMC § 15-6-5(F). See Analysis Section II below.

Significant Vegetation
LMC § 15-2.7-6 outlines requirements for protection of Significant Vegetation on Site.

Complies: There is no Significant Vegetation located within the area proposed for development. The Applicant's existing conditions survey shows a small grouping of Significant Vegetation in the northwest corner of the proposed Subdivision Lot. No development is proposed in this area and the Significant Vegetation will not be impacted. See Condition of Approval 15.

(II) The proposal, as conditioned, complies with LMC Section 15-6-5(F) pertaining to Building Height for Master Planned Developments.

The Building Height requirements of the Zoning District in which a Master Planned Development (MPD) is located shall apply. LMC § 15-2.7-4 establishes the ROS Zoning District Building Height regulations: "No Structure may be erected to a height greater than 28 feet from Existing Grade."

LMC § 15-15-1 *Defined Terms* distinguishes *Existing Grade* and *Final Grade*:

- Existing Grade: The Grade of a Property prior to any proposed Development or Construction Activity. ("Construction Activity" is defined as "[a]ll Grading, excavation, construction, Grubbing, mining, or other Development Activity which disturbs or changes the natural vegetation, Grade, or any existing Structure . . ." and "Grading" is defined as "[a]ny earthwork or activity that alters the Natural or Existing Grade, including but not limited to excavating, filling or embanking.")
- Final Grade: The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.

The Applicant proposes to measure the height of the Restaurant from Final Grade rather than Existing Grade.

On April 23, 2025, the Planning Commission conducted a work session with the Applicant to discuss the proposed Building Height exception and requested the following materials to further evaluate the proposal:

- Existing Conditions of the Site (Exhibit L).
- Colored slope map showing the Grade and contours of the Site before and after soil tipping activity (Exhibit M).
- Additional site plan showing larger context of the surrounding area and additional

renderings (Exhibit N) (Minutes, p. 3).

When the area was annexed into the City, it was zoned ROS-MPD:

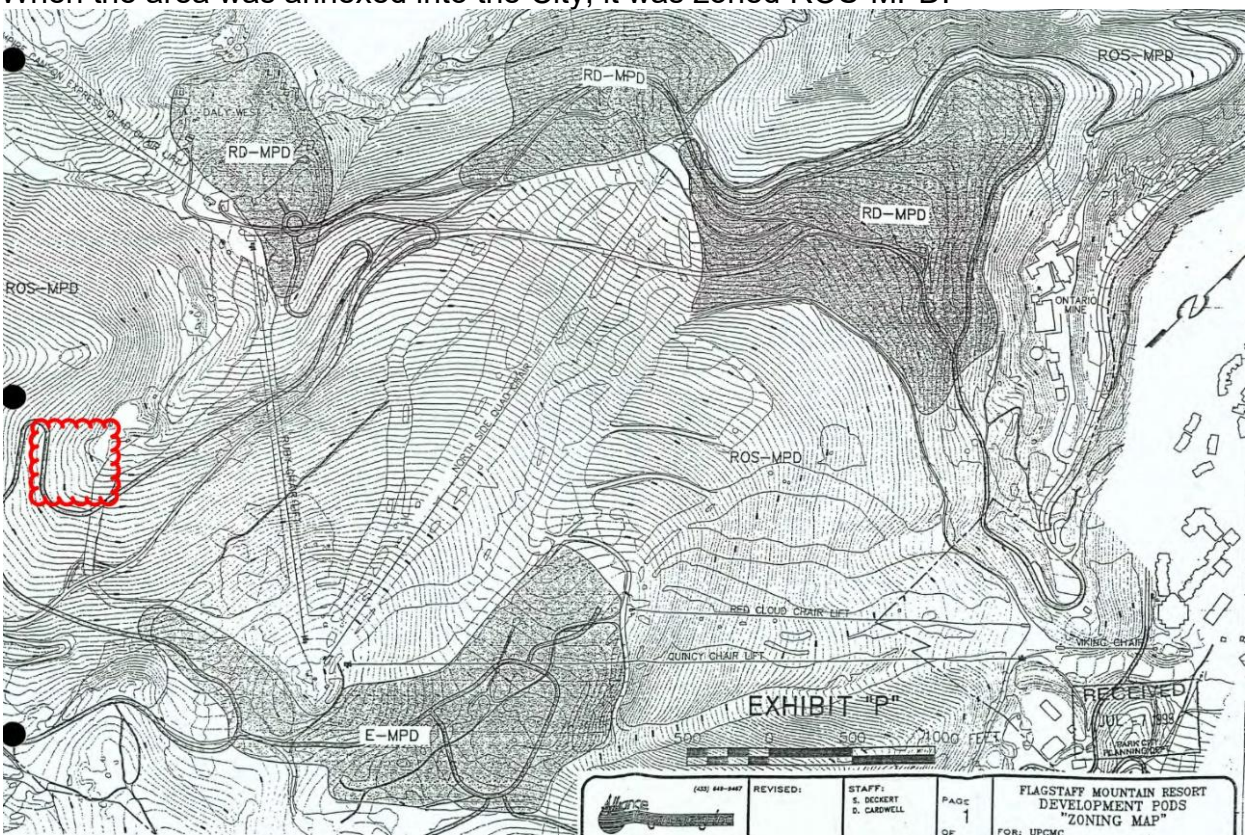


Figure 5: Exhibit P to the 1999 Development Agreement, 10206 Twisted Branch Clouded in Red

On August 8, 2018, the Planning Commission approved an amendment to the Flagstaff Technical Report #15 *Construction Mitigation Plan* which established 10206 Twisted Branch Road as a receiving Site for clean, excavated soil. The Applicant estimates that approximately 15,000 cubic yards of soil have been deposited at the Site, altering grade.

The image below shows the depth of the fill soil from several different locations at the Site:

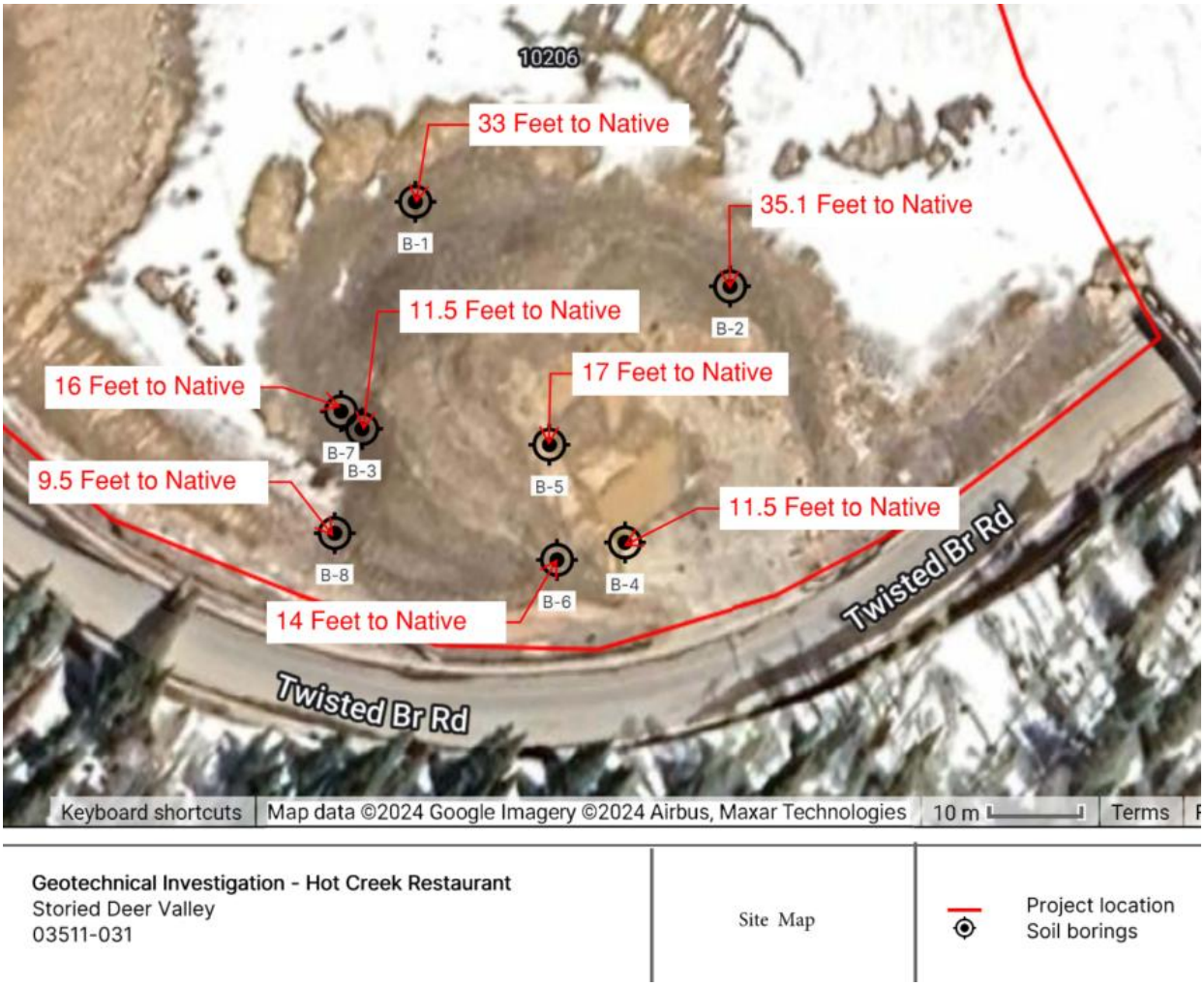


Figure 6: Applicant's Geotechnical Report, Property Boundary in Red

The Applicant's proposed roof over topography plan shows the maximum height of the proposed Structure is 26.5 feet from Final Grade. If measured from Existing Grade, the highest point of the Structure would be approximately 36.5 feet from Existing Grade, 8.5 feet above ROS height. The Applicant submitted a visual analysis demonstrating that the proposed Structure measured from Final Grade will not be visible from designated Vantage Points (Exhibit E).

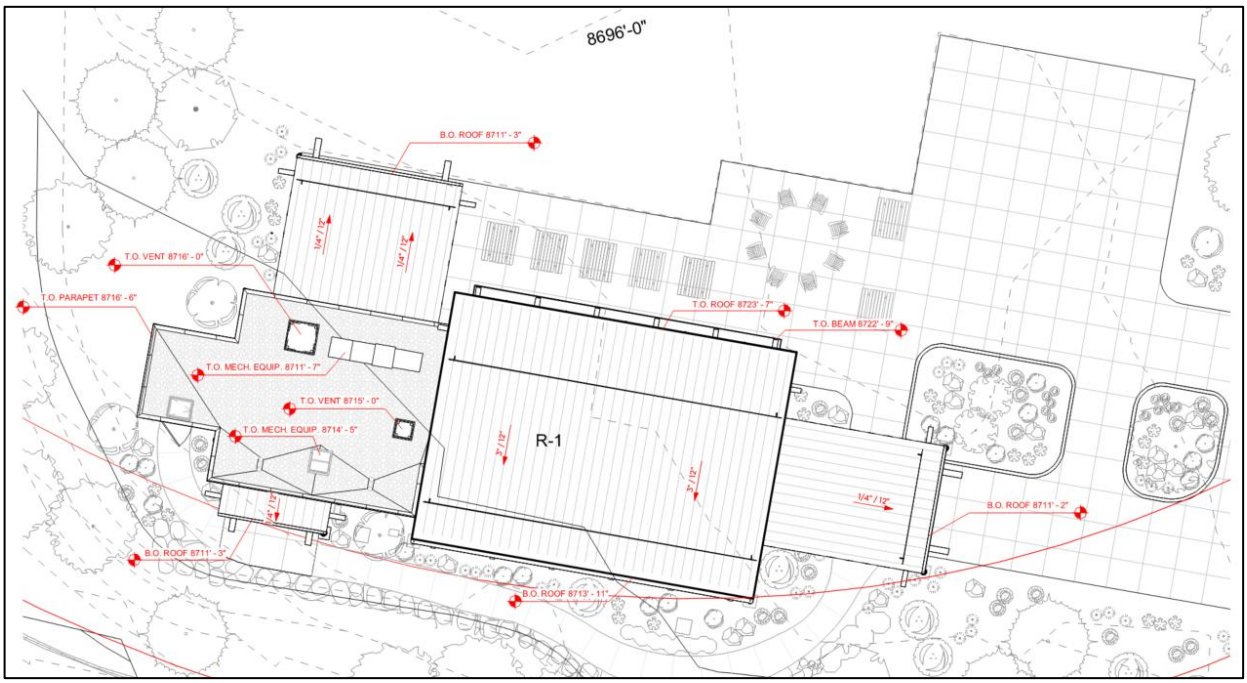


Figure 7: Applicant's Proposed Roof Over Topography from Final Grade



Figure 8: Applicant's Rendering of Proposed Structure, Located on Final Grade



Figure 9: Applicant's Rendering, Looking South



Figure 10: Applicant's Rendering, Looking North

LMC § 15-6-5(F) establishes an allowance to exceed Building Height through an MPD when the Applicant can demonstrate six criteria are met.

"The Building Height requirements of the Zoning District in which a Master Planned Development is located shall apply, except that the Planning Commission may consider an increase in Building Height based upon a Site-specific analysis. . . The Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made . . . In order to grant Building Height in addition to that which is allowed in the underlying Zoning District, the Planning Commission must find that:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis;
3. There is adequate Landscaping and buffering from adjacent properties and Uses;
4. Increased Setbacks and separations from adjacent projects are proposed;
5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible;
6. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Building is located within the Historic District."

Staff Analysis is shown in italics below:

1. *Section 2.6 of the Amended Development Agreement requires that the Restaurant be between 7,000 and 10,000 square feet. The Applicant proposes a Structure that is 2,862 square feet with a 400-square-foot area for Outdoor Dining, less than the allowable density for the Site. The increase in Building Height will not result in increased square footage or Building volume beyond what would be allowed under the MPD.*
2. *The nearest Structure, a Single-Family Dwelling at 8 Red Cloud Trail, is approximately 1,138 feet southeast of the proposed Restaurant. There will be no impacts such as loss of solar Access, loss of air circulation, or increased shadows to nearby Structures from the proposed Restaurant.*
3. *There are no adjacent properties to 10206 Twisted Branch Road with Structures. The proposed Restaurant is adjacent to the Deer Valley Ski Resort and will provide ski-in/ski-out access for members of the Talisker Club. The Applicant proposes a four-foot retaining wall and Significant Vegetation including trees and shrubs along the Front Setback to help screen the Structure from Twisted Branch Road.*
4. *The proposed Structure complies with the Front Setback requirements and is*

greater than 150 feet from the Side and Rear property lines.

5. *Section 2.9.6 of the Flagstaff DA states that all land outside of the development pods shall be zoned ROS-MPD and shall remain as Open Space. The private Restaurant is contemplated in Section 2.6 of the Flagstaff DA. Members of the Talisker Club will have access to the Restaurant off the Bandana ski run in the winter, and there are no hiking or biking trails that will be impacted by the proposal.*
6. *The Applicant proposes a roof form that complies with LMC § 15-5-5(F). The Applicant proposes a single-sloped roof with contributing flat roofs (see Figures 5-7 above)*.

See Exhibit K for the Applicant's response to the six criteria.

(III) The proposal complies with the Sensitive Land Overlay requirements in LMC Chapter 15-2.21.

Slope Protection: No Development is allowed on or within 50 feet, map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. An Area of Very Steep Slopes must cover a topographic Area at least 25 feet vertically, upslope or downslope, and 50 feet horizontally in any direction to be subject to this prohibition.[1]

The Applicant's slope map shows the proposed Development is not on or within 50 feet of a Very Steep Slope (Exhibit G).

Ridge Line Area Protection: No Structure or other appurtenant device, including mechanical equipment, may visually intrude on the Ridge Line Area from any of the designated Vantage Points depicted in LMC § 15-2.21-5(B).

The proposed Restaurant is approximately 1,000 feet from the nearest ridgeline and is not visible from any designated Vantage Points (Exhibit E).

[1] LMC § 15-2.21-4(A)



Figure 11: Designated Ridgeline (Yellow Line), Proposed Restaurant (Red Star)

Wetlands and Stream Protection
The nearest stream is approximately 1,500 feet north of the proposed Restaurant (Exhibit H).

Wildlife and Wildlife Habitat Protection
The Applicant's wildlife and wildlife habitat report, prepared by wildlife consultant Bio-West, concludes that due to the clearing and soil filling that has occurred at the Site, there is no suitable habitat for any federal or state-listed species (Exhibit I). No additional wildlife or wildlife habitat protection measures are required. Condition of Approval 16: The Applicant shall re-vegetate all disturbed areas with a native seed mix and all areas must have at least 80 percent germination prior to Site completion.

(IV) The proposal complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).

There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate

or eliminate the detrimental impacts.

The Planning Commission shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Commission may deny Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards. LMC § 15-1-10.

CUP Review Criteria	Analysis of Proposal
Size and Location of the Site	**Condition of Approval recommended:** The proposed Restaurant is in an appropriate location adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club. The size of the Restaurant is less than the original square footage limitations outlined in the Flagstaff Development Agreement (DA). Condition of Approval 14: The Flagstaff Development Agreement allows for the construction of a Restaurant between 7,000 and 10,000 square feet. The proposed Restaurant is 2,862 square feet. The remaining square footage cannot be used on any other site in the Flagstaff MPD area and any increase in square footage to the Restaurant will trigger an additional CUP to be reviewed by the Planning Commission.
Traffic considerations including capacity of the existing Streets in the Area	**Condition of Approval recommended.** The Flagstaff DA requires that the Restaurant is accessible exclusively to members of the Talisker Club and not open to the public. No Parking Spaces are proposed. The Restaurant will only generate traffic from the private shuttles for club members to access the Restaurant. The Talisker Club operates between two and 14 shuttles at one time to transport members within the Empire Pass area. Staff recommends Condition of Approval 5: The Applicant is responsible for managing parking consistent with Section 2.6 of the Amended Development Agreement. Any Restaurant employees and guests utilizing off-site parking, including the Ontario or Mine Bench Parking Lots, shall be limited to the spaces leased by the Talisker Club and shall not impact public trailhead parking, or other approved parking uses.

	Service and delivery vehicles will access the Restaurant via the drop off/shuttle drive through area. When there is a conflict between service/delivery vehicles and shuttles, there is a space for vehicles to pull into and wait, see image below.

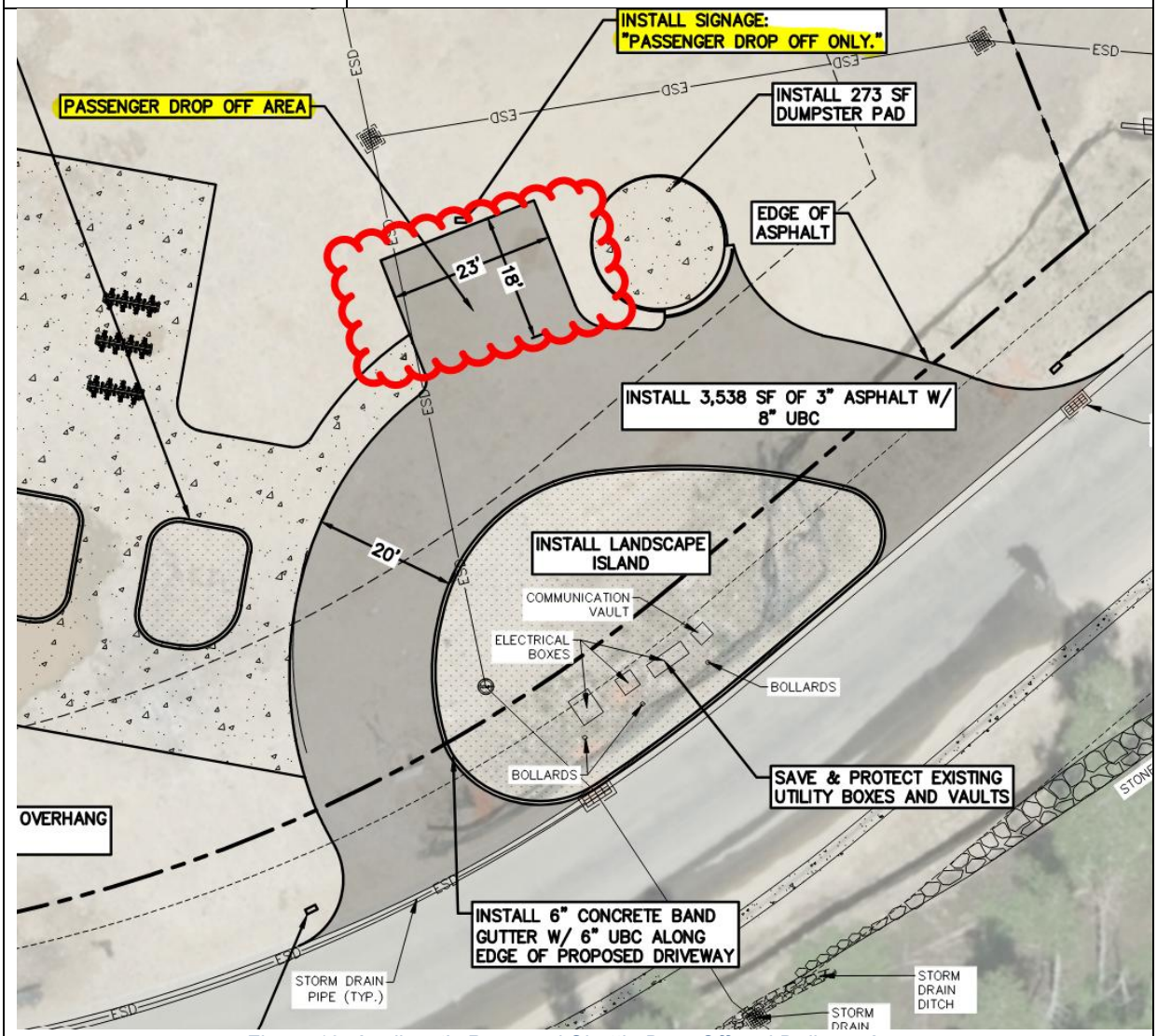


Figure 12: Applicant's Proposed Shuttle Drop Off and Delivery Area

Utility Capacity, including Storm Water run-off	**Condition of Approval recommended:** The Development Review Committee (DRC) reviewed the proposal on January 21, 2025. The Park City Fire District requires the Applicant to install two fire hydrants in locations to be determined by the Fire District prior to building permit issuance.
Emergency Vehicle	**Complies:**

Access	The DRC confirmed the proposal conforms with emergency vehicle access standards.
Location and amount of off-Street parking	**Condition of Approval recommended:** Section 2.6 of the Amended Flagstaff DA stipulates that no Off-Street parking is allowed for the private Restaurant. The Applicant proposes no Off-Street Parking Spaces. The Ontario and Mine Bench Parking Lots have 92 Parking Spaces for Talisker Club use. Staff recommends Condition of Approval 5: The Applicant is responsible for managing parking consistent with Section 2.6 of the Amended Development Agreement. Any Restaurant employees and guests utilizing off-site parking, including the Ontario or Mine Bench Parking Lots, shall be limited to the spaces leased by the Talisker Club and shall not impact public trailhead parking, or other approved parking uses.
Internal vehicular and pedestrian circulation system	**Complies:** The Applicant proposes to construct a drop off area for shuttle vehicles and deliveries. The proposed Restaurant is off the Bandana ski run and is accessible to skiers.
Fencing, Screening, and landscaping to separate the Use from adjoining Uses	**Conditions of Approval recommended:** The Applicant proposes a four-foot-tall retaining wall that is 105 feet long within the Front Setback, which is an allowed exception pursuant to LMC § 15-2.7-3(A). LMC § 15-5-5(N) requires at least 50 percent of the landscaped area be Water Wise landscaping containing non-invasive drought tolerant plants and minimal irrigation. The Applicant's landscape plan shows a native seed mix for all disturbed areas, and water wise trees and shrubs. The Applicant's existing conditions survey shows a small grouping of Significant Vegetation in the northwest corner of the proposed Subdivision Lot. No development is proposed in this area and the Significant Vegetation will not be impacted. See Conditions of Approval 15 and 16.
Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings	**Complies:** The proposed Building is less than the square footage described in Section 2.6 of the Flagstaff DA and is adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club. The proposed

on adjoining Lots	Restaurant is approximately 1,000 feet from the nearest ridgeline and is not visible from any designated Vantage Points. The Structure will be located below the grade from Twisted Branch Road and will be screened by landscaping along Twisted Branch Road. The Structure is in an appropriate location on the Site to minimize visual impacts and impacts to Steep Slopes.
Useable Open Space	**Complies:** Section 2.9.6 of the Flagstaff DA states that all land outside of the development pods shall be zoned ROS-MPD and shall remain as Open Space. The proposed Restaurant is in the designated Developed Recreation Open Space (DROS) area, but does not decrease the amount of required Open Space in the Flagstaff Annexation Area, as outlined in Section 2.6 of the Flagstaff DA. Flagstaff Technical Report #5 *Open Space Management Plan* considers the proposed Restaurant, mentioned in Section 3.8, p. 10: "Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA "Beano's Cabin") in the DROS. The facility is to be located within the ski terrain near to the Mountain Village." Members of the Talisker Club will have access to the Restaurant off the Bandana ski run in the winter, and there are no hiking or biking trails that will be impacted by the proposal.
Signs and Lighting	**Conditions of Approval recommended:** • Any proposed signs for the Restaurant must receive a separate sign permit approved by the Planning Department. • Any exterior lighting must be down directed and Fully Shielded and with bulbs 3000-degree Kelvin or less.
Physical Design and Compatibility with Surrounding Structures in mass, scale, style, design, and architectural detailing	**Complies:** LMC § 15-5-5 outlines restrictions on architectural styles, prohibitions on siding materials, amount of exterior wall materials, and roof shapes and materials. The Applicant proposes constructing the Restaurant of stone, wood and metal siding, and a standing-seam metal roof. These materials comply with the architectural requirements. The Applicant does not propose any prohibited siding, roof, or architectural style. LMC § 15-5-5(K) outlines requirements for trash and

	recycling enclosures. The Applicant proposes to construct a trash and recycling enclosure near the drop-off area. The enclosure will be screened on all sides with steel and matches the design of the proposed Structure. On December 13, 2024, the Empire Pass Design Review Board approved the proposed design for the Restaurant (Exhibit F).
Noise, Vibration, Odors, Steam, or Other Mechanical Factors that might affect people and Property Off-Site	**Condition of Approval recommended:** The proposed Use must comply with Municipal Code Chapter 6-3 *Noise*. The Applicant proposes to install all mechanical equipment on the roof the Structure and will be screened by a parapet wall and will not be visible.
Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas	**Complies:** The Applicant proposes a drop-off area for loading and unloading to the side of the Restaurant. The Applicant also proposes a round, screened trash enclosure near the drop-off area.
Expected Ownership and Management	**Condition of Approval recommended:** The Restaurant will be owned and operated by Talisker Club. Only members of the Talisker Club will have access to the private Restaurant. All events will be held for members of the Talisker Club and will not be open to the public. See Condition of Approval 18.
Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site	**Complies:** See Sensitive Land Overlay Analysis in Section III. The proposed Restaurant is not near any physical mine hazards and is not within the Park City Soils Ordinance boundary. The Flagstaff DA Technical Report #1 “Physical Mine Hazards” shows the nearest mine hazard approximately 360 feet from the proposed Development.
Reviewed for Consistency with	The proposed Restaurant is within the Upper Deer Valley neighborhood. The General Plan states that future

the Goals and Objectives of the Park City General Plan	improvements within the area should focus on a comfortable visitor experience and support the resort economy (p. 251). While the Restaurant is not open to the public, it complies with Section 2.6 of the Flagstaff DA which outlines that the Restaurant shall be private and provides ski-in/ski-out access for members of the Talisker Club.

(V) The proposal, as conditioned, complies with the Outdoor Dining criteria in LMC § 15-4-21(B)(1).

The Applicant proposes to construct a 400-square-foot Outdoor Dining Area with four picnic tables for a total seated capacity of approximately 30 people. The Outdoor Dining area will operate in the winter ski-season only.

Outdoor Dining Criteria	**Analysis of Proposal**
The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.	**Complies:** The proposed seating area is on Talisker Club's private property and will not diminish any existing or proposed landscaping.
The proposed seating Area does not impede pedestrian circulation.	**Complies:** The proposed seating area is in a convenient location for ski-in/ski-out access and does not impede pedestrian circulation.
The proposed seating Area does not impede emergency Access or circulation.	**Complies:** The DRC confirmed the proposal conforms to their requirements regarding emergency access and circulation.
The proposed furniture is Compatible with the Streetscape.	**Condition of Approval recommended:** • The Applicant is required to submit final furniture details prior to building permit issuance.
No music or noise in excess of the City Noise Ordinance, Title 6.	**Condition of Approval** recommended**:** • The Outdoor Dining must comply with Municipal Code Chapter 6-3 *Noise.*
No Use after 10:00 PM.	**Complies:** The Applicant's narrative states that the Restaurant will be open from 7:00 AM to 5:00 PM in the winter and will only operate in the summer if

	a private, members-only event is planned.
Review of the Restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.	**Complies:** The Outdoor Dining area will not create additional parking demand. No Parking Spaces are proposed for the Restaurant, pursuant to Section 2.6 of the Flagstaff DA.

(VI) The proposal, as conditioned, complies with the criteria for tents in LMC § 15-4-16(B).

The Applicant proposes to install an 800-square-foot tent on the outdoor patio up to five times per year. The tent will be installed for 14 days each time and then removed. Members of the Talisker Club can reserve the tent during the summer for private events. The Applicant's management plan states that events will not exceed the occupancy of the Restaurant at any one time. Condition of Approval 17: Maximum occupancy for the Restaurant and outdoor events during the summer must not exceed 67 people, including staff and guests.

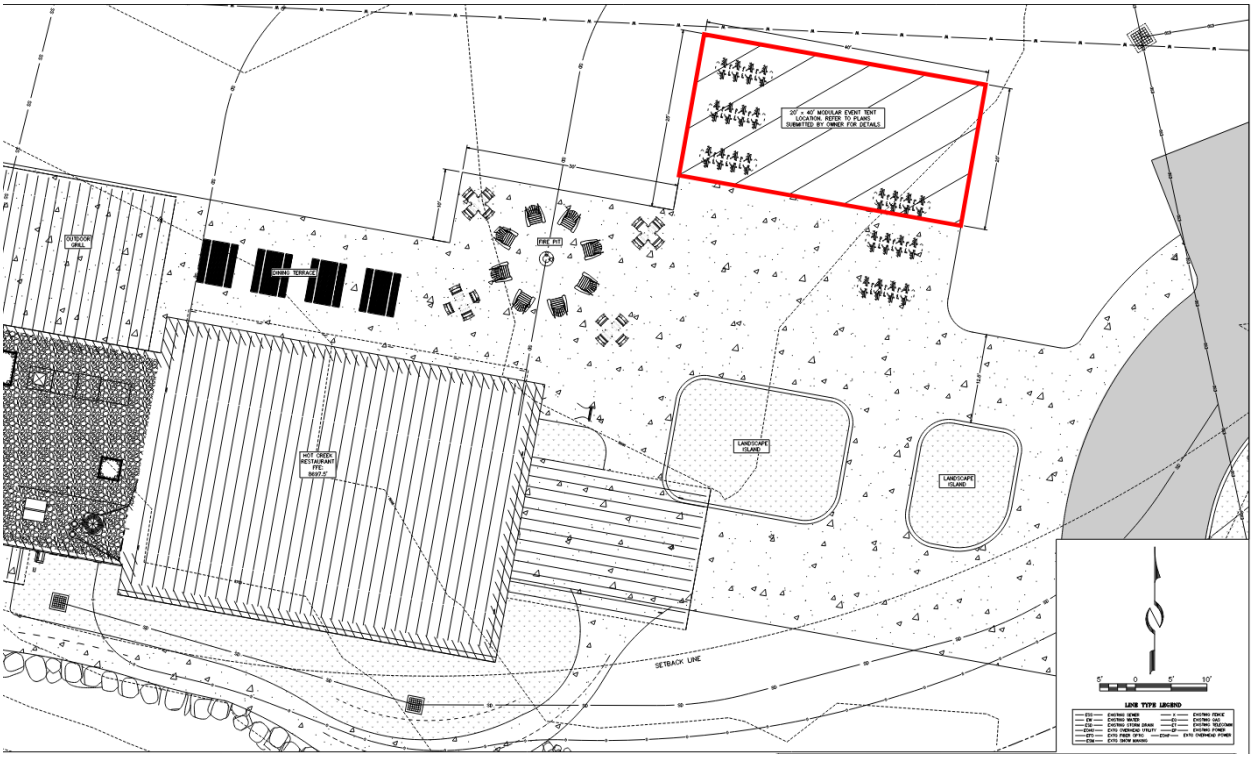


Figure 13: Site Plan for Tent, Highlighted in Red

LMC § 15-4-16(B) outlines the review criteria for tents:

The Applicant shall provide written notice of the Property	**Complies:** The Restaurant and tent will be owned and

Owner's permission.	operated by Talisker Club. Only members of the Talisker Club will have access to the private Restaurant and tent.
The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.	**Complies:** See Off-Street parking analysis above. The tent is not located on any off-street parking spaces or loading/unloading zones.
The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure.	**Complies:** The tent will be on the outdoor patio and will not affect pedestrian circulation, emergency access, or any other public safety measure.
The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6-3.	**See Condition of Approval 8.**
The Use shall comply with the LMC, the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with Illumination Section 12-4-9.	**See Conditions of Approval 6 and 7.**
The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.	**See Condition of Approval 10.**
The Use shall not violate the International Building Code.	**See Condition of Approval 11.**
The Applicant shall adhere to all applicable City and State licensing ordinances.	**See Condition of Approval 12.**

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 9, 2025. Staff mailed courtesy notice to property owners within 300 feet on July 9, 2025. The *Park Record* published courtesy notice on July 9, 2025.[2]

Public Input

[2] LMC § 15-1-21

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

Exhibits

A: Draft Final Action Letter
B: 2008 CUP Final Action Letter
C: 2018 Amendment to Flagstaff Development Agreement Technical Report #15
D: Technical Report #5 Open Space Management Plan
E: Visual Analysis
F: Empire Pass Design Review Board Approval
G: Applicant's Slope Map
H: Wetlands and Streams Map
I: Wildlife Habitat Report Prepared by BIO-WEST
J: Proposed Plans
K: Applicant's Height Narrative
L: Photo Exhibit
M: Historical Slope Exhibit
N: Renderings and Site Plans

Planning Department

July 23, 2025

Rhett Riding, Talisker Club

CC: Talisker Club 2.0 LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	10206 Twisted Branch Road
Zoning District:	Recreation and Open Space, Sensitive Land Overlay
Application:	Conditional Use Permit
Project Number:	PL-24-06370
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	July 23, 2025
Project Summary:	The Applicant proposes to construct a private Restaurant with Outdoor Dining and a temporary tent for private events installed up to five times per year on an on-going basis not to exceed 14 days at one time.

Action Taken

On July 23, 2025, the Planning Commission conducted a public hearing and approved the Conditional Use Permit according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Applicant proposes to construct a 2,862-square-foot private Restaurant with a 400-square-foot area for Outdoor Dining at 10206 Twisted Branch Road, within the Empire Pass area. The Outdoor Dining area will accommodate up to 30 guests.
2. The Applicant proposes an 800-square-foot tent to be installed up to five times per year on an ongoing basis not to exceed 14 days at one time.

3. The Applicant has a pending application for a proposed 2.83-acre one-Lot Subdivision for the Restaurant reviewed by the Planning Commission concurrently with this Application (PL-23-05973).
4. The proposal complies with the Recreation and Open Space (ROS) Zoning District requirements outlined in Land Management Code (LMC) Chapter 15-2.7.
    a. LMC § 15-2.7-3 requires that all Structures must be no less than 25 feet from the Lot lines. The proposed Restaurant exceeds this requirement and is greater than 50 feet from the Side and Rear Lot lines. The Restaurant is 26 feet from the Front Lot line. The Outdoor Dining area is greater than 50 feet from the Front, Side, and Rear Lot lines.
    b. LMC § 15-2.7-3(A) establishes Fences and retaining walls, paths, patios, and driveways as Setback exceptions. The Applicant proposes to construct one four-foot-tall stacked-rock retaining wall measuring approximately 105 feet in length, a pedestrian path approximately 110 feet in length, a 410-square-foot patio, and a circular driveway in the Front Setback.
    c. LMC § 15-5-5 outlines restrictions on architectural styles, prohibitions on siding materials, amount of exterior wall materials, and roof shapes and materials. The Applicant proposes constructing the Restaurant of stone, wood, and metal siding, and a standing-seam metal roof. These materials comply with architectural requirements. The Applicant does not propose any prohibited siding, roof, or architectural style.
    d. LMC § 15-5-5(K) outlines requirements for trash and recycling enclosures. The Applicant proposes to construct a trash and recycling enclosure near the drop-off area. The enclosure will be screened on all sides with steel and matches the design of the proposed Restaurant. On December 13, 2024, the Empire Pass Design Review Board approved the proposed design for the Restaurant.
    e. LMC § 15-2.7-4 outlines Building Height requirements in the ROS District: No Structure may be erected to a height greater than 28 feet from Existing Grade. The Applicant requests a building height exception pursuant to LMC § 15-6-5(F).
    f. LMC § 15-2.7-6 outlines requirements for protection of Significant Vegetation on Site. There is no Significant Vegetation located within the area proposed for development. The Applicant's existing conditions survey shows a small grouping of Significant Vegetation in the northwest corner

of the proposed Subdivision Lot. No development is proposed in this area and the Significant Vegetation will not be impacted.

5. The proposal, as conditioned, complies with LMC Section 15-6-5(F) pertaining to Building Height for Master Planned Developments.
    a. The Building Height requirements of the Zoning District in which a Master Planned Development (MPD) is located shall apply. LMC § 15-2.7-4 establishes the ROS Zoning District Building Height regulations: "No Structure may be erected to a height greater than 28 feet from Existing Grade."
    b. LMC § 15-15-1 Defined Terms distinguishes Existing Grade and Final Grade.
        i. Existing Grade: The Grade of a Property prior to any proposed Development or Construction Activity. ("Construction Activity" is defined as "[a]ll Grading, excavation, construction, Grubbing, mining, or other Development Activity which disturbs or changes the natural vegetation, Grade, or any existing Structure . . ." and "Grading" is defined as "[a]ny earthwork or activity that alters the Natural or Existing Grade, including but not limited to excavating, filling or embanking.")
        ii. Final Grade: The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.
    c. The Applicant proposes to measure the height of the Restaurant from Final Grade rather than Existing Grade.
    d. When the area was annexed into the City, it was zoned ROS-MPD.
    e. On August 8, 2018, the Planning Commission approved an amendment to the Flagstaff Technical Report #15 Construction Mitigation Plan which established 10206 Twisted Branch Road as a receiving Site for clean, excavated soil. The Applicant estimates that approximately 15,000 cubic yards of soil have been deposited at the Site, altering grade.
    f. The Applicant's proposed roof over topography plan shows the maximum height of the proposed Structure is 26.5 feet from Final Grade. If measured from Existing Grade, the highest point of the Structure would be approximately 36.5 feet from Existing Grade, 8.5 feet above ROS height.
    g. The Applicant submitted a visual analysis demonstrating that the proposed Structure measured from Final Grade will not be visible from any designated Vantage Points.

h. LMC § 15-6-5(F) establishes an allowance to exceed Building Height through an MPD when the Applicant can demonstrate six criteria are met.
i. The Building Height requirements of the Zoning District in which a Master Planned Development is located shall apply, except that the Planning Commission may consider an increase in Building Height based upon a Site-specific analysis. . . The Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made . . . In order to grant Building Height in addition to that which is allowed in the underlying Zoning District, the Planning Commission must find that:
    i. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits.
        1. Section 2.6 of the Amended Development Agreement requires that the Restaurant be between 7,000 and 10,000 square feet. The Applicant proposes a Structure that is 2,862 square feet with a 400-square-foot area for Outdoor Dining, less than the allowable density for the Site. The increase in Building Height will not result in increased square footage or Building volume beyond what would be allowed under the MPD.
    ii. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis.
        1. The nearest Structure, a Single-Family Dwelling at 8 Red Cloud Trail, is approximately 1,138 feet southeast of the proposed Restaurant. There will be no impacts such as loss of solar Access, loss of air circulation, or increased shadows to nearby Structures from the proposed Restaurant.
    iii. There is adequate Landscaping and buffering from adjacent properties and Uses.

1. There are no adjacent properties to 10206 Twisted Branch Road with Structures. The proposed Restaurant is adjacent to the Deer Valley Ski Resort and will provide ski-in/ski-out access for members of the Talisker Club. The Applicant proposes a four-foot retaining wall and Significant Vegetation including trees and shrubs along the Front Setback to help screen the Structure from Twisted Branch Road.

iv. Increased Setbacks and separations from adjacent projects are proposed.
   1. The proposed Structure complies with the Front Setback requirements and is greater than 150 feet from the Side and Rear property lines.

v. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible.
   1. Section 2.9.6 of the Flagstaff DA states that all land outside of the development pods shall be zoned ROS-MPD and shall remain as Open Space. The private restaurant is outlined in Section 2.6 of the Flagstaff DA. Members of the Talisker Club will have access to the Restaurant off the Bandana ski run in the winter, and there are no hiking or biking trails that will be impacted by the proposal.

vi. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Building is located within the Historic District.
   1. The Applicant proposes a roof form that complies with LMC § 15-5-5(F). The Applicant proposes a single-sloped roof with contributing flat roofs.

6. The proposal complies with the Sensitive Land Overlay requirements in LMC Chapter 15-2.21.
   a. Slope Protection: No Development is allowed on or within 50 feet, map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. An Area of Very Steep Slopes must

cover a topographic Area at least 25 feet vertically, upslope or downslope, and 50 feet horizontally in any direction to be subject to this prohibition.

i. The Applicant's slope map shows the proposed Development is not on or within 50 feet of a Very Steep Slope.

b. No Structure or other appurtenant device, including mechanical equipment, may visually intrude on the Ridge Line Area from any of the designated Vantage Points depicted in LMC § 15-2.21-5(B).

i. The proposed Restaurant is approximately 1,000 feet from the nearest ridgeline and is not visible from any designated Vantage Points.

c. Wetlands and Stream Protection.

i. The nearest stream is approximately 1,500 feet north of the proposed Restaurant.

d. Wildlife and Wildlife Habitat Protection.

i. The Applicant's wildlife and wildlife habitat report, prepared by wildlife consultant Bio-West, concludes that due to the clearing and soil filling that has occurred at the Site, there is no suitable habitat for any federal or state-listed species. No additional wildlife or wildlife habitat protection measures are required.

7. The proposal complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).

a. Size and Location of the Site.

i. The proposed Restaurant is in an appropriate location adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club. The size of the Restaurant is less than the original square footage limitations outlined in the Flagstaff Development Agreement (DA).

b. Traffic considerations including capacity of the existing Streets in the Area.

i. The Flagstaff DA requires that the Restaurant is accessible exclusively to members of the Talisker Club and not open to the public. No Parking Spaces are proposed. The Restaurant will only generate traffic from the private shuttles for club members to access the Restaurant. The Talisker Club operates between two and 14 shuttles at one time to transport members within the Empire Pass area. Employees will access the Restaurant via shuttle after parking at or taking transit to the Ontario or Mine Bench Parking

Lots or other approved parking areas for Talisker employees. During the winter, members of the Talisker Club may ski to the Restaurant or take a shuttle. In the summer season club members can mountain bike or hike to the Restaurant and the Applicant has confirmed that the shuttles will be used for members to access the Restaurant via Twisted Branch Road.

ii. Service and delivery vehicles will access the Restaurant via the drop off/shuttle drive through area. When there is a conflict between service/delivery vehicles and shuttles, there is a space for vehicles to pull into and wait.

c. Utility Capacity, including Storm Water run-off.
   i. The Development Review Committee (DRC) reviewed the proposal on January 21, 2025. The Park City Fire District requires the Applicant to install two fire hydrants in locations to be determined by the Fire District prior to building permit issuance.
d. Emergency Vehicle Access.
   i. The DRC confirmed the proposal conforms with all emergency vehicle access standards.
e. Location and amount of off-Street parking.
   i. Section 2.6 of the Amended Flagstaff DA stipulates that no Off-Street parking is allowed for the private Restaurant. The Applicant proposes no Off-Street Parking Spaces. The Ontario and Mine Bench Parking Lots have 92 Parking Spaces for Talisker Club use.
f. Internal vehicular and pedestrian circulation system.
   i. The Applicant proposes to construct a drop off area for shuttle vehicles and deliveries. The proposed Restaurant is off the Bandana ski run and is accessible to skiers.
g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses.
   i. The Applicant proposes a four-foot-tall retaining wall that is 105 feet long within the Front Setback, which is an allowed exception pursuant to LMC § 15-2.7-3(A). LMC § 15-5-5(N) requires at least 50 percent of the landscaped area be Water Wise landscaping containing non-invasive drought tolerant plants and minimal irrigation. The Applicant's landscape plan shows a native seed mix for all disturbed areas, and water wise trees and shrubs. The

Applicant's existing conditions survey shows a small grouping of Significant Vegetation in the northwest corner of the proposed Subdivision Lot. No development is proposed in this area and the Significant Vegetation will not be impacted.

h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.
    i. The proposed Building is less than the square footage described in Section 2.6 of the Flagstaff DA and is adjacent to the Bandana ski run to allow ski-in/ski-out access for members of the Talisker Club. The proposed Restaurant is approximately 1,000 feet from the nearest ridgeline and is not visible from any designated Vantage Points. The Structure will be located below the grade from Twisted Branch Road and will be screened by landscaping along Twisted Branch Road. The Structure is in an appropriate location on the Site to minimize visual impacts and impacts to Steep Slopes.
i. Useable Open Space.
    i. Section 2.9.6 of the Flagstaff DA states that all land outside of the development pods shall be zoned ROS-MPD and shall remain as Open Space. The proposed Restaurant is in the designated Developed Recreation Open Space (DROS) area, but does not decrease the amount of required Open Space in the Flagstaff Annexation Area, as outlined in Section 2.6 of the Flagstaff DA. Flagstaff Technical Report #5 Open Space Management Plan considers the proposed Restaurant, mentioned in Section 3.8, p. 10: "Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA "Beano's Cabin") in the DROS. The facility is to be located within the ski terrain near to the Mountain Village." Members of the Talisker Club will have access to the Restaurant off the Bandana ski run in the winter, and there are no hiking or biking trails that will be impacted by the proposal.
j. Signs and Lighting.
    i. See Conditions of Approval 6 and 7.
k. Physical design and compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.

i. LMC § 15-5-5 outlines restrictions on architectural styles, prohibitions on siding materials, amount of exterior wall materials, and roof shapes and materials. The Applicant proposes constructing the Restaurant of stone, wood and metal siding, and a standing-seam metal roof. These materials comply with the architectural requirements. The Applicant does not propose any prohibited siding, roof, or architectural style.
ii. LMC § 15-5-5(K) outlines requirements for trash and recycling enclosures. The Applicant proposes to construct a trash and recycling enclosure near the drop-off area. The enclosure will be screened on all sides with steel and matches the design of the proposed Structure.
iii. On December 13, 2024, the Empire Pass Design Review Board approved the proposed design for the Restaurant.

l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors that might affect people and Property off-Site.
   i. See Condition of Approval 8. The Applicant proposes to install all mechanical equipment on the roof the Structure and will be screened by a parapet wall and will not be visible.

m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas.
   i. The Applicant proposes a drop-off area for loading and unloading to the side of the Restaurant. The Applicant also proposes a round, screened trash enclosure near the drop-off area.

n. Expected Ownership and Management.
   i. The Restaurant will be owned and operated by Talisker Club. Only members of the Talisker Club will have access to the private Restaurant. All events will be held for members of the Talisker Club and will not be open to the public.

o. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site.
   i. The proposed Restaurant is not near any physical mine hazards and is not within the Park City Soils Ordinance boundary. The Flagstaff DA Technical Report #1 “Physical Mine Hazards” shows

the nearest mine hazard approximately 360 feet from the proposed Development.

p. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan.
    i. The proposed Restaurant is within the Upper Deer Valley neighborhood. The General Plan states that future improvements within the area should focus on a comfortable visitor experience and support the resort economy. While the Restaurant is not open to the public, it complies with Section 2.6 of the Flagstaff DA which outlines that the Restaurant shall be private and provides ski-in/ski-out access for members of the Talisker Club.

8. The proposal, as conditioned, complies with the Outdoor Dining criteria in LMC § 15-4-21(B)(1).
    a. The Applicant proposes to construct a 400-square-foot Outdoor Dining Area with four picnic tables for a total seated capacity of approximately 30 people. The Outdoor Dining area will operate in the winter ski-season only.
    b. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.
        i. The proposed seating area is on Talisker Club's private property and will not diminish any existing or proposed landscaping.
    c. The proposed seating Area does not impede pedestrian circulation.
        i. The proposed seating area is in a convenient location for ski-in/ski-out access and does not impede pedestrian circulation.
    d. The proposed seating Area does not impede emergency Access or circulation.
        i. The DRC confirmed the proposal conforms to their requirements regarding emergency access and circulation.
    e. The proposed furniture is Compatible with the Streetscape.
        i. See Condition of Approval 9.
    f. No music or noise in excess of the City Noise Ordinance, Title 6.
        i. See Condition of Approval 8.
    g. No Use after 10:00 PM.
        i. The Applicant's narrative states that the Restaurant will be open from 7:00 AM to 5:00 PM in the winter and will only operate in the summer if an event is planned. Condition of Approval 13 requires

any summer use of the outdoor dining must be completed by 10:00 PM.

9. The proposal, as conditioned, complies with the criteria for tents in LMC § 15-4-16(B).
    a. The Applicant proposes to install an 800-square-foot tent on the outdoor patio up to five times per year. The tent will be installed for 14 days each time and then removed.
    b. Members of the Talisker Club can reserve the tent during the summer for private events. The Applicant's management plan states that events will not exceed the occupancy of the Restaurant at any one time.
    c. The Applicant shall provide written notice of the Property Owner's permission.
        i. The Restaurant and tent will be owned and operated by Talisker Club. Only members of the Talisker Club will have access to the private Restaurant and tent.
    d. The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.
        i. The tent is not located on any off-street parking spaces or loading/unloading zones.
    e. The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure.
        i. The tent will be on the outdoor patio and will not affect pedestrian circulation, emergency access, or any other public safety measure.
    f. The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6-3.
        i. See Condition of Approval 8.
    g. The Use shall comply with the LMC, the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with Illumination Section 12-4-9.
        i. See Conditions of Approval 6 and 7.
    h. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.
        i. See Condition of Approval 10.
    i. The Use shall not violate the International Building Code.
        i. See Condition of Approval 11.

j. The Applicant shall adhere to all applicable City and State licensing ordinances.
    i. See Condition of Approval 12.

10. The Development Review Committee reviewed the proposal on January 21, 2025.
11. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 9, 2025.
12. Staff mailed courtesy notice to property owners within 300 feet on July 9, 2025. The Park Record published courtesy notice on July 9, 2025.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements outlined in LMC Chapter 15-2.7 *Recreation and Open Space Zoning District*, Chapter 15-2.21 *Sensitive Land Overlay*, Section 15-6-5(F) *Building Height Exception Criteria*, Section 15-4-21(B)(1) *Outdoor Dining Criteria*, Section 15-4-16(B) *Review Criteria for Tents*, and Section 15-1-10(E) *Conditional Use Permits*.
2. The Use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any difference in use or scale have been mitigated through careful planning

Conditions of Approval

1. Any changes, modifications, or deviations from the approved plans that have not been approved in advance by the Planning Department may result in a stop work order.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
3. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
4. The Park City Fire District requires the Applicant to install two fire hydrants in locations to be determined by the Fire District prior to building permit issuance.
5. The Applicant is responsible for managing parking consistent with Section 2.6 of the Amended Development Agreement. Any Restaurant employees and guests utilizing off-site parking, including the Ontario or Mine Bench Parking Lots, shall be limited to the spaces leased by the Talisker Club and shall not impact public trailhead parking, or other approved parking uses.

6. Any proposed signs for the Restaurant must receive a separate sign permit approved by the Planning Department.
7. Any exterior lighting must be down directed and Fully Shielded and with bulbs 3000-degree Kelvin or less.
8. The proposed Use must comply with Municipal Code Chapter 6-3 *Noise*.
9. The Applicant is required to submit final furniture details prior to building permit issuance.
10. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.
11. The Use shall not violate the International Building Code.
12. The Applicant shall adhere to all applicable City and State licensing ordinances.
13. Any summer use of the outdoor dining must be completed by 10:00 PM.
14. The Flagstaff Development Agreement allows for the construction of a Restaurant between 7,000 and 10,000 square feet. The proposed Restaurant is 2,862 square feet. The remaining square footage cannot be used on any other site in the Flagstaff MPD area and any increase in square footage to the Restaurant will trigger an additional Conditional Use Permit to be reviewed by the Planning Commission. The height approval shall not apply to any future expansion unless separately approved by the Planning Commission.
15. The small grouping of Significant Vegetation in the northwest corner of the proposed Subdivision Lot shall not be impacted. No Significant Vegetation is proposed or approved to be removed.
16. The Applicant shall re-vegetate all disturbed areas with a native seed mix and all areas must have at least 80 percent germination prior to Site completion.
17. Maximum occupancy for the Restaurant and outdoor events must not exceed 67 people, including staff and guests.
18. Only members of the Talisker Club will have access to the private Restaurant. All events will be held for members of the Talisker Club and will not be open to the public.
19. The Applicant shall update their plans prior to building permit submittal to shift access to the private Restaurant 20 feet further from the ski bridge to clear site distance requirements, as approved by the City Engineer.

If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org.

Sincerely,

Christin Van Dine
Planning Commission Chair

CC: Virgil Lund

FILE COPY

PARK CITY
1884

Building Department • City Engineer • Planning and Zoning

February 14, 2008

United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Name	Talisker Club Mountain Restaurant
Project Description	Conditional Use Permit
Date of Action	February 13, 2008

Action Taken By the Planning Commission: The Planning Commission APPROVED the proposed Talisker Club Mountain Restaurant based on the following:

Findings of Fact:

1. The Talisker Club Mountain Restaurant Conditional Use Permit is located on Twisted Branch Road in the Recreation Open Space (ROS-MPD) zoning district of the Flagstaff (now Empire Pass) annexation area.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The original Development Agreement (DA) allowed for the construction of an on-mountain private restaurant (Section 2.6 Beano's Style Private Club). An amended and restated DA was signed in March of 2007.
4. The amended DA, Section 2.6 reads:

   2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style), at a location to be determined at the CUP phase. No private parking areas or vehicular access will be allowed except (i) access and space for patron drop-off's and pickup's, and (ii) access, loading areas and circulation for emergency, delivery and service vehicles. The size of the private restaurant shall be determined by the Planning Commission at the CUP review phase, and shall be between 7,000 and 10,000 square feet.

5. The proposed Talisker Club Mountain Restaurant Conditional Use Permit is for 9,954 square feet for total space.
6. The proposed Conditional Use Permit is consistent with the amended Development Agreement for Empire Pass.
7. The Talisker Club Mountain Restaurant will be wholly owned by Talisker Club LLC.
8. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
9. The building will be included in the Empire Canyon emergency access route.
10. The Utility Maintenance Agreement between Park City and the Master Homeowners Association is affected by the installation of additional utilities for this project.
11. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). The proposed building complies with the height requirements.
12. The Construction Mitigation Plan must reiterate that downhill construction truck traffic will use Royal Street.

Conclusions of Law:

1. The CUP is consistent with the Amended and Restated Flagstaff Mountain Development Agreement, and the Park City Land Management Code.
2. The CUP is consistent Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines.
4. All exterior signs require a sign permit.
5. Materials color samples and final design details must be approved by staff prior to building permit issuance.
6. The final building plans and construction details for the project shall meet substantial compliance with the drawings dated October 26, 2007, as submitted and reviewed by the Planning Commission.
7. No on-site parking for employees or guests is allowed. All employees and guests must use shuttle or Dial-A-Ride service for vehicular access.
8. No gate is proposed or allowed with this approval except to screen the service and delivery area.
9. The Fire Marshall shall review and approve a fire protection plan prior to Building Permit issuance.
10. A revised and restated Utility Maintenance Agreement between the Master Empire Pass Owner's Association and Park City shall be finalized and recorded prior to any building permit issuance. The revised agreement shall clearly assign all responsibility for any and all snow removal in Empire Pass and Deer Valley as

necessary for access, parking, utility maintenance, fire hydrant access, water valve access, gas line access, telecommunications access, SCADA component access and function, and any and all inspections and/or related maintenance, to the Master HOA, without limitation or reservation. The Master HOA shall assume all responsibility for all trench repairs, including ski run restoration, snow melt system repair, and snow making system repair without limitation.

11. The Empire Canyon secondary emergency access route must be updated prior to Building Permit issuance.
12. A subdivision plat is required to be recorded prior to building permit issuance.

Sincerely,

Brooks T. Robinson
Principal Planner

CONSTRUCTION MITIGATION PLAN
FOR
FLAGSTAFF MOUNTAIN RESORT PARK CITY, SUMMIT COUNTY, UTAH also known as EMPIRE PASS

EXHIBIT 15

Prepared by:
United Park City Mines Company

May 2001
(Revised and Approved December 2001)
Revised February 2004
Further revised June 2008
Revised August 2018

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Exhibits

Exhibit A — Off-site Road Improvement Plan
Exhibit B1-B2 — Emergency Access Plan (revised 1/2004)
Exhibit C — Road Cross Sections (revised 1/2004)
Exhibit E — Ontario #3 Mine Building Complex Staging Area

(Exhibits D and F were deleted with the 2008 Amendments)
Renumber pages for Table of Contents with final clean document.

I. INTRODUCTION, GOALS OBJECTIVES

This study is one of several reports that have been prepared to support the Flagstaff Mountain Resort's Large Scale Master Plan Development (LSMPD) application. As LSMPDs are programmatic in nature and subject to refinement at subsequent Master Planned Development (MPD) or Conditional Use Permit (CUP) stages, correspondingly, the contents of this report should be viewed as conceptual in nature and subject to change as specific plans are developed. Details developed at the MPD or CUP stage will not require a modification of this plan provided that they comply with the Goals and Objectives of this Plan.

General Description of the Property

Flagstaff Mountain Resort (the "Resort") is an assemblage of mining claims totaling approximately 1,655 acres of land (the "Annexation Area" located at the southwestern corner of Summit County, Utah. The Annexation Area is bordered by Deer Valley Resort to the east and State Highway 224 (Marsac Avenue) to the northeast. The southern boundary coincides with the Summit County/Wasatch County line. The Park City Mountain Resort borders the Annexation Area to the west and northwest. The Resort was annexed into the corporate limits of Park City, Utah on June 24, 1999 (refer to Exhibit "A" attached).

The proposed areas of development will be restricted to a) the "Mountain Village" consisting of three Development Pods ("A", "B-1" and "B-2") limited to: a) maximum of 84 acres and b) the "Northside Neighborhood" (Development Pod "D") limited to a maximum of 63 acres.

The maximum density allowed within the Mountain Village includes 785 Unit Equivalents configured in no more than 550 dwelling units and 192 hotel rooms. The residential units may be multi-family units, hotel room units or PUD units. In addition, the Mountain Village may also contain a maximum of: i) 16 single-family home sites; and, ii) 75,000 sf of resort support commercial uses. The Flagstaff Development Agreement was amended and recorded in March of 2007 and is referred to as the Amended Agreement.

The Northside Neighborhood (aka Red Cloud) may contain a maximum of 38 single-family home sites of which 30 are currently entitled and 8 are subject to further requirements under the Development Agreement. In addition to the Deer Valley Resort "Empire" Day Lodge near the Daly West waste rock pile, uses for the Resort are intended to include hotel lodging facilities, resort support commercial, multi-family residential units, PUD-style residential units and single-family home sites. Recreational uses will remain similar to the

current uses described above, with the exception of commercial snowmobiling, which will be discontinued.

Construction and Potential Construction Impacts

Development of the Resort will include two (2) basic types of construction, infrastructure which includes roads, utilities, etc. and the actual residential and commercial buildings themselves. This Construction Mitigation Plan primarily addresses the infrastructure development of the Resort, although the guidelines set forth herein will be incorporated into the individual construction mitigation plans that will be required for each of the building development projects.

The proposed infrastructure development includes construction of: i) roadways, with the associated bridges and tunnels; ii) storm water drainage facilities; and, iii) utility systems including sanitary sewer, water storage & pumping, water distribution, natural gas, electric power transmission and telecommunication systems along with trail systems, ski lifts and other Resort improvements.

As stated above, each individual building project will be required to submit a site-specific construction mitigation plan prior to commencement of construction. These individual building construction mitigation plans will supplement and be consistent with this Plan. Section VI, “Construction Mitigation Plan Management” addresses this supplemental process to ensure compliance and implementation of these Plans.

Construction Mitigation Planning Goals and Objectives

The primary goal and objective of this Construction Mitigation Plan is to identify and mitigate the impacts of infrastructure construction associated with the Resort, adhering to the standard Park City Municipal Corporation (“Park City”) required construction impact mitigation measures along with additional site-specific mitigation measures required by the Development Agreement.

In addition, a complete Storm Water Pollution Prevention Plan (“SWPPP”) will be prepared and implemented separately for the Resort in strict accordance with local, State and Federal guidelines. The primary goals of the SWPPP will be: i) to limit the areas of disturbance of the existing vegetation to only those areas required to install the proposed improvements; ii) to retain sediment on site to the extent practicable through the selection, installation and maintenance of storm water control measures in accordance with good engineering practices; and, iii) to prevent construction litter, debris and chemicals from becoming a pollutant source of storm water discharges. The SWPPP will also be designed to protect Park City’s water sources and their designated water source protection areas.

For purposes of this Construction Mitigation Plan, and inasmuch as most of the issues and concerns addressed are identical, portions of the SWPPP will be

incorporated into the individual sections of the Plan as they apply.

II. EXISTING CONDITIONS

Existing Access

Access to the approximately 1,655-acre Annexation Area is via either Guardsman Pass Road or Daly Avenue. Guardsman Pass Road through the site is a narrow and steep minimally maintained road with a surface of either deteriorating asphalt or gravel. Guardsman Pass Road is not maintained or plowed in the winter and is closed to vehicles after the first significant snowfall of the season at a gate located approximately one-quarter mile south of the Guardsman Connection. Daly Avenue provides gated access to the mouth of Empire Canyon below Development Pod A.

Existing Uses

The Annexation Area has historically been a popular recreational site used by area residents and visitors alike. Winter uses include both lift-served resort skiing as well as backcountry skiing, snowshoeing and snowmobiling. Summer uses include mountain biking, hiking and equestrian uses.

Within the Annexation Area portion of Deer Valley Resort, there are six existing ski lifts and approximately 36 ski runs, many of which have been cut through forest stands, graded, and revegetated. Four additional lifts are currently planned for the Annexation Area. One of these will serve the ski in/ski out needs of Development Pod A, one will access existing terrain between the Red Cloud and Northside Lifts (Ski Pod D) and the other two will access new intermediate and advanced Ski terrain in Empire Canyon (future Ski Pods X and Z).

A snowmobile concession, located just east of the Guardsman Connection at the horse stable has been discontinued.

Numerous trails currently exist within the Annexation Area, which include improved roadways, jeep trails, single-track trails, and undeveloped game trails. Many of the undeveloped trails are used on a limited basis by local hikers and equestrians. Other trails receive more frequent use and are recognized as serving a broader spectrum of the public. The “Trails Master Plan for Flagstaff Mountain Resort” provides a detailed description of the existing trail system.

Mining Operations

Although active mining operations ceased in 1982, more than a century of intensive mining activities within the Annexation Area have left a number of mining-related features ranging from bits of debris and subtle landscape alterations to massive mine waste rock overburden sites and standing structures.

As mentioned above, the Historic Preservation Plan provides specific information regarding the current status of mining related structures and features within the Annexation Area.

Existing Utilities

Utilities as outlined in the Utility Master Plan have been installed in Marsac Avenue. Water, Electrical and telephone are connected to the service providers. The second sewer outfall down Marsac Avenue is partially complete and will be finished in the summer of 2004.

Existing Emergency Services

Existing and proposed Emergency Services are detailed in the Emergency Response Plan for the project.

III. SCOPE OF INFRASTRUCTURE CONSTRUCTION WORK

Improvements to Marsac Avenue and Mine Road section of State Route 224

As required by the Development Agreement, the Resort will make certain improvements to Marsac Avenue beginning at the Deer Valley Drive "Roundabout," continuing south on Marsac Avenue and the Mine Road to the Guardsman Connection. Included as part of these improvements will be the construction of a runaway truck ramp which was completed in 2001. The balance of the improvements to this section of road include rebuilding the travel surface, adding curb and gutter, and the addition of a short uphill passing lane which is schedule to be completed by the end of 2004.

Realigned Guardsman Pass Road

Guardsman Pass Road from the Guardsman Connection through Development Pods A and B-1 to Development Pod B-2 has been realigned and accepted by the State.

Private Road

A private road, constructed to the same cross-section described above for the re-aligned portion of Guardsman Pass Road, will be built to serve Development Pod D and the proposed Bonanza Mountain Resort located in Wasatch County on a year-round basis (refer to Exhibit "G" attached). Access to this private road will be limited to the residents of Flagstaff Mountain Resort and Bonanza Mountain Resort along with their respective visitors, guests, employees and service personnel (refer to the Private Road Access Limitation Procedures for Flagstaff Mountain Resort). A private street may be dedicated to the City with City Council approval. An emergency secondary access road will be built from Pod D to Pod A.

Development Pod Infrastructure

Roads within the Development Pods will be constructed to cross-sections similar to those described for the re-aligned Guardsman Pass Road (refer to Exhibit "B" attached). These roads will include all of the required utilities, which, for the most part, will be installed within the road platform. Parking will not be allowed on either side of these roads.

Bridges and tunnels will be constructed to provide grade separation of vehicles and recreational users (hikers, bikers & skiers). These structures will be designed to incorporate so-called "dry crossings" to provide access during construction as well as emergency vehicular access around these structures in the event of a structural failure.

Utilities

Water:

The Flagstaff Mountain Resort Conceptual Water Master Plan provides for the storage and distribution of water for both domestic and firefighting uses. Water will be provided to the Resort by the Park City Municipal Corporation in accordance with i) an *AGREEMENT FOR A JOINT WELL DEVELOPMENT PROGRAM, dated January 14,2000 and ii) a MEMORANDUM OF UNDERSTANDING BETWEEN PARK CITY MUNICIPAL CORPORATION AND UNITED PARK CITY MINES COMPANY CLARIFYING AND IMPLEMENTING THE WATER SERVICE AND WATER SOURCE DEVELOPMENT PROVISIONS OF THE DEVELOPMENT AGREEMENT dated June 24,1999*, dated January 14, 2000, and iii) numerous other water agreements-between the parties, and iv) any future agreements.

Water will be delivered to the 1,000,000 gallon storage tank (Water Tank #1) that UPK constructed on the east side of Guardsman Road, just above the Empire Day Lodge. The primary source of water for Tank #1 is planned to be the Spiro Water Treatment Plant via the 13th Street Pump Station and the Woodside Tank. After necessary upgrades to the existing system are completed, water will be pumped from the Woodside Tank up Empire Canyon to the Pod B-2 Tank via a 10" ductile iron water line.

The secondary source that presently supplies Tank #1 is the existing Bald Eagle Tank at the Deer Valley Resort. Water gravity flows to Tank #1 from the Bald Eagle Tank through the water line that feeds the Empire Day Lodge at Pod B-2 via a 10" ductile iron water line that runs along the Banner Ski Trail and across the Northside Ski Runs. Tank #1 is located at an operating elevation of approximately 8,450 feet above sea level and provides approximately 540,000 gallons of fire storage for Pods A, B-1 and B-2. This

storage capacity has been calculated to provide the necessary 3,000 gallons per minute for the three-hour duration in accordance with the requirements of the Park City Building Department.

Tank #1 will provide water via a pump station and a 10” ductile iron water line to a second tank (Tank #2) of 1,000,000 gallons to be located along the ridgeline in the area above red Cloud. Tank #2 will be located at an operating elevation of approximately 9,150 feet above sea level and will provide approximately 300,000 gallons of fire storage for red Cloud and for UPK’s property in the Bonanza Flats area of Wasatch County. This storage capacity has been calculated to provide 2,500 gallons per minute for the two-hour duration. The fire flow assumptions for this tank have been reduced since the buildings served will be much smaller than those programmed for Pods A, B-1 and B-2. Water will be distributed from these tanks via a series of water mains, with fire hydrants installed along the roads and throughout the development Pods as required by Park City and the District. In addition to the required fire hydrants, fire department connections and standpipe systems, fire hose storage cabinets and their appurtenances will be provided in strategic locations throughout Empire Pass to ensure appropriate resources are available in the event of a fire.

Sewer:

Flagstaff Mountain Resort will enter into the necessary Line Extension Agreements with the Snyderville Basin Water Reclamation District in order to secure adequate sanitary sewer service for the Resort.

Flagstaff Mountain Resort will construct a wastewater collection system throughout the Resort area.

Beginning at Development Pod D at the top of Flagstaff Mountain, wastewater will be collected and transported downhill via two separate sewers. The first will follow the alignment of the proposed private road that connects Development Pods D and B-2 and will collect wastewater from those single-family lots located on the west side of Flagstaff Mountain. This sewer will then collect wastewater from Development Pods B-2 and B-1 and convey it to the sewer line constructed in Empire Canyon during 2001. This is the sewer line that extends from the Empire Day Lodge to upper Daly Avenue.

The second sewer will collect wastewater from the balance of the single-family lots within Development Pod D and convey it along the Northside ski runs to Development Pod A.

A system of sewers within Development Pod A will collect the wastewater conveyed from Development Pod D, along with the wastewater generated in Development Pod A and convey it to Prospect Ridge.

From Prospect Ridge, a sewer will convey the wastewater down to one of two connections to the existing sanitary sewer system.

One is the existing sewer that was extended up Marsac Avenue by the City to a point just above the new Deer Valley Drive “roundabout” in Ontario Canyon. This line has the capacity to accept all of the wastewater generated by the Resort and will be the primary receiver of the Resorts wastewater.

The other outfall is the connection that will be made to the existing sewer at the top of Daly Avenue in Empire Canyon. The capacity of this line is restricted due to existing conditions within Main Street, so this line can only accommodate a portion of the overall requirements of the Resort.

Electric Power:

The source of electric power for the Resort will be the existing Judge Tunnel switch and the recently realigned Olmsted line. Power will be distributed from this point throughout the Resort via an underground distribution system located within either the proposed street rights-of-way or utility easements.

Telecommunications:

Allwest Communications will provide fiber optic lines for Internet, cable and phone.

Natural Gas:

Questar Natural Gas Company has extended a transmission line to a regulator station in the pod B1 area. Distribution line have been installed in the realign Marsac Ave

For additional information relating to the proposed construction associated with the development of Flagstaff Mountain Resort, please refer to the following Resort master plan documents:

- The Construction and Development Phasing Plan
- The Utilities Master Plan
- The Drainage Master Plan
- The Private Road Access Limitation Procedures
- The Emergency Response Plan

IV. CONSTRUCTION IMPACTS AND MITIGATION MEASURES

Construction Phasing

Detailed anticipated timeline of construction activities are described in the “Construction and Development Phasing Plan for Flagstaff Mountain Resort”. A

Construction Mitigation Plan is required at the time of Conditional Use Permit application.

Traffic Impacts

The primary impacts to traffic on the roadways adjacent to the Annexation Area relate to construction personnel commutes and deliveries of construction materials and supplies.

As stated above, the primary access to the Annexation Area will be via Marsac Avenue and the Mine Road. The vast majority of construction personnel and material handling traffic to and from the Annexation Area will travel along this route. To a much lesser extent, there will be some minimal construction related traffic along Main Street and Daly Avenue associated with the limited construction activity located in the lower portions of Empire Canyon.

Roadways potentially impacted by construction traffic will include the following:

- SR 224 from Kimball Junction to Deer Valley Drive
- SR 248 from Quinn's Junction at Highway 40 to SR 224 (Park Avenue)
- Bonanza Drive
- Park Avenue to Deer Valley Drive
- Deer Valley Drive to Marsac Avenue
- Marsac Avenue from the roundabout to Hillside Avenue
- The Mine Road from Hillside Avenue to the Guardsman Connection
- Daly Avenue and Main Street

Potential construction traffic impacts include:

- Increased traffic associated with construction personnel arriving and leaving the Annexation Area
- Deliveries of construction materials, primarily loaded trucks moving slowly uphill
- Temporary traffic restrictions associated with the required improvement of Marsac Avenue and the Mine Road

A variety of traffic related mitigation methods will be implemented to minimize the above referenced traffic impacts.

Since the majority of the construction activities will take place during the late spring, summer and early fall construction season, and during long periods of daylight, the majority of the construction personnel will be arriving and departing the Annexation Area at traditionally non-peak time periods. This will help to mitigate traffic congestion during the normal morning and afternoon peak travel times. Although there is no formal system proposed construction personnel will be strongly encouraged to car pool to and from the Annexation Area to reduce traffic impacts.

The Resort will develop and implement a detailed program to mitigate traffic impacts related to the delivery of materials and supplies to the Resort and the haul-off of excess and waste materials from the Annexation Area.

This program will include, but not be limited to, the following components:

Delivery Schedules

In general deliveries will be restricted to follow the schedule set out in this section which is designed to minimize conflicts with tourist and holiday traffic. Deliveries that cannot accommodate this schedule will be the subject of a specific delivery plan that will be submitted and approved by the Building Department.

Deliveries to the site are of varying types and uses. General construction material will originate from SLC and will be at predictable times and frequency. These deliveries will be scheduled to not coincide with ~~peek~~ peak winter tourist traffic patterns and will avoid holidays. In the winter peak ski season (Christmas through Presidents Day) these deliveries will be scheduled to arrive during week days after 9:30 AM and before 3:30 PM and will be direct to the construction site. Saturday deliveries are possible but will be the exception and will be further restricted to after 10:00 AM and before 3:00 PM. Sunday and holiday deliveries will be prohibited. In the balance of the year the delivery schedule will also avoid holidays and Sunday, but will generally be permitted over the normal construction hours. Summer traffic conflicts can occur on non-holiday times when festivals are scheduled outside of weekends and holidays. The Master Owners Association will verify with the City the festival schedule to the project identifying areas of concern. The developer will coordinate with the City to minimize conflicts with these dates and times.

Just-in-time deliveries consist of materials fabricated off site such as structural steel, pre-cast concrete and trusses. These materials are shipped by common carrier and are offloaded from the truck and placed directly on the building during normal working hours. While their arrival in town is random and not schedulable like routine deliveries from SLC, they are few in number and will have limited impact.

Concrete deliveries are the most demanding from a schedule point of view. Small pours can be scheduled to respect the off peak delivery schedule set out for routine deliveries. However large pours will occur year-around and may need to be scheduled for the full day. These deliveries schedules will be submitted to the Building Department for approval as previously noted.

Directions and Travel Routes

Deliveries and traffic routes will be monitored and recorded by the Master

Homeowners Association (MHA) who has the ability to levy fines on contractors and owners who fail to comply with the approved project CMP~~plans~~. See MHA mitigation plan for details of requirements and coordination of CMPs throughout the project.

A Delivery Route Map providing suppliers with directions to the Resort from 1-80 and US 40 including detailed information related to travel conditions and construction detours along the route(s) through Summit County and Park City. This map will be updated on a frequent basis to ensure deliveries do not get lost and cause undue impacts on other parts of Park City. The maps will not require that downhill truck traffic use Royal Street. Downhill truck traffic is ~~, however~~ at the discretion of the Chief Building Official or the Chief of Police:

(i) Over-length trucks that cannot stay in their lane on the turns on Royal Street may be allowed to go down the mine Road/Marsac Avenue; and
(ii) Trucks may be routed down the Mine Road/Marsac Avenue when weather or other conditions make travel down Royal Street unsafe or impractical.

- Deliveries will be required to be scheduled in advance to ensure that: i) they arrive during non-peak Park City travel periods; ii) equipment is available to quickly off-load the shipment; and, ill) a storage area is available. With the approval of Park City, deliveries may be scheduled outside of normal working hours to minimize traffic impacts.

- Deliveries will be timed to coincide with the installation of the materials to ensure that the Resort's storage areas do not become overcrowded.

- Deliveries will be prohibited during area special events including, but not limited to, the Fourth of July celebration, the Arts Festival and the Miner's Day celebration.

- Appropriate directional signal will be installed to clearly direct deliveries to their appropriate destination.

With regard to the improvements associated with the reconstruction of Marsac Avenue and the Mine Road, the Resort will work with Park City to develop an approved construction phasing and implementation plan. This plan will include various elements including, but not limited to, a phasing plan and schedule, a detour plan, a construction signage plan, and a public information program all similar to the one implemented on the construction of the sewer in lower Marsac Avenue.

Hours of Operation

Although for the most part construction associated with the Resort is isolated and a significant distance from existing neighboring residential areas, since the construction is taking place uphill from and in confined canyons adjacent to these

residential areas that may transmit sound over a great distance, hours of construction is a concern.

In accordance with the Park City Construction Mitigation Guidelines, construction operations will be limited to the hours of 7:00 AM to 9:00 PM Monday through Saturday and 9:00 AM — 6:00 PM on Sunday. These restrictions will be strictly enforced whenever noise and disruption from construction operations may create a public concern. In more remote areas of the Annexation Area that will not affect neighboring residential areas, extended hours of operation may be requested, subject to the approval of the Park City Community Development Department.

Construction Personnel Vehicle Parking

Due to the considerable size of the Resort, the high number of anticipated construction personnel, the need to keep Marsac Ave open to the public, the restrictive nature of the terrain and the vegetation which must be protected, construction personnel vehicle parking is a concern.

The Resort will designate, construct, maintain and manage specific construction personnel vehicle-parking areas located throughout the Annexation Area. Parking is prohibited on Marsac Ave. The Ontario Mine site is the primary area for this work. Land uses for the Ontario Bench may be subject to a Conditional Use Permit. This site is of an appropriate size and is well situated to accommodate the large numbers of construction personnel that will be working in the lower portions of the Resort in and around Development Pod A. The site is already improved with storm drainage related facilities and asphalt paving. The removal of the mill buildings has increased the area available for staging at this location.

There will be a number of smaller “site specific” construction vehicle parking areas established throughout the Annexation Area. These sites will be located only in areas slated for future construction to ensure that no new vegetation is disturbed. These sites will again be graded and treated to control storm water run-off, mud and dust.

Construction. Staging and Material Storage Areas

Similar to the above referenced construction personnel vehicle parking, due to the size of the Resort, the need to keep Guardsman Pass Road open to the public, the potential for changing weather conditions, the restrictive nature of the terrain and the vegetation which must be protected, construction staging and material storage is a significant concern.

The Resort will again designate, construct, maintain and manage specific construction staging and storage areas located throughout the Annexation Area. The same two sites referenced above will play significant roles to mitigating these impacts.

The existing Ontario No. 3 Mine Building Complex will act as the primary staging and material storage site for the Resort. The existing buildings located on this site will provide opportunities to house construction field offices. The exterior portions of the site are of an appropriate size and are well situated to accommodate the long-term storage of large quantities of construction materials required by the Resort.

Excavated materials generated from the project will be processed and reused or disposed of within the annexation area, or at Bonanza Flats, unless otherwise approved by the City Council. Materials will be processed by sorting the material into structural fill and top soil. The bulk of this processing will occur pursuant to a City approved Construction Mitigation Plan which reduces the overall number of haul trips necessary to transport the excavation waste material to its final approved location and minimizes impacts on existing neighborhoods and future residents within the project area. Final locations for waste material storage shall be designated in area which eliminate or substantially reduce haul trips down Marsac Ave below Pod A. Processed materials which are suitable for reuse as engineered fill, aggregate, or landscaping materials will be returned to the site as needed. This reuse will reduce offsite truck trips.

Structural fill and top soil that are surplus to the project will be subject to grading permit approval by the City. AU fill and fill sites will be subject to appropriate geotechnical engineering and testing and be the subject of a grading permit as required by the IBC. Placement of this material will be covered under separate permit and is the responsibility of United Park City Mines Co (UPK).

The Daly West waste rock pile will act as the primary storage area of on-site generated materials such as trees and vegetation. This site will also be designated as a secondary construction staging area and material storage site since it is well situated to service the mid-portions of the Resort in and around Development Pods B-1 and B-2. However, all work in and around the Daly West must be coordinated with the Mine Soil and Physical Hazards Mitigation Plan. Until the mitigation of Mine Soils is complete on this site, the area available for construction staging will be limited.

In an effort to re-use all suitable materials generated during the construction of the Resort, it is anticipated that several recycling operations will take place at the Daly West staging area. The first will be a wood chipping operation to process organic materials such as trees, slash, ground vegetation and scrap lumber into mulch. This material will be available for use in a variety of ways including mud & dust control, ground stabilization and re-vegetation & landscaping ground cover.

There will be a number of smaller “site specific” construction storage areas established throughout the Annexation Area. These sites will be located in areas slated for future construction to ensure that no new vegetation is disturbed.

In addition to having appropriate areas to stage construction activities and store

construction materials, it is very important to manage, these areas effectively. This management will begin at the entry to the Annexation Area.

As was stated earlier, a Resort entry "check-point" will be established in the area across from the existing stable facility at the Guardsman Connection. Resort personnel will monitor, direct and control all deliveries made to, and transported within, the Annexation Area. Materials requiring long-term storage will be directed to the Ontario #3 Mine Building Complex, while materials needed in the near-term will be directed to either the Daly West area or directly to the site of the construction.

Appropriate good housekeeping practices are also vitally important in the efficient and orderly storage of construction related materials. The Resort will exercise good housekeeping practices in compliance with all applicable Federal, State and local laws, regulations and ordinances to prevent exposure of stored materials to storm water.

The Resort will take special care in the handling and storage of potentially hazardous materials. Examples of hazardous materials include:

- Pesticides, insecticides and herbicides
- Petroleum products including oils, fuels, diesel oil, lubricating oils and grease
- Nutrients including soil additives and fertilizers
- Construction chemicals including paints, acids for cleaning masonry surfaces, cleaning solvents, asphalt products, concrete curing compounds

The storage and use of these materials will conform to the manufacturer's recommendations and good housekeeping practices including:

- Providing locked, weather resistant storage areas
- Lining storage areas with plastic sheeting to contain any leaks
- Storing containers in a cool, dry location
- Keeping container lids tightly closed
- Monitoring all containers and storage facilities on a regular basis
- Maintaining an inventory of all products stored on-site

Any excess materials will be disposed of in compliance with all Federal, State and local laws, regulations and ordinances.

The Resort will construct security fences with gates around its stockpile and staging areas as required and will employ security personnel and services as necessary to protect these areas during off-hours.

Park City may require performance bonds to ensure compliance with specific Construction Mitigation Plans, which would be forfeited at the time of any

violation.

Temporary Utilities

The Resort has installed the basic utility infrastructure for sewer, power, natural gas, electricity and phone in Marsac Avenue. Construction utilities will extend from these services.

Health & Safety Plan

In accordance with Federal OSHA standards as well as requirements of State and City ordinances, the Resort will develop and implement an approved Health and Safety Plan that will govern all construction activities associated with the Resort.

Waste & Trash Management and Recycling of Materials

As is the case with all construction projects, large quantities of waste, trash and construction by-products will be generated by the Resort. These materials must be stored, handled and disposed of properly so as not to cause adverse impacts to the surrounding area and the environment.

The Resort will develop and implement a trash management and recycling program to maintain clean construction sites, maximize material recycling, minimize disposal truck traffic impacts and minimize impacts to the local landfills. This program will control the storage and disposal of waste & trash and re-utilize recyclable materials, both organic and manufactured.

Trash collection stations will be established at all primary and secondary staging areas. The Resort will provide a sufficient number of dumpsters, designed specifically for the purpose of the storage of solid waste, and schedule timely haulage services to legal landfill disposal areas to ensure that the dumpsters do not become overfull. Haulage of partial loads will be prohibited in order to minimize truck trips. As was stated in the traffic impacts section, specific haul routes will be coordinated to minimize traffic impacts.

Recycling containers will be located near the dumpsters to facilitate separation of reusable and recyclable materials from the trash. Non-organic recyclable materials will be re-utilized on site as much as possible. The Resort will arrange for the removal of all recyclable materials that cannot be reused on-site. As was stated earlier, organic materials, such as scrap lumber, trees, slash and ground vegetation, are planned to be chipped on-site into mulch for use on-site.

Sanitary Waste Disposal

As is the case with any construction project with large numbers of construction personnel, sanitary waste disposal facilities are critical.

The Resort will provide adequate portable toilets for use by the construction personnel. These temporary toilets will be provided and maintained by a licensed provider who will dispose, of all waste in compliance with all applicable State and local laws, regulations and ordinances.

Sanitary facilities will be located a sufficient distance from any storm drainage systems to prevent contamination in the event of a spill. Any spill will be cleaned up immediately.

Grading and Excavation Impacts

Impacts from grading and excavation generally fall into to three categories. The first is the generation of fugitive dust and/or mud. The second relates to traffic impacts of hauling excess materials off-site. Finally, the third relates to erosion of exposed surfaces and storm water management.

Fugitive Dust and/or Mud

Disturbance of the natural vegetation layer and earthwork/excavation activities results in the exposure of the natural soil to the elements. During dry periods, wind, trucks and equipment traveling across these disturbed areas create fugitive dust. This fugitive dust has the potential to negatively affect air quality. During wet periods, the dust turns into mud and, if left unchecked, can impact existing watercourses and can be tracked off-site onto public roadways.

To the extent possible, disturbed areas will be kept to a minimum. Earthwork activities will be scheduled so that the area to be disturbed and left unprotected from erosion will be as small as possible and exposed for the shortest time feasible.

Areas targeted for grading and excavation operations will be delineated by the use of silt fencing on the downhill side of slopes and limits of disturbance fencing in other locations. This fencing will generally be located within five feet of the limits of cuts and fill operations. These delineated limits of disturbance will be strictly enforced to minimize the areas of disturbance.

Temporary stabilization procedures including the establishment of temporary and/or permanent vegetation, mulching, geotextile fabrics, etc. will take place as required to prevent soil erosion. These measures will be installed as soon as practical after construction activities have been temporarily or permanently ceased.

Cut and fill slopes, utility corridors and other areas of disturbance will be covered with topsoil and revegetated as soon as practical to prevent erosion. Mulch and gravel generated from the previously referenced on-site recycling program will be used to control dust and stabilized wet areas.

Fugitive dust will be controlled with appropriate application of water as a palliative. One or more water trucks will be employed throughout the workday to water down haul roads and disturbed areas.

Most of the work associated with the Resort will occur on-site and out of existing public rights-of-way. However truck traffic traveling to and from the Resort has the potential of tracking dust onto public roadways.

Each project will establish a truck wash program. For most sites vehicle wash down areas will be at the entrance to all job sites off of Marsac Avenue. Single family projects will establish portable wash facilities as part of their individual plans. This wash down area will consist of temporary asphalt paving or clean, well-graded gravel with a water hose station and a catch basin to receive the wash water. All construction vehicles leaving the job sites will be inspected by Resort personnel, hosed down as required and have their loads covered or wetted if applicable.

Street Cleaning:

The truck wash at the entrance to the job site will eliminate most sediment transport from the job site to the City's storm water conveyance; however, the potential exists for incidental or accidental transport to Marsac Avenue. Consequently, the drop inlets downhill of the project will be equipped with silt traps of filter fabric or hay bales. These silt traps will be inspected on a weekly basis and prior to any forecast for precipitation and cleaned as needed. Streets will be swept as need depending on the effectiveness of the truck wash program. Streets will also be inspected and cleaned as needed prior to any forecasted precipitation.

Traffic Impacts:

The majority of all materials generated from on-site grading, excavation and other earthwork operations will be retained within the Annexation Area. This material will be used for such things as topsoil cover material, landscape berms and/or structural fills. This policy will reduce traffic impacts on City roads.

Storm Water Management:

The project construction is covered under a SWPPP issued by the State that is held in the name of the master developer, United Park City Mines Co. (UPK). This plan corresponds with the requirements of that permit. UPK will be responsible along with the MHA for enforcing that permit within the project.

The primary goals of the SWPPP are: i) to limit the areas of disturbance of existing vegetation to only those areas required to install the proposed improvements; ii) to retain sediment on site to the extent practical through the selection, installation and maintenance of control measures in accordance with

good engineering practices; and iii) to prevent construction litter, debris and chemicals from becoming a pollutant source for storm water discharges.

In general, the Resort will institute the following good housekeeping practices:

- Protecting existing vegetation to remain from disturbance
- Minimizing slope lengths and steepness
- Preventing pollutant contact with precipitation and runoff
- Keeping pollutants off exposed surfaces
- Keeping materials out of storm drainage systems
- Reducing storm runoff velocities
- Minimizing generation of waste materials and dispose of all waste materials properly
- Storing all materials properly, including adequate covering
- Preventing leaks and spills, cleaning up any spills immediately
- Preventing concrete and cement mortars from entering storm drainages
- Applying fertilizers, pesticides and herbicides in accordance with the manufacturer's instructions
- Minimizing tracking of sediment off-site

All proposed staging and materials storage areas will incorporate storm run-off controls. Storm water collection, transmission and disposal faculties will be constructed to route storm water runoff around these areas. The storm water flows from these facilities will be discharged, where possible, through areas of natural vegetation so that filtering can occur. In areas where natural vegetation is not available, siltation basins will be constructed. Upon completion of the Resort, or when a staging area is no longer being used, these storm water run-off control facilities will be removed, re-graded and re-vegetated.

The Resort will install a variety of storm water run-off prevention measures whenever natural vegetation is disturbed including, but not limited to, straw bales, silt fences, silt basins, rock check dams, etc. to prevent silt and other construction related materials from entering the storm drain systems and/or water courses.

UPK and MHA personnel will routinely inspect the above-described erosion and sediment control facilities on a regular basis. These facilities will be maintained, repaired and supplemented as required to ensure effective operating conditions. Sediment will be cleared from the control facilities when the depth of the accumulated sediment reaches a maximum of 1/3 of the height of the structure.

Upon completion of construction, all temporary facilities will be removed from the site and re-vegetated after the disturbed areas have stabilized.

<u>Noise Prevention</u>

As stated earlier, although, for the most part, construction associated with the Resort is isolated and a significant distance from existing neighboring residential areas, since the construction is taking place uphill from and in confined canyons adjacent to residential areas, noise impacts could be a concern. Obviously, work associated with the reconstruction of Marsac Avenue and the Mine Road could generate noise that may impact residential areas along this alignment.

All construction operations will be conducted in compliance with Park City's hours of operations and noise restriction guidelines and ordinances.'

In the event that any essential operation generates noise that consistently exceeds the 65-decibel limit set by Park City, Project representatives will meet with City Engineering Department and Building Department officials to determine the best method for mitigating the impact.

Engineering and Building Department officials will be notified of any proposed strong percussive noises, such as blasting activities, three days prior to the event taking place. Blasting contractors will be required to obtain necessary, permits prior to blasting.

Temporary Lighting

Since for the most part, construction associated with the Resort is isolated and will take place a significant distance from existing neighboring residential areas, impacts from lights associated with after-dark construction related activities or staging and storage areas is not anticipated to be a significant concern.

It is not anticipated that normal construction activities will occur after dark. It is, however, possible that certain special operations, such as utility tie-ins that can only be performed during "off hours," may necessitate work being completed after dark. The Resort will take great care to provide adequate lighting for the safety of the construction personnel while attempting to 'ensure that said lighting does not impact neighboring residents. An approved temporary lighting plan will be developed and submitted to the City for their approval at the City's discretion prior to commencement of any construction operations requiring exterior, temporary lighting.

Resort Identification and Notification Information

In accordance with Park City Construction Mitigation guidelines, Resort identification signs will be constructed and posted at the entries to the Annexation Area. These signs will include, at a minimum, the following Resort information:

- Name, address and telephone number of the developer
- Name, address and telephone number of person responsible for the

Resort
- Name and telephone number of the party or parties to contact in case of an emergency

In addition to the general Resort identification signs described above, and as stated previously, the Resort will develop construction signage plans as required to adequately inform the public of hazards related to construction activities, detours, etc. These signage plans will address construction activities associated with both roadways and trails.

Public Notification and Communication:

In light of the fact that the Annexation Area consists of approximately 1,650 acres used by a large segment of the population for recreational activities, keeping the public informed of the schedule and progress of the construction will be very important.

Meetings with neighboring property owners in particular and the public in general will be encouraged to keep everyone apprised of the current conditions.

The Resort will continually assess all operations that may adversely impact or Inconvenience residents and/or businesses in the area of the Resort or motorists, hikers, bikers and/or equestrians traveling throughout the Annexation Area so that proper notification and communication of impacts can be made in advance. These impacts may include road closures and detours, trail closures and detours, and night operations, etc. This notification process will be maintained throughout the entire construction process. All said notifications will be coordinated with representatives of Park City and communicated to the public via the local newspaper, radio stations and mass mailings.

Although every effort will be made to minimize the disruption of the existing trail system, some trails will be temporarily dosed or detoured, re-routed or permanently eliminated due to infrastructure construction. Detours and/or new permanent trails will be completed in a timely manner to minimize the Impact of Resort construction activities on the trail users.

Other Issues

Since dogs on active construction sites can be a distraction and a hazard to construction personnel as well as a threat to the well-being of the animal itself, dogs will be forbidden on construction sites at any time in accordance with Park City ordinances.

V. CONSTRUCTION PHASING

Phasing of the Resort will consist of an orderly and systematic construction and development plan, as approved by the Planning Commission in December of 2001. This plan extends access and utility services to the Annexation Area in a timely fashion to facilitate the sale of a wide range of real estate product without undue impacts to Park City, its residents or the environment.

VI. CONSTRUCTION MITIGATION PLAN MANAGEMENT

FMP, the development entity overseeing the construction and development of the Resort, will have the overall responsibility for the implementation and enforcement of the requirements of this Construction Mitigation Plan.

Prior to commencement of any third party development project, and in accordance with the requirements of Park City's Master Planned Development approval process, the third party developer of said project will be required to submit a detailed, site-specific construction mitigation plan (CMP) to Park City Planning and Building Departments for their review and approval. A copy of these plans will also be submitted to the Resort's Master Homeowners Association for their review and approval.

The Resort's Developer and/or Master Homeowners Association will have overall responsibility to Park City Municipal Corporation to ensure the implementation and enforcement of the requirements of these individual construction mitigation plans as part of the approved Resort Covenants, Conditions and Restrictions (CC&R's) and Design Guidelines.

VII. ADDENDUM – AUGUST 2018

With development of the Mountain Village approximately 75% complete, this addendum addresses mitigation measures specific to the remaining, primarily residential, development. In 2004, the Planning Commission approved amendments to this Technical Report #15 Construction Mitigation Plan requiring site specific construction mitigation plans (CMPs) to be submitted with Conditional Use Permit (CUP) applications. All site specific CMPs shall be consistent with this Technical Report and require approval by the Planning Commission for CUPs and by the Chief Building Official and Planning Director, or their designees, for administrative CUPs and building permits.

Construction Access

Construction access for individual projects shall be addressed by the site specific CMP at the time of CUP and building permit review. With major road improvements complete, Marsac Avenue (the Mine Road) is the preferred route for downhill construction traffic, including construction workers, trucks delivering construction materials and trucks removing construction waste. The Empire Pass Master Owners Association ("EPMOA") shall work directly with contractors to mitigate on-site traffic impacts related to the delivery of materials and supplies to construction sites.

Contractor Parking

EPMOA tightly regulates parking of construction personnel vehicles within the Annexation Area. Parking is prohibited on Marsac Avenue. Parking on construction sites within the Resort is limited and strictly monitored by the EPMOA. During non-winter months, EPMOA permits limited on-street parking on private roads. During winter months, contractors are generally required to park within construction sites to keep roads clear for snow removal and emergency vehicle access. Contractors with insufficient parking on site are required to shuttle workers from remote parking sites such as Richardson Flats, Deer Valley's Royal Street Connector lot, and the Mine Bench, subject to site specific CMP and property owner/Park City Municipal approval.

Construction Staging

Individual contractors coordinate with EPMOA regarding specific construction staging and storage areas. Contractors are generally required to stage materials on site. Based on land owner approval, off-site staging of materials on vacant development sites or at the Ontario Mine Bench or Royal Street Connector lot are acceptable alternatives, subject to permits, site specific CMP and property owner approvals.

Excavated Materials

Excavated materials generated from individual projects will be tested, processed and reused or disposed of within the Annexation Area, unless otherwise approved by the City Council to be disposed of outside of the Annexation Area. Materials will be processed by sorting the material into structural fill, top soil, rock and waste material. Final locations for placement of excavated material shall be specified in the site specific CMPs and shall be designated in areas which eliminate or substantially reduce haul trips down Marsac Ave below Pod A. Excavated materials that don't test clean (such as mine waste soils) are subject to State and Federal Regulations. Property owners shall coordinate with the appropriate State and Federal agencies. Completion of all requirements by State and Federal Agencies is required prior to building permit issuance for construction.

Structural fill and top soil surplus to individual construction projects will be hauled to approved tipping sites (see below) for placement subject to grading permit approval by the City. Grading permit applications shall require grading plans, storm water plans, City approval to relocate public trails, and site specific CMPs consistent with Technical Report #15. All fill and fill sites are subject to appropriate geotechnical engineering and testing as part of a required grading permit.

Construction waste, rock, and other materials not suitable for placement at tipping sites shall be hauled off site for disposal at local landfills or other sites, as further specified in the approved site specific CMP.

Subject to grading permit approval, designated tipping sites include:

- Proposed Twisted Branch Subdivision Lot 2 ("Hot Creek")
- Proposed Twisted Branch Subdivision Parcel C
- VEPN Lot 1 (Marsac Horseshoe)
- Period No. 1 Mining Claim – MS 6567
- Period No. 5 Mining Claim – MS 6567
- O.K. Mining Claim – MS 5929
- L.E. Mining Claim - MS 5930
- Deer Valley Ski Runs
- B2 East Subdivision

See attachment A for map of Mining Claim sites.
See attachment B for general location map of these sites.

Additional tipping sites within the Annexation Area may be considered and approved by the Planning Commission. Twisted Branch Road Parcel C may be used for seasonal storage of excavated material when weather conditions preclude placement at other tipping sites, subject to grading permits, erosion control, and other safeguards and requirements consistent with this Technical Report.

Grading permit approval is required prior to placement of clean excavated materials at the identified tipping sites. Grading permit applications shall include the following items:

- existing conditions survey and topography,
- grading plans,
- storm water and drainage plans,
- erosion control plans consistent with SWPP requirements,
- significant vegetation and re-vegetation plans,
- certified forester or arborist report if applicable,
- City approval for any relocated public trails,
- access routes,

- time period of opening and date for closing of site,
- detailed construction mitigation plans consistent with Technical Report #15 and
- compliance with all standard City regulations for grading permits.

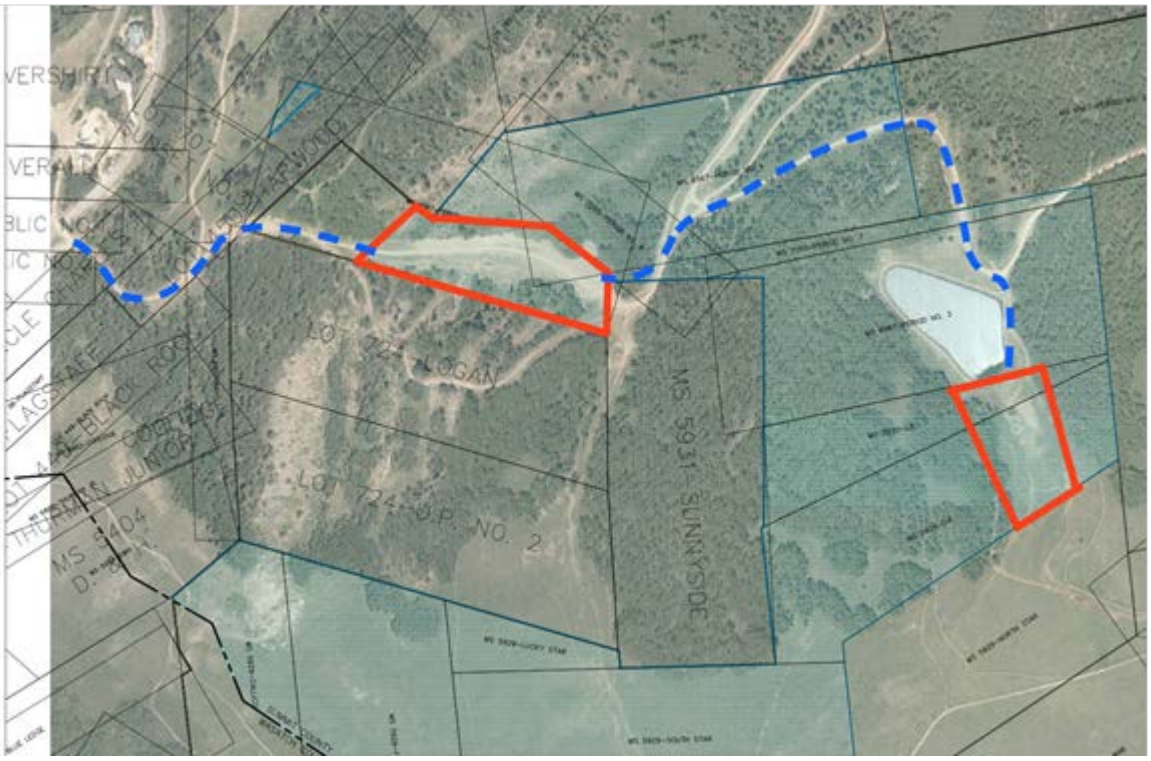
For sites with significant vegetation, a certified forester or arborist report will be required to identify and describe the health of significant vegetation on the site, to identify the best location for placement of clean excavated materials, to identify mitigation measures for removal of any significant trees and to provide best forest management practices to address dead and dying trees at the site.

The proposed sites are primarily located in the ROS zone and are generally in, or close to existing ski run areas. Access routes shall be shown on the plans and any access route that is not part of or required for ski area operations shall be reclaimed consistent with the approved grading permit.

Waste & Trash Management and Recycling of Materials

As is the case with all construction projects, waste, trash and construction by-products will be generated by individual construction projects. These materials must be stored, handled and disposed of properly so as not to cause adverse impacts to the surrounding area and the environment. Site specific CMPs for individual projects will address waste and trash management and recycling of materials, consistent with this Technical Report. EPMOA will monitor contractor compliance with trash management on individual sites and surrounding properties.

Attachment A- Mine Claim Tipping Sites

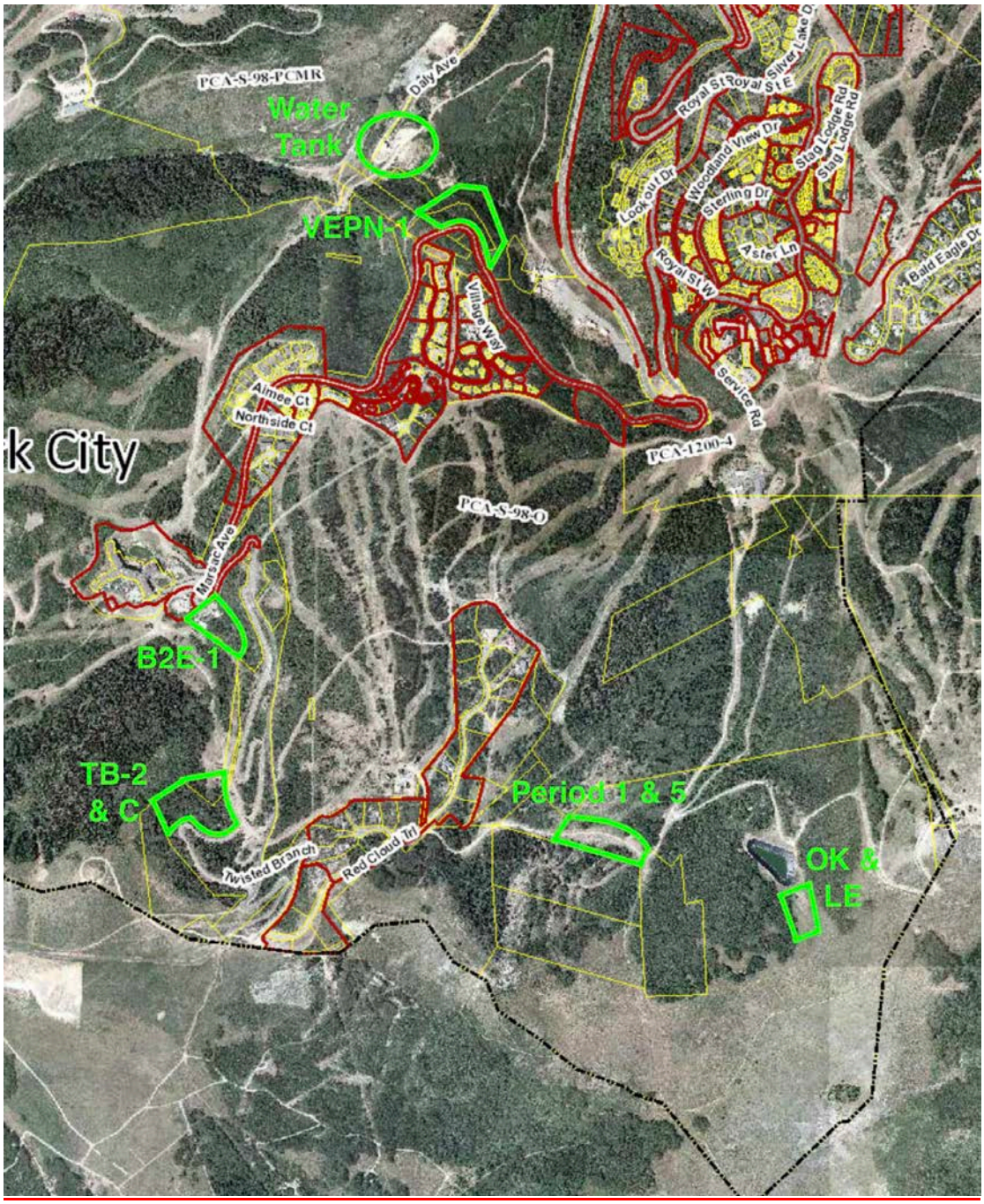


Blue dashed line is haul route off Red Cloud Trail. Red areas are tipping sites.

Site A- Period No. 1 and Period No. 5 Mining Claims

Site B- OK and LE (This site is upstream of the Deer Valley snowmaking reservoir).

Attachment B – General Location Map of Tipping Sites





FLAGSTAFF MOUNTAIN RESORT

A PLANNED RESORT COMMUNITY
DEER VALLEY, UTAH

OPEN SPACE MANAGEMENT PLAN

EXHIBIT 5

MAY 2001
REVISED AND APPROVED DECEMBER 2001

PREPARED FOR:
FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450
PARK CITY, UTAH

FLAGSTAFF MOUNTAIN RESORT

OPEN SPACE MANAGEMENT PLAN

Exhibit 5

May 2001
Revised and Approved December 2001

Prepared for

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Environmental Consultants

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APPENDIX A **17**
Figure 1 Location of Project Area
Figure 2 Open Space

EXECUTIVE SUMMARY

This Open Space Management Plan outlines the goals and objectives of open space planning for the proposed Flagstaff Mountain Resort located in Park City, Summit County, Utah (Figure 1). It presents an inventory of existing conditions and describes other open space planning efforts in the surrounding region. The plan also describes the opportunities and constraints related to open space at Flagstaff Mountain Resort. These factors include the physiography, viewshed considerations, historic sites, wetlands, wildlife habitat, recreation, as well as the existing and proposed uses associated with various portions of the Plan Area.

This plan describes two types of open space present at Flagstaff Mountain Resort: Recreational Open Space (ROS) and Protected Open Space (POS). Recreational Open Space is further divided into Developed and Undeveloped Recreational Open Space (DROS and UROS, respectively). DROS consists of lands currently managed and likely to be owned and managed in the future by Deer Valley Resort for the purpose of lift-served downhill skiing. UROS comprises the portion of the Plan Area that has not been modified for this purpose but does contain a preponderance of hiking and/or mountain biking trails. Figure 2 shows the distribution of DROS and UROS within the Plan Area.

A special case of DROS occurs in an area proposed for future ski lift and run development. The Centennial Draw Wildlife Management Area (Figure 2) includes a known elk calving site in Deer Valley's Pod Z, proposed for development in 2008. This plan outlines certain development/management constraints designed to minimize potential impacts to elk in this area. A special case of UROS occurs on Prospect Ridge (Figure 2). This area has been identified as a sensitive viewshed for Old Town Park City. This plan outlines specific management practices designed to maintain the visual character (as specified in the Development Agreement) of this area.

Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics. To ensure the protection of its outstanding natural resource values, the Lady Morgan sub-watershed (Figure 2) has been designated POS. The wide variety of natural, undisturbed habitats in this sub-watershed confers a high degree of biological diversity to this area. Management prescriptions designed to maintain the unique characteristics and natural dynamics of Lady Morgan Pond are specified. Another type of POS within the Plan Area is associated with specific cultural resource sites. These include a number of mining sites considered sensitive due to their historic value, vulnerability to vandalism, and/or the hazard they pose to an uninformed public (Figure 2). Brief descriptions of these sites and why they qualify for POS are provided in this plan. More detailed management considerations for these sites are provided in the Flagstaff Mountain Resort Historic Preservation Plan (Exhibit 6 to this LSMPD).

1.0 INTRODUCTION

1.1 Flagstaff Mountain Resort

This study is one of several reports that have been prepared to support the Flagstaff Mountain Resort's Large Scale Master Plan Development (LSMPD) application. As LSMPDs are programmatic in nature and subject to refinement at subsequent Master Plan Development (MPD) application and Condition Use Permit (CUP) stages, correspondingly, the contents of this report should be viewed as conceptual in nature and subject to change as specific plans are developed. Details developed at MPDs and CUPs stage will not require a modification of this plan provided that they comply with the Goals and Objectives of this Plan.

The Flagstaff Mountain Resort (Flagstaff Mountain) Plan Area is a 1,600-acre parcel of land located in the southwest corner of Summit County, Utah. Ranging from elevations of 7,800 to 9,000 feet above sea level, it forms the western portion of Deer Valley Resort, a four-season resort facility that specializes in alpine skiing in the winter; hiking, mountain biking, and horseback riding in the summer. Four distinct sites will be developed by Flagstaff Mountain Partners (FMP) as additional year-round residential communities within the boundary of the existing ski area. These sites, or development pods, are depicted along with the overall Plan Area in Figure 1. The proposed development pods include the Mountain Village area (Pods A and B-1), the Daly West area (Pod B-2), and the Northside Neighborhood (Pod D). These pods conform to those sites identified in the Annexation Resolution: Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-acre Quinn's Junction Parcel, and Iron Mountain (Park City Municipal Corporation Ordinance no. 99-30) hereafter referred to as the Development Agreement.

Within the Plan Area, native vegetation comprises a mosaic of quaking aspen and coniferous (primarily Engelmann spruce, subalpine fir, and Douglas fir) forests, Gambel oak, and mountain shrub communities. A few natural meadows occur in the area and are characterized by a variety of native grasses and wildflowers. Wet areas are dominated by willows, sedges, and rushes. Rock outcrops occur on the eastern boundary of Pod D and along the ridgeline at the head of Empire Canyon.

Some of the most notable features of the Plan Area are, however, of human origin. Large piles of mine waste rock, or overburden, are located in the Flagstaff Mountain Plan Area. These features consist predominantly of un-vegetated grayish-white crushed rock associated with the former Flagstaff, Little Bell, Quincy, Anchor, and Daly West Mines. Ski lifts and runs are another notable human-made feature of the Plan Area. Within the Flagstaff Mountain portion of Deer Valley Resort, there are six existing ski lifts and approximately 36 ski runs, many of which have been cut through forest stands, graded, and seeded with non-native grasses and forbs. Four additional lifts are currently planned for Flagstaff Mountain. One of these will serve the ski-in/ski-out

needs of Pod A, one will access existing terrain between the Red Cloud and Northside Lifts (Ski Pod D), and the other two (Ski Pods X and Z) will access new intermediate and advanced ski terrain in Empire Canyon.

1.2 Open Space Planning Goals and Objectives

The overall goal of this plan is to ensure the preservation and maintenance of Flagstaff Mountain's open space for public enjoyment and the protection of ecological values. There are two general types of open space in the Plan Area: Recreational Open Space (ROS) and Protected Open Space (POS). The purpose of ROS is to establish and preserve districts for land uses requiring large areas of undeveloped open land; permit, preserve, and encourage recreational use of these lands; and preserve and enhance environmentally sensitive lands such as wetlands, steep slopes, ridge lines, meadows, stream corridors, and forests.

The primary purpose of POS is to promote useable, public, non-improved, non-commercial, connected, and contiguous open space for community benefit; promote the preservation of undisturbed open lands; prohibit construction on ridge lines and steep slopes, or in wetlands, watersheds, and viewsheds; promote the preservation of historic sites; and preserve the vegetation and habitat of natural areas. More detailed descriptions of the Recreational and Protected Open Space classes are provided below.

Given that the Flagstaff Mountain Plan Area is largely contained within the boundaries of Deer Valley Resort, it should be apparent that ROS comprises the bulk of the Plan Area (approximately 1450 acres or 91 percent of the Plan Area). With this in mind, it should be noted that the entire Plan Area outside of the development pods is currently zoned as Recreational Open Space (ROS-MPD) under Park City's zoning ordinance. The areas proposed as Protected Open Space (POS) within this plan will be rezoned at the completion of the Mountain Village MPD. In addition the Centennial Draw (Ski Pod Z) area will also be zoned POS. The remaining ROS-MPD zone will be managed in accordance with the recommendations of this document.

To that end, there are two types of Recreational Open Space at Flagstaff Mountain: developed and undeveloped. Developed Recreational Open Space (DROS) consists of areas served by ski lifts and contains a preponderance of graded and/or cut ski runs and summer trails. Typical vegetation consists of islands of native forest cover interlaced with ski trails that have been seeded with a limited variety of exotic grasses and forbs. These areas are designed for and receive the bulk of recreational use in the Plan Area. Some currently undeveloped areas have been proposed for ski lift/run development to occur over the next eight years. These areas have been identified as DROS for the purpose of this plan. One of these areas, Centennial Draw, is a known elk calving ground and, as such, is subject to special management considerations described in Section 4.2.2, below. DROS comprises approximately 987 acres or 62 percent of the Plan Area (Figure 2). The general management objectives for DROS include

maintaining high quality, safe, attractive, publicly accessible recreational facilities on a year-round basis.

Undeveloped Recreational Open Space (UROS) may be skied in the winter and typically contains some summer trails, but it has not been heavily modified for these purposes. Consequently, it is dominated by naturally occurring, unfragmented stands of native vegetation. Summer trails in UROS tend to either be remnants of the mining era or have developed from small, volunteer efforts, or from the repeated human use of existing game trails. Where the main purpose of DROS is to provide year-round public recreation opportunities, UROS serves a wider variety of functions. In terms of recreation, UROS is typically used for backcountry skiing or snowshoeing in the winter and hiking or horseback riding in the summer. Some UROS contains trails suitable for mountain biking but only on a limited basis relative to DROS. In some areas, UROS is also important in maintaining scenic viewsheds and wildlife habitats. There are two areas designated as UROS within Flagstaff Mountain Resort (Figure 2). Together, these areas comprise approximately 464 acres or 29 percent of the Plan Area. The general management objectives for UROS are to continue to allow human access and use while maintaining the scenic qualities and habitat values of these areas.

One type of Protected Open Space is so designated because it has outstanding and/or unique natural resource values. Accordingly, the management objective of these lands is to preserve and maintain the biological integrity of these resource values. Thus, while non-motorized winter recreational activities are permissible in and adjacent to designated POS, development of recreational facilities such as cut ski runs or developed summer trails are prohibited. Interpretive signage may be used in or adjacent to POS to help limit access, minimize disturbance, and inform the public of the importance of the area's natural resource values. Designated POS makes up approximately 66 acres or four percent of the Plan Area.

Another type of POS applies to certain cultural resource sites. Several of the Plan Area's historic mine buildings and associated structures are designated as POS. It should be noted, however, that this designation only applies to the historic structure and its immediate surroundings, not a substantial land area as in the case of natural resource POS. Accordingly, the acreages of these sites are not included in the figures presented above.

The management objective of cultural resource POS is to preserve and maintain the cultural integrity of a given site. These areas are typically adjacent to existing trails and many have been damaged as a result of this easy public access. Again, interpretive signage may be used in these areas to dissuade further disturbance, warn the public of the dangers associated with deteriorating buildings, and inform people about the context and importance of the site's cultural resource values.

2.0 INVENTORY OF EXISTING CONDITIONS & INFORMATION

2.1 Existing Conditions

At present, the majority of the Flagstaff Mountain Plan Area is considered open space–but it has not always been so. During the peak of the mining era, the Plan Area could more appropriately have been called an industrial zone. At that time, the area was almost completely deforested and characterized by high levels of human activity and the presence of large buildings and elaborate ore conveyances. Streams were diverted for use in the mining or milling process, there was frequent use of high explosives, and the large overburden piles that now characterize the area were created.

Following the mining era, the area reverted back to defacto open space and the forests began to regrow. During this time, many of the mine buildings and appurtenant facilities were destroyed or removed and the shafts and adits were sealed. The streams, while disturbed, were again allowed to make their way down Empire and Ontario Canyons.

With the creation of Deer Valley Resort in 1981, the focus shifted from natural rehabilitation to ski area development. Access roads were built (or restored from those created during the mining era), ski lifts were installed, runs were cut and graded, and the area once again became filled, at least on a seasonal basis, with people. Recreation continues to be the dominant use of the area today. Thus, while the Plan Area remains open space, much of this open space is characterized by the visual impacts of forest fragmentation associated with roads, lift alignments, and ski runs. Other areas, as yet undeveloped by the ski industry, are characterized by second-growth forest and other native habitats and remain essentially wild with vestiges of the bygone industrial era interspersed throughout. Many of these areas comprise important wildlife habitat, contain significant cultural resources, and/or are important components of the local viewshed. Because they contain few developed trails or other facilities, these areas provide an opportunity for solitude and wildlife study in close proximity to the developed areas of Park City and Deer Valley.

2.2 Regional Open Space Planning Efforts

2.2.1 Park City

The 11-member Citizens Open Space Advisory Committee (COSAC) was formed by the Park City Council in 1998 when Park City voters passed a $10 million bond issue to preserve open space in the area. In order to be considered for acquisition by COSAC, property must meet some of the following criteria:

- The land offers or protects a critical viewshed;
- The land directs or checks the location, timing, and pace of surrounding development;

- The land is contiguous with other open space parcels (i.e., it contributes to a "green belt" around the city);
- The land provides open space along Park City's entry corridors (SR 224 or SR 248).

In addition to fee simple acquisition of key properties, COSAC works with the owners of identified open spaces to enact legal easements and deed restrictions that will ensure the protection of the land in perpetuity. Any parcels obtained by COSAC will continue to remain undeveloped and will be dedicated to the public for scenic beauty, passive recreation, and continued access by non-motorized means.

2.2.2 Summit County

Summit County requires that, for any type of residential development project within the Snyderville Basin, a minimum of sixty percent of a parcel, inclusive of the developable and non-developable lands, must be reserved for open space whenever density is increased beyond the "base" zoned density described in the County's Development Potential Matrix.

Summit County mandates that, where required, open space within developments be located in areas that will protect the most important attributes of a site and the key focal points that are important qualities of the character of the area. These attributes may include scenic viewsheds, slopes that are less than 30 percent, significant wildlife habitat, agricultural lands and antiquities, open space corridors/connections through the development, and other such features. Modified open spaces such as ski trails and golf courses may be included in a development's open space calculation if they meet the County's objectives of preserving these attributes. Required parks may be included in the open space requirement. Open spaces should be contiguous within a development site and when feasible and appropriate, connect with open spaces on adjacent parcels.

Open spaces that are required to be set aside to meet the requirements of Summit County's open space policies shall be preserved in perpetuity. Preserving these areas may be accomplished either by conveying the parcel to the County, granting a conservation easement to the Utah Land Trust or another appropriate entity, conveying the parcel to a homeowner's association, recording a deed restriction to the benefit of the public to limit the use of the property, or an appropriate combination of the above.

2.2.3 Wasatch County

Wasatch County requires a minimum of 20 to 30 percent open space (depending on location) for each new subdivision that it approves for development. While this is the minimum required per County Code, larger percentages are typically pursued on a case by case basis. During the master planning process, Wasatch County typically solicits developers to donate significant tracts of land and/or create conservation easements to

ensure the preservation of open space as part of their development. The County also prohibits building on slopes greater than 30 percent and requires the creation of parks and other recreational areas (trails, etc.) as part of their master planning process.

2.2.4 Non-Profit Organizations

A variety of non-profit organizations including Utah Open Lands and its local affiliate, Conserving Our Open Lands (COOL), the Citizens Open Space Advisory Committee, and the Swaner Nature Preserve are actively involved in open space protection and planning in Summit County north of the Flagstaff Mountain Plan Area.

Utah Open Lands provides land owners with a variety of estate and tax-planning tools that have allowed this group to preserve more than 19,000 acres of open space in northern Utah. Under its "Historic Farms and Ranches Campaign," Utah Open Lands is currently negotiating the preservation of more than 12,000 acres of wildlife habitat, heritage, and ranch lands in western Summit County. In 1998, COOL formed to assist Utah Open Lands in raising money for the group's Summit County efforts. The money that COOL raises in Summit County is used within the county and will augment Utah Open Lands' Summit County land protection projects and educational programs.

The Swaner Nature Preserve was founded in 1993 as a 20-acre memorial park dedicated to Leland Swaner, a Summit County developer and rancher. The park now consists of nearly 940 acres of montane wetland, meadow, and sagebrush habitats in the heart of Snyderville Basin. The Preserve is currently pursuing acquisition of an additional 120 acres of land on its northeast corner following which it will commence planning the development of an education center and interpretive trail system.

3.0 OPPORTUNITIES & CONSTRAINTS

There are a variety of important physical, biological, and human factors that determine the primary purpose for a given piece of land within the Plan Area. These factors are often interrelated and overlapping in the opportunities and constraints they confer to that land. Physiography, viewsheds, historic sites, wetlands, wildlife habitat, recreation, existing and proposed uses comprise a few of these factors and are described in greater detail below.

3.1 Physiography

Much of the Plan Area consists of moderately steep, north-facing slopes that provide ideal opportunities for downhill skiing. Most of these areas have or will be developed by Deer Valley Resort for this purpose. As mentioned above, these areas are considered DROS.

Areas containing steep, rocky, and/or heavily vegetated south- or west-facing slopes as well as areas lying beyond practical lift-served terrain are less well-suited for alpine skiing and more appropriate for other forms of recreation such as hiking, biking, or horseback riding. These areas are designated UROS. Other amenities associated with designated UROS include the preservation of wildlife habitat and the protection of scenic viewsheds.

Areas characterized by relatively flat terrain are better suited for commercial and residential development. Accordingly, Development Pods A, B-1, B-2, and D are situated on flat or mildly sloping ground surrounded by recreational open space.

3.2 Viewsheds

An important consideration in whether and how to develop a given parcel is the effect the proposed development would have on views in the surrounding areas. Such visual impacts have been an issue with respect to development of Prospect Ridge, the northern portion of the Plan Area visible from downtown Park City. Preliminary visual impact analyses have been completed for the Mountain Village.

3.3 Historic Sites

There are several historic mine sites within the Flagstaff Mountain Plan Area. An historic preservation plan has been prepared for the Plan Area which provides an inventory of these sites and a detailed management plan outlining the interpretive opportunities as well as any legal or safety constraints associated with them.

3.4 Wetlands

Any development activities which result in the placement of dredge or fill material in over 0.10 acre of wetlands or other waters of the U.S. require notification of the Army Corps of Engineers and a permit under Section 404 of the Clean Water Act. A wetland delineation report has been prepared for the Plan Area by Natural Resources Consulting, Inc. and was submitted to the Army Corps' Utah Regulatory Office in February, 2000. While this report did identify a limited number of wetlands within the Plan Area, none of these were contained in areas planned for residential development. Given that the development pods contain no jurisdictional waters of the U.S., construction of Flagstaff Mountain Resort will have no significant effect on these resources. Wetlands were, however, identified in Centennial Draw, an area proposed for development as a ski pod (Pod Z) in 2008. Depending on the final design of this ski pod, the clearing and/or grading of ski runs in this area may require acquisition of a 404 permit.

3.5 Wildlife Habitat

Much of the Plan Area, particularly those areas that have not been developed for downhill skiing, provide high quality wildlife habitat. A variety of native vegetation types including aspen, conifer, and mixed forests, mountain shrublands, meadows, and wetlands provide habitat for a diversity of seasonal and year-round wildlife species. Opportunities for wildlife watching are one of the attractive amenities of the Flagstaff Mountain Plan Area for casual recreationists as well as future homeowners. Depending upon site-specific conditions, a desire to preserve and maintain wildlife habitat values within the Plan Area could constrain certain aspects of development. Please refer to the Wildlife Management Plan for more information on this important resource.

3.6 Recreation Access

During the winter, recreation consists primarily of alpine skiing and access is controlled by Deer Valley Resort (refer to Section 5.3, below). During the summer, recreation use consists of dispersed hiking, mountain biking, and horseback riding. Access to the property is open in the summer and recreationists are free to roam throughout the Plan Area, subject to rules and regulations established from time to time by Deer Valley Resort. A detailed assessment of recreation access, existing and future trails, and trail management may be found in the Trails Master Plan for Flagstaff Mountain Resort.

3.7 Existing Uses

With the exception of the recreational uses mentioned in Section 3.6, commercial uses are limited to snowmobile rentals during the winter and hiking and biking uses in the

summer. With the exception of snowmobile rentals (which are being discontinued as of the winter of 2001-2002), existing uses of the Plan Area will be preserved during and after development.

3.8 Proposed Uses

Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA "Beno's Cabin") in the DROS. The facility is to be located within the ski terrain near to the Mountain Village. Proposed ski area expansion in the DROS area includes two ski pods (Pods X and Z) that will be developed over the next three to eight years, respectively. These proposed uses will provide additional skiing opportunities; however, they will also limit the distribution and abundance of forested wildlife habitats.

4.0 MASTER PLAN

4.1 Designated Recreational Open Space

4.1.1 Developed Recreational Open Space

Deer Valley Resort has developed ski lifts and ski runs throughout the majority of the Plan Area. Two currently undeveloped areas are proposed for ski lift and run development over the next eight years. Collectively, these areas fall under the category of DROS. Refer to Figure 2 (Appendix B) for a depiction of DROS within the Plan Area. Deer Valley will continue to have management responsibility for all DROS within the Plan Area.

4.1.1.1 Centennial Draw Wildlife Management Area

Centennial Draw, while part of DROS in proposed Ski Pod Z, has been identified as containing an elk calving area. Early planning efforts for the project identified this wildlife use and consequently provided for restrictions on ski run construction activities in Pod Z as set forth in the Development Agreement. In order to maintain the suitability of this site as a calving ground, the clearing and grading associated with the proposed ski run development will be minimized in the area delineated in Figure 2. The Development Agreement states that only two graded runs will be allowed in Pod Z. Forest thinning and other, limited vegetation removal may occur in the balance of Pod Z for skier safety and glade skiing. No more than two ski runs will be created in the delineated wildlife management area portion of this ski pod. In addition, Run 121 nearest the center of the drainage (north end of the ski pod) will be a gladed rather than conventionally cleared run. In order to preserve hiding cover for calves, no ground disturbance or removal of the shrub layer will be permitted in this area. Large tree islands containing suitably dense forest and shrub cover to hide calves will be maintained following lift development. Native herbaceous ground cover will be maintained in the cleared run. The process of approving the ski related development in this Pod and the balance of the project is an Administrative Conditional Use. Review of the ski related improvements shall require compliance with the goals and objectives of this plan.

While habitat conversion due to ski run development could reduce the extent of suitable calving habitat in Centennial Draw, as long as hiding cover is preserved elk should still use the site. A more important consideration during the calving period is human (and domestic dog) intrusion and disturbance. Elk calving can begin as early as April and extend into July. This area will, therefore, be closed to recreationists and their pets from the last day of skiing at the resort through June to minimize disturbance to calving elk.

4.1.2 Undeveloped Recreational Open Space

UROS forms the second largest type of open space within the Plan Area. While these areas may contain a variety of hiking, biking, and equestrian trails, these facilities do not dominate the character of the land. Native vegetation cover remains largely intact and forest stands do not exhibit the high level of fragmentation characteristic of DROS. Consequently, these areas tend to have greater visual appeal and higher quality wildlife habitats relative to DROS. While these areas will continue to experience summer trail construction and maintenance, the overall character of UROS within the Plan Area is unlikely to experience substantive change over time.

4.1.2.1 Prospect Ridge Viewshed

Prospect Ridge is considered a special area within the designated UROS (Figure 2). This area comprises a critical viewshed for Old Town Park City. Within 30 days of issuance of a MPD application or CUP Permit, FMP will grant to the City a conservation easement, with free public trail access (without encumbrances) over acreage located in this area contiguous with City-owned open space. This conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

4.2 Designated Protected Open Space

4.2.1 Lady Morgan Pond Area

With the exception of a few highly localized historic sites, the only designated POS parcel in the Plan Area is the Lady Morgan sub-watershed (Figure 2). This area contains the most extensive emergent marsh and depressional wet meadow habitats and the only natural pond within the Plan Area. It contains aspen, conifer, and mixed forest communities as well as mountain shrub habitats. This diversity of habitats provides for high species diversity within this area. Also, the dense forest cover in close proximity to open water indicates that this area has potential to be another important elk calving ground. Accordingly, evidence of deer and elk bedding down in mountain shrub habitat north of the pond was observed in July, 2000. Vegetation management in this area shall occur solely for the purposes of maintaining health and diversity. The high biological diversity associated with this area warrants its designation and rezoning as POS.

According to the Development Agreement, use of the Lady Morgan area will be restricted, by conservation easements acceptable to Park City and by signs and monitoring (if necessary), to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. While an old road grade cuts through the upper portion of the Lady Morgan POS, no additional summer trails will be developed in this area. No construction activity or motorized vehicle use of any kind shall be allowed in the Lady Morgan POS except as allowed, with City staff approval, for forestry and wetlands

management. Mountain biking trails currently skirt the area and will continue to do so in the future. Installation of interpretive facilities at the edge of the POS will help to inform the public of the importance of the Lady Morgan sub-watershed to the overall biodiversity of the Plan Area.

4.2.2 Flagstaff Mine

While the Flagstaff Mine Site does not contain any remaining structures, the importance of this site to the history of mining in Utah warrants its designation as POS. For a detailed history of this site and is historical significance refer to the Flagstaff Mountain Resort Historic Preservation Plan (HPP). Management of this site will simply consist of installing interpretive signage to inform the public of the mine's role in the history of Park City and mining in Utah.

4.2.3 Little Bell Mine Site

The Little Bell Mine Site contains an old ore bin with both historic and aesthetic importance. Consequently, this site is considered POS. For a detailed history of this site and a discussion of historic preservation concerns regarding the ore bin in particular, refer to the Flagstaff Mountain Resort HPP. Management of this site is expected to involve stabilization of the ore bin and installation of interpretive signage explaining the role of the ore bin in the mining process.

4.2.4 Quincy Mine Site

The Quincy Mine Site contains an old hoist and a boiler that were used when the area was being actively mined. Just as with the ore bin at the Little Bell mine, these features have both historic and aesthetic significance and warrant designation of this site as POS. For a detailed history of this site and a discussion of the hoist and the boiler, refer to the Flagstaff Mountain Resort HPP. Management of this site will involve installation of interpretive signage explaining the role of the hoist and boiler in the mining process and cautionary signage warning the public of dangers associated with the mine shaft which, though filled, appears to be subsiding.

4.2.5 Daly West Mine Site

The Daly West Mine is characterized by a large, rusted steel headframe. In addition to its historical and aesthetic importance, this headframe is still in operation and provides maintenance access to the Anchor Tunnel. Consequently, this site is considered POS. Detailed information on the Daly West Mine may be found in the Flagstaff Mountain Resort HPP. Management of this site will involve installation of interpretive signage discussing historical and current use of the headframe.

4.2.6 Judge Mine Complex

As defined for the purposes of this Open Space Plan, the Judge Mine Complex consists of the Judge Drain Tunnel, the Judge Mining & Smelting Company office building, the Judge Mining & Smelting Company explosives bunker, a wooden house, the remains of the Daly-Judge Mill, and the Judge aerial tramway towers. The historical and aesthetic importance of the office building, remaining rail tracks, and the explosives bunker and the huge industrial operation for which these and the other facilities are the only vestige warrant designation of this area as POS. Detailed information on the historical context of this site may be found in the Flagstaff Mountain Resort HPP. Detailed stabilization, restoration, and management actions are also provided in the HPP. These facilities, particularly the office building and wooden house, have been severely vandalized. Thus, at a minimum, management will include installation of interpretive and cautionary signage designed to educate the public on the historical importance of these facilities and foster a sense of stewardship in order to minimize future vandalism.

4.3 Phasing of Plan Implementation

According to the Development Agreement, all land outside of the development pods will be zoned as Recreation Open Space. Upon issuance of the first MPD or CUP for any portion of the Project, FMP and Deer Valley Resort will execute a conservation easement, for the benefit of the City and a third party conservation trust (or similar entity), to limit their use of the Flagstaff Mountain ski terrain to construction, development, and operation of ski and mountain bike lifts, ski and mountain bike runs and trails, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements will prohibit any hotel, lodging, residential, or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

With respect to the Prospect Ridge Viewshed area (Figure 2), within 30 days of issuance of a subsequent MPD or CUP, FMP will grant to the City a conservation easement, with free public trail access and no encumbrances, over acreage located on Prospect Ridge contiguous with City-owned open space. Such conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

4.4 Management Authority

Deer Valley Resort has management authority and responsibility for all ROS and POS lands within the Plan Area. During development, FMP will be responsible for managing the development pods and any open space within these areas. Following development, the respective Homeowners Association will assume management authority for open space within the development pods.

5.0 RELATED PLANNING DOCUMENTS

5.1 Flagstaff Mountain Resort Trails Master Plan

The Trails Master Plan identifies existing and proposed hiking, biking, and equestrian trails within the Plan Area. It outlines trail management and use considerations and restrictions. The Trails Plan interfaces with this Open Space Plan where trails pass adjacent to or through the Lady Morgan POS and the Centennial Draw Wildlife Management Area.

5.2 Flagstaff Mountain Resort Wildlife Management Plan

The Wildlife Management Plan was prepared to facilitate the preservation of wildlife habitat values within the Plan Area by minimizing habitat loss and human/wildlife conflicts. This plan identifies existing wildlife species and habitats that occur within the Flagstaff Mountain Resort Plan Area, and establishes management guidelines to help maintain the biotic integrity of the area while ensuring the long-term attractiveness and marketability of the proposed developments.

5.3 Deer Valley Open Space Plan

Deer Valley Resort has developed its own Open Space Management Plan for the portion of the ski area within the Flagstaff Mountain Resort property. The Deer Valley plan is considered part of the overall plan presented here. There are six components to the Deer Valley plan: A) General, B) Ski Area Development, C) Winter Skiing Operations, D) Summer Trail Use, E) Commercial Snowmobile Operation, and F) Wasatch County Homeowner Winter Snowmobile Access.

Under the "General" component of this plan, all of the area outside of the identified development pods is designated as Recreational Open Space under the Park City Land Management Code and use of the land is subject to the restrictions of that zone. No later than the issuance of the first MPD or CUP for Pods A - D, United Park City Mining Company (UPK) and Deer Valley are required to execute a conservation easement to limit the use of the Flagstaff Mountain ski terrain to construction, development, and operation of ski and mountain bike lifts, ski and mountain bike runs and trails, a skier day lodge, and other similar winter and summer recreational uses and services. This conservation easement will prohibit any commercial or residential development or use on the ROS-zoned land included in the annexation.

Ski area development restrictions outlined in this plan include the following:

- Only two graded ski runs shall be allowed in Ski Pod Z, with thinning and other limited vegetation removal for skier safety and glade skiing.

- The Lady Morgan Springs area is restricted to skiing without cutting runs, glading, or thinning trees, and summer daytime hiking.

Winter skiing operations and maintenance are the responsibility of Deer Valley Resort. During the winter skiing season (including preparation and shutdown activities immediately before the seasonal opening and closing of the resort, respectively), public access to the ski area is at the discretion of Deer Valley and public use of the property is subject to the operating policies of Deer Valley Resort.

There are two provisions contained in this component of the plan:

- The ski facilities shall be open to the general public and use thereof shall not be restricted to owners of property located within the Deer Valley or Flagstaff Mountain Resort developments or to members of any private club.

- All charges, fees, and costs paid by the general public for the use of the resort facilities shall not exceed those paid by owners of property located within the two resort developments.

The summer trail use component of Deer Valley's Open Space Plan provides a Trails Master Plan for the area. This component of the plan is described in the Flagstaff Mountain Resort Trails Master Plan and the reader is referred to that plan for a more complete description of the summer trail use component.

Commercial snowmobile operations currently utilize a designated route through the Plan Area to access state and private lands outside of the control of Deer Valley Resort. This route conflicts with FMP development plans and will be terminated accordingly.

Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and FMP will continue to work with UDOT in providing winter access to Wasatch County landowners.

APPENDIX A

FIGURES

Figure 1. Location of Project Area
Figure 2. Open Space

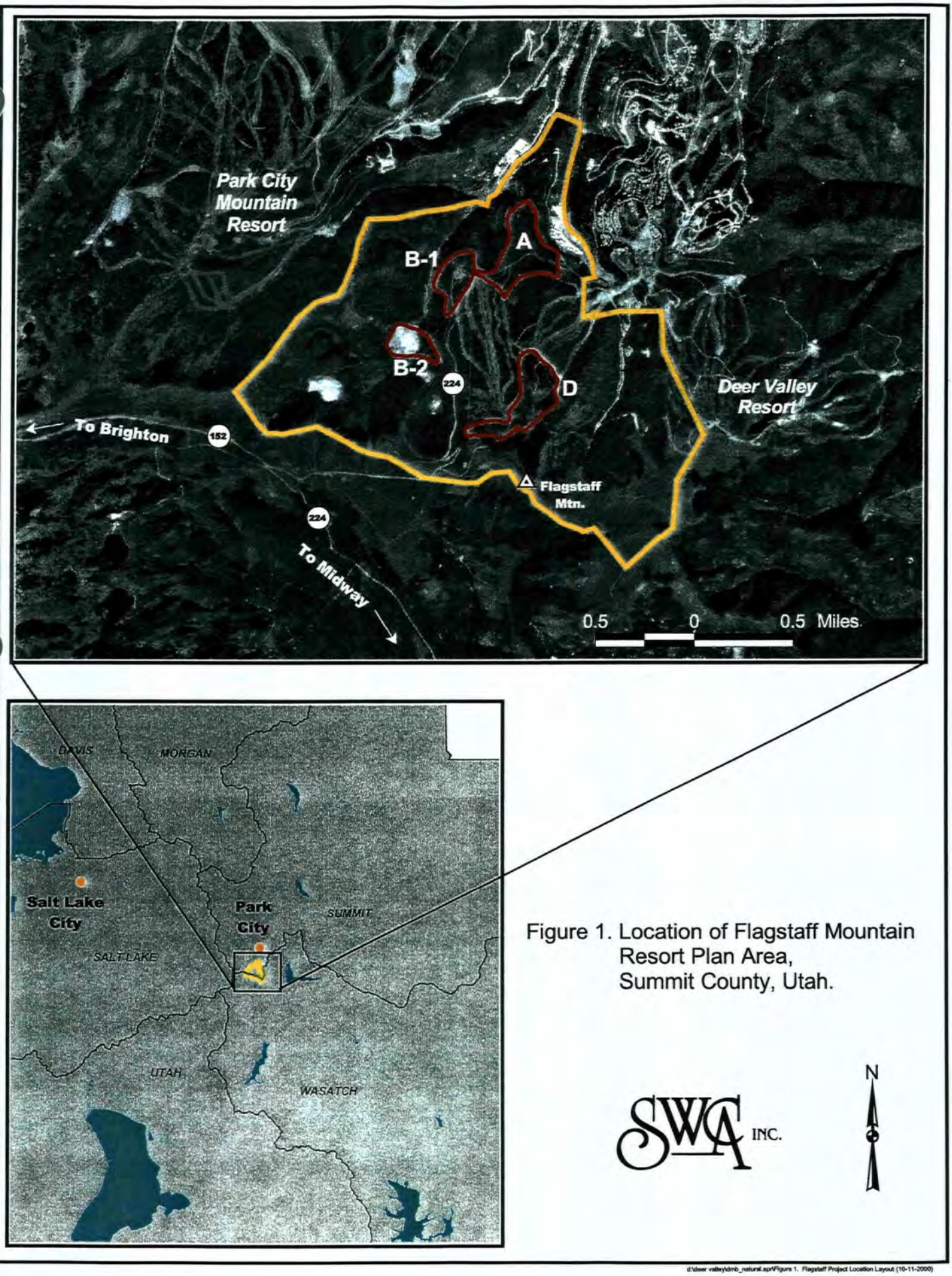
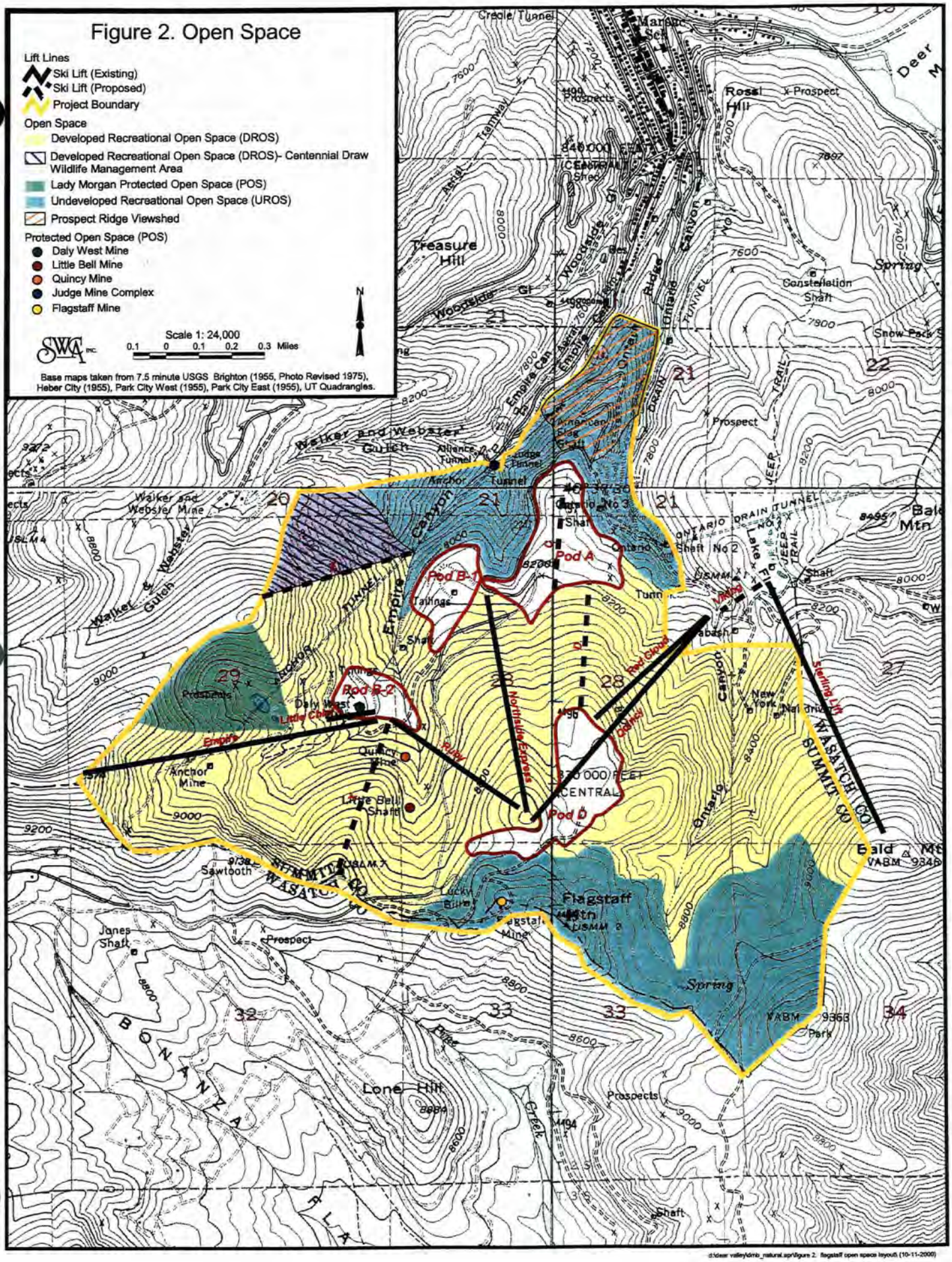


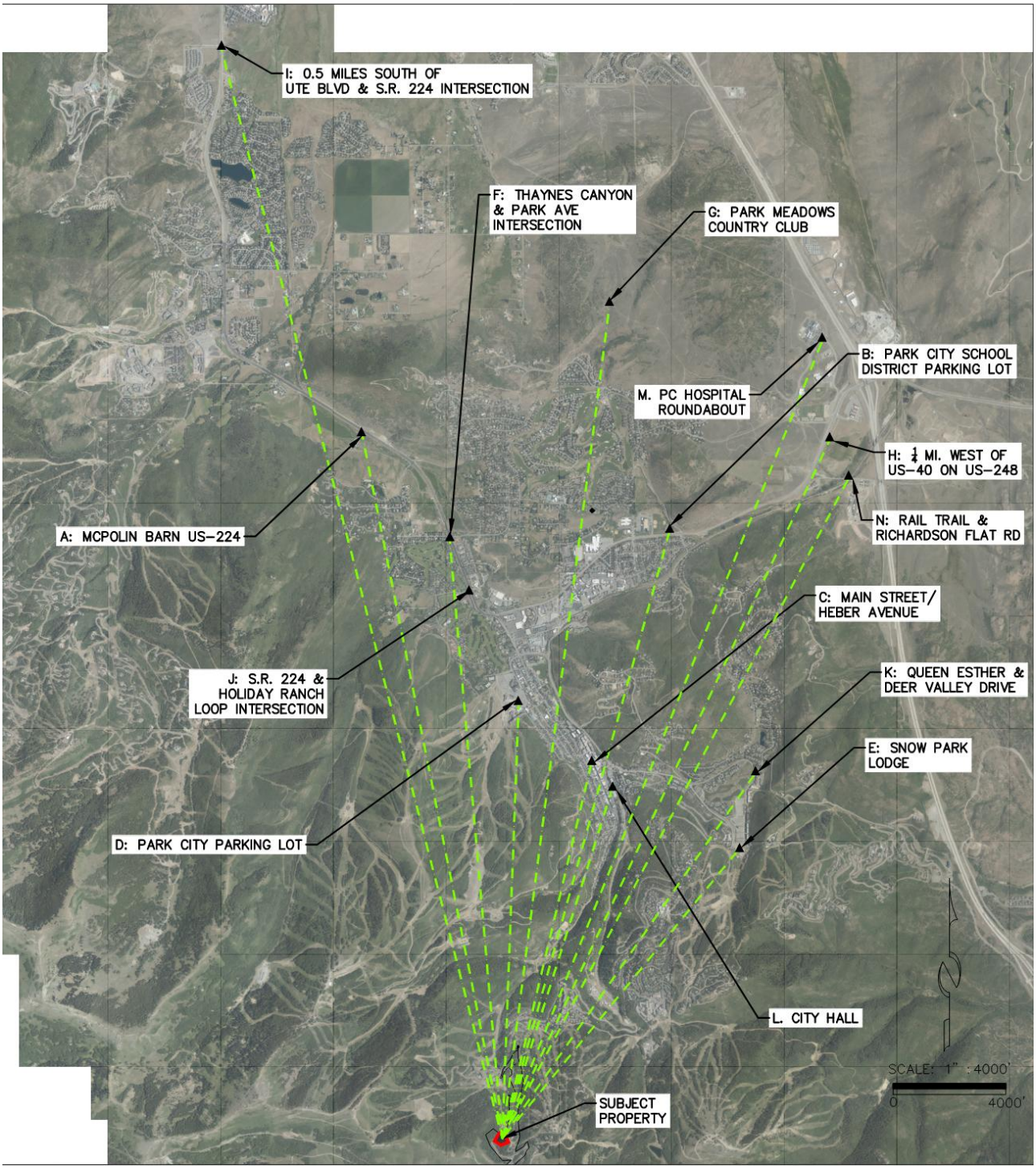
Figure 1. Location of Flagstaff Mountain Resort Plan Area, Summit County, Utah.

SWCA INC.

d:\deer valley\dmb_natural.spr\Figure 1. Flagstaff Project Location Layout (10-11-2000)


Figure 2. Open Space
Lift Lines
Ski Lift (Existing)
Ski Lift (Proposed)
Project Boundary
Open Space
Developed Recreational Open Space (DROS)
Developed Recreational Open Space (DROS)- Centennial Draw Wildlife Management Area
Lady Morgan Protected Open Space (POS)
Undeveloped Recreational Open Space (UROS)
Prospect Ridge Viewshed
Protected Open Space (POS)
Daly West Mine
Little Bell Mine
Quincy Mine
Judge Mine Complex
Flagstaff Mine
Scale 1: 24,000
0.1 0 0.1 0.2 0.3 Miles
SWCA INC.
Base maps taken from 7.5 minute USGS Brighton (1955, Photo Revised 1975), Heber City (1955), Park City West (1955), Park City East (1955), UT Quadrangles.
Pod A
Pod B-1
Pod B-2
Pod b
Treasure Hill
Rossi Hill
Walker and Webster Gulch
Empire Canyon
Ontario Canyon
Flagstaff Mtn
Lone Hill
Bald Mtn
Anchor Mine
Quincy Mine
Little Bell Shaft
Daly West
Sawtooth
Jones Shaft
Constellation Shaft
Ontario No 3 Shaft
Ontario No 2 Shaft
Northside Express
Sterling Lift
Red Cloud
Ruby
Empire
Jackson
Ontario
New York
Wabash
Lake Flat
Jeep Trail
Ontario Drain Tunnel
Creole Tunnel
Woodside Gl
Prospect
Spring
Creek
Mine
Shaft
Tunnel
Tailings
Prospects
Anchor Tunnel
Judge Tunnel
Alliance Tunnel
Lucky Bill
BONANZA FLA
SUMMIT CO
WASATCH CO
USLM 4
USLM 3
USMM
VABM 9368
VABM 9348
9272
9494
9884
8600
8800
8900
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34
d:\clear valley\dmb_natural.apr\figure 2. flagstaff open space layouts (10-11-2000)

Designated Entry Corridors and Vantage Points:





DESIGNATED ENTRY CORRIDOR VANTAGE POINT “A” – McPolin Barn (3000 SR U.S. 224)

Vantage Point “A” is 4.83 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “B” – Park City School District Campus

Vantage Point “B” is 4.20 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “C” – Intersection of Main Street and Heber Avenue.

Vantage Point “C” is 2.63 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “D” – Park City Ski Area Base

Vantage Point “D” is 2.96 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



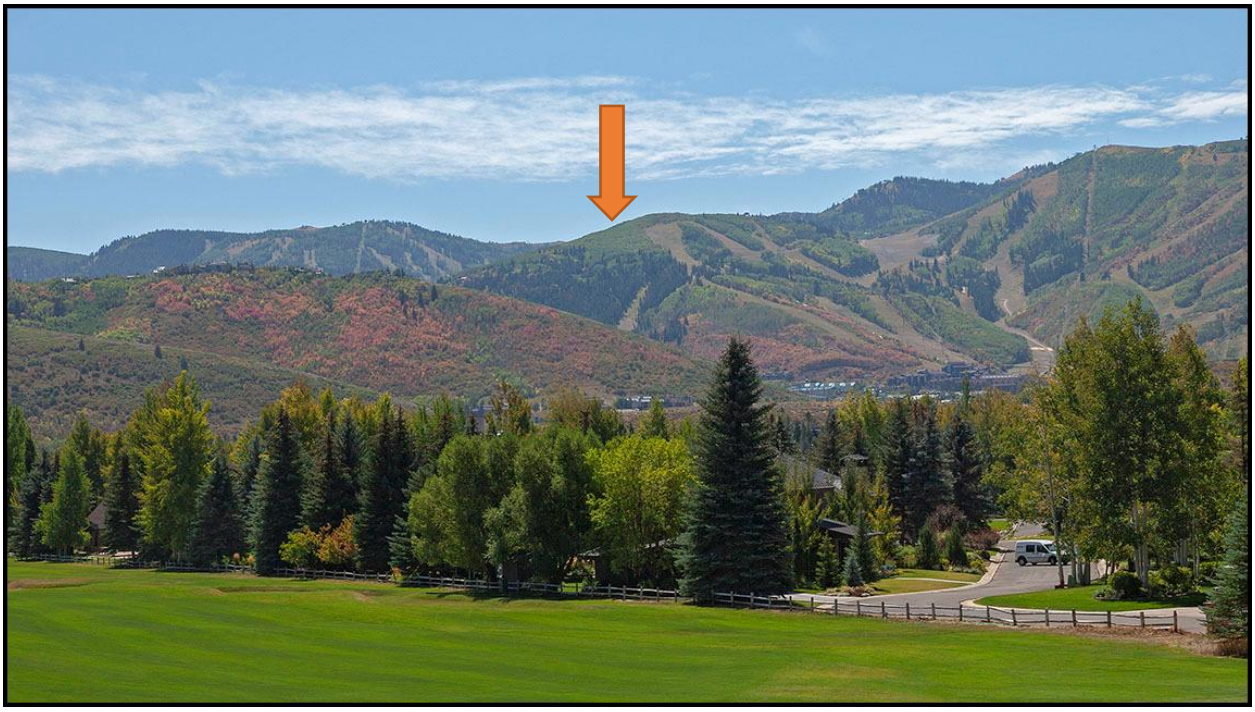
DESIGNATED ENTRY CORRIDOR VANTAGE POINT “E” – Snow Park Lodge

Vantage Point “E” is 2.65 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “F” – Thaynes Canyon & Park Ave

Vantage Point “F” is 3.65 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “G” – Park Meadows Golf Course Club House

Vantage Point “G” is 5.04 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “H” – Highway 248, ¼ mile from US40

Vantage Point “H” is 5.37 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “I” – Highway 224, 0.5 miles south of Ute Blvd. & SR 224 Intersection

Vantage Point “I” is 7.58 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “J” – S.R. 224 and Holiday Ranch Loop Road

Vantage Point “J” is 4.06 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “K” – Queen Esther and Deer Valley Drive Intersection

Vantage Point “K” is 3.02 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “L” – City Hall (445 Marsac Avenue)

Vantage Point “L” is 2.54 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “M” – Park City Hospital (900 Round Valley Drive)

Vantage Point “M” is 5.82 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.

2700 Suite 50 & 60, Park City, Utah | P.O. Box 2664 | Office: 435-649-9647



DESIGNATED ENTRY CORRIDOR VANTAGE POINT “N” – Rail Trail and Richardson Flat Rd. Intersection

Vantage Point “N” is 5.05 miles from the project. HOT CREEK RESTAURANT is not visible from this vantage point.

EMPIRE PASS
DESIGN REVIEW BOARD

December 13, 2024

Mr. Jeff Butterworth
Storied Development
PO Box 4349
Park City, UT 84060

RE: Hot Creek CUP
10203 Twisted Branch Road
Park City, UT 84060
DRB Final Approval

Dear Mr. Butterworth,

Thank you for your recent application regarding the Hot Creek Restaurant to the Empire Pass Design Review Board (the DRB) requesting Final approval of the proposed restaurant. The DRB granted Final Approval by email on December 16, 2024 with the following conditions:

1. Approval based off plans dated December 10, 2024.
2. The plans show different options for tying into the sewer and gas, which the builder will determine on site.
3. The driveway is asphalt with a one-way driveway. The entry grade is 6.8% to accommodate the 2 ADA stalls.
4. Ther are 2 ADA parking stalls.
5. The interior gross building square footage is 2,802 and 2,707 for deck space.
6. The roof pitches very from flat to 3:12.
7. The maximum height of the building is 28 feet and it appears the maximum height is almost 27".
8. All venting will be grouped through the chimneys. There will be no side ventilation.
9. The exterior materials are stone, wood siding and metal. The roof is metal.
10. The building has strong exterior structural expression.
11. This restaurant is ski in/ski out and will not be a drive to dine destination.
12. The landscape plan appears adequate.
13. Applicant has shown a site plan with existing utilities, connection points, setbacks and retaining walls.
14. The applicant will match existing lighting fixtures on the Tower Club.
15. Roof overhangs are a minimum of 24" and show a sheltering effect.
16. Chimney massing, caps and penetrations are in compliance.
17. Applicants understand that no faux or manufactured materials may be used as finished exterior product, this would include glue-lam beams, faux stone, bare concrete, vinyl siding, etc.
18. In order to maintain the integrity of the Guidelines and encourage the continuity of a cohesive design aesthetic at Empire Pass, this Final approval will expire one year from the date of DRB approval. If no construction activity has occurred or progressed the applicant will be required to return to the DRB for a renewed approval of Final plans.

19. Applicant understands that the building is subject to City approvals beyond any approval of the DRB.

Again, we thank you for your submittal and look forward to working with you and your team as the process continues. Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Trish Waterman

Trish Waterman, Empire Pass MOA Director
On behalf of the Empire Pass Design Review Board

Topographic Map and Slope Analysis:

The subject property is in areas of slope less than 40%.

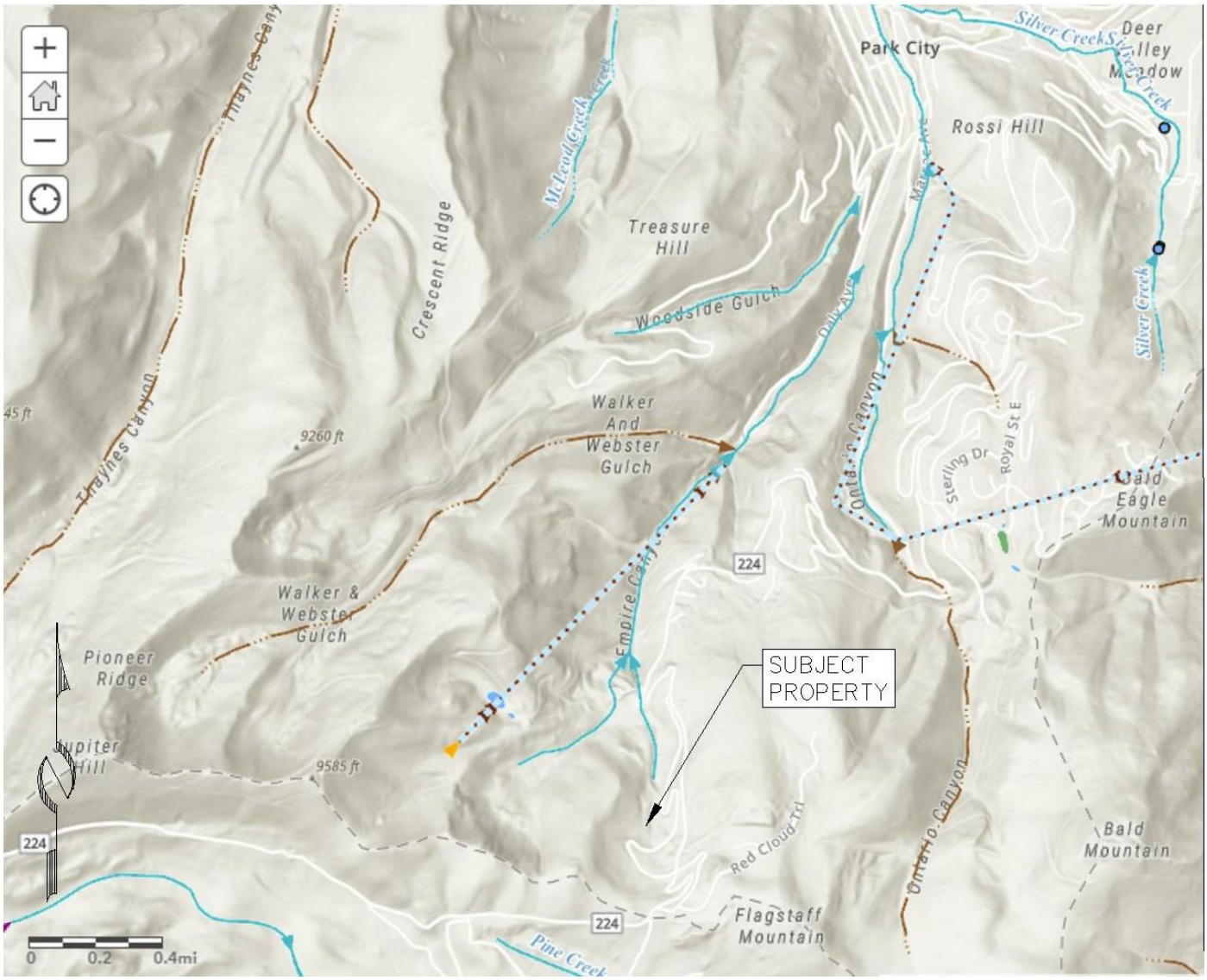
The location of the restaurant development will be on areas of less than 15% slope.

See attached Appendix A



2700 Suite 50 & 60, Park City, Utah | P.O. Box 2664 | Office: 435-649-9647

Wet Lands, Stream Corridors, Canals, and Irrigation Ditches:



Subject property is not affected by any designated wetlands, streams, canals, or irrigation ditches as determined by national hydrology dataset from USGS data updated July 2023.

NOTE: This is not an official water delineation map and is specifically used as a visual aide to assess if the subject property is affected by any designated wetlands.

Existing drainage areas on site will be maintained and protected as necessary under storm water pollution prevention plan best practices.

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BIO-WEST, Inc.
1063 West 1400 North
Logan, Utah
84321-2291
Ph: 435.752.4202
Fx: 435.752.0507
www.bio-west.com

Coastal Ecology and Marine Biology

Environmental Analysis and Permitting

Geology/ Hydrogeology and Remediation

Fisheries and Aquatic Ecology

GIS Analysis and Planning

Landscape Architecture and Environmental Planning

Vegetation Resources

Watershed Sciences

Wetland Resources

Wildlife Resources

March 3, 2025

Talisker Club, Storied Deer Valley, LLC
Attention: Mr. Rhett Riding
10105 North Tuhaye Park Drive
Kamas, UT 84036

Subject: Wildlife Assessment, Federally Listed Threatened and Endangered Species, State Listed Sensitive Species, and Migratory Bird Assessment for the Hot Creek Area, Park City, Summit County, Utah

Dear Mr. Riding:

BIO-WEST, Inc. (BIO-WEST) performed a desktop assessment of the potential occurrence of wildlife including federally listed threatened and endangered species, State of Utah-listed sensitive species, suitable habitat for listed species, and migratory birds for the Hot Creek Project (survey area) in Park City, Utah. The survey area is approximately 1.2 acres and is proposed as a development site in Park City, Utah. As of the time of this report, the available aerial imagery shows that all vegetation within the survey area has been removed and all of the existing natural grade has been covered with imported fill material. This letter does not speak to previous habitat conditions that were present prior to the import of this fill material.

The survey area is located north of Twisted Branch Road in Park City, Utah. It is within Sections 28 and 33, Township 2 South, Range 4 East, Salt Lake Base, and Meridian. The approximate coordinates for the center of the survey area are latitude 40.609233 ° N and longitude -111.508615° W.

The following materials are attached to this letter: (1) Survey area location map (2) survey area topographic map, (3) survey area map, (4) US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) resource list, and (5) Utah Wildlife Habitat Analysis Tool Report.

Methods

BIO-WEST obtained a species list from the USFWS, including federally listed threatened, endangered, and candidate species with the potential to occur in or near the survey area. Known observations of Species of Greatest Conservation Need (SGCN) were also obtained from the Utah Wildlife Habitat Analysis Tool, and site conditions visible in recent aerial photography were evaluated for the potential occurrence of those species and migratory birds. BIO-WEST then conducted an additional literature review and a desktop assessment to compare the listed species' habitat requirements to the survey area's characteristics. If habitat characteristics of the listed species, such as elevation, vegetation communities, or substrate, did not match the known survey area conditions (from recent aerial photography), the species was considered unlikely to occur.

The USFWS IPaC resource list provided an inventory of federally listed species (and other resources, such as critical habitat) known or expected to occur within or near the survey area (USFWS). Scientific literature, grey literature, and other reputable online sources were reviewed for specific information regarding proximal occurrences and habitat requirements for federally listed species potentially occurring on or near the survey area. All literature used in this report is cited in the Literature Cited section. The information collected and reviewed was used in conjunction with BIO-WEST's professional judgment to determine the potential occurrence of federal or state listed species within the survey area.

Results

General Project Area Conditions

The entire survey area is disturbed and has been cleared of all vegetation and fill material has been brought in from offsite. The vegetation and ground disturbance, combined with the deep layer of fill material (several feet in areas), has eliminated all wildlife and plant habitat. There are no apparent wetlands or waterways within the survey area.

Federally Listed Threatened and Endangered Species

Table 1 identifies the federally listed species and their likelihood of occurrence in the survey area based on known habitat requirements.

Table 1. Federally listed threatened and endangered species listed in or near the Survey Area (USFWS 2025).

COMMON NAME	SCIENTIFIC NAME	STATUS	CRITICAL HABITAT IN THE SURVEY AREA	SPECIES OCCURRENCE IN THE SURVEY AREA
Canada Lynx	*Lynx canadensis*	Threatened	Absent	Not present based on literature review and lack of suitable habitat in the project area.
North American Wolverine	*Gulo gulo luscus*	Threatened	Absent	Not present based on literature review and lack of suitable habitat in the project area.
Monarch Butterfly	*Danaus plexippus*	Candidate	Absent	Not present based on literature review and lack of suitable habitat in the project area.
Suckley's Cuckoo Bumble Bee	*Bombus suckleyi*	Candidate	Absent	Not present based on literature review and lack of suitable habitat in the project area.

The Canada Lynx needs boreal forests with dense understory, which do not occur within the survey area (Poole 2003, USFWS 2013). Canada Lynx are rarely observed in Utah and the Utah Natural Heritage Program states that it is likely the Canada Lynx breeding population within the State of Utah has been extirpated. It is highly unlikely that Canada Lynx would be present in this area or utilize the survey area if they were present in the region.

The North American Wolverine is circumpolar, occupying tundra, taiga/boreal forests, and alpine areas, typically occupy high-elevation habitats. The 2018 Species Status Assessment found that the wolverine's physical and ecological needs include (1) large territories in relatively inaccessible landscapes at high elevations (5,906 to 11,483 feet); (2) access to a variety of food sources that vary with the seasons; and (3) physical/structural features such as talus slopes and rugged terrain that are linked to reproductive behavioral patterns (USFWS 2018). Roads are among the potential stressors to the viability of the species; other stressors include winter recreational activities, effects of wildland fire,

and overutilization from hunting/trapping (USFWS 2018). Suitable habitat for the Wolverine is not found within the survey area.

The Monarch Butterfly is classified as a candidate species by the USFWS (USFWS 2020, USFWS 2021). Candidate species are plants and animals for which the USFWS has sufficient information on the biological status and threats to propose listing them as endangered or threatened under the federal Endangered Species Act. However, candidate species proposals are typically superseded by higher-priority species (USFWS 2017). Monarch Butterflies require milkweed (*Asclepias* spp.) as their sole host to complete their reproductive life cycle (Thogmartin et al. 2017). No milkweed species were found within the heavily disturbed survey area; therefore, the survey area does not provide suitable habitat for Monarch Butterflies.

The Suckley's Cuckoo Bumble Bee is classified as a candidate species by the USFWS (USFWS 2025). It is a parasitic species that relies on the nests of other Bumble Bee species, primarily the Western Bumble Bee, to reproduce. Unlike most Bumble Bees, Suckley's Cuckoo Bumble Bee does not build its own nests or rear workers; instead, mated females infiltrate host colonies, suppress the host queen, and utilize the colony's workers to raise their offspring. Once adults merge, males focus on mating, while females prepare for overwintering in undisturbed sites. Key habitat needs for Suckley's Cuckoo Bumble Bee include host colonies, abundant floral resources, and undisturbed overwintering sites (Goulson 2010). Host nests are typically located in underground cavities, such as abandoned rodent burrows, which provide shelter for colony activity. Overwintering females seek loose soil, leaf litter, or other debris in areas that remain undisturbed during winter months (Williams et al. 2014). Due to the lack of any vegetation, the survey area does not provide suitable habitat for this species.

Utah Wildlife Habitat Analysis Tool Report

A state report (attached) was obtained on February 24, 2025. It indicates occurrence records for two State Listed Species of Greatest Conservation Need (SGCN) within a 2-mile radius, listed in Table 2.

Table 2. Utah Species of Greatest Conservation Need (SGCN) in or near the survey area (UDWR 2025a).

COMMON NAME	SCIENTIFIC NAME	UWAP STATUS	SUITABLE HABITAT IN THE SURVEY AREA	SPECIES OCCURRENCE IN THE SURVEY AREA
Large Marble Butterfly	*Euchloe ausonides*	SGCN	Absent	There is no suitable habitat, making it unlikely to occur. The last observation within 2 miles occurred in 2007 (UDWR 2025a).
Garrett's Fleabane	*Erigeron garrettii*	SGCN	Absent	There is no suitable habitat making it unlikely to occur. The last observation within 2 miles occurred in 2017 (UDWR 2025a).

SGCN = Species of Greatest Conservation Need (UDWR 2025).

The survey area does not contain suitable habitat for either of the two state-listed species. It is possible that these species could have utilized the survey area prior to the clearing and filling activities, however, now that the site has been cleared and filled, these species are not likely to utilize the survey area.

The state report lists numerous other species that are of interest to the Division of Wildlife Resources. These other species include native plants and wildlife. Big game species seasonal habitat, including migration and calving areas are also included in the report. These species are not described in this letter report because the survey area has been cleared and filled and no longer supports these wildlife habitat

functions. The state report is useful for regional planning in the area and is of interest, so the entirety is included as an attachment.

Migratory Birds

The survey area has no suitable natural habitat for birds due to the removal of all the vegetation. BIO-WEST recommends that the placement of fill material be limited to those areas that are already filled and disturbed as part of the previous fill work within the survey area. The Migratory Bird Treaty Act of 1918 (MBTA) makes it illegal to "pursue, hunt, take, capture, kill, attempt to take, capture or kill" any migratory bird or their eggs and nests without first obtaining a permit from the USFWS (16 USC 703-712; Ch. 128; July 13, 1918; 40 Stat. 755). The Migratory Bird Treaty Act regulation can include prohibiting any acts that create enough disturbances (e.g., noise, vibrations, visual disturbance) to cause a bird to abandon a nest or fledglings. Most bird species within the United States are protected under the MBTA and/or state law.

Conclusions, Recommendations, and Requirements

No suitable habitat for federally listed species; Canada Lynx, North American Wolverine, Monarch Butterflies, or Suckley's Cuckoo Bumble Bee was found within the survey area due to the clearing of all vegetation and the placement of fill material. There is also no suitable habitat for the two state-listed species or for the protected migratory birds. Due to this lack of suitable habitat, BIO-WEST recommends that development activities within the survey area will not conflict with the U.S. Endangered Species Act, the Migratory Bird Treaty Act, or any applicable State of Utah laws protecting rare or sensitive wildlife or plant species.

Please feel free to contact me with any questions and/or comments you might have.

Sincerely,

Brandon Thomas

Brandon Thomas
Ecologist

Attachments: Survey Area Location Map
Survey Area Topographic Map
Survey Area Map
USFWS IPaC Resource List
Utah Wildlife Habitat Analysis Tool Report

Literature Cited

Goulson, D. 2010. Bumblebees: Behavior, Ecology, and Conservation Second edition. Oxford University, Oxford, United Kingdom.

[MBTA] Migratory Bird Treaty Act of 1918. 16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755.

[Mitigation Commission] Utah Reclamation Mitigation and Conservation Commission. 2021. Final Mitigation & Conservation FY2021-2025 Plan and FY 2020 Annual Report, July. https://www.mitigationcommission.gov/aboutus/pdf/report_and_plan_web.pdf. Accessed: August 22, 2022.

Poole, K.G., 2003. A review of the Canada lynx, Lynx canadensis, in Canada. The Canadian Field-Naturalist, 117(3), pp.360-376.

Thogmartin WE, Wiederholt R, Oberhauser K, Drum RG, Diffendorfer JE, Altizer S, Taylor OR, Pleasants J, Semmens D, Semmens B, Erickson R. 2017. Monarch butterfly population decline in North America: identifying the threatening processes. Royal Society open science. 2017 Sep 20;4(9):170760.

[UDWR] Utah Division of Wildlife Resources. 2025a. Online report for Utah Wildlife Action Plan listed species near the Hot Creek Site in Park City, Utah. 02/24/2025. https://what.wildlife.utah.gov/projects.

[UDWR] Utah Division of Wildlife Resources. 2025b. County Lists of Utah's Federally Listed Threatened (T), Endangered (E), and Candidate (C) Species and State Listed Species. Utah Conservation Data Center. Location: http://dwrcdc.nr.utah.gov/ucdc/.

[USFWS] U.S Fish and Wildlife Service. 2013. Canada Lynx. https://www.fws.gov/mountainprairie/es/species/mammals/lynx/CandaLynxFactSheet_091613.pdf

[USFWS] US Fish and Wildlife Service. 2017. Candidate Species Section 4 of the Endangered Species Act. US Fish and Wildlife Service, US Fish and Wildlife Service Ecological Services Program 5275 Leesburg Pike Falls Church, VA 22041 703-358-2171. Accessed 9/23/2021. Location: https://www.fws.gov/endangered/esa-library/pdf/candidate_species.pdf.

[USFWS] US Fish and Wildlife Service. 2018. Species status assessment report for the North American wolverine (Gulo gulo luscus).Version 1.2. March 2018. U.S. Fish and Wildlife Service, Mountain-Prairie Region, Lakewood, CO.

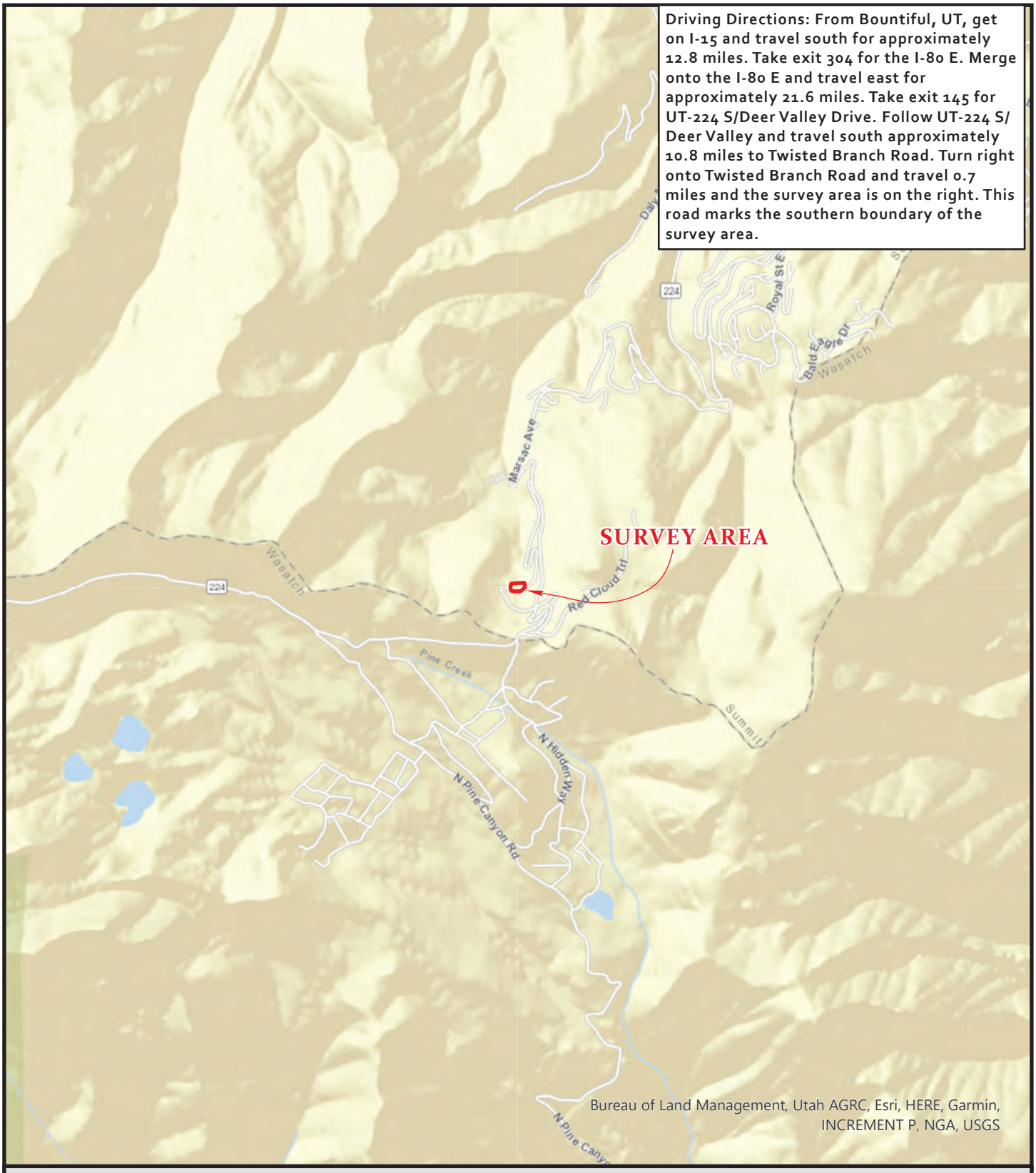
[USFWS] US Fish and Wildlife Service. 2019. Monarch butterfly. https://www.fws.gov/pollinators/features/Monarch_Butterfly.html.

[USFWS] US Fish and Wildlife Service. 2020. Questions and Answers: Designation of the Monarch as a Candidate Species – ESA Section 7. https://www.fws.gov/savethemonarch/FAQ-Section7.html. Accessed: 11/11/2021.

[USFWS] U S Fish and Wildlife Service. 2021. Monarch Butterfly (Danaus plexippus). U.S. Fish and Wildlife Service, ECOS Environmental Conservation Online System. Accessed 9/23/2021. Location: https://ecos.fws.gov/ecp/species/9743.

[USFWS] US Fish and Wildlife Service. 2025. List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project. US Fish and Wildlife Service, Utah Ecological Services Field Office, West Valley City, Utah, February 24.

Williams PH, Thorp Robin W, Richardson LL, Colla SR. (Williams et. al). 2014. The Bumble Bees of North America: An Identification Guide. Princeton University Press, Princeton, New Jersey.



BIO-WEST

Hot Creek Site
Park City, Summit County, UT
Location Map

N

Spatial Reference
Datum: WGS 1984
Projection: Mercator Auxiliary Sphere
Date Saved: 2/25/2025 9:21 AM
Scale: 1:48,000

1 inch equals 4,000 feet

0 2,000 4,000 8,000 Feet



Hot Creek Site
Park City, Summit County, UT
Topographic Map

BIO-WEST

Spatial Reference
Datum: WGS 1984
Projection:
Date Saved: 2/24/2025 4:07 PM
Scale: 1:24,000

1 inch equals 2,000 feet

0 1,000 2,000 4,000 Feet

N



BIO-WEST

1 inch equals 100 feet

0 50 100 200 Feet

Legend

Project Area (1.2 acres)

Hot Creek Site
Park City, Summit County, UT
T&E Map

Google Imagery 09/10/2018
AGRC WTMS Image Service
GCS: GCS WGS 1984

N

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Summit County, Utah



Local office

Utah Ecological Services Field Office

(801) 975-3330
(801) 975-3331

2369 West Orton Circle, Suite 50
West Valley City, UT 84119-7603

https://fws.gov/office/utah-ecological-services

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

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2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Canada Lynx Lynx canadensis There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3652	Threatened
North American Wolverine Gulo gulo luscus Wherever found This species only needs to be considered if the following condition applies: • Species may be present based on transient occurrence as it moves through or too suitable habitat. Effects should be considered to species and projects should consult with the Service, however, depending on the project, consultation may not be necessary. No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5123	Threatened

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee Bombus suckleyi No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

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Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are Bald Eagles and/or Golden Eagles in your project area.

Measures for Proactively Minimizing Eagle Impacts
For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the National Bald Eagle Management Guidelines. You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to Bald Eagle Nesting and Sensitivity to Human Activity.

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The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

If disturbance or take of eagles cannot be avoided, an incidental take permit may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the Do I Need A Permit Tool. For assistance making this determination for golden eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Golden Eagle *Aquila chrysaetos* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Dec 1 to Aug 31

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Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

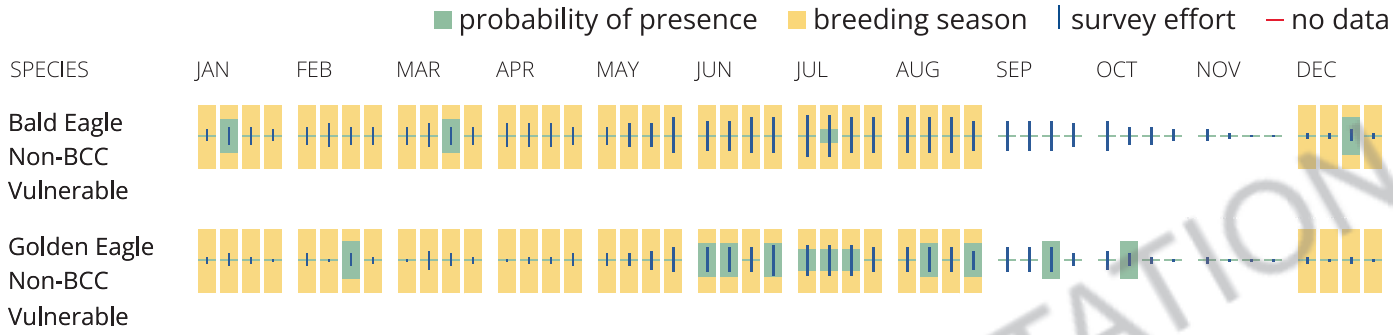
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

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To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report
On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical

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bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases birds of concern, including Birds of Conservation Concern (BCC), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the Nationwide avoidance and minimization measures for birds document, and any other project-specific avoidance and minimization measures suggested at the link Measures for avoiding and minimizing impacts to birds for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles document, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON

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Bald Eagle Haliaeetus leucocephalus — Breeds Dec 1 to Aug 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1626

Black Rosy-finch Leucosticte atrata — Breeds Jun 15 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9460

Broad-tailed Hummingbird Selasphorus platycercus — Breeds May 25 to Aug 21
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

California Gull Larus californicus — Breeds Mar 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Cassin's Finch Haemorhous cassinii — Breeds May 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9462

Clark's Nutcracker Nucifraga columbiana — Breeds Jan 15 to Jul 15
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Evening Grosbeak Coccothraustes vespertinus — Breeds May 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Flammulated Owl Psiloscops flammeolus — Breeds May 10 to Aug 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/7728

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Golden Eagle Aquila chrysaetos — Breeds Dec 1 to Aug 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Pinyon Jay Gymnorhinus cyanocephalus — Breeds Feb 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9420

Virginia's Warbler Leiothlypis virginiae — Breeds May 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9441

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

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Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

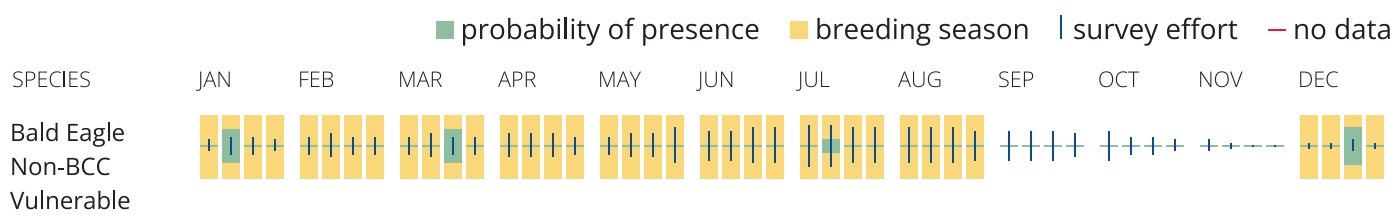
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

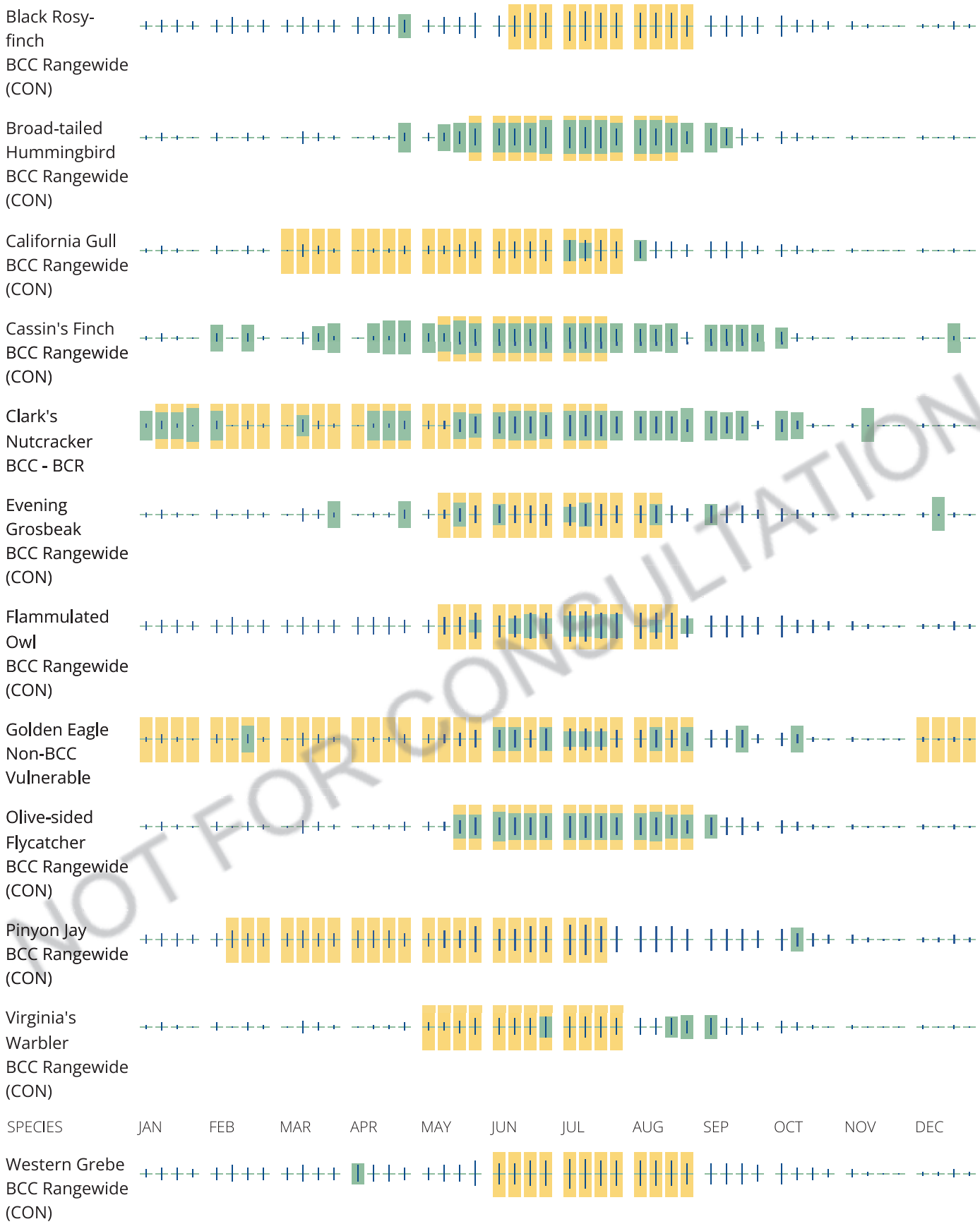
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



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Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

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To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Bald and Golden Eagle Protection Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be

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present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs
Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

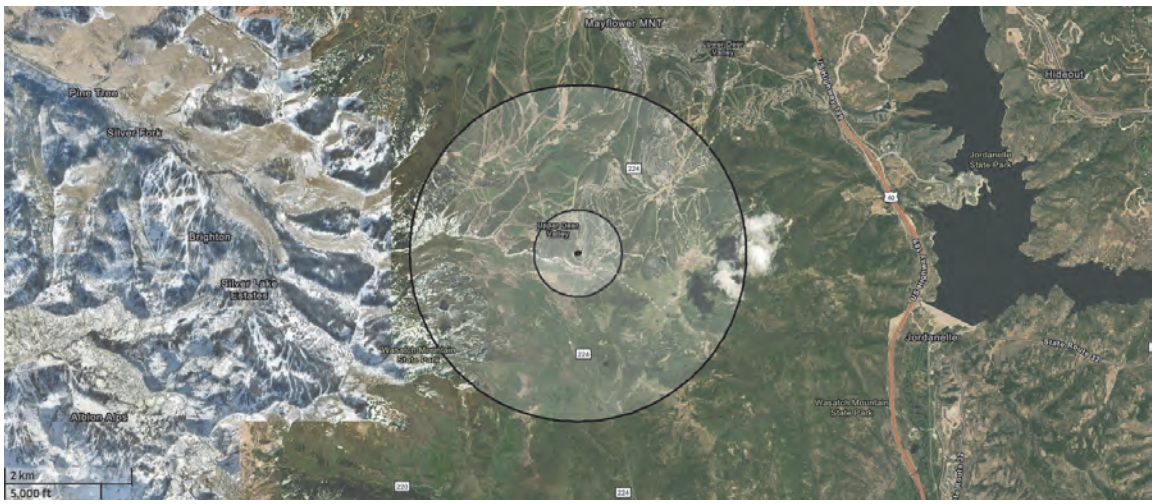
Utah Division of Wildlife Resources
1594 W. North Temple
Salt Lake City, UT 84116
(801) 538-4700, wildlife.utah.gov

Report Number: bra_16844

Report Date: 2025-02-24 16:51:25

Hot Creek

Location: Park City
Description: Wildlife Clearance Survey for development property



Project Area of Interest with a half-mile and two-mile radius.

Two-Mile Radius

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Great Horned Owl	*Bubo virginianus*	None	None	2014-04-04	
Large Marble Butterfly	*Euchloe ausonides*	SGCN	None	2007-05-17	

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Forest Bumblebee	*Bombus lapponicus sylvicola*	None	None	2018-07-19	
	Bombus insularis	None	None	2023-09-29	
Clustered Lady's-slipper	*Cypripedium fasciculatum*	None	None	2019-08-17 21:57:12	
Aspen Fleabane	*Erigeron speciosus var. macranthus*	None	None	2010-07-29 00:00:00	
Subalpine Fir	*Abies lasiocarpa*	None	None	2017-08-20 18:45:36	
Quaking Aspen	*Populus tremuloides*	None	None	2019-08-17 21:57:12	
Prairie-rocket Wallflower	*Erysimum asperum*	None	None	2010-07-29 00:00:00	
Engelmann Spruce	*Picea engelmannii*	None	None	2017-08-20 18:45:36	
Engelmann's Aster	*Aster engelmannii*	None	None	2019-08-17 21:57:12	
Garrett's Fleabane	*Erigeron garrettii*	SGCN	None	2017-08-20 18:45:36	

Definitions

State Status	
SGCN	Species of greatest conservation need listed in the Utah Wildlife Action Plan (UWAP) and also included in the Utah Field Guide
U.S. Endangered Species Act	
LE	A taxon that is listed by the U.S. Fish and Wildlife Service as "endangered" with the probability of worldwide extinction
LT	A taxon that is listed by the U.S. Fish and Wildlife Service as "threatened" with becoming endangered
LE;XN	An "endangered" taxon that is considered by the U.S. Fish and Wildlife Service to be "experimental and nonessential" in its designated use areas in Utah
C	A taxon for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threats to justify it being a "candidate" for listing as endangered or threatened
PT/PE	A taxon "proposed" to be listed as "endangered" or "threatened" by the U.S. Fish and Wildlife Service

Species Distribution and Habitat Suitability Models

Species distribution and habitat suitability models (SDHMs) can inform wildlife management decisions such as habitat protection, enhancement, and restoration. They may also help assess environmental impacts by identifying species' habitats. When reevaluating SDHMs with new information, they can help identify or track changes or trends in habitat quality. SDHMs assess habitats' spatial arrangement and connectivity, identify crucial habitats, or describe the environmental conditions a species selects. SDHMs provide an understanding of the impacts of invasive species spread and identify suitable areas for species translocations/re-introductions.

SDHMs show a predicted suitable habitat for a species based on various biotic and abiotic environmental factors. These models may be useful for statewide evaluation but should not be considered verified species presence or absence. Field survey information should be utilized to verify the presence or absence of taxa when making species-specific decisions. Models produced by the Utah Division of Wildlife Resources (DWR) were conducted using a blend of Generalized Linear Models, Generalized Additive Models, Random Forest Models, Boosted Regression Tree Models, and Maximum Entropy Models.

Mitigation Strategies

Typical recommendations to consider and help guide project activities to avoid, minimize or mitigate impacts on wildlife and their habitats from project disturbances are displayed below for some wildlife species found within/near your project area.

Common Name	Strategy
moose	Avoid disturbance in crucial winter habitats Nov. 1 - May 15 and crucial summer range May 15 - July 5. Consider voluntary mitigation if avoidance is not possible or there is permanent habitat loss.
mule deer	Avoid disturbance in crucial summer range during fawning May 15 - July 15. Avoid, minimize or mitigate impacts from large-scale development that occur within crucial elk habitats. Voluntary mitigation is

Common Name	Strategy
	recommended at a 4:1 ratio, meaning 4 acres of improved or conserved habitat for every 1 acre of disturbance.

The DWR understands that mitigation strategies might conflict. Please reach out to DWR staff to develop strategies to minimize impacts on wildlife while still achieving project goals. Your project is located in the following UDWR region(s):

DWR Region Full Name	Regional Phone	Impact Analysis Biologist	Email	Phone
Central Region	801-491-5678	Josee Seamons	jseamons@utah.gov	385-421-1277

This project area contains multiple valuable wildlife habitats, where standard recommendations may conflict or be overburdensome. We strongly recommend reaching out to our team of experts for tailored/project-specific suggestions and solutions and DWR staff may contact you.

Wildlife Action Plan

The Utah Wildlife Action Plan (UWAP) is Utah's guiding document for native species conservation. The DWR encourages parties to use the UWAP in their environmental planning, as it provides a conservation framework to prevent future listings under the ESA.

Disclaimer

The information provided in this report is based on data existing in the Utah Division of Wildlife Resources' central database at the time of the request. It should not be regarded as a final statement on the occurrence of any species on or near the designated site, nor should it be considered a substitute for on-the-ground biological surveys. Moreover, because the Utah Division of Wildlife Resources' central database is continually updated, any given response is only appropriate for its respective request.

The Utah DWR provides no warranty nor accepts any liability occurring from any incorrect, incomplete, or misleading data or from any incorrect, incomplete, or misleading use of these data.

The results include a query of species tracked by the Utah Natural Heritage Program and Utah Division of Wildlife Resources, which includes all species listed under the U.S. Endangered Species Act, species in the Utah Wildlife Action Plan, and other species. Other significant wildlife values might also be present on the designated site.

For additional information about species listed under the Endangered Species Act and their Critical Habitats that may be affected by activities in this area or for information about Section 7 consultation under the Endangered Species Act, please visit https://ecos.fws.gov/ipac/ or contact the U.S. Fish and Wildlife Service Utah Ecological Services Field Office at (801) 975-3330 or utahfieldoffice_esa@fws.gov.

The "Not For Consultation" watermark is meant to inform users that this tool is not a substitute for the U.S. Fish and Wildlife Service (USFWS) environmental review process. While this tool provides courtesy information on ESA species for context, the U.S. Fish and Wildlife Service is the authority on Information for Planning and Consultation Endangered Species Act Reviews. Additionally, the Wildlife Habitat Analysis Tool provides information to assist in analysis but does not replace coordination and consultation with Utah Division of Wildlife Resource biologists who can often serve as an expert resource for site-specific information.

Supplemental Data

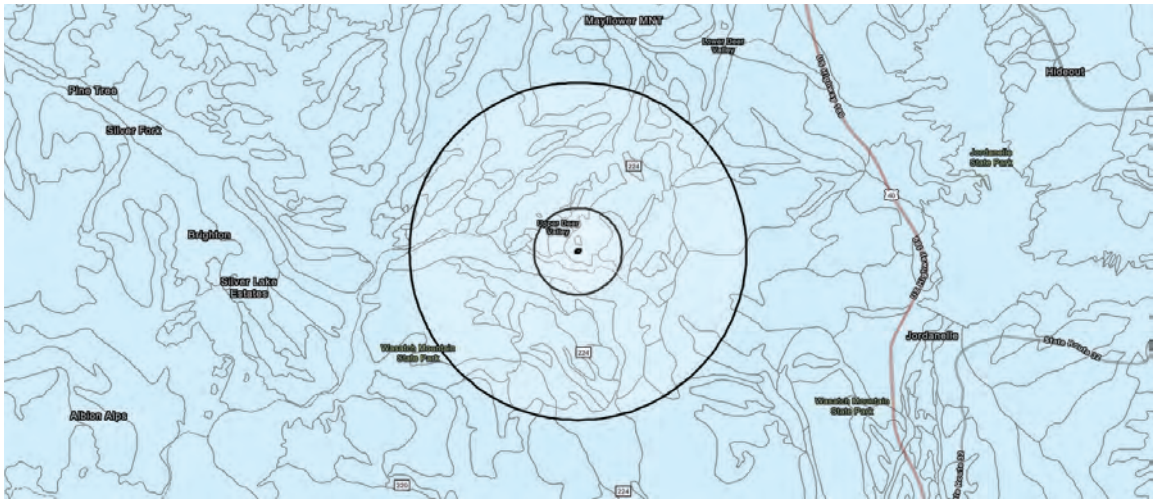
Unmapped Corridors

Unmodeled Corridors: Present

Wildlife Habitat Information

Species	Season	Value	Comments
Black Bear	year-long	crucial	
Dusky Grouse	year-long	crucial	
Elk	spring/fall	substantial	
Moose	year-long	crucial	Calving habitat.
Mule Deer	summer	crucial	
Ruffed Grouse	year-long	substantial	
Snowshoe Hare	year-long	substantial	
White-Tailed Jackrabbit	year-long		

USDA NRCS Utah Soils

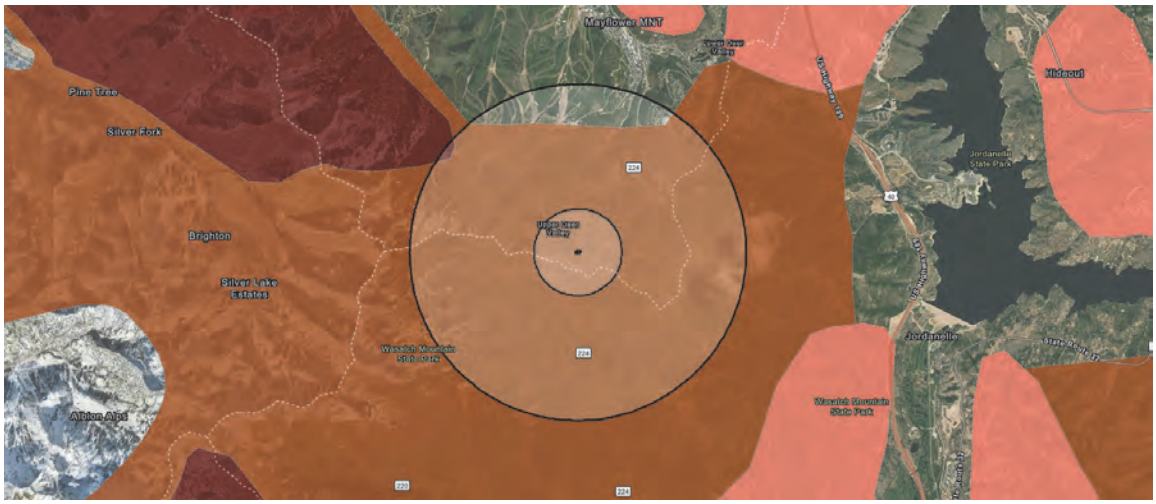


Description: Utah Soils is a subset of the more comprehensive Natural Resources Conservation Service (NRCS) SSURGO database. The SSURGO database is a collection of 6 feature classes, one raster, 76 tables, and 69 relationship classes that represent over a century's worth of soil data collected by the National

Cooperative Soil Survey. Utah Soils is a collection of the more widely used SSURGO soil attributes and SSURGO MUPOLYGON geometry to provide users an overview of Utah soils data without the complexity of the SSURGO database itself.

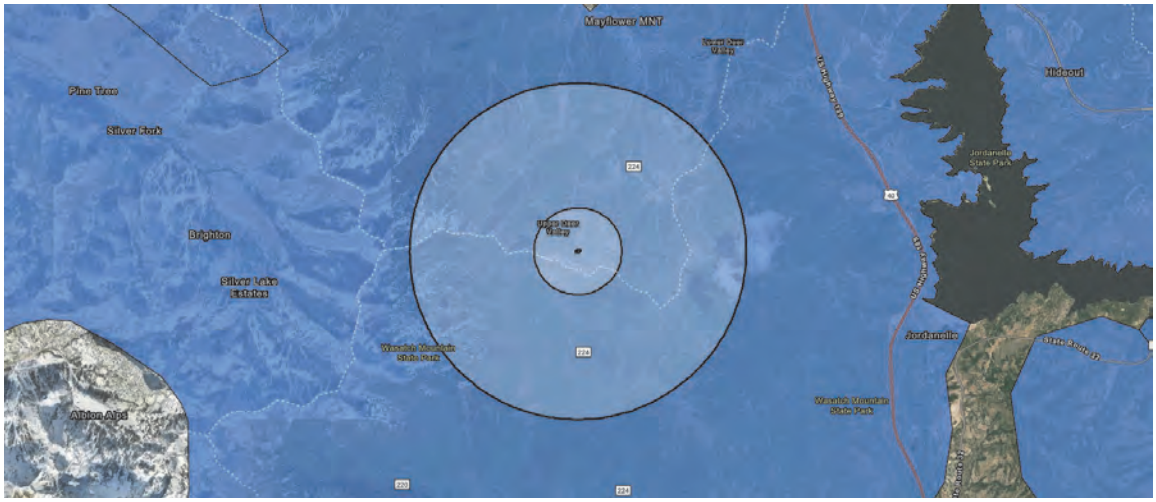
Area Name	Area Symbol	Farm Class	Hydric Classification - Presence	Hydrologic Group - Dominant Conditions	Map Unit Name	Map Unit Key	Water Table Depth - Annual - Minimum	Water Table Depth - April - June - Minimum
Summit Area, Utah, Parts of Summit, Salt Lake and Wasatch Counties	UT613	Not prime farmland	0	B	Lucky Star gravelly loam, 30 to 60 percent slopes	508197	None	None

Elk Habitat



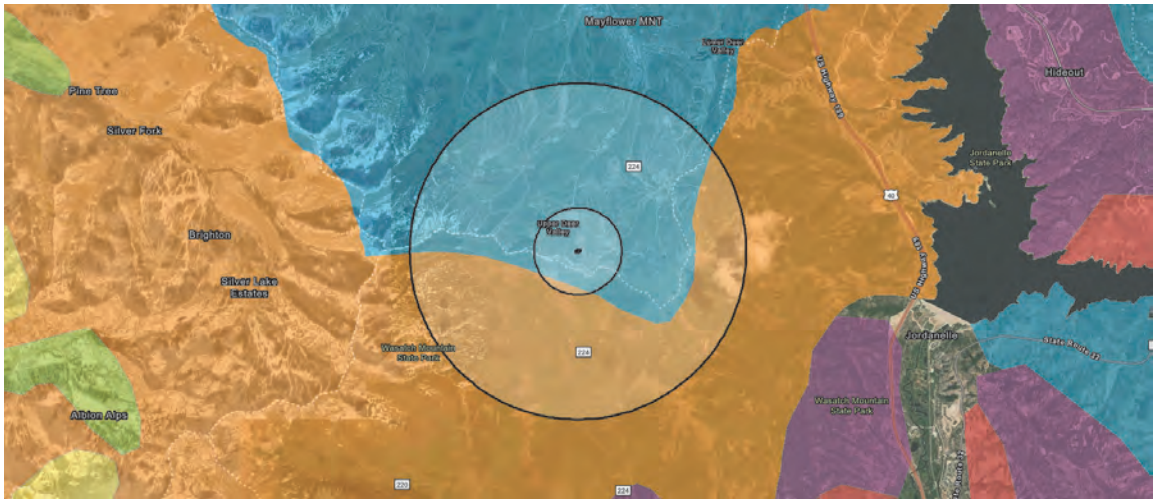
Season	Species	Value	Comments
spring/fall	Elk	substantial	

Moose Habitat



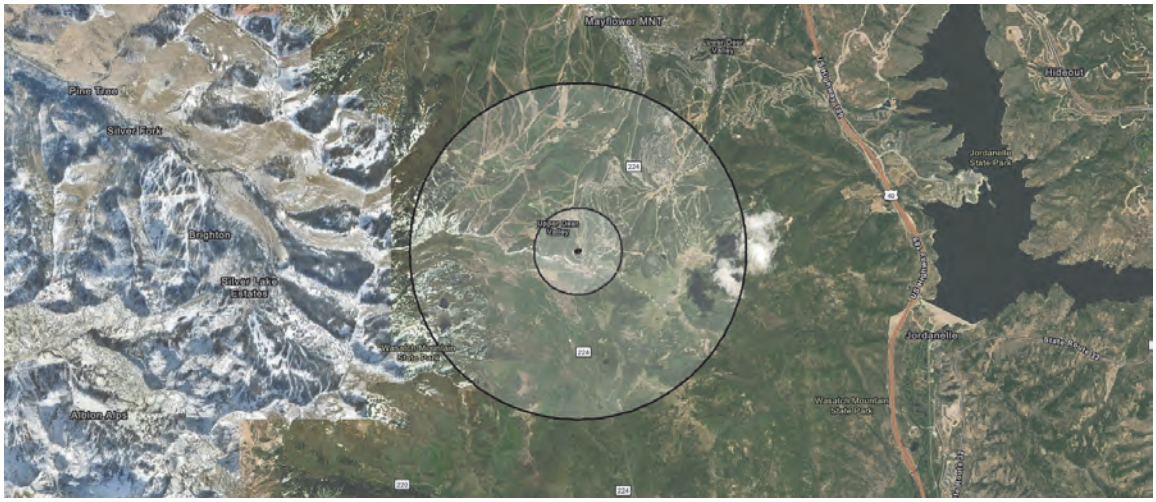
Species	Season	Comments	Value
Moose	year-long	Calving habitat.	crucial

Mule Deer Habitat



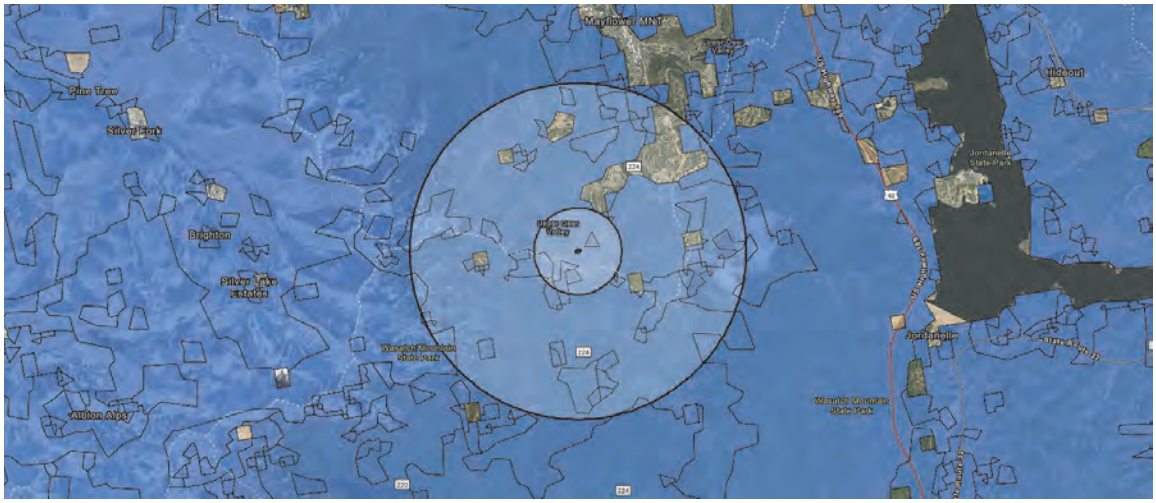
Comments	Season	Species	Value
	summer	Mule Deer	crucial

Unmapped Mule Deer Migration Corridors



Species
Mule Deer

Terrestrial Key Habitat



Description: These polygons representing 13 terrestrial key habitats have been generalized for web mapping applications, and often under-represent the presence of key habitats, particularly small areas of discontinuous habitat.

Habitat Name
Aspen Conifer

Report Generated For

Name: Brandon Thomas
Organization: BIO-WEST Inc.
Email: brandonthomas@bio-west.com
Phone: (385)-535-1313

End of Report

Thank you for using the Utah Wildlife Habitat Analysis tool. Feel free to reach out to the department for additional information or assistance.

VICINITY MAP



HOT CREEK RESTAURANT

TWISTED BRANCH ROAD
PARK CITY, UT 84060

APRIL 3, 2025

SHEET INDEX

1. EXISTING CONDITIONS & TOPOGRAPHY
2. SITE PLAN
3. GRADING PLAN
4. UTILITY PLAN
5. GAS PLAN
6. STORMWATER MANAGEMENT PLAN
7. CMP /SWPPP
8. DETAILS 1/2
9. DETAILS 2/2

CIVIL ENGINEER

ALLIANCE ENGINEERING



GENERAL NOTES

G-1 ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING PLANS & SPECIFICATIONS:

A. Park City Design Standards, Construction Specifications, and Standard Drawings, Latest Edition.

B. Snyderville Basin Water Reclamation District (S.B.W.R.D.) Development Procedures, Design Standards and Construction Specifications, April 20, 2020 or latest edition.

C. Park City Water District Development Procedures, Design Standards and Construction Specifications, February 22, 2016 or latest edition.

D. Manual of Uniform Traffic Control Devices 2003 Edition, Revision #1 November 2004, Revision #2 December 2007.

E. Special conditions of approval and/or permits as required and/or issued by regulatory bodies.

F. Approved construction plans and details.

G. Approved Traffic Control Plan.

H. Storm Water Pollution Prevention Plan. (SWPPP)

G-2 Contractor/Bidder shall obtain a copy of the specifications, at his cost. Copies of the specifications shall be kept at the job site by the contractor and be available for the contractor, subcontractor, owner or his agent, design engineer, city engineer, S.B.W.R.D. engineer, and their designated representatives and inspectors.

G-3 The Contractor shall be responsible for ground and surface water control during construction. This requirement shall include, but not be limited to the installation of utilities, manholes, vaults, catch basins, earthwork operations, and road construction.

G-4 The contractor shall maintain accurate records of "As Built" conditions of all underground work. The "As Builts" shall be tied to easily defined monuments and/or surface improvements or as required by accuracy for the as-built conditions. The as-built information shall be given to the owner and be incorporated in the final "As Built" drawings. Special as-built requirements for HDPE sewer mains are required per as outlined on the drawings.

G-5 Prior to any excavation work, the contractor shall contact Blue Stakes for location of existing utilities. The contractor shall be responsible for determining the location of utilities, whether shown on the plans or not, and protecting the utilities during construction. If existing utility lines conflict in location with new construction, the contractor shall notify the engineer in order to resolve the conflict.

G-6 The contractor shall have a qualified representative to handle grade determination, drainage flow, and connections to existing features using proper grade setting techniques such as, but not limited to, string line, rod and level, GPS, or Surveying.

G-7 All work performed shall be guaranteed by the contractor and/or his surety against all defects in materials and workmanship of whatever nature for a period of one (1) year from the date of final acceptance of the work by the project owner.

G-8 The contractor shall be responsible for the installation and maintenance of adequate signs, traffic devices, and warning devices to inform and protect the public during all phases of construction. The contractor shall submit to the Owner and Design Engineer for approval.

G-9 Compaction testing shall be an integral part of the project. Compaction testing shall include, but shall not be limited to earthwork, trench back-fill, base course, and asphalt pavement. Compaction testing shall be performed by a qualified, independent testing company retained by the contractor.

LOT 1
10206 TWISTED BRANCH ROAD

PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE

RETAINING BASIN
RETAINING WALL
RETAINING WALL
11' BACK OF CURB EDGE OF ASPHALT
11' BACK OF CURB EDGE OF ASPHALT
EDGE OF ASPHALT
EDGE OF SKI RUN
EDGE OF SKI RUN
BANDANA DEER VALLEY SKI RUN
TWISTED BRANCH ROAD
TWISTED BRANCH ROAD

SILT FENCE
SILT FENCE
SILT FENCE
SILT FENCE
SILT FENCE
SILT FENCE

WATER VALVE
FIBER OPTIC MANHOLE
30FT WIDE UTILITY EASEMENT
WATERLINE (TYP.)
FIBER OPTIC LINE (TYP.)
STORM DRAIN DITCH
SNOW MAKING HYDRANTS
SNOW MAKING LINE (TYP.)
BRIDGE ABUTMENT
ELECTRICAL BOX
WOODEN FENCE
STONE RETAINING WALL
TUNNEL
SKIER BRIDGE
WOODEN FENCE
STORM DRAIN PIPE (TYP.)
STORM DRAIN INLET BOX (TYP.) LOCATION APPROX. CONTRACTOR TO VERIFY LOCATION IN THE FIELD
STORM DRAIN PIPE (TYP.)
SNOW MAKING HYDRANTS
BRIDGE ABUTMENT
STORM DRAIN INLET BOX (TYP.) LOCATION APPROX.
ELECTRICAL BOX
STORM DRAIN
TUNNEL
COMMUNICATION VAULT
ELECTRICAL BOXES
ELECTRICAL BOX
STORM DRAIN MANHOLE
BOLLARDS
STORM DRAIN RIM: 8693.7'
STORM DRAIN RIM: 8693.6'
STORM DRAIN DITCH
STORM DRAIN INLET
STORM DRAIN RIM: 8709.6'
STORM DRAIN PIPE (TYP.)
SOFT WDE ROAD EASEMENT
STORM DRAIN RIM: 8709.5'
STORM DRAIN DITCH
STORM DRAIN INLET
(2.2'ø) STORM DRAIN RIM: 8703.2'
(2.2'ø) STORM DRAIN RIM: 8699.9'
(2.2'ø) STORM DRAIN RIM: 8698.0'

8692.1'
8687.4'
8710.0'
8719.5'
8710.0'
8717.3'
8725.7'
8719.9'
8722.2'
8719.8'

20' 0 20' 40'

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER
ESM	EXTG SNOW MAKING		

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
04/03/25
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

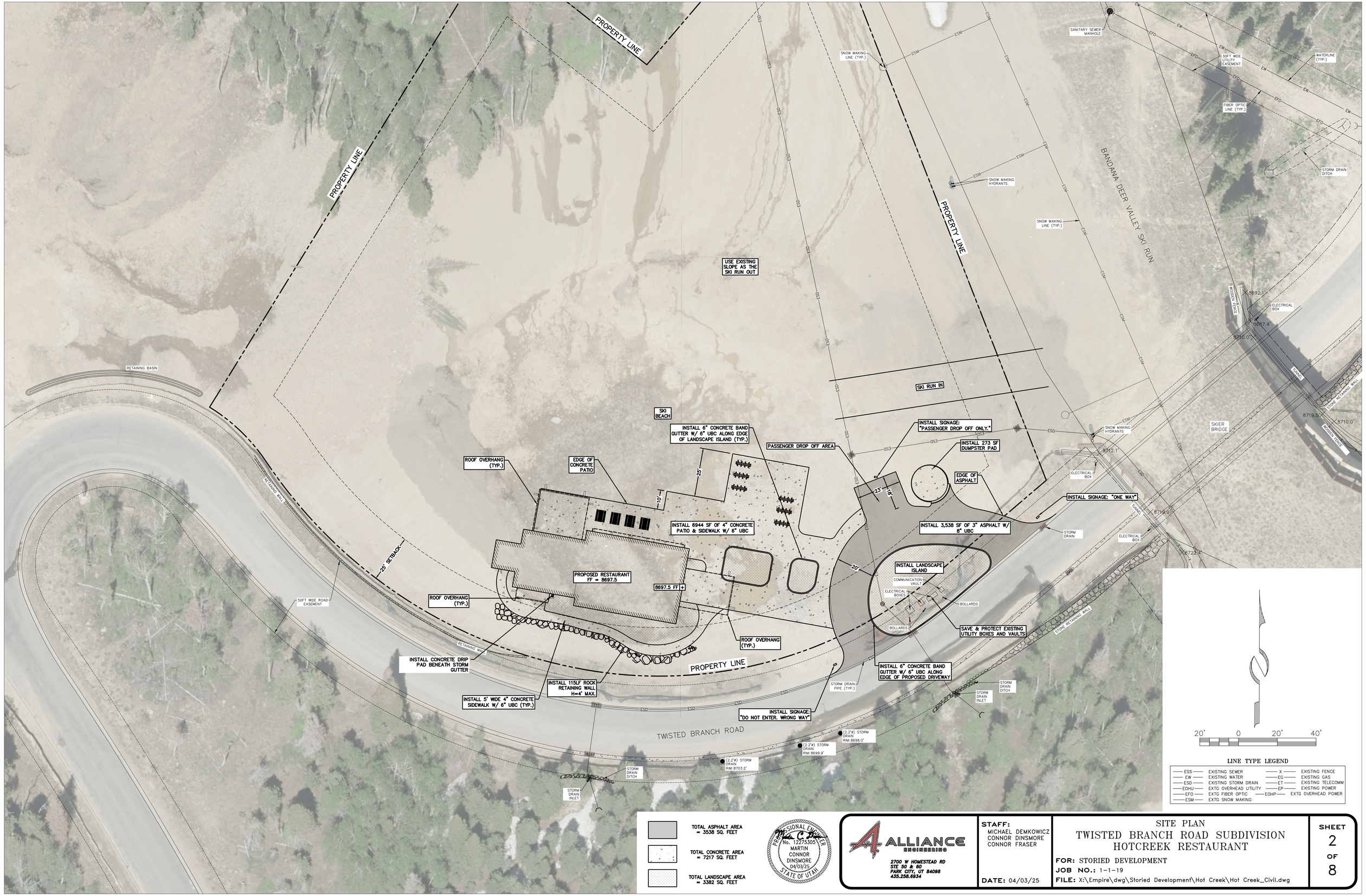
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

DATE: 04/03/25

EXISTING CONDITIONS
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 1 OF 8



TOTAL ASPHALT AREA = 3538 SQ. FEET

TOTAL CONCRETE AREA = 7217 SQ. FEET

TOTAL LANDSCAPE AREA = 3382 SQ. FEET

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER
ESM	EXTG SNOW MAKING		

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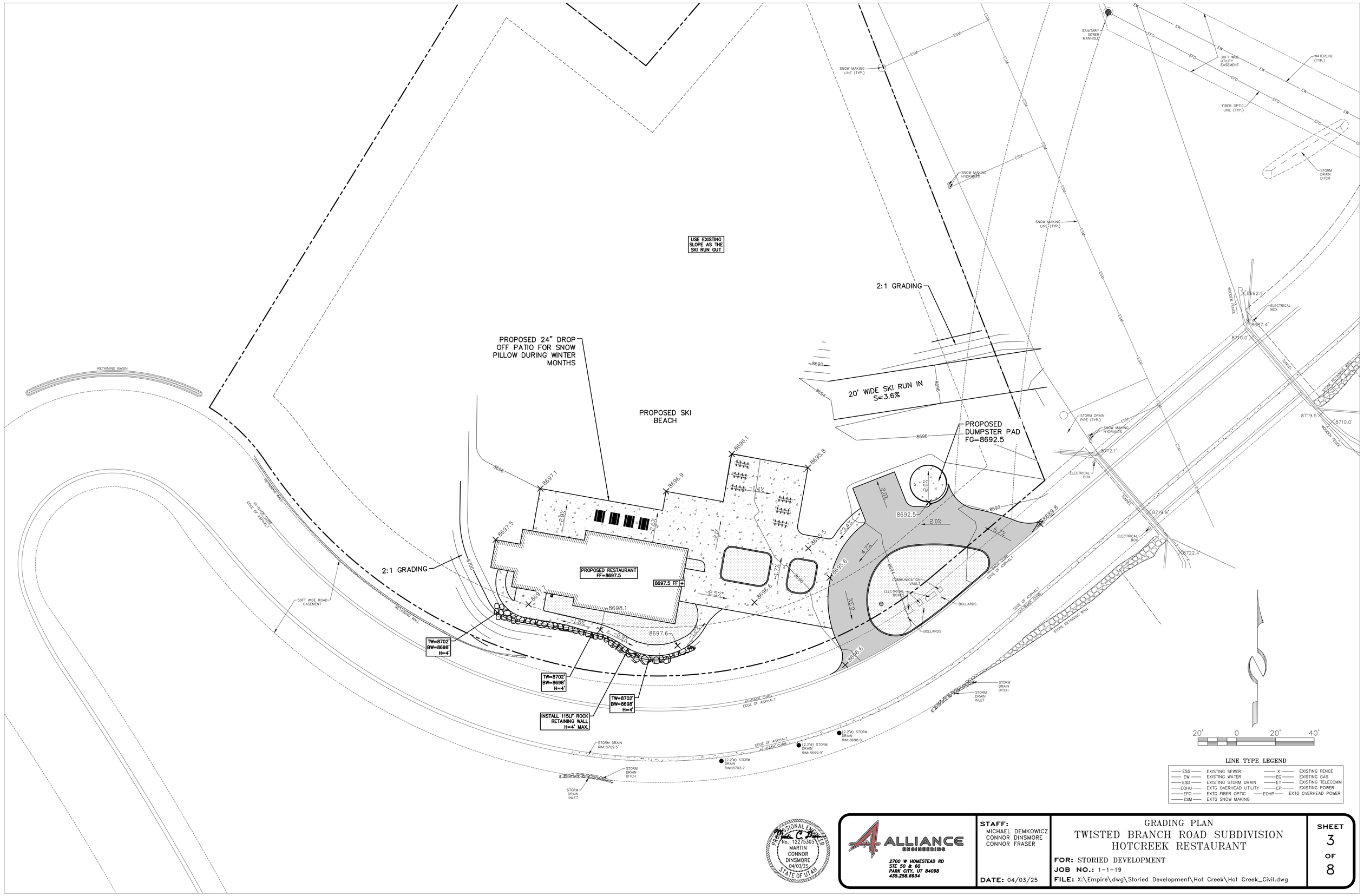
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

DATE: 04/03/25

SITE PLAN
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 2 OF 8



LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHJ	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER
ESM	EXTG SNOW MAKING		

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
04/03/25
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

DATE: 04/03/25

GRADING PLAN
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 3 OF 8

263LF 8" HDPE SDR-17 SEWER, REFER TO HOT CREEK LEA PLANS FOR DETAILS, SEWER NOT BUILT YET

34LF 6" HDPE SDR-17 SEWER STUB S=3.0% MIN. F/L @ END OF STUB=8578.2 EG END OF STUB=8592 MAINTAIN 8' MIN COVER REFER TO HOT CREEK LEA PLANS FOR DETAILS, STUB NOT BUILT YET

8" F/L=8576.11
6" F/L=8577.11
REFER TO HOT CREEK LEA PLANS FOR DETAILS, SEWER NOT BUILT YET

SSMH #7 (4'ø)
RIM=8586.37'
F/L OUT=8577.72
REFER TO HOT CREEK LEA PLANS FOR DETAILS, SSMH NOT BUILT YET

INSTALL TRENCH DIKE AT STUB CONNECTION

6" SS CLEANOUT

MAINTAIN 18" MIN VERTICAL CLEARANCE AT WATER & SEWER CROSSING

CONNECT PROPOSED 8" WATERLINE INTO EXISTING WATER VALVE IN SKI RUN, CONTRACTOR TO CONFIRM EXISTING LOCATION & SIZE PRIOR TO CONSTRUCTION

INSTALL 500LF 6" HDPE SDR-17 SS LATERAL S=VARIES

6" SS CLEANOUT

45° BEND

EXISTING VALVE TO BE EXPOSED AND INSPECTED FOR USE PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE WITH PCMC.

6" SS CLEANOUT (TYP.)

MAINTAIN 18" MIN. VERTICAL CLEARANCE@ ø UTILITY CROSSING

30' PROPOSED PUE

6" SS CLEANOUT (TYP.)

CONNECT PROPOSED STORM DRAINS INTO EXISTING STORM DRAIN W/ INSERTA-TEE. CONTRACTOR TO CONFIRM SIZE AND LOCATION OF STORM DRAIN BEFORE CONSTRUCTION

MAINTAIN 18" VERTICAL SEPARATION BETWEEN UTILITIES. CONTRACTOR TO POTHOLE AND VERIFY DEPTH OF EXISTING SNOWMAKING LINES.

INSTALL 4"x 6" WYE CONNECTING PROPOSED SEWER LATERALS F/L = 8681.46'

MAINTAIN 18 MIN. VERTICAL CLEARANCE

RADIUS = 920'

INSTALL 75 LF 6" HDPE SDR-17 SS LATERAL W/ CLEANOUT @ S=14.1%

INSTALL 50 LF 4" HDPE SDR-17 SS LATERAL W/ CLEANOUT S=22.4%

INSTALL 314LF 8" DR-14 C900 PVC. WATER LINE TO MAINTAIN MINIMUM BURY DEPTH OF 7'

INSTALL 169 LF OF 4" STORM PIPE @ 2.0%

MAINTAIN 18" MIN. VERTICAL CLEARANCE @ SEWER AND WATER CROSSING F/L WATER= 8688.42' F/L SEWER=8686.92

INSTALL 4'ø SAMPLING MANHOLE RIM=8695.9' F/L IN=8691.64' F/L OUT=8691.54'

F/L TIE IN 4" = 8690.75'

INSTALL 307LF 4" DR-14 C900 PVC. WATER LINE TO MAINTAIN MINIMUM BURY DEPTH OF 7'

INSTALL 5 LF 4" PVC SDR-35 SS LATERAL S=2.0%

(2) 45° BENDS

45° BEND

INSTALL 500 GAL. GREASE INTERCEPTOR RIM=8696.4' F/L IN=8691.8' F/L OUT=8691.7'

INSTALL 10 LF 4" PVC SDR-35 SS LATERAL S=2.0%

86 LF 4" STORM PIPE @ 2.8%

45° BEND

4" SS REVERSE CLEANOUT

FFE=8697.5

F/L @ BLDG=8692

F/L 4" = 8693.17'

INSTALL PRIVATE HORIZONTAL PRV INSIDE BUILDING WITH INTERNAL WATER METER. SEE MECHANICAL ENGINEERING DETAILS

INSTALL CONCRETE DRIP PAD BENEATH STORM GUTTER

8"x4" FLANGE TEE, FLANGE THE 4" FIRE LINE GATE VALVE, 8"x6" FL REDUCER & 6" FLxMJ FIRE HYDRANT VALVE ALL TOGETHER

INSTALL MUELLER SUPER CENTURION 350 3-WAY A423HP FIRE HYDRANT WITH 5-1/4" PUMPER NOZZLE, NATIONAL STD, AND OPERATING NUT (OPENS LEFT). MINIMUM BURY DEPTH = 7' MAINTAIN 3' MINIMUM CLEARANCE FROM EXISTING UTILITIES AND VAULTS.

INSTALL 2' SQUARE SD BOX W/ OPEN-SLOTTED GRATE RIM=8696.75 F/L=8692.75

INSTALL 128LF 12" CPP STORM DRAIN. MAINTAIN 36" MIN. BURY S=1.0% MIN.

INSTALL 51LF 12" CPP STORM DRAIN. S=1.0% MAINTAIN 36" MIN. BURY

INSTALL 154LF 2" CTS HDPE SDR-11 WATER SERVICE & CONNECT TO PROPOSED BUILDING.

INSTALL 2' SQUARE SD BOX W/ OPEN-SLOTTED GRATE RIM=8696.75 F/L=8692.23

CONNECT PROPOSED STORM DRAINS INTO EXISTING STORM DRAIN W/ INSERTA-TEE. CONTRACTOR TO CONFIRM SIZE AND LOCATION OF STORM DRAIN BEFORE CONSTRUCTION

INSTALL (3) BURIED 1000 GALLON PROPANE TANKS IN 18'X18'X6' VAULT. INSTALL BOLLARDS FOR PROTECTION.

COMMUNICATION VAULT

ELECTRICAL BOXES

40' 0 40' 80'

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER
ESM	EXTG SNOW MAKING		

NOTES:
1. COORDINATE WITH ENBRIDGE GAS FOR GAS MAIN AND METER INSTALLATION.
2. COORDINATE WITH ROCKY MOUNTAIN POWER FOR POWER LINE AND BOX INSTALLATION.
3. COORDINATE WITH ALLWEST FOR TELECOMM LINE AND BOX INSTALLATION.

REGISTERED PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
04/03/25
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

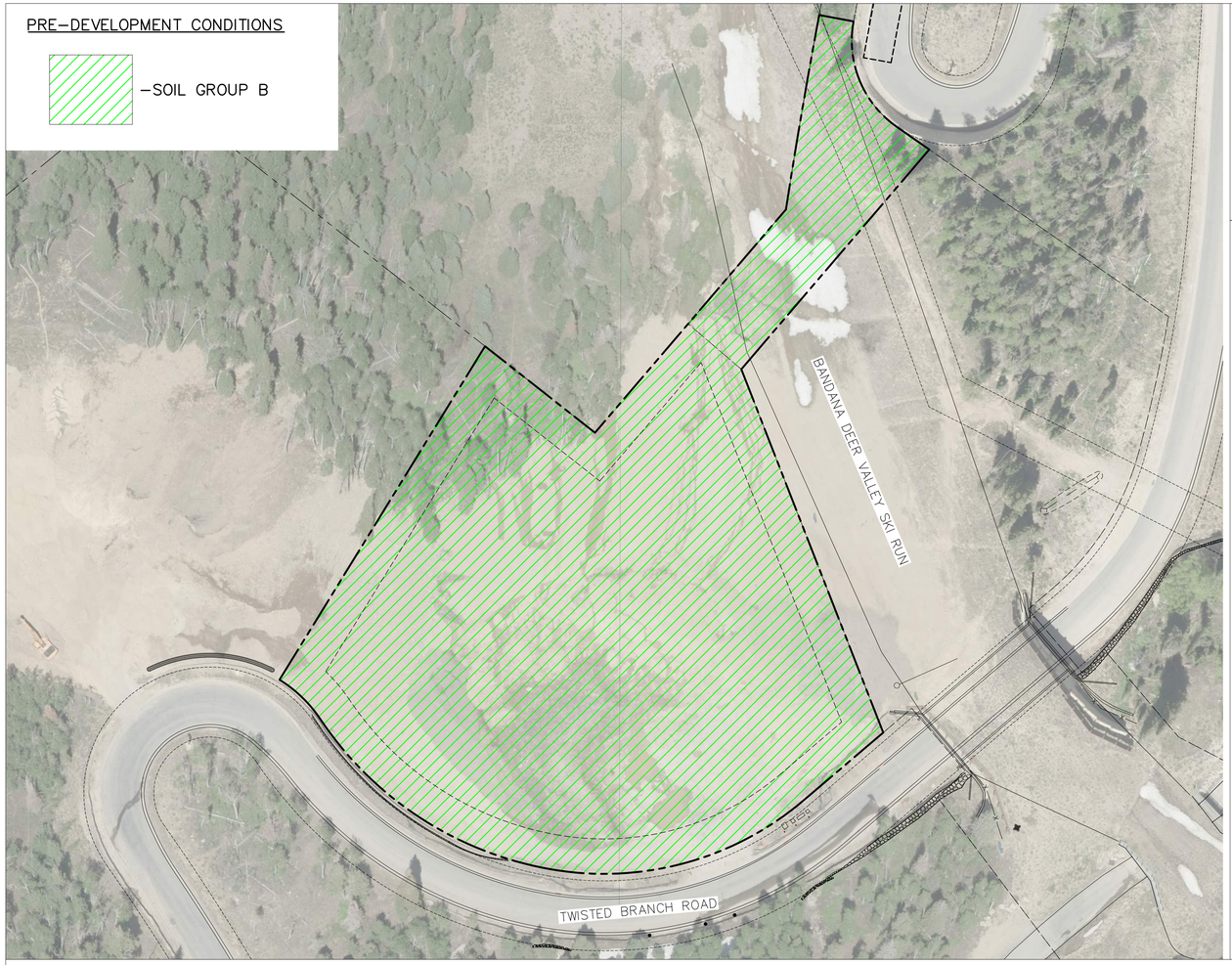
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

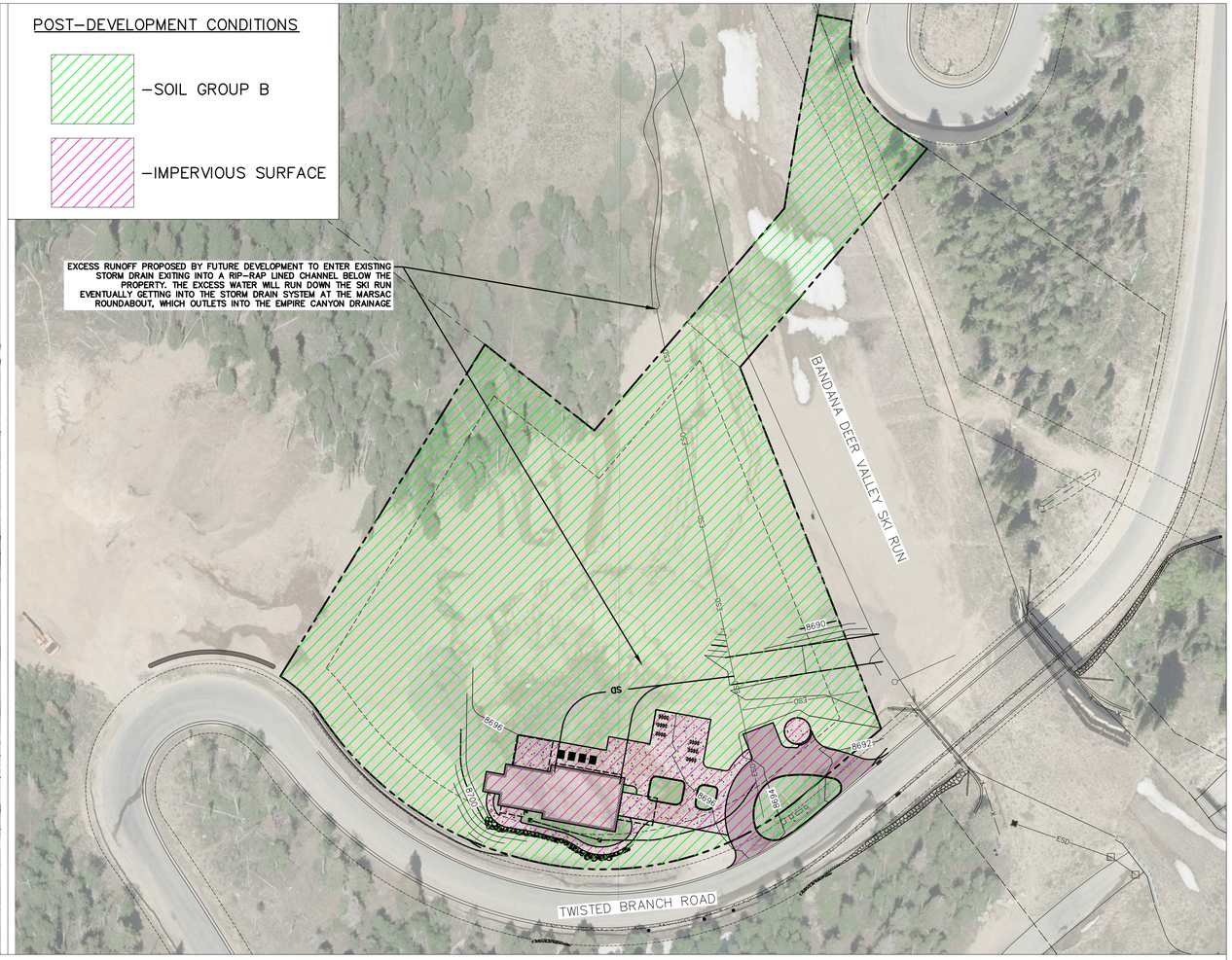
DATE: 04/03/25

UTILITY PLAN
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

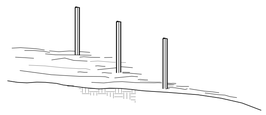
FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 4 OF 8




POST-DEVELOPMENT CONDITIONS
-SOIL GROUP B
-IMPERVIOUS SURFACE
EXCESS RUNOFF PROPOSED BY FUTURE DEVELOPMENT TO ENTER EXISTING STORM DRAIN EXITING INTO A RIP-RAP LINED CHANNEL BELOW THE PROPERTY. THE EXCESS WATER WILL RUN DOWN THE SKI RUN EVENTUALLY GETTING INTO THE STORM DRAIN SYSTEM AT THE MARSAC ROUNDABOUT, WHICH OUTLETS INTO THE EMPIRE CANYON DRAINAGE
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1. SET METAL T-POSTS @ 8' O.C. MAX.



2. ATTACH ORANGE CONSTRUCTION FENCING TO THE T-POSTS.



STANDARD DRAWING

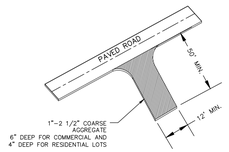
CONSTRUCTION FENCE DETAIL

ALLIANCE ENGINEERING

dtl\parkcity\const fence

STABILIZED CONSTRUCTION ENTRANCE

TYPICAL DESIGN LAYOUT

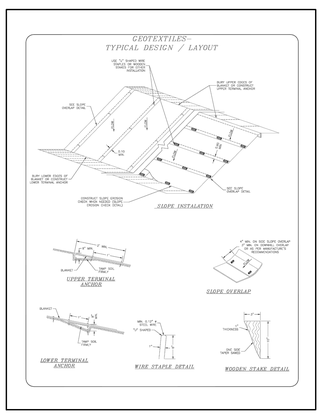


NOTES:

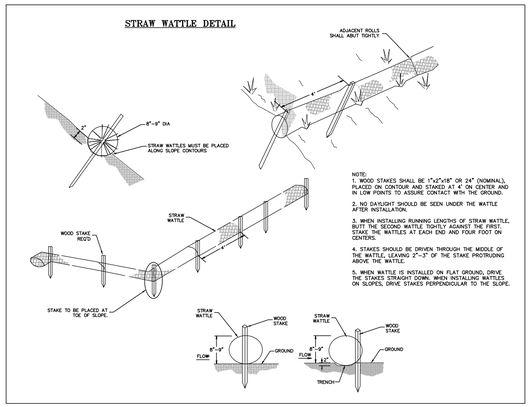
1. INSTALL AT ANY POINT OF INGRESS OR EGRESS AT A CONSTRUCTION SITE WHERE ADJACENT TRAVELED WAY IS PAVED.
2. CLEAR AND GRUB AREA AND GRADE TO PROVIDE SLOPE SHOWN FOR DRIVEWAY, OR ACCESS/INTERSECTION. IF ADJACENT TO WATERWAY, USE A MAXIMUM SLOPE OF 2%.
3. COMPACT SUBGRADE AND PLACE FILTER FABRIC IF REQUIRED.
4. PLACE COARSE AGGREGATE, 1 TO 2 1/2 INCHES SIZE, TO A MINIMUM DEPTH OF 6 INCHES FOR COMMERCIAL PROJECTS, AND 4 INCHES FOR RESIDENTIAL PROJECTS.

MAINTENANCE:

1. INSPECT DAILY FOR LOSS OF GRAVEL OR SEDIMENT BUILDUP.
2. INSPECT ADJACENT ROADWAY FOR SEDIMENT DEPOSIT AND CLEAN BY SWEEPING OR SHOVELING.
3. REPAIR ENTRANCE AND REPLACE GRAVEL AS REQUIRED TO MAINTAIN CONTROL IN GOOD WORKING CONDITION.
4. EXPAND STABILIZED AREA AS REQUIRED TO ACCOMMODATE TRAFFIC, AND OFFSITE STREE PARKING AND PREVENT EROSION AT DRIVEWAY.

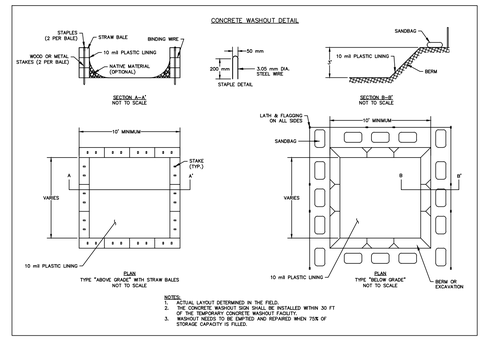


STRAW WATTLE DETAIL

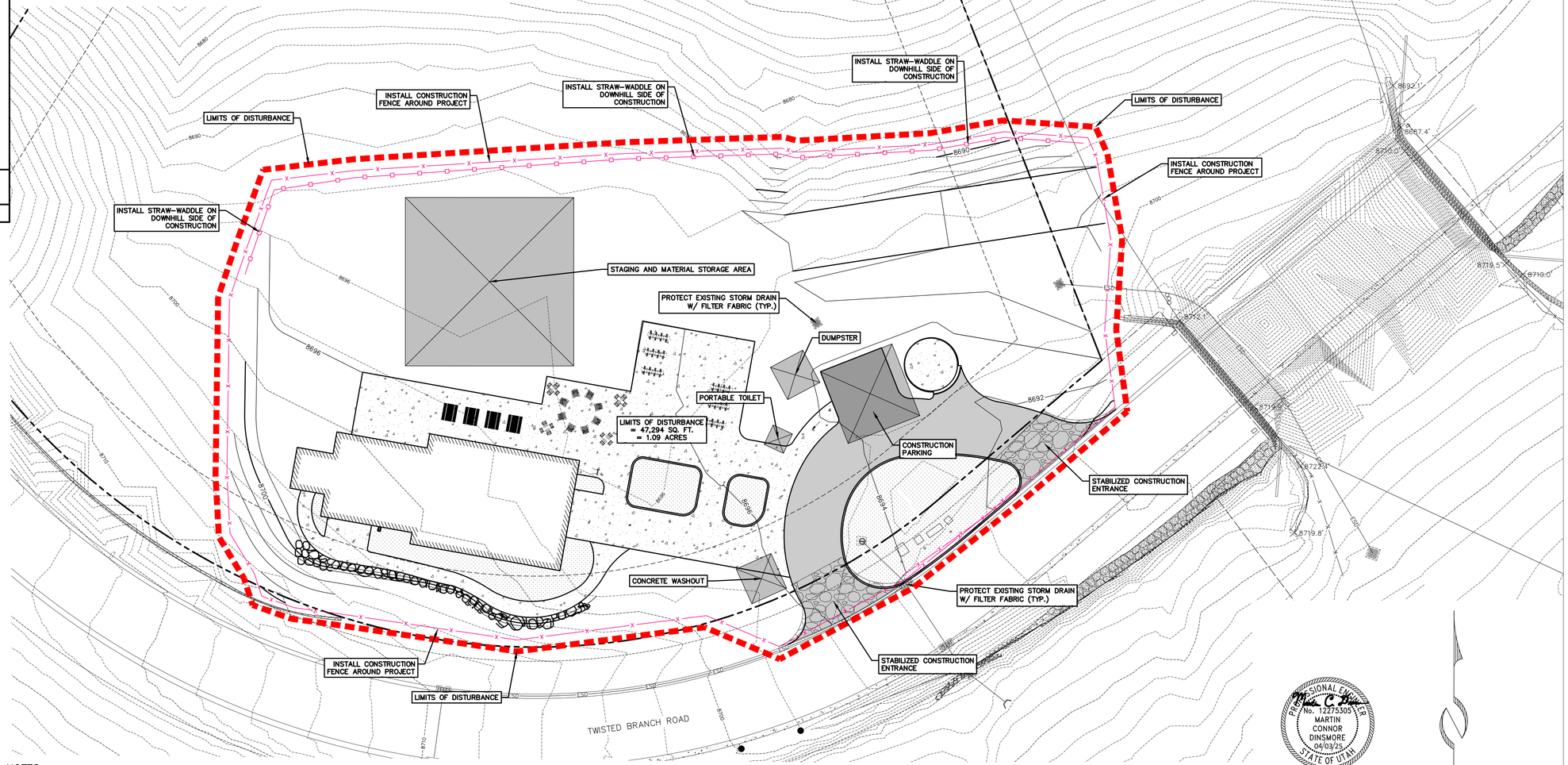


NOTE:
1. WOOD STAKES SHALL BE 1"x2"x18" OR 24" (NOMINAL), PLACED ON CONTOUR AND STAKED AT 4' ON CENTER AND IN LOW POINTS TO ASSURE CONTACT WITH THE GROUND.
2. NO DAYLIGHT SHOULD BE SEEN UNDER THE WATTLE AFTER INSTALLATION.
3. WHEN INSTALLING RUNNING LENGTHS OF STRAW WATTLE, BUTT THE SECOND WATTLE TIGHTLY AGAINST THE FIRST. STAKE THE WATTLES AT EACH END AND FOUR FOOT ON CENTERS.
4. STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE WATTLE, LEAVING 2"-3" OF THE STAKE PROTRUDING ABOVE THE WATTLE.
5. WHEN WATTLE IS INSTALLED ON FLAT GROUND, DRIVE THE STAKES STRAIGHT DOWN. WHEN INSTALLING WATTLES ON SLOPES, DRIVE STAKES PERPENDICULAR TO THE SLOPE.

CONCRETE WASHOUT DETAIL



NOTES:
1. ACTUAL LAYOUT DETERMINED IN THE FIELD.
2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30 FT OF THE CONCRETE WASHOUT FACILITY.
3. WASHOUT NEEDS TO BE EMPTIED AND REPAIRED WHEN 75% OF STORAGE CAPACITY IS FILLED.



NOTES:

1. CONSTRUCTION PARKING/TRAFFIC MAY NOT BLOCK THE STREET WITHOUT A PERMIT (AVAILABLE FORM THE ENGINEERING DIVISION).
2. MUD TRACKED OUT ONTO THE STREET MUST BE CLEANED PRIOR TO THE END OF THE WORK DAY.
3. THE CONSTRUCTION SITE MUST BE MAINTAINED IN A NEAT MANNER. TRASH AND OTHER DEBRIS MAY NOT ACCUMULATE OUTSIDE THE SITE.
4. ROADSIDE PARKING IS NOT ALLOWED.
5. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
6. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
7. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
04/03/25
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

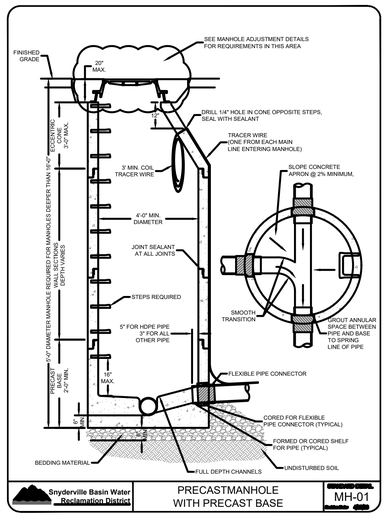
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

DATE: 04/03/25

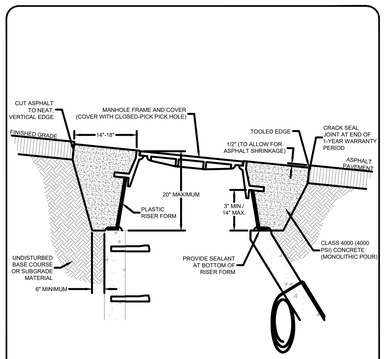
CONSTRUCTION MANAGEMENT PLAN
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 6 OF 8

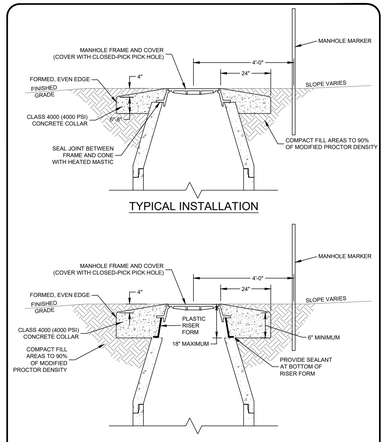


Snyderville Basin Water Reclamation District | PRECASTMANHOLE WITH PRECAST BASE | STANDARD DETAIL MH-01 Revision Date 4/20/20

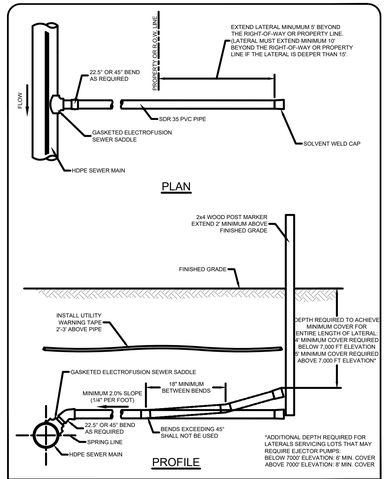


NOTES:
1. MANHOLE ADJUSTMENT SHALL OCCUR AFTER FINAL ASPHALT PAVEMENT PLACEMENT IS COMPLETED.
2. DIMENSIONS OF PLASTIC RISER FORM SHALL BE SPECIFIC TO THE DIAMETERS OF THE MANHOLE FRAME AND CONE AND OF THE ADJUSTMENT HEIGHT. PLASTIC RISER FORM SHALL NOT BE CUT VERTICALLY TO ALLOW PLACEMENT OF FRAME.
3. PLASTIC RISER FORM SHALL BE TRIMMED TO MATCH SLOPE OF PAVEMENT AND ALLOW FOR INDICATED DIMENSIONS BELOW FINISHED GRADE.
4. A WATER TIGHT SEAL BETWEEN THE TOP OF CONE AND THE PLASTIC RISER FORM SHALL BE PROVIDED WITH SEALANT. SEALANT SHALL CONSIST OF A CONTINUOUS BEAD THAT COVERS THE ENTIRE WIDTH OF THE BOTTOM FLANGE OF THE PLASTIC RISER FORM. TOP OF MANHOLE CONE SHALL BE CLEAN PRIOR TO PLACEMENT OF SEALANT.
5. CONSOLIDATE CONCRETE TO ELIMINATE ALL VOIDS.

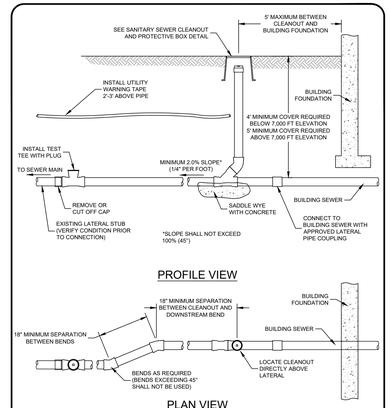
Snyderville Basin Water Reclamation District | MANHOLE ADJUSTMENT IN ASPHALT PAVEMENT | STANDARD DETAIL MH-07 Revision Date 4/20/20



Snyderville Basin Water Reclamation District | OFF-ROAD MANHOLE COLLAR | STANDARD DETAIL MH-10 Revision Date 4/20/20

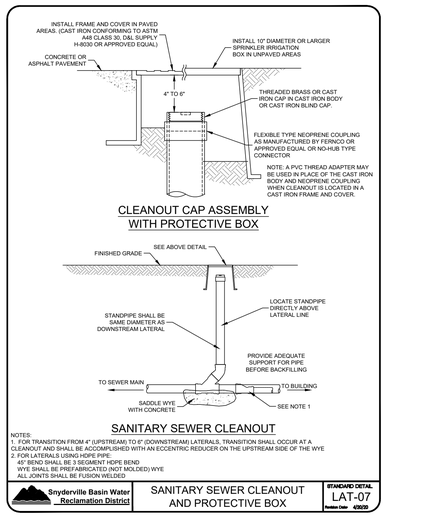


Snyderville Basin Water Reclamation District | PRIVATE LATERAL STUB - GRAVITY FLOW HDPE MAIN LINE TO PVC LATERAL LINE | STANDARD DETAIL LAT-02 Revision Date 4/20/20



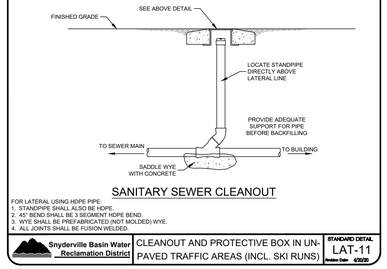
NOTES:
1. CLEANOUTS ARE REQUIRED ON PRIVATE LATERALS AT THE FOLLOWING LOCATIONS:
   A. WITHIN 5 FEET OF THE BUILDING FOUNDATION
   B. AT NO MORE THAN 100 FEET APART, MEASURED FROM THE UPSTREAM ENTRANCE OF THE CLEANOUT
2. BENDS EXCEEDING 45° SHALL NOT BE USED
3. FUSION WELD OR SOLVENT WELD FITTINGS AND JOINTS REQUIRED ON VERTICAL BENDS AND ON SLOPES GREATER THAN 3:1 (33%)
4. MAINTAIN 10' MINIMUM SEPARATION BETWEEN LATERAL AND ANY ADJACENT WATER MAIN LINE OR LATERAL.

Snyderville Basin Water Reclamation District | GRAVITY LATERAL STUB TO GRAVITY BUILDING CONNECTION | STANDARD DETAIL LAT-05 Revision Date 4/20/20



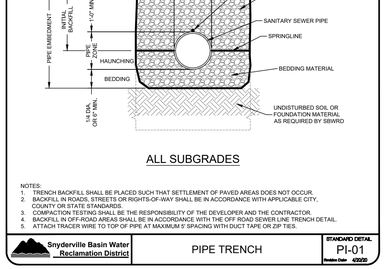
NOTES:
1. FOR TRANSITION FROM 4" (UPSTREAM) TO 6" (DOWNSTREAM) LATERALS, TRANSITION SHALL OCCUR AT A CLEANOUT AND SHALL BE ACCOMPLISHED WITH AN ECCENTRIC REDUCER ON THE UPSTREAM SIDE OF THE WYE
2. FOR LATERALS USING HDPE PIPE:
   45° BEND SHALL BE 3 SEGMENT HDPE BEND
   WYE SHALL BE PREFABRICATED (NOT MOLDED) WYE
   ALL JOINTS SHALL BE FUSION WELDED

Snyderville Basin Water Reclamation District | SANITARY SEWER CLEANOUT AND PROTECTIVE BOX | STANDARD DETAIL LAT-07 Revision Date 4/20/20



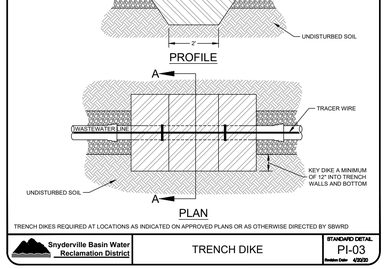
FOR LATERAL USING HDPE PIPE:
1. STANDPIPE SHALL ALSO BE HDPE.
2. 45° BEND SHALL BE 3 SEGMENT HDPE BEND.
3. WYE SHALL BE PREFABRICATED (NOT MOLDED) WYE.
4. ALL JOINTS SHALL BE FUSION WELDED.

Snyderville Basin Water Reclamation District | CLEANOUT AND PROTECTIVE BOX IN UN-PAVED TRAFFIC AREAS (INCL. SKI RUNS) | STANDARD DETAIL LAT-11 Revision Date 4/20/20



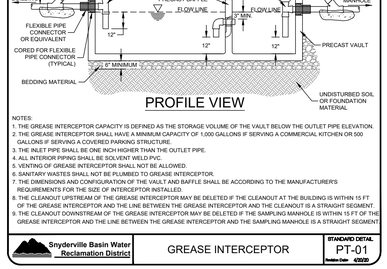
NOTES:
1. TRENCH BACKFILL SHALL BE PLACED SUCH THAT SETTLEMENT OF PAVED AREAS DOES NOT OCCUR.
2. BACKFILL IN ROADS, STREETS OR RIGHTS-OF-WAY SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY OR STATE STANDARDS.
3. COMPACTION TESTING SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND THE CONTRACTOR.
4. BACKFILL IN OFF-ROAD AREAS SHALL BE IN ACCORDANCE WITH THE OFF ROAD SEWER LINE TRENCH DETAIL.
5. ATTACH TRACER WIRE TO TOP OF PIPE AT MAXIMUM 5' SPACING WITH DUCT TAPE OR ZIP TIES.

Snyderville Basin Water Reclamation District | PIPE TRENCH | STANDARD DETAIL PI-01 Revision Date 4/20/20



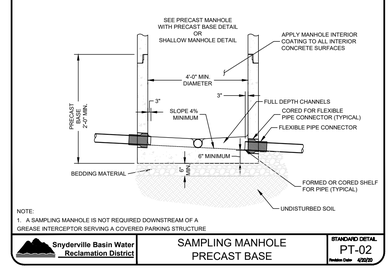
TRENCH DIKES REQUIRED AT LOCATIONS AS INDICATED ON APPROVED PLANS OR AS OTHERWISE DIRECTED BY SBWRD

Snyderville Basin Water Reclamation District | TRENCH DIKE | STANDARD DETAIL PI-03 Revision Date 4/20/20



NOTES:
1. THE GREASE INTERCEPTOR CAPACITY IS DEFINED AS THE STORAGE VOLUME OF THE VAULT BELOW THE OUTLET PIPE ELEVATION.
2. THE GREASE INTERCEPTOR SHALL HAVE A MINIMUM CAPACITY OF 1,000 GALLONS IF SERVING A COMMERCIAL KITCHEN OR 500 GALLONS IF SERVING A COVERED PARKING STRUCTURE.
3. THE INLET PIPE SHALL BE ONE INCH HIGHER THAN THE OUTLET PIPE.
4. ALL INTERIOR PIPING SHALL BE SOLVENT WELD PVC.
5. VENTING OF GREASE INTERCEPTOR SHALL NOT BE ALLOWED.
6. SANITARY WASTES SHALL NOT BE PLUMBED TO GREASE INTERCEPTOR.
7. THE DIMENSIONS AND CONFIGURATION OF THE VAULT AND BAFFLE SHALL BE ACCORDING TO THE MANUFACTURER'S REQUIREMENTS FOR THE SIZE OF INTERCEPTOR INSTALLED.
8. THE CLEANOUT UPSTREAM OF THE GREASE INTERCEPTOR MAY BE DELETED IF THE CLEANOUT AT THE BUILDING IS WITHIN 15 FT OF THE GREASE INTERCEPTOR AND THE LINE BETWEEN THE GREASE INTERCEPTOR AND THE CLEANOUT IS A STRAIGHT SEGMENT.
9. THE CLEANOUT DOWNSTREAM OF THE GREASE INTERCEPTOR MAY BE DELETED IF THE SAMPLING MANHOLE IS WITHIN 15 FT OF THE GREASE INTERCEPTOR AND THE LINE BETWEEN THE GREASE INTERCEPTOR AND THE SAMPLING MANHOLE IS A STRAIGHT SEGMENT.

Snyderville Basin Water Reclamation District | GREASE INTERCEPTOR | STANDARD DETAIL PT-01 Revision Date 4/20/20



NOTE:
1. A SAMPLING MANHOLE IS NOT REQUIRED DOWNSTREAM OF A GREASE INTERCEPTOR SERVING A COVERED PARKING STRUCTURE

Snyderville Basin Water Reclamation District | SAMPLING MANHOLE PRECAST BASE | STANDARD DETAIL PT-02 Revision Date 4/20/20

PROFESSIONAL ENGINEER
No. 12275505
MARTIN CONNOR DINSMORE
04/03/25
STATE OF UTAH

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.258.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

DATE: 04/03/25

DETAILS
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 7 OF 8

GENERAL WATER NOTES

1. THE FOLLOWING DOCUMENTS ARE INCORPORATED INTO THESE CONTRACT DOCUMENTS BY REFERENCE:
   a. PARK CITY DESIGN STANDARDS, CONSTRUCTION SPECIFICATIONS, AND STANDARD DETAILS
   b. AMERICAN WATER WORKS ASSOCIATION STANDARDS (AWWA)
   c. UTAH ADMINISTRATIVE CODE, DRINKING WATER RULES OF DRINKING WATER (DDW), R309-550 FACILITY DESIGN AND OPERATION: TRANSMISSION AND DISTRIBUTION PIPELINES
   d. INTERNATIONAL PLUMBING CODE
2. ALL PIPE, JOINTS, FITTINGS, VALVES AND FIRE HYDRANTS SHALL CONFORM TO ANSI/NSF STANDARD 61 AND APPLICABLE SECTIONS OF AWWA STANDARDS C104-04 THROUGH C550-05 AND C900-07 THROUGH C909-07 FOR PRESSURE PIPE, FITTINGS, AND VALVES SHALL MEET LOW LEAD COMPLIANCE REQUIREMENTS IN ACCORDANCE WITH ANSI/NSF 372.
3. ALL PRODUCTS AND MATERIALS SHALL BE "MADE IN THE USA", UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER AS NOT AVAILABLE FROM A DOMESTIC SOURCE. THE CONTRACTOR SHALL SUBMIT TO THE MANHOLE, METER VAULT, AND VALVE BOX CASTINGS SHALL BE "BELTED & READJUSTABLE" TO THE UTAH-PARK CITY WATER ACKNOWLEDGES THAT CERTAIN SPECIALIZED WATER SYSTEM PRODUCTS INCLUDED IN THE ACCEPTABLE PRODUCTS LIST, SUCH AS HIGHER PRESSURE RATED VALVES, MAY NOT MEET THE MADE IN USA REQUIREMENT AND ARE IN THE "QUALIFIED" MADE IN USA CATEGORY. THESE PRODUCTS SHALL BE EXEMPTED FROM THE MADE IN USA REQUIREMENT.
4. UTAH DIVISION OF DRINKING WATER (DDW) REQUIREMENTS:
   a. FOR PROJECTS WITH TRANSMISSION AND/OR DISTRIBUTION LINES OVER 18 INCHES IN DIAMETER AND/OR INCLUDING A WATER BOOSTER STATION OR PRESSURE REDUCING STATION A DDW FINAL PLAN TO THE CITY. FOLLOWING DESIGN REVIEW BY THE CITY AND INCORPORATION OF CITY COMMENTS, THE DESIGN ENGINEER SHALL SUBMIT WATER CONSTRUCTION PLANS TO THE DDW TO OBTAIN APPROVAL B. NO WATER CONSTRUCTION SHALL COMMENCE UNTIL ALL REQUIRED DDW APPROVALS ARE OBTAINED.
   b. FOR PROJECTS WITH TRANSMISSION AND/OR DISTRIBUTION LINES UNDER 18 INCHES IN DIAMETER AND/OR INCLUDING A WATER BOOSTER STATION OR PRESSURE REDUCING STATION A DDW FINAL PLAN TO THE CITY. FOLLOWING DESIGN REVIEW BY THE CITY AND INCORPORATION OF CITY IMPROVEMENTS, FOLLOWING THE CITY'S WATER SYSTEM WALK-THROUGH AND THE CONTRACTOR'S SUBSEQUENT COMPLETION OF PUNCH-LIST ITEMS, THE CITY'S WATER DEPARTMENT WILL SUBMIT AN OPERATING PERMIT REQUEST TO THE DDW. THE FOLLOWING DISTANCES SHALL BE REQUIRED FROM THE DEVELOPER FOR THE CITY'S SUBMITTAL:
      i. HYDROSTATIC TESTING RESULTS FOR MANUALS
      ii. HYDROSTATIC TESTING AND FLUSHING RESULTS (COMPLETED BY THE CITY'S INSPECTOR)
      iii. ACCEPTABLE BACTERIOLOGICAL TESTING RESULTS
      iv. AS-BUILT DRAWINGS (ONE MYLAR AND ONE SET OF RECORD)
5. THE CITY UTILIZES AN ADVANCED METERING INFRASTRUCTURE (AMI) SYSTEM. THE DEVELOPER MAY BE REQUIRED TO CONDUCT A PROPOGATION STUDY AND INSTALL RESULTING RECOMMENDED IMPROVEMENTS TO FACILITATE A CLEAR SIGNAL TO THE PROJECT. REFER TO STANDARD PLAN 520 FOR SPECIFIC METER TRANSMITTER UNIT (MXU) REQUIREMENTS.
6. REFER TO STANDARD PLAN 520 FOR GENERAL REQUIREMENTS FOR METER DETAILS AND REQUIREMENTS
7. EXTERNAL CORROSION PROTECTION SHALL BE INCLUDED ON ALL WATER SYSTEM APPURTENANCES. REFERENCE STANDARD PLAN 534 FOR REQUIREMENTS. A SOILS ANALYSIS MAY BE REQUIRED IN CONJUNCTION WITH THE DESIGN OF THE WATER SYSTEM TO DETERMINE THE EXTENT OF CORROSION PROTECTION REQUIRED.
8. REFER TO STANDARD PLAN 520 FOR GENERAL REQUIREMENTS FOR METER METER, METER VAULTS, AND WATER SERVICE LINES.
9. CITY INSPECTION OF WATER SYSTEM IMPROVEMENTS WILL FOLLOW THE "PUBLIC WATER SYSTEM FIELD INSPECTION CHECKLIST" AVAILABLE FROM THE CITY'S WEBSITE. CONTRACTOR SHALL PROVIDE NECESSARY ASSISTANCE TO MEET THE GUIDELINE REQUIREMENTS.
10. NOTIFY CITY ENGINEER'S OFFICE AT LEAST 48 HOURS BEFORE PERFORMING ANY WATER RELATED WORK, ARRANGE A PRECONSTRUCTION CONFERENCE SPECIFIC TO WATER RECONSTRUCTION WITH THE CITY ENGINEER AND WATER DEPARTMENT AT LEAST 48 HOURS BEFORE START OF WORK. FOR PROJECTS INVOLVING CONNECTION TO EXISTING WATER MAINS, AT THE DISCRETION OF THE CITY, A MEETING WITH THE CITY ENGINEER 48 HOURS PRIOR TO CONSTRUCTION IS ACCEPTABLE.
11. FOR TEMPORARY USE OF EXISTING WATER SYSTEM AND FIRE HYDRANTS TO OBTAIN CONSTRUCTION WATER, REFER TO STANDARD PLAN 531.

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
	02/2024	
	REV.	GENERAL WATER NOTES	500.1
	3	

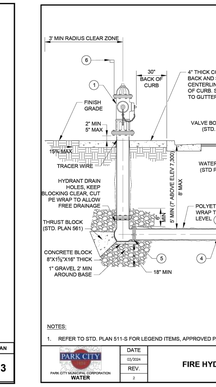
GENERAL WATER NOTES

12. ALL CONSTRUCTION OF WATER SYSTEM SHALL BE CLEARLY STAKING BY THE DEVELOPER'S OR CONTRACTOR'S SURVEYOR. STAKING SHALL INCLUDE ALL BENDS, VALVES, HYDRANTS, SERVICES, METER VAULTS, AND SPECIALS. A MINIMUM OF 50'-OF-DOT STATIONING IS REQUIRED FOR PIPELINE CONSTRUCTION. ALL STAKING SHALL BE CLEARLY MARKED WITH STATION AND OFFSETS WITH AS WELL AS FITTINGS, VALVES, SERVICES, AND METER VAULT LOCATIONS SHALL BE AUTHORIZED BY THE CITY ENGINEER AND THE PUBLIC UTILITIES ENGINEER OR PUBLIC UTILITIES DEPARTMENT PRIOR TO INSTALLATION.
13. WATER SERVICE INTERRUPTION: THE FOLLOWING SHALL BE MET WITH RESPECT TO THE INTERRUPTION OF SERVICE TO CUSTOMERS INCLUDING THE SHUTDOWN OF THE EXISTING WATER SYSTEM
   a. CONTRACTOR SHALL NOT OPERATE EXISTING WATER VALVES
   b. SCHEDULE SERVICE WORK REQUIRING WATER SERVICE INTERRUPTIONS OR SHUTDOWN OF THE EXISTING WATER SYSTEM A MINIMUM OF 96 HOURS IN ADVANCE WITH THE WATER DEPARTMENT (48HR NOTIFICATION REQUIRED FOR SHUTDOWN OF HYDRANTS ONLY)
   c. LIMIT INTERRUPTIONS TO OCCUR AND BE COMPLETED ON MONDAY THRU THURSDAY, 9:00 AM TO 4:00 PM. NO INTERRUPTIONS SHALL OCCUR ON FRIDAYS, WEEKENDS, OR HOLIDAYS.
   d. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFICATION TO AFFECTED CUSTOMERS. CONTACT THE WATER DEPARTMENT FOR NOTIFICATION REQUIREMENTS. BE ADVISED THAT ON OCCASION VALVES IN THE EXISTING SYSTEM MAY NOT HOLD AND THE WATER DEPARTMENT MAY NEED TO SHUT DOWN AN AREA. IF VALVE MANIPULATION IS REQUIRED, A MINIMUM SHUTDOWN OF 30 MINUTES SHOULD BE EXPECTED.
   e. FOR SHUTDOWNS LONGER THAN 4 HOURS, CONTRACTOR SHALL SUBMIT A TEMPORARY WATER PLAN TO MEET ALL CUSTOMERS IN SERVICE. ALL COSTS ASSOCIATED WITH MAINTAINING WATER TO AFFECTED CUSTOMERS SHALL BE BORNE BY THE CONTRACTOR.
   f. CONTRACTOR SHALL HAVE ALL PIPELINE MATERIALS AND MATERIALS ON SITE PRIOR TO SHUTDOWN OF THE WATER SYSTEM BY THE WATER DEPARTMENT.
   g. SHUTDOWNS OF THE WATER SYSTEM FOR TESTING AND THE WATER MAIN EXPOSED PRIOR TO BACKFILLING OF THE TRENCH.
15. EXPOSE EXISTING WATER PIPES AND VERIFY HORIZONTAL AND VERTICAL LOCATION PRIOR TO INSTALLING NEW IMPROVEMENTS, FITTINGS AND ALL UTILITIES TO ELIMINATE POTENTIAL CONFLICTS.
16. THE HORIZONTAL DISTANCE BETWEEN WATER LINES AND SANITARY SEWER LINES SHALL BE AT LEAST 10 FEET. WHERE THE WATER LINE IS LOCATED AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER LINE AND ABOVE THE SEWER LINE, THE HORIZONTAL DISTANCES SHALL BE MEASURED EDGE-TO-EDGE (I.E. FROM THE NEAREST EDGES OF THE FACILITIES)
17. WHERE THE REQUIRED SEPARATIONS CANNOT BE MET, AN EXCEPTION TO THE RULE CAN BE APPLIED WITH ADDITIONAL MITIGATION MEASURES TO PROTECT PUBLIC HEALTH, IN ACCORDANCE WITH UTAH ADMINISTRATIVE CODE R309-105-6(2)(f).
18. THE OPEN ENDS OF ALL PIPELINES UNDER CONSTRUCTION SHALL BE COVERED AND EFFECTIVELY SEALED AT THE END OF THE DAY'S WORK.
19. PROVIDE FOR FLUSHING OF MAIN LINE VALVES THROUGHOUT CONSTRUCTION. ALL VALVES MUST BE ACCESSIBLE WITHIN 24 HOURS AFTER PAVING OR CURB AND GUTTER.
20. UNDER NO CIRCUMSTANCE SHALL THE PIPE OR ACCESSORIES BE DROPPED INTO THE TRENCH.
21. ALL EXCAVATED MATERIAL SHALL BE HANDLED AS REQUIRED TO MEET THE BACKFILL REQUIREMENTS AND DISPOSE OF IN ACCORDANCE WITH APPLICABLE ENVIRONMENTAL REGULATIONS.
22. PROVIDE EXTENSIONS ON VALVE STEM TOPS HAVING OVER 5 FEET BURY. REFER TO STANDARD PLAN 570.
23. INSTALL AIR AND VALVE ON WATER SYSTEM TO DETERMINE THE EXTENT OF CORROSION PROTECTION REQUIRED.
24. REFER TO STANDARD PLAN 520 FOR GENERAL REQUIREMENTS FOR METER METER, METER VAULTS, AND WATER SERVICE LINES.
25. CITY INSPECTION OF WATER SYSTEM IMPROVEMENTS WILL FOLLOW THE "PUBLIC WATER SYSTEM FIELD INSPECTION CHECKLIST" AVAILABLE FROM THE CITY'S WEBSITE. CONTRACTOR SHALL PROVIDE NECESSARY ASSISTANCE TO MEET THE GUIDELINE REQUIREMENTS.
26. NOTIFY CITY ENGINEER'S OFFICE AT LEAST 48 HOURS BEFORE PERFORMING ANY WATER RELATED WORK, ARRANGE A PRECONSTRUCTION CONFERENCE SPECIFIC TO WATER RECONSTRUCTION WITH THE CITY ENGINEER AND WATER DEPARTMENT AT LEAST 48 HOURS BEFORE START OF WORK. FOR PROJECTS INVOLVING CONNECTION TO EXISTING WATER MAINS, AT THE DISCRETION OF THE CITY, A MEETING WITH THE CITY ENGINEER 48 HOURS PRIOR TO CONSTRUCTION IS ACCEPTABLE.
27. ALL TYPES OF INSTALLED PIPE SHALL BE PRESSURE TESTED AND LEAKAGE TESTED IN ACCORDANCE WITH AWWA STANDARD C600-10
28. ALL NEW WATER MAINS OR APPURTENANCES SHALL BE DISINFECTED IN ACCORDANCE WITH AWWA STANDARD C651-05 AND SHALL PASS BACTERIOLOGICAL TESTING. REFER TO THE CITY'S DETAILED PROCEDURES FOR THE ADEQUATE FLUSHING, DISINFECTION AND MICROBIOLOGICAL TESTING OF ALL WATER MAINS. ON ALL NEW AND EXTENSIVE DISTRIBUTION SYSTEM CONSTRUCTION, EVIDENCE OF SATISFACTORY DISINFECTION SHALL BE PROVIDED TO THE CITY INSPECTOR. SAMPLES FOR COLIFORM ANALYSES SHALL BE COLLECTED AFTER DISINFECTION IS COMPLETE AND THE SYSTEM IS REFILLED WITH POTABLE WATER. THE SAMPLES SHALL BE COLLECTED BY THE CITY INSPECTOR OR THE CITY'S AGENT. ALL PUBLIC DRINKING WATER PURPOSES SHALL NOT COMMENCE UNTIL THE BACTERIOLOGICAL TESTS INDICATE THE WATER IS FREE FROM CONTAMINATION.
29. SHOW ALL WATER SYSTEM IMPROVEMENTS ON PLANS TO BE SUBMITTED TO THE CITY INSPECTOR A MINIMUM OF 5 WORKING DAYS PRIOR TO COMMENCEMENT OF ACTIVITY. CONTRACTOR SHALL NOT OPERATE EXISTING WATER VALVES.
30. SHOW ALL THRUST BLOCKING DETAILS MAY BE REQUIRED. IF REQUIRED, THE CITY MAY NOT SET A WATER METER UNTIL AN APPROVED AND TESTED BACKFLOW DEVICE IS INSTALLED AND INSPECTED.
31. ALL WATER MAINS SHALL BE LAID TO PROVIDE A MINIMUM COVER OF 42 INCHES. WHERE THIS IS NOT FUNCTIONING PROPERLY, A VISUAL CHECK OF AIR DAPS IS SUFFICIENT, BUT MECHANICAL BACKFLOW PREVENTERS HAVE TO BE TESTED BY A STATE CERTIFIED BACKFLOW SPECIALIST, WITH PROPER, CERTIFIED TESTING EQUIPMENT. A LIST OF CERTIFIED BACKFLOW TESTERS EITHER CALL OR REFER TO THE STATE OF UTAH WEBSITE PAGE OF BACKFLOW TESTERS. (HTTP://WWW.DRINKINGWATER.UTAH.GOV/DOCUMENTS/COMPLIANCE/BACKFLOW_TECHNICIANS_COMMERCIAL_AVAIL.PDF
32. FIRE SPRINKLER SYSTEM BOOSTER PUMPS: FIRE SPRINKLER SYSTEM PUMPS, INTEGRAL TO THE FIRE SPRINKLER SYSTEM, SHALL BE INSTALLED ON THE PRIVATE SIDE OF THE WATER METER AND SHALL BE CONSIDERED OUTSIDE THE INTENT OF UTAH DDW REGULATION R309-550-11(3) AND DO NOT REQUIRE APPROVAL OF THE DDW IF THEIR INSTALLATION CONFORMS TO UTAH ADOPTED PLUMBING CODE AND THE CITY'S WATER SYSTEM REQUIREMENTS. ALL FIRE SPRINKLER BOOSTER PUMPS SHALL BE INSTALLED ON THE BUILDING SIDE OF THE WATER METER VAULT, OUTSIDE THE VAULT, AND SHALL BE APPROVED BY THE CITY ENGINEER, FIRE MARSHAL, AND BUILDING DEPARTMENT.

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
	02/2024	
	REV.	GENERAL WATER NOTES	500.2
	3	

GENERAL WATER NOTES

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
	03/2024	
	REV.	GENERAL WATER NOTES	500.3
	3	



NOTES:
1. REFER TO STD. PLAN 511-S FOR LEGEND ITEMS, APPROVED PARTS LIST, AND DETAIL NOTES.

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
	10/20/4	
	REV.	FIRE HYDRANT	511
	2	

LEGEND AND APPROVED PARTS LIST

ITEM	DESCRIPTION	ACCEPTABLE MANUFACTURER	MODELS
1	FIRE HYDRANT, DRY BARREL, AWWA C502	MUELLER	SUPER CENTURION 250 3-WAY A-423, 5-1/4 PUMPER NOZZLE, NATIONAL STD. OPERATING NUT (OPENS LEFT) OR EQUAL IF UNAVAILABLE
2	BURIED VALVE AND VALVE BOX (STD. PLAN 570), 8" GATE VALVE, NRS, FLG X MJ, 2" SQ. OPERATING NUT, AWWA C509	MUELLER	SERIES 2360, SST BONNET BOLTS OR EQUAL
3	8" DUCTILE IRON FLANGE TEE (OR TAPPING SEE DETAIL 540), AWWA C110	EBBA IRON	MEGALUG SERIES 1100, STD T-BOLTS AND NUTS
4	HYDRANT SERVICE LINE, 8" DIAMETER C900 PVC, DR14, RESTRAINED JOINTS (STD PLAN 540)		
5	MECHANICAL JOINT RESTRAINT OR SST TIE ROD	EBBA IRON	MEGALUG SERIES 1100, STD T-BOLTS AND NUTS
6	HYDRANT MARKER, HEAVY DUTY FIBERGLASS WITH RED FLAG, TOP MOUNT, 5' LENGTH (STD.), BURY DEPTH AS REQUIRED	POLLARD	REFLECTIVE HYDRANT MARKER MODEL FINISH (2ED.) AND PHOTO (ADD'L 7300) WITH FLAG MODEL P891801, OR APPROVED EQUAL
7	POLYETHYLENE ENCASEMENT, 8 MIL MIN. LINEAR LOW DENSITY POLYETHYLENE ENCASEMENT FILM, AWWA C105 & AWWA C105E METHOD A & D	US PIPE	AWWA C105E METHOD A (4 MIL) AT PIPE AND AWWA C105E METHOD C (10 MIL) AT BOLT-TYPE JOINTS, FITTINGS AND VALVES

DETAIL NOTES

1. LOCATE HYDRANT AS SHOWN ON THE APPROVED PLANS
2. SET HYDRANT PLUMB WITH PUMPER NOZZLE FACING STREET
3. ADJUST TO GRADE WITH MAXIMUM OF ONE (1) HYDRANT BARREL EXTENSION (AWWA C502)
4. ALL BURIED HYDRANT VALVES SHALL BE RESTRAINED. NO POWER, MECHANICAL, OR SET SCREW BOLTS FOR HYDRANT RISERS. 304 STAINLESS STEEL BOLTS ARE ACCEPTABLE FOR APPROVED GRADE FLANGES.
5. RECOAT DAMAGED OR MARRED HYDRANT COATING AFTER INSTALLATION (UV RESISTANT, HIGH CLOSS, POLYURETHANE ENAMEL COATING, FIRE HYDRANT RED)
6. REFER TO MANUFACTURER'S RECOMMENDATIONS FOR FLUSHING, HYDROSTATIC TESTING, AND DISINFECTING REQUIREMENTS
7. APPLY WAX TAPE COATING SYSTEM TO VALVE BONNET BOLTS AND ALL OTHER BURIED BOLTS, NUTS, AND APPURTENANCES PER MANUFACTURER'S RECOMMENDATIONS
8. CATHODICALLY PROTECT PIPE AND ON FITTINGS, WHEN EXISTING SOIL CONDITIONS REQUIRE PER SOILS ANALYSIS (STD. PLAN 534)
9. HYDRANT DRAIN SHALL NOT BE CONNECTED TO, OR LOCATED WITHIN, 10 FEET OF SANITARY SEWERS. WHERE POSSIBLE, HYDRANT DRAINS SHALL NOT BE LOCATED WITHIN 10 FEET OF STORM DRAINS

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
	03/2024	
	REV.	FIRE HYDRANT	511 S
	2	

GENERAL REQUIREMENTS - WATER METER, METER VAULT, AND SERVICE LINE

REFER TO SPECIFICATIONS AND STANDARD PLANS FOR DETAILED WATER METER, METER VAULT, AND SERVICE LINE REQUIREMENTS

WATER METER & METER VAULT:

1. MASTER METER INCLUDING METER TRANSCEIVER UNIT (MXU) DEVICE WILL BE PROVIDED BY THE CITY. ALL OTHER COMPONENTS SHALL BE PROVIDED AND INSTALLED BY THE DEVELOPER/OWNER. PROVIDE 2 WEEKS ADVANCE NOTICE TO THE WATER DEPARTMENT FOR METER SET REQUESTS EXCEEDING FIVE METERS OR METER SIZES GREATER THAN 2 INCHES. APPROPRIATE METER APPLICATION AND PAYMENT OF FEES APPLY BEFORE THE CITY WILL SET A METER.
2. A WATER METER WILL NOT BE SET UNTIL THE METER VAULT AND SERVICE LINE INSTALLATION OF ANY DETAIL 540), AWWA C110 IS COMPLETED AND APPROVED BY THE CITY INSPECTOR.
3. A WATER METER WILL NOT BE SET IN THE METER VAULT AND SERVICE LINE ARE IN COMPLIANCE WITH THE MOST CURRENT VERSION OF THE ENGINEERING STANDARDS, STANDARD SPECIFICATIONS, AND STANDARD DETAILS AND ALL PLUMBING WILL REQUIRE CITY ENGINEER APPROVAL. THE METER AND VAULT WILL REQUIRE A FLOWRATE AND DEMAND ANALYSIS BY THE DEVELOPER / BUILDER AND A SITE SPECIFIC DESIGN.
4. INSTALLATION OF A WATER METER BY A 2" METER AND SMALLER WILL REQUIRE CITY ENGINEER APPROVAL. THE SERVICE LINE REQUEST WILL REQUIRE SUBMITTAL OF A FLOWRATE AND DEMAND ANALYSIS BY THE DEVELOPER / BUILDER.
5. USE OF ANY METER LARGER THAN 2" WILL REQUIRE CITY ENGINEER APPROVAL. METER VAULTS WILL BE USED ONLY FOR COMMERCIAL OR MULTI-UNIT BUILDINGS SUBJECT TO THE FOLLOWING CONDITIONS:
   a. UNINTERRUPTED ACCESS IS REQUIRED TO MASTER METER FOR METER READING.
   b. THE METER SHALL BE LOCATED IN A SEPARATE MECHANICAL ROOM.
   c. TO THE METER SHALL BE ASSOCIATED WITH ONLY ONE WATER SYSTEM (FIRE STACK) PLUMBING.
   d. THE DEVELOPER IS RESPONSIBLE A SITE SPECIFIC DESIGN APPROVED BY THE FIRE MARSHAL, THE PARK CITY BUILDING DEPARTMENT, CITY ENGINEER, PUBLIC UTILITIES DEPARTMENT, AND THE PUBLIC UTILITIES WATER RESOURCE MANAGER. LAYOUT SHALL BE CONSISTENT WITH WATER STANDARD PLANS 520, 530, AND 540.
   e. A REMOTE RADIO READER METER TRANSCEIVER UNIT (MXU) DEVICE SHALL BE INSTALLED AT A LOCATION ON THE OUTSIDE WALL OF THE METER VAULT. NO BUSHES, SHRUBS, OR PLANTS SHALL BE WITHIN 2 FEET OF THE METER LID AND NO TREES SHALL BE PLANTED SUCH THAT THE DRIP LINE AT MATURITY WILL BE WITHIN 5 FEET OF THE METER LID.
6. SET METER VAULT SET FLUSH WITH THE FINAL LANDSCAPE OR PAVEMENT GRADE. IF GRADE IS NOT TO FINAL GRADE AT THE TIME OF THE METER INSTALLATION OR INSPECTION, ADJUST METER

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
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GENERAL REQUIREMENTS - WATER METER, METER VAULT, AND SERVICE LINE

VAULT WHEN FINAL GRADE IS ESTABLISHED AND ADJUST THE METER SETTER TO MEET REQUIRED METER INSTALLATION HEIGHTS. REFERENCE STANDARD PLANS 550 AND 555 FOR METER VAULT GROUNDING REQUIREMENTS.

11. IN MOST CASES THE METER TRANSCEIVER UNIT (MXU) DEVICE WILL MOUNT THROUGH THE METER VAULT LID. IF METER LOCATION DOES NOT PERMIT A CLEAR RELIABLE MXU DEVICE RADIO SIGNAL TO CITY FACILITIES, A REMOTE MXU DEVICE WILL BE REQUIRED. THE REMOTE MXU DEVICE WILL BE INSTALLED ON THE OUTSIDE OF THE BUILDING FACING A PUBLIC STREET. IN MOST CASES THE REMOTE MXU DEVICE WILL BE INSTALLED ON THE OUTSIDE OF THE BUILDING FACING A PUBLIC STREET. PROVIDE CONDUIT AND SIGNAL WIRE FROM METER VAULT TO REMOTE MXU DEVICE LOCATION. THE DEVELOPER IS RESPONSIBLE FOR THE COST OF THESE PRODUCTS. A SIGNAL PROPAGATION STUDY AND INSTALLATION OF A NEW INTERMEDIATE STATION AT THE DEVELOPER'S EXPENSE MAY BE REQUIRED.
12. IF REPLACING METER VAULT, PROTECT EXISTING METER AND MXU DEVICE, TAG OR LEAVE IN VAULT. CONTACT PARK CITY WATER DEPARTMENT PRIOR TO REMOVING OR REPLACING METER.
13. A WATER METER WILL NOT BE SET IN THE METER VAULT UNTIL:
   a. A WATER METER WILL NOT BE SET IN THE UNTIL THE METER VAULT AND SERVICE LINE ARE IN COMPLIANCE WITH THE MOST CURRENT VERSION OF THE ENGINEERING STANDARDS, STANDARD SPECIFICATIONS, AND STANDARD DETAILS AND ALL PLUMBING HAS BEEN PERFORMED AND APPROVED BY THE CITY ENGINEER AND BUILDING DEPARTMENT.
   b. ALL STANDARD BRONZE PIPE, FITTINGS, AND VALVES SHALL MEET LOW LEAD COMPLIANCE REQUIREMENTS IN ACCORDANCE WITH SECTION 311.
   c. PROVIDE COMPRESSION STYLE FITTINGS AND VALVES. FLARED STYLE CONNECTIONS ARE NOT ALLOWED.

SERVICE LINE:

1. ROUTE SERVICE LINES AT A 90 DEGREE ANGLE TO THE FRONT PROPERTY/R-O-W/EASEMENT LINE FROM THE WATER MAIN. AVOID ROUTING SERVICE LINES UNDER DRIVEWAYS.
2. CONSTRUCT SERVICE LINES PERPENDICULAR TO ROADWAYS AT UTILITY CROSSINGS.
3. DUCTILE IRON WATER MAIN INSTALLATIONS SHALL HAVE THE SERVICE TAP AND ALL MAIN LINE FITTINGS, VALVES, PIPE JOINTS, AND OTHER SERVICE TAPS.
4. MAIN LINE FITTINGS, VALVES, PIPE JOINTS, AND OTHER SERVICE TAPS.
5. PROVIDE COMPRESSION STYLE VALVES FITTINGS. FLARED STYLE CONNECTIONS ARE NOT ALLOWED
6. PROVIDE A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION BETWEEN WATER AND SEWER LINES
7. TAPPING NEW CONSTRUCTION WATER MAIN: NOTIFY AND SECURE INSPECTION OF INSTALLATION BY THE CITY ENGINEER'S OFFICE AT LEAST 48 HOURS BEFORE TAPPING WATER MAIN. PROVIDE TOUCHDOWN TO CITY INSPECTOR.
8. TAPPING EXISTING WATER MAIN: NOTIFY AND SECURE INSPECTION OF INSTALLATION BY WATER DEPARTMENT AT LEAST 48 HOURS BEFORE TAPPING WATER MAIN. PROVIDE TAPPING TOUCHDOWN TO CITY INSPECTOR.
9. SERVICES LINES LARGER THAN 2-INCH DIAMETER SHALL MEET WATER MAIN REQUIREMENTS.
10. ALL BRASS AND BRONZE PIPE, FITTINGS, AND VALVES SHALL MEET LOW LEAD COMPLIANCE REQUIREMENTS IN ACCORDANCE WITH ANSI/NSF 372.
11. ALL PIPE, JOINTS, FITTINGS, VALVES AND FIRE HYDRANTS SHALL CONFORM TO ANSI/NSF STANDARD 61 AND APPLICABLE SECTIONS OF AWWA STANDARDS C104-04 THROUGH C550-05 AND C900-07 THROUGH C909-07 FOR PRESSURE PIPE, FITTINGS, AND VALVES SHALL MEET LOW LEAD COMPLIANCE REQUIREMENTS IN ACCORDANCE WITH ANSI/NSF 372. CONSTRUCTION SPECIFICATIONS, AND STANDARD DETAILS, AND THE *PARK CITY WATER SYSTEM IMPROVEMENTS* PUBLICATION. CONTRACTOR SHALL PROVIDE NECESSARY ASSISTANCE TO MEET THE GUIDELINE REQUIREMENTS. CONTRACTOR SHALL NOT OPERATE EXISTING WATER VALVES.
12. TRACER WIRE IS REQUIRED FROM METER MAIN TO METER VAULT.
13. ALL BURIED FITTINGS SHALL BE WRAED TAPED (CORPORATION STOPS, SADDLES, ECT.)
14. NO IRRIGATION CONNECTIONS ARE ALLOWED WITHIN METER VAULTS.

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
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	2	

LEGEND AND APPROVED PARTS LIST

ITEM	DESCRIPTION	ACCEPTABLE MANUFACTURER	MODELS
1	SERVICE SADDLE: • DUCTILE IRON (DI): PIPE DUAL STRAP • PVC PIPE: DUAL STRAP • ASBESTOS CEMENT (AC) PIPE: DUAL STRAP • PERMASTRAND PIPE: DUAL STRAP • HDPE PIPE: ELECTROFUSION	POWERSEAL	DI, PVC, AC & PERMASTRAND PIPE: STAINLESS STEEL SADDLE ECCN* 3400A9-FCNWS-U, 2" SERVICE
		ROMAC	PVC, AC & PERMASTRAND PIPE: STYLE 202ND DUAL STAINLESS STEEL STRAPS, 2" STRAPS, 3" THEN
		FORD	CL-PIPE, BRONZE, STYLE 202B, 2" SERVICE, 3/4" THEN
		ISCO OR APPVD EQUAL	HDPE PIPE: 2" SERVICE, BY APPROVAL
2	BRASS CORPORATION STOP, INLET IP THREAD, OUTLET CTS COMPRESSION	MUELLER	B-20008N
		FORD	FB1163-Q-NL
3	V-BIO ENHANCED POLYETHYLENE ENCASEMENT, AWWA C105 & AWWA C105E METHOD C	MCMANE OR APPVD EQUAL	AWWA C105E METHOD C (4 MIL)
4	DETECTABLE UNDERGROUND WARNING TAPE, 5-MIL MINIMUM, ALUMINUM BACKING BLUE BACKGROUND, 6" WIDE	SETON OR APPVD EQUAL	85525
5	WATER SERVICE LINE: HIGH-DENSITY POLYETHYLENE TUBING (STD), BLUE, SDR 9, AWWA C901	ADS OR APPVD EQUAL	
6	WATER SERVICE LINE: HIGH-DENSITY POLYETHYLENE TUBING (CTS), BLUE, SDR 9, AWWA C901	ADS OR APPVD EQUAL	
7	TRACER WIRE: 12 GA. SOLID, BLUE PVC INSULATION. TRACER WIRE CONNECTORS SILICONE-FILLED WIRE NUTS	IDEAL INDUSTRIES	TWISTER DB PLUS OR APP'D EQUAL

DETAIL NOTES

1. COORDINATE SERVICE SIZE WITH CITY PRIOR TO ORDERING MATERIALS
2. LOCATE SERVICE PER APPROVED PLANS
3. ALL SERVICE LINE FITTINGS ALLOWED BETWEEN CORPORATION STOP AND METER VAULT CURB STOP NO SPLICES
4. APPLY WAX TAPE COATING SYSTEM TO SERVICE SADDLE BOLTS AND NUTS, AWWA C217. SYSTEM TO INCLUDE FILLER MATERIAL, TAPE COATING, AND PROTECTIVE OUTERWRAP. DENSO NORTH AMERICA, TRENTON, OR APPROVED EQUAL (STD. PLAN 534)

PARK CITY MUNICIPAL CORPORATION — WATER	DATE	STD. PLAN
	4/2024	
	REV.	WATER MAIN AND FIRE LINES	540 S.1
	1	

LEGEND AND APPROVED PARTS LIST

ITEM	DESCRIPTION	ACCEPTABLE MANUFACTURER	MODELS
1	DUCTILE IRON PIPE, 4" TO 12" DIAMETER, PRESSURE CLASS 350, CEMENT MORTAR LINING, ASPHALTIC PETROLEUM/EXTERIOR COATING, AWWA C150 / C151 / C104	U.S. PIPE (T) PACIFIC STATES	RESTRAINED JOINT PIPE: PUSH ON TYTON JOINT
		U.S. PIPE (T) PACIFIC STATES	RESTRAINED JOINT PIPE: THRUST LOCK TR FLEX
2	POLYWRAP, CHLORIDE (PVC) PIPE, C.I.O.D. C900, DR 18, INTERGAL BELL JOINT (ALLOWABLE SIZE 8" – 12")	JM EAGLE (T)	STANDARD JOINT PIPE: BELL END
3	DUCTILE IRON FITTINGS, 4" TO 12" DIAMETER, FULL BODY, SHORT PATTERN, MECHANICAL JOINT LINED, ASPHALTIC EXTERIOR COATING, AWWA C153 / C104 FLANGES: AWWA C110 / C115, CLASS 125 FLANGE WITH FULL FACE OR RING FLANGE; TYTE GASKETS	U.S. PIPE (T) PACIFIC STATES	PUSH-ON STYLE FITTING: TYTON JOINT FLANGED FITTING:
		U.S. PIPE (T) PACIFIC STATES	RESTRAINED JOINT PIPE: THRUST LOCK TR FLEX
4	FITTINGS – DUCTILE IRON MECHANIC

Height Narrative

BUILDING HEIGHT. The Building Height requirements of the Zoning District in which a Master Planned Development is located shall apply, except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts. The Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made, according to Subsections (1) through (5) below. In order to grant Building Height in addition to that which is allowed in the underlying Zoning District, the Planning Commission must find that:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits; No increase in building square footage is being proposed for this project. The project is proposing to build an on-grade restaurant on top of an existing fill site.
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis; There is only one adjacent lot to the west that is higher in elevation. To the south of the property is Twisted Branch Road. To the east of the property is Bandana Ski run. To the north of the property is Deer Valley Ski resort property. The only adjacent property that could be developed is to the west.
3. There is adequate Landscaping and buffering from adjacent Properties and Uses; There is 162' of potential landscaping area to the property to the west and 184' of potential landscaping area to the property to the east.
4. Increased Setbacks and separations from adjacent projects are proposed; The building is proposed to be in the southern center portion of the property being 162' away from the western property line and 184' away from the eastern property line.
5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible; Correct, the building is positioned in the southern most portion of the property close to Twisted Branch Road. The northern portion of the property is proposed to be open space.
6. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Building is located within the Historic District. If and when the Planning Commission grants additional Building Height based on a Site specific analysis, the approved additional Building Height shall only apply to the specific plans reviewed and approved by the Planning Commission. Additional Building Height shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development that includes a Building with an additional Height allowance. Correct, the roof elements will conform to Park City standards as necessary.


Advanced
LEARNING & DRIVING


Advanced


Advanced
HEATING & COOLING






Advanced
HEATING & COOLING


Advanced
HEATING & COOLING

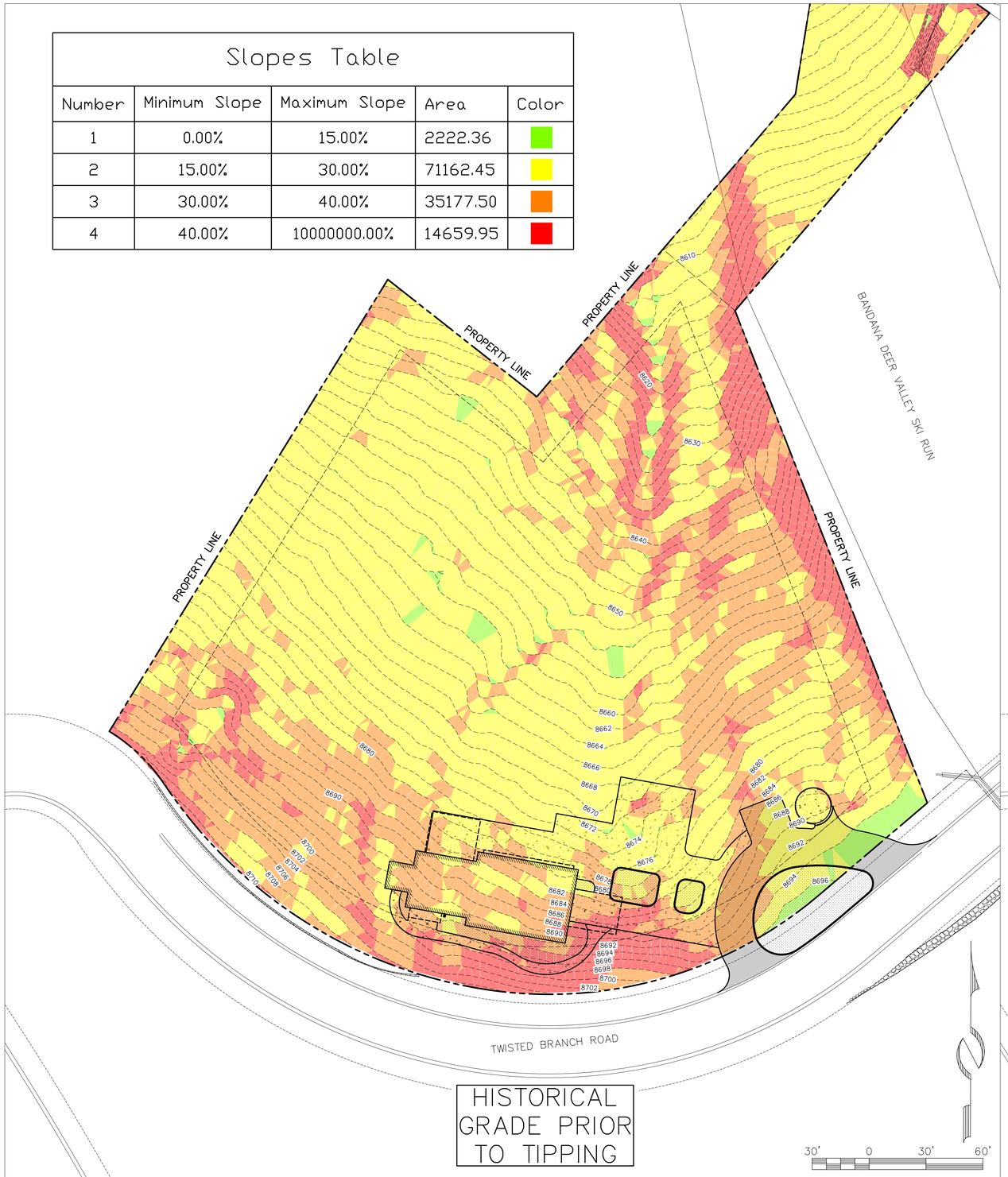



CAT
IKON


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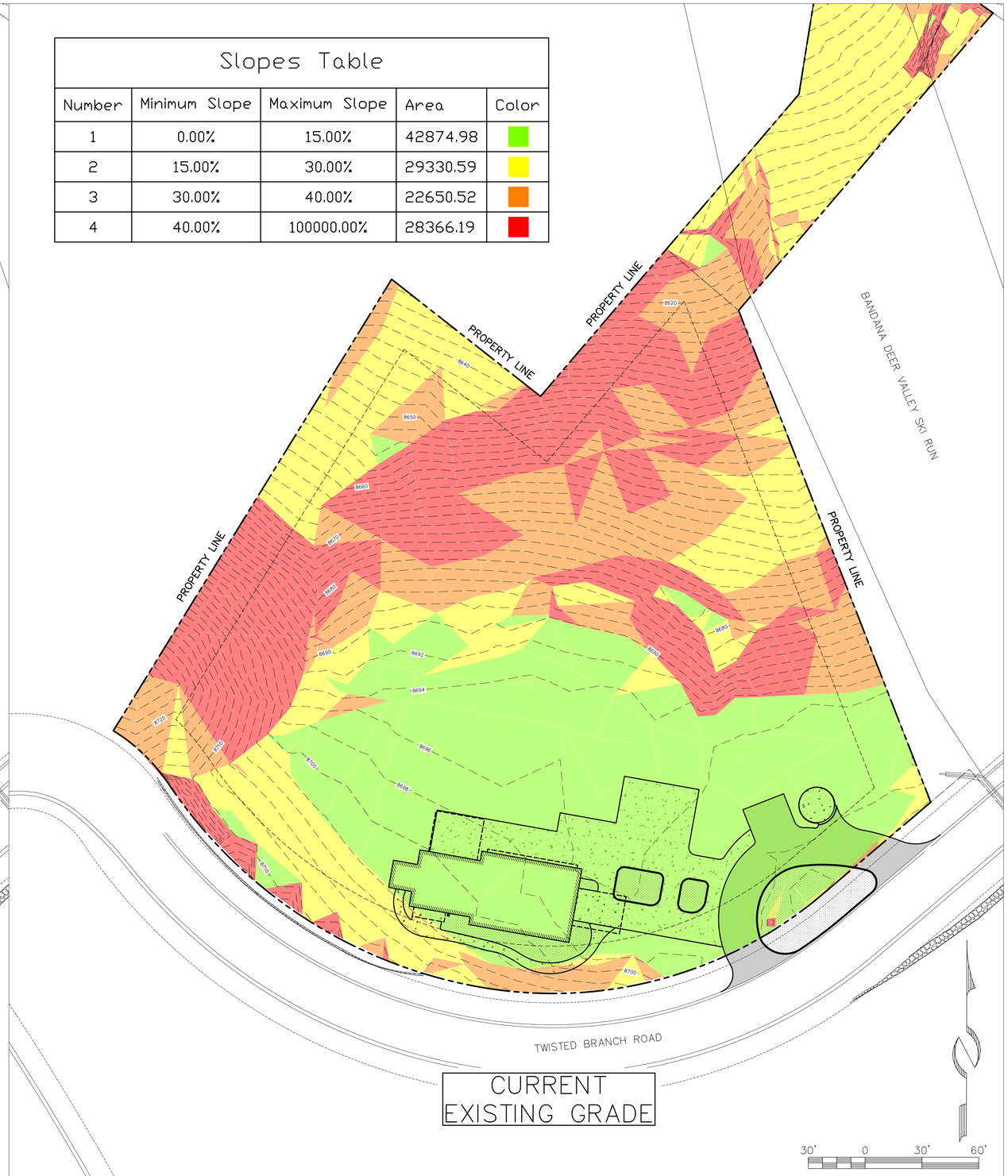

CAT
IKON
Advanced

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	15.00%	2222.36	
2	15.00%	30.00%	71162.45	
3	30.00%	40.00%	35177.50	
4	40.00%	10000000.00%	14659.95	



HISTORICAL GRADE PRIOR TO TIPPING

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	15.00%	42874.98	
2	15.00%	30.00%	29330.59	
3	30.00%	40.00%	22650.52	
4	40.00%	100000.00%	28366.19	



CURRENT EXISTING GRADE

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
STE 50 & 60
PARK CITY, UT 84098
435.256.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/04/25

EXISTING GRADE SLOPE MAP COMPARRISON
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 1 OF 2

PCA-S-98-C

PCA-S-98-SD-1

PCA-S-98-O

EASEMENT NO. 1079220

RIGHT-OF-WAY EASEMENT NO. 1071473

MARSAC AVENUE

TWISTED BRANCH ROAD

PCA-S-98-SD-14

PCA-S-98-SD-1

PROPERTY LINE

PCA-S-98-SD-3

EASEMENT NO. 1079220

RIGHT-OF-WAY EASEMENT NO. 1071473

PROPOSED RESTAURANT FF = 8697.5

SETBACK LINE (TYP.)

BANDANA SKI RUN

RED CLOUD SUBDIVISION

SKI BRIDGES

PCA-S-98-SD-1-B

TWISTED BRANCH ROAD

WATER TANK

SUMMIT COUNTY

WASATCH COUNTY

PCA-S-98-SD-1

MARSAC AVENUE

RED CLOUD TRAIL

COUNTY LINE

100' 0 100' 200'

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER
ESM	EXTG SNOW MAKING		

ALLIANCE ENGINEERING
2700 W HOMESTEAD RD
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PARK CITY, UT 84098
435.258.6934

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
CONNOR FRASER

DATE: 06/04/25

SITE PLAN
TWISTED BRANCH ROAD SUBDIVISION
HOTCREEK RESTAURANT

FOR: STORIED DEVELOPMENT
JOB NO.: 1-1-19
FILE: X:\Empire\dwg\Storied Development\Hot Creek\Hot Creek_Civil.dwg

SHEET 2 OF 2

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



ALLIANCE ENGINEERING

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



ALLIANCE ENGINEERING

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



ALLIANCE ENGINEERING

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



ALLIANCE ENGINEERING

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



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HOT CREEK RESTAURANT



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HOT CREEK RESTAURANT



ALLIANCE ENGINEERING

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



ALLIANCE ENGINEERING

TWISTED BRANCH ROAD SUBDIVISION

HOT CREEK RESTAURANT



Planning Commission
Staff Report

Subject: **Flagstaff/Empire Pass Annexation Area**
Applications: **PL-25-06523 – Argus (R-5) Subdivision**
8946 Marsac Avenue
PL-25-06547 – Guardsman Subdivision
9401 Marsac Avenue
PL-25-06522 – Village at Empire Pass Master Planned Development Modification
Author: **Alec Barton, Senior Planner**
Date: **July 23, 2025**
Type of Items: **Master Planned Development Modification and Subdivisions**

Recommendation

(I) Review the three applications to:

- Modify the Village at Empire Pass Master Planned Development to establish volumetrics for four Dwelling Units in a Multi-Unit Dwelling on the "R-5 Parcel"
- Create one 1.58-acre Lot at 8946 Marsac Avenue for four Dwelling Units in a Multi-Unit Dwelling to be known as the Argus (R-5) Subdivision
- Create three Lots for three Single-Family Dwellings, one 1.52-acre Lot for the Park City Municipal Water Tank, a 1.18-acre Open Space Parcel A for the Mid-Mountain Trailhead, and a 0.97-acre common area Open Space Parcel B at 9401 Marsac Avenue.

(II) Conduct a public hearing.
(III) Provide input regarding proposed volumetrics, development on Very Steep Slopes, site access, trail relocation, and other items needed for Final Action.
(IV) Continue the public hearings and the three applications to August 13, 2025.

Description

Applicant:	Redus Park City, LLC Douglas Ogilvy, Applicant Representative
Location:	8946 Marsac Avenue (Argus (R-5) Site) 9401 Marsac Avenue (Guardsman/Water Tank Parcel)
Zoning District:	Residential Development – Master Planned Development Sensitive Land Overlay
Adjacent Land Uses:	Multi-Unit Dwellings and Deer Valley Resort
Reason for Review:	The Planning Commission reviews and takes Final Action on substantive modifications to Master Planned

Developments[1] and Subdivisions.[2]

LMC	Land Management Code
MPD	Master Planned Development
RD	Residential Development
SFD	Single-Family Dwelling
UE	Unit Equivalent

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

Summary

The Applicant proposes to create a 1.58-acre Lot and to modify the Village at Empire Pass Master Planned Development (MPD) volumetrics for Pod A of the Flagstaff/Empire Pass Annexation area for the construction of a four-unit Multi-Unit Dwelling at the R-5 site (8946 Marsac Avenue). The Applicant also proposes creating three Lots for three Single-Family Dwellings, one Lot for the Park City Municipal Water Tank site, and open space parcels for common area and the Mid-Mountain Trailhead at 9401 Marsac Avenue and to modify the volumetrics for the Pod B-2 MPD.

Staff requests the Planning Commission review the proposed applications and provide input regarding:

R-5 Argus Site:

- The potential to break up massing of the proposed Multi-Unit Dwelling through roof pitch and lower roof height allowances as the Building steps down the slope.
- Additional information needed to evaluate the Applicant's request for development on Very Steep Slopes.
- Public access through and the proposed relocation of a portion of the Empire Link Trail to an adjacent parcel.

Guardsman/Water Tank Parcel Site:

- The proposed layout of the Guardsman Subdivision and an alternate driveway.
- Plat notes for the proposed Guardsman Subdivision to clarify maximum building size and limitations on basement levels and excavation.

Background

On June 24, 1999, the City Council adopted Resolution No. 20-99 authorizing the Flagstaff Mountain Development Agreement and Ordinance No. 99-30 annexing the 1,750-acre Flagstaff Mountain into Park City (Exhibit A). The Flagstaff area is now known as Empire Pass.

The Development Agreement was entered into by United Park City Mines ("UPCM"), Deer Valley Resort Company ("Deer Valley"), and Park City Municipal Corporation ("the City") and was recorded with Summit County on July 26, 1999 (Recorder Entry No. 544835; Exhibit B). Redus is successor-in-title to property previously owned by UPCM.

[1] Land Management Code (LMC) Section 15-6-4(K)
[2] LMC Section 15-1-8(H) and Section 15-7.1-2

The Development Agreement identifies four development areas (Pods A, B-1, B-2, and D). The R-5 site is in Development Pod A. The Water Tank site is in Development Pod B-2.

On July 28, 2004, the Planning Commission approved the Master Planned Development (MPD) for the Village at Empire Pass (Pod A). Finding of Fact 7 included the density for Pod A, the primary development pod: 321.5 units and 435.6 Unit Equivalents (UEs).[3] The MPD also established volumetrics for Pod A developments.

On February 1, 2007, the City Council adopted Ordinance No. 07-10 approving amendments to the Development Agreement (Exhibit D).

On March 14, 2007, the Planning Commission approved the MPD and associated volumetrics for Pod B-2. Finding of Fact 7 stated the total number of units approved with the MPD: 192 hotel rooms (69.6 UEs) and 94 hotel condominiums (114 UEs) on the west side of the Empire Day Lodge (B-2 West) and 81 condominiums (81 UEs) on the east side of Empire Day Lodge (B-2 East).

On March 26, 2025, the Planning Commission reviewed requested amendments to the Flagstaff Mountain/Empire Pass Development Agreement for the construction of seven residential units:

Property	Ownership	Zoning	Proposed Density
"R-5 Parcel" PCA-S-98-SD-5 PCA-S-98-BB	Redus	RD-MPD	A four-unit Multi-Unit Dwelling
"Water Tank Parcel" PCA-S-98-SD-1-A PCA-S-98-II-X (portion)	Redus PCMC	RD-MPD	Three Single-Family Dwellings (SFDs)

The Planning Commission forwarded a positive recommendation for the City Council's consideration (Agenda Packet, Item 5.G.; Minutes, p. 44).

On April 24, 2025, the City Council approved Ordinance No. 2025-05 modifying the Flagstaff Mountain/Empire Pass Development Agreement. Condition of Approval 5 requires the Applicant to obtain required land use approvals from the Planning Commission, including subdivisions for residential Lots and a Conditional Use Permit for the proposed Multi-Unit Dwelling, prior to application for or receipt of any building permit.

[3] LMC Section 15-15-1 defines Unit Equivalent as "the Density factor applied to different sizes and configurations of Dwelling Units and commercial spaces."



Figure 1: “R-5 Parcel” outlined in blue.



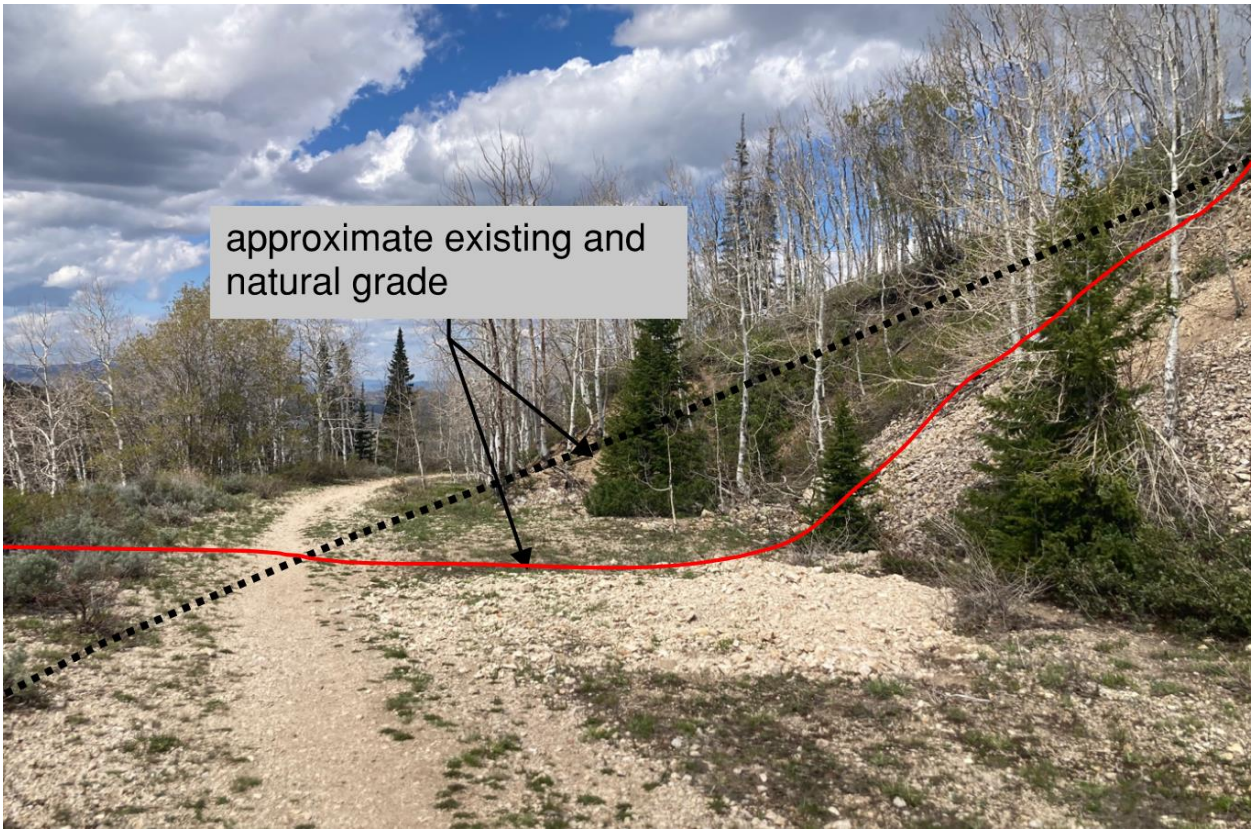
Figure 2: Water Tank Parcel outlined in blue. Portions of this area are proposed to be subdivided into a Lot for the City Water Tank and Lots for three SFDs.

Analysis

(I) The Applicant proposes to modify the Village at Empire Pass MPD to establish volumetrics for the R-5 site and requests additional Building Height for the proposed Multi-Unit Dwelling.

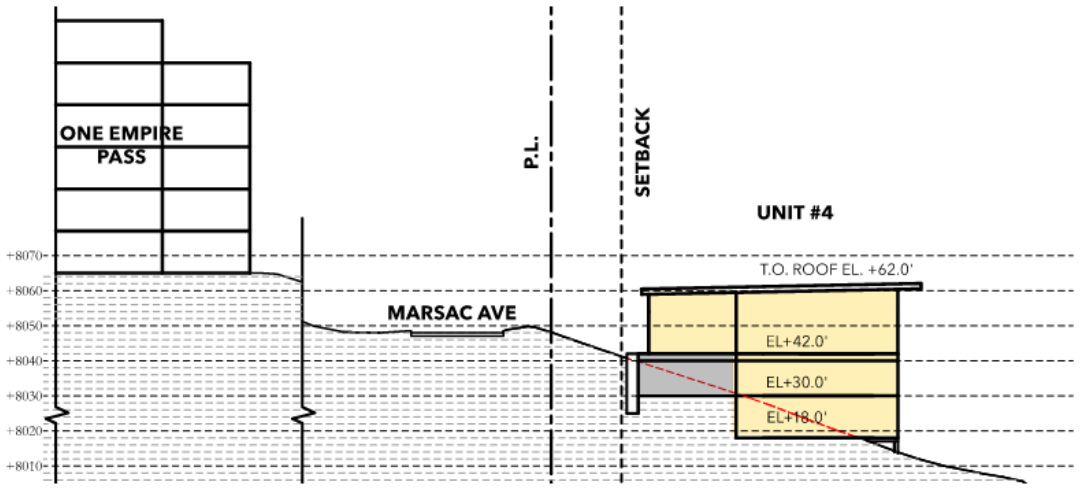
Because the site is disturbed, a Determination of Natural Grade is needed to establish baseline conditions. The R-5 site is primarily on Steep Slopes and Very Steep Slopes west of Marsac Avenue, across from One Empire Pass. The Applicant submitted a survey prepared by Alliance Engineering showing assumed Natural Grade and Existing Grade. The survey indicates significant site disturbance has occurred.

At the request of the City, Horrocks Engineering completed third-party review of the Argus (R-5) Subdivision Plat and assumed Natural Grade survey (Exhibit G). The review suggested minor edits to the Applicant's assumed Natural Grade exhibit and concluded that site disturbances dating to the early 1900s and erosion make it difficult to pinpoint the exact Natural Grade. A prominent mining road in the center of the site is one area where significant site disturbance has occurred. The image below shows existing grade in a solid red line and assumed Natural Grade in a dashed black line:



In response to the third-party review, the Applicant submitted an updated survey prepared by Alliance Engineering (Exhibit H). The assumed Natural Grade in the updated survey will serve as the site's Existing Grade.

The Applicant submitted a Residential Program Fit Test with diagrammatic site sections showing the proposed Structure extending up to 62 feet above Final Grade (Exhibit I):



The Applicant proposes setting a maximum Ridge Line elevation of 8,062 feet on the R-5 site, up to 17 feet above the adjacent portion of Marsac Avenue.

LMC Section 15-6-5(F) states the Planning Commission may consider an increase in Building Height based upon a Site-specific analysis. The Applicant bears the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made. The Applicant's responses to the criteria for increased Building Height are included in the Project Narrative (Exhibit J).

To grant additional Building Height, the Planning Commission must find that the six criteria below are met. Staff analysis is provided in *italics*.

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits.

LMC Section 15-2.13-3 states that developments in the RD Zoning District reviewed and approved as an MPD may approach a maximum of five units per acre. The Applicant proposes four units on a 1.58-acre Lot.

Ordinance No. 2025-05 approving the modified Development Agreement for Flagstaff Mountain/Empire Pass limits the R-5 site to four condominium units totaling no more than 24,000 square feet of saleable (net) square footage. The Applicant proposes four units totaling 23,990 saleable square feet.

The proposed increase in Building Height does not result in increased square footage permitted under the modified Development Agreement for Flagstaff Mountain/Empire Pass.

LMC Section 15-2.13-4 establishes a maximum height of 28 feet from Existing Grade for Structures in the RD Zoning District. Staff recommends the Applicant submit calculations showing the proposed increase in Building Height does not result in increased Building volume over what would be allowed in the RD Zoning District. Staff recommends a condition of approval requiring the roof slope to be angled downward to follow the slope of the site.

The proposed Building's west-facing façade includes a 125-foot articulated segment with heightened roof planes:



LMC Section 15-5-8(B) states "Structures that exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance."

Staff recommends a condition of approval requiring the Applicant to include a prominent shift in this segment of the Building Façade, either in the form of a 15-foot change in façade alignment, a 15-foot change in Building Height, or a combination of a change in both Building Height and Building Façade.

2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis.

The nearest Structure, One Empire Pass, is approximately 100 feet east of the proposed Multi-Unit Dwelling. The proposed Structure is downslope from One Empire Pass, and the maximum Height of the Structure is approximately 10 feet lower than the lowest residential floor in One Empire Pass. Therefore, the project is not likely to create problems for neighboring properties such as shadows, loss of solar Access, and loss of air circulation.

Staff recommends a condition of approval requiring any Solar Energy Systems to be incorporated into the roof plan or architectural features of the Structure and to be mounted flush to the roof plane, where possible. Solar Energy Systems and mounting equipment shall use non-reflective finishes, as required by LMC Section 15-5-5(G).

3. There is adequate Landscaping and buffering from adjacent Properties and Uses.

The Applicant will include a Landscaping Plan with a future application for a Conditional Use Permit for the proposed Multi-Unit Dwelling.

Staff recommends conditions of approval requiring landscaping that complies with the City's Water Wise Landscaping and Wildland-Urban Interface requirements. The Landscaping Plan should include Landscaping that effectively screens the perimeter of the Structure.

4. Increased Setbacks and separations from adjacent projects are proposed.

The proposed Multi-Unit Dwelling meets the minimum required Setbacks for the RD Zoning District:

Development Requirement	***Analysis***
Setbacks: *The minimum Setbacks in the RD Zoning District are:* *Front – 20 feet* *Rear – 15 feet* *Side – 12 feet* *(LMC Section 15-2.13-3).*	***Complies.*** *The proposed Lot includes the following Setbacks:* *Front – 20 feet* *Rear – 15 feet* *Side – 12 feet*

The Applicant does not propose increased Setbacks and separations from adjacent projects. The Applicant's narrative notes that Marsac Avenue serves as a buffer between the R-5 project and One Empire Pass, approximately 100 feet to the east.

5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible.

LMC Section 15-15-1 defines two types of Open Space:

Landscaped Open Space. *Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures.*

Natural Open Space. *A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge Line Area, Slopes over 30%, wetlands, Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.*

LMC Section 15-6-5(D) states MPDs shall contain a minimum of 60% Open Space. The Planning Commission designates the preferable type and mix of Open Space based on the guidance given in the General Plan.

Approximately 71% of the proposed R-5 project is Open Space.

Staff recommends conditions of approval requiring landscaping that complies with the City's Water Wise Landscaping and Wildland-Urban Interface requirements. The Landscaping Plan should include Landscaping that effectively screens the perimeter of the Structure.

6. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Building is located within the Historic District.

LMC Section 15-5-5(E-F) prohibits certain roofing materials and roof shapes. Staff recommends a condition of approval requiring the Solar Reflective Index value of any proposed roofing materials to be less than 35.

Staff recommends a condition of approval requiring the roof slope to be angled downward to follow the slope of the site.

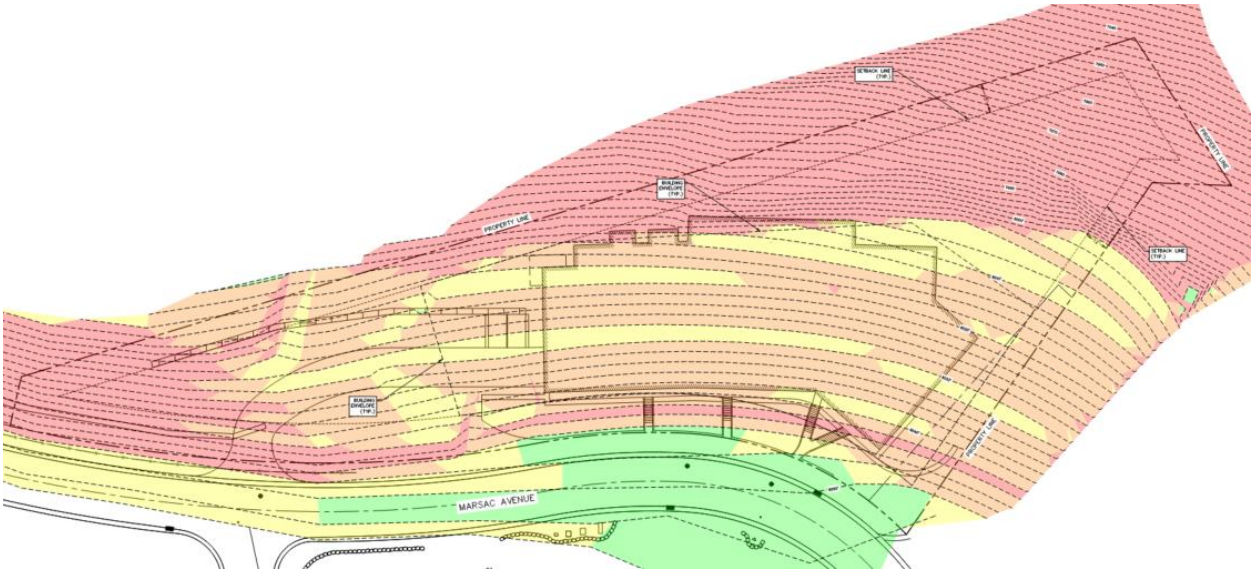
(II) The Applicant proposes development on Very Steep Slopes at the R-5 site.

The R-5 and Water Tank sites are in the Sensitive Land Overlay. LMC Section 15-15-1 defines Very Steep Slopes as Slopes greater than 40%. The Applicant proposes approximately 3% of the Building Footprint on Very Steep Slopes. A significant portion of the Building Footprint is proposed within 50 feet of Very Steep Slopes.

Staff recommends the Applicant update their volumetrics to remove the Building Footprint from Very Steep Slopes and to update the Argus (R-5) Subdivision to include an Area of Disturbance that limits future construction to areas without Very Steep Slopes, excluding a portion where access to Marsac Avenue is required.

Portions of the proposed Argus (R-5) Lot, particularly the southern and western areas,

contain Very Steep Slopes (shaded in red):



Proposed development must meet the requirements of LMC Section 15-2.21-4(A), which prohibits development on or within 50 feet of Very Steep Slopes unless the Planning Commission makes specific findings to support development on Very Steep Slopes.

The Applicant requests a variance to allow building within 50 feet of Very Steep Slopes and cited prior approvals for development on Very Steep Slopes at Empire Pass. LMC Section 15-2.21-4(A) requires the Planning Commission to make seven findings to approve development on Very Steep Slopes. Staff analysis is included below each required finding in *italics*:

1. Varying the Setback does not create an intrusion by Buildings into the Ridge Line Area when viewed from designated Vantage Points, Section 15-2.21-3(A)(4), or other Vantage Points designated by the Planning staff or Commission, Section 15-2.21-3(B)(1).

The proposed Lot is within an elevation range of 7,940' to 8,055 feet. The Lot does not include Ridge Lines. The figure below shows the Lot in relation to the nearest Ridge Lines. The nearest Ridge Lines are approximately 600 feet to the northwest and 500 feet to the northeast.



The proposed Lot is circled in Red. Ridge Lines are outlined in yellow, and Sensitive Lands are shaded in pink.

The Applicant provided Sensitive Lands Analysis prepared by Alliance Engineering showing the proposed Lot is not visible from any designated Vantage Points (Exhibit K).

2. Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to Sections 15-2.21-4(B), (C), and (E).

The Geotechnical Report prepared by Applied Geotech and submitted by the Applicant estimates excavations for the proposed Structure will require a cut of approximately 20 feet and fill less than 5 feet above original grade (Exhibit L).

3. Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios in the area of the Very Steep Slope setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal excavation/backfill Areas, whichever is greater.

Staff recommends the Applicant update their volumetrics to remove the Building Footprint from Very Steep Slopes and update the Argus R-5 Subdivision to include an Area of Disturbance that limits future construction to areas without Very Steep Slopes,

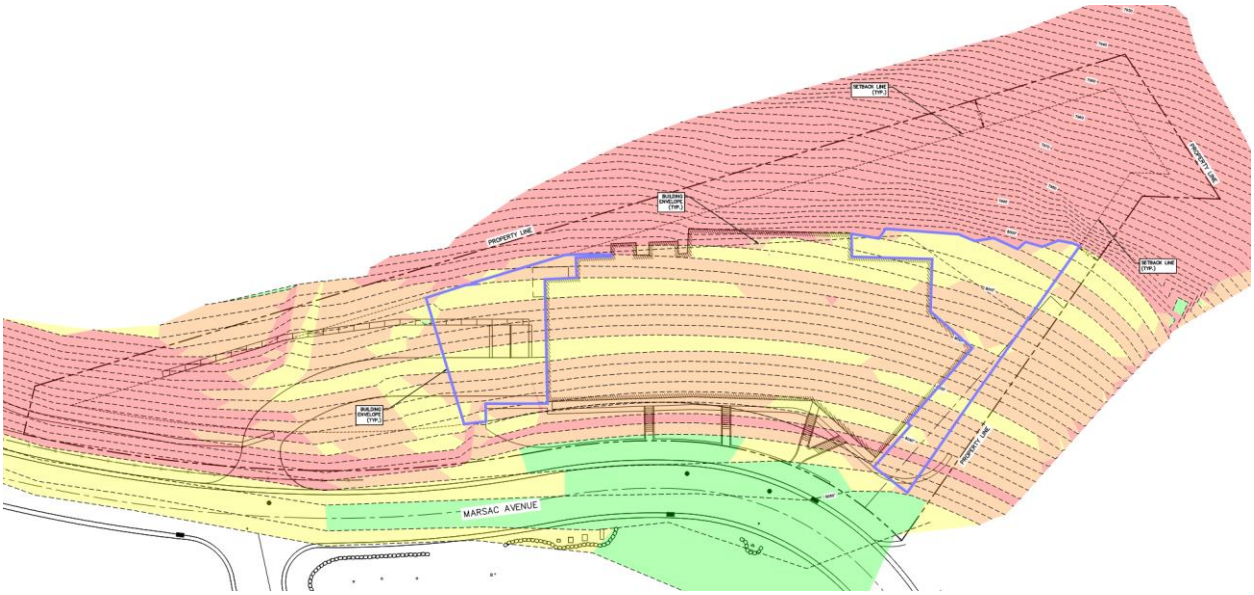
excluding a portion where access to Marsac Avenue is required.

4. No additional erosion, land subsidence, or avalanche hazard is created.

The Geotechnical Report submitted by the Applicant includes recommendations for grading and development of the site.

5. The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance.

Significant portions of the proposed Lot within the Building Envelope but outside the proposed Building Footprint do not include Very Steep Slopes (areas outlined in purple below):



These areas are more suitable for development than the Very Steep Slopes in the western portion of the site.

The Applicant did not provide analysis supporting development on Very Steep Slopes to avoid vegetation or minimize changes to the viewshed from public Areas. The Applicant's Sensitive Lands Analysis indicates the R-5 site is not visible from any designated Vantage Points in LMC Section 15-2.21-3(A)(6).

6. The reduction in Setback results in a reduction in overall project Density or Development massing as established by the Planning Staff's Site Suitability Determination.

Restricting development on Very Steep Slopes on the western portion of the Lot does not limit the overall project Density or Development massing because only a small portion of the proposed Structure (approximately 3%) is on these Very Steep Slopes.

Significant portions of the proposed Lot within the Building Envelope but outside the proposed Building Footprint do not include Very Steep Slopes. These areas could be developed while still allowing the Structure to meet required Setbacks.

7. In no case shall additional disturbance be allowed beyond the maximum area determined in the Site Development Suitability Determination (See Section 15-2.21-2(C)).

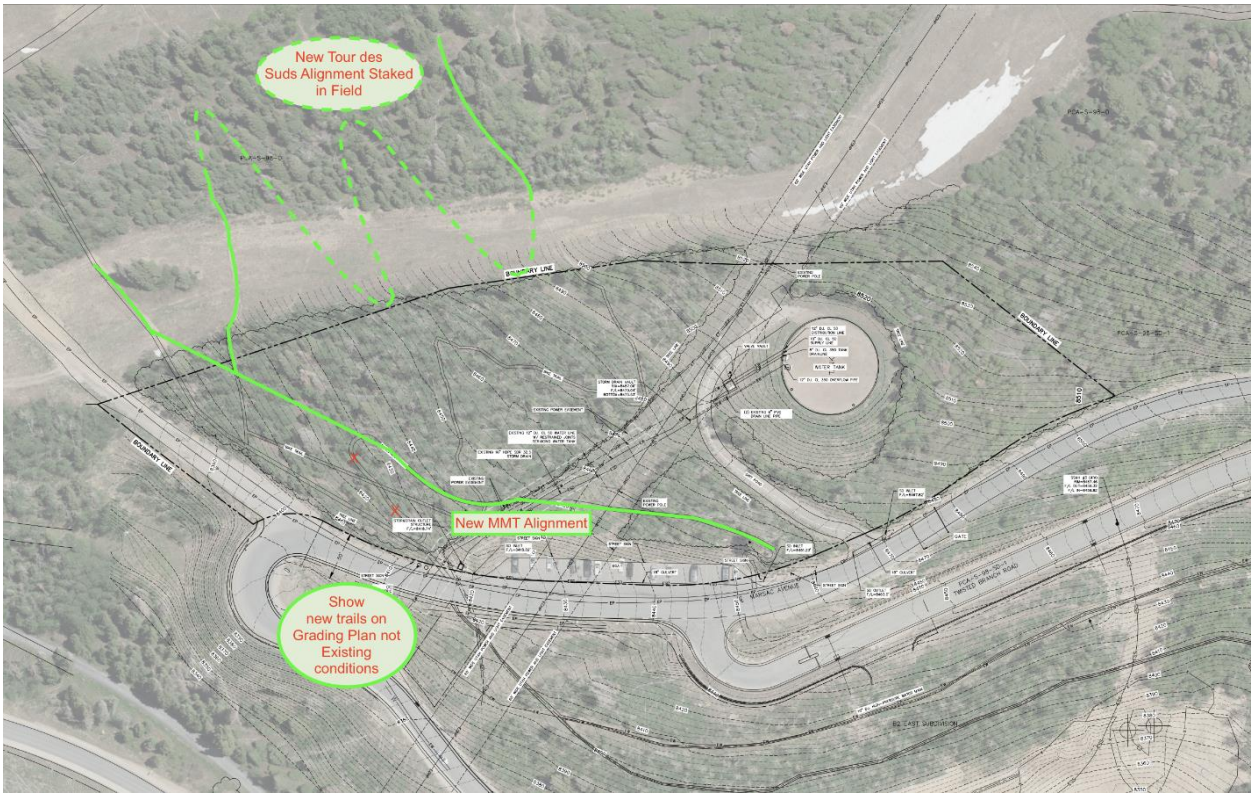
Staff recommends the Planning Commission find that the Very Steep Slopes proposed for development are not Areas suitable for Development as Developable Land.

(III) The Applicant proposes to relocate an 800-foot segment of the Empire Link Trail at the R-5 site. The Applicant also proposes adjustments to the Tour De Suds and Mid Mountain Trails at the Water Tank site.

To accommodate development of the proposed Multi-Unit Dwelling on the R-5 site, the Applicant proposes to shift an 800-foot portion of the Empire Link Trail west onto adjacent property owned by Deer Valley Resort Company (Parcel PCA-S-98-C). The Applicant states that moving the trail will improve separation between bikers and the proposed Multi-Unit Dwelling and reduce impacts associated with grading because the PCA-S-98-C parcel has gentler grades. The Applicant is coordinating proposed trail improvements with the Trails and Open Space Team. Staff recommends the following conditions of approval:

- The Applicant shall provide a trail connection from Marsac Avenue to the Empire Link Trail. The trail connection shall conform to the specifications of the City's Bicycle & Pedestrian Plan.
- The Applicant shall reconstruct an approximately 800-foot section of Empire Link Trail impacted by the proposed development along an alignment approved by the Trails and Open Space Manager. The condominium plat for the Argus (R-5) Subdivision shall show a 10-foot trail easement for those portions of Empire Link Trail on the R-5 site.

The Applicant also proposes adjustments to the Mid Mountain and Tour De Suds trails at the Water Tank site, including realigning a portion of the Tour De Suds Trail on adjacent Deer Valley property to the east:



Proposed adjustments to the Mid Mountain and Tour De Suds trails (see Exhibit M).

Staff recommends the Applicant provide additional information about the proposed adjustments to the Mid Mountain and Tour De Suds trails for Planning Commission review on August 13, 2025.

Staff recommends a condition of approval:

- The Applicant shall install a plumbed bathroom facility at Mid Mountain Trailhead in a location approved by the City. The bathroom facility shall receive all required building permits before construction may begin.

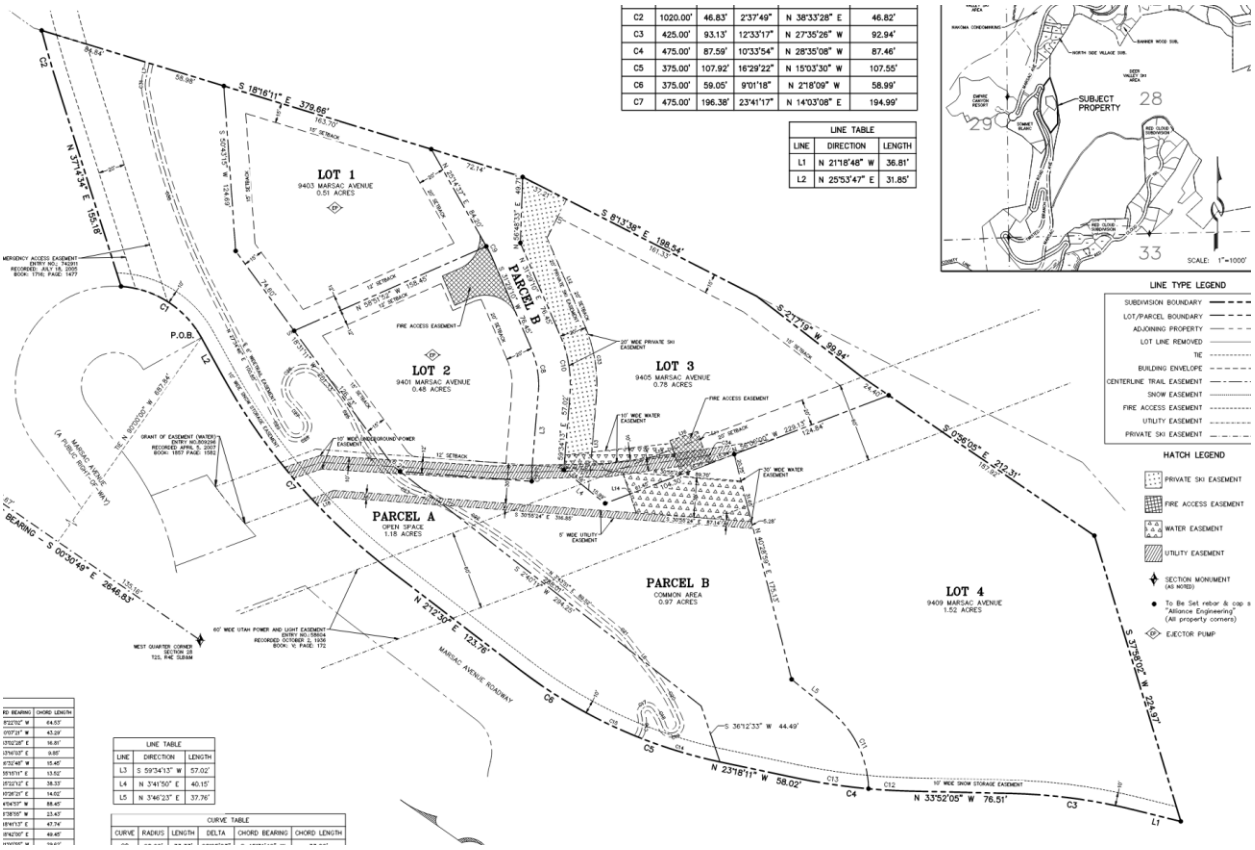
(IV) The Applicant proposes the Guardsman Subdivision to create three Lots for Single-Family Dwellings, a Lot for the existing Park City Municipal water tank, an open space common area parcel, and a parcel including the parking area for Mid Mountain Trail.

The Applicant proposes the four-lot Guardsman Subdivision:

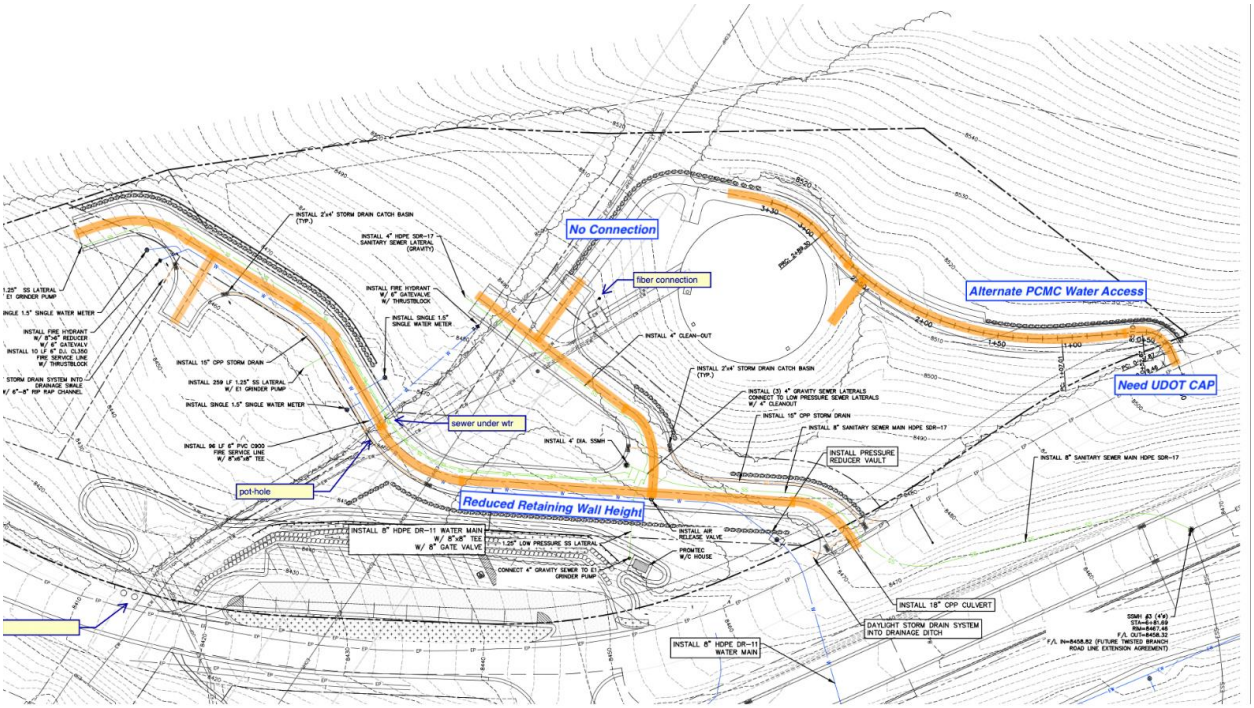
- Lot 1 (9403 Marsac Avenue) – 0.51 acres (SFD)
- Lot 2 (9401 Marsac Avenue) – 0.48 acres (SFD)
- Lot 3 (9405 Marsac Avenue) – 0.78 acres (SFD)
- Lot 4 (9409 Marsac Avenue) – 1.52 acres (water tank)
- Parcel A – 1.18 acres (Open Space – Mid Mountain Trail parking area)
- Parcel B – 0.97 acres (Common Area – Includes access road for Single-Family

Lots)

Access to Lots 1-3 is proposed via a shared driveway connecting to Marsac Avenue (Parcel B on the Subdivision Plat):



The Applicant proposes alternate access to Lot 4, which includes the City's water tank (Exhibit N):



Ordinance No. 2025-05 approving the modified Development Agreement for Flagstaff Mountain/Empire Pass requires SFDs on Lots 1-3 to be limited to 8,000 square feet Gross Residential Floor Area and prohibits the SFDs from having floors below the Basement. The Applicant proposes Plat Notes 3 and 4:

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2024-_____.
2. See Record of Survey S-_____, filed _____ _____, 202_ in the Summit County Recorders Office.
3. The gross floor area is 8,000 square feet per lot.
4. Homes may not include any floors below the basement level.

LMC Section 15-15-1 defines Gross Residential Floor Area as "The Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls."

LMC Section 15-15-1 defines Basement as "Any floor level below the First Story in a Building. Those floor levels in Buildings having only one floor level shall be classified as a Basement, unless that floor level qualifies as a First Story."

LMC Section 15-15-1 defines First Story as "The lowest Story in a Building provided the

floor level is not more than four feet below Final Grade for more than 50% of the perimeter. Can include habitable or uninhabitable Floor Area."

Staff recommends changes to Plat Notes 3 and 4. Changes are noted with underline and ~~strikethrough~~:

3. Each Single-Family Dwelling on Lots 1, 2, and 3 shall not exceed ~~The gross floor area is~~ 8,000 square feet Gross Residential Floor Area, as defined in the Park City Land Management Code ~~per lot~~.
4. No Single-Family Dwelling on Lots 1, 2, and 3 ~~Homes may not~~ shall include any floors below the ~~b~~Basement, ~~level~~ as defined in the Park City Land Management Code.

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 9, 2025. The *Park Record* published courtesy notice on July 9, 2025. Staff mailed courtesy notice to property owners within 300 feet on July 9, 2025.[4]

Public Input

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

Exhibits

A: Ordinance No. 99-30
B: 1999 Development Agreement
C: Ordinance No. 07-10
D: 2007 Amended and Restated Development Agreement
E: Proposed Argus (R-5) Subdivision Plat
F: Proposed Guardsman Subdivision Plat
G: Horrocks Engineering Review of Assumed Natural Grade (R-5)
H: Alliance Engineering Updated Assumed Natural Grade (R-5)
I: R-5 Residential Program Fit Test
J: R-5 Project Narrative
K: R-5 Sensitive Lands Analysis
L: R-5 Geotechnical Report
M: Proposed Trail Realignments (Guardsman)
N: Alternate Water Tank Access (Guardsman)

[4] LMC Section 15-1-21

Recorded at the request of and return to: Park City Municipal Corp. Attn: City Recorder P. O. Box 1480, Park City, UT 84060

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

PARK CITY 1884

00545109 Bk01277 Pg00553-00555

ALAN SPRIGGS, SUMMIT CO RECORDER
1999 JUL 28 13:11 PM FEE $.00 BY MAT
REQUEST: PARK CITY MUNICIPAL CORP

Ordinance No. 99-30

AN ORDINANCE ANNEXING APPROXIMATELY 1750 ACRES KNOWN AS FLAGSTAFF MOUNTAIN INTO THE CORPORATE LIMITS OF PARK CITY, UTAH AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO INCLUDE THE ANNEXED AREA

WHEREAS, on May 17, 1994, United Park City Mines Company (UPCM) filed an application for annexation to Park City of certain UPCM holdings within the Ontario and Daly Canyons, along with property held by several other mining companies and/or families; and

WHEREAS, the Planning Commission reviewed the proposal several times throughout 1994 and 1995, provided feedback, an d based on Planning Commission feedback, the applicant submitted a revised annexation plan on June 14, 1995; and

WHEREAS, the Planning Commission and a special Flagstaff Task Force held several meetings on the revised plan throughout the remainder of 1995 and the balance of 1996 and held public hearings on the revised plan on October 25, 1995 and November 13, 1996; and

WHEREAS, on March 26, 1997, the Planning Commission recommended annexation of the Flagstaff area, with certain development parameters; and

WHEREAS, the Council began its consideration of the Planning Commission recommendations on April 17, 1997 and continued to take staff, applicant, and public input on April 24, 25, 28 and 29 and May 1, 6, and 8, 1997; and

WHEREAS, on April 24, 1997, the Council opened a public hearing for over 350 attendees, and took testimony from 46 participants. The public sentiment revealed support for annexation, but concerns regarding the development parameters; and

WHEREAS, the City mailed and published notice of the proposed annexation and annexation policy declaration to all affected entities and received no protest to the annexation; and

WHEREAS, on May 10, 1997, the Council concluded in Resolution No. 10-97 that annexation was appropriate and that many, but not all, of the proposed development parameters could be accommodated in the Flagstaff area; and

WHEREAS, without withdrawing its annexation petition, the applicant rejected the Council's 1997 development parameters, and began to pursue development in unincorporated Summit and Wasatch Counties; and

WHEREAS, on July 8, 1998, the applicant approached the Council with a renewed desire to annex and with additional offers of on and off-site transportation facilities, utilities, enhancements, and recreation amenities; and

WHEREAS, the Council convened several work sessions, an additional public meeting, and facilitated interest group meetings to consider new development parameters; and

WHEREAS, on August 27, 1998, approximately 100 people attended, and over 20 individuals commented on new draft development parameters; and

WHEREAS, based on public input, Council further negotiated improved development parameters; and

WHEREAS, on September 10, 1998, the Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels; and

WHEREAS, a Development Agreement has been negotiated between the City and the Developer setting forth the terms of the September 10, 1998 resolution and further terms and conditions; and

WHEREAS, the City Council has held several public meetings on the proposed Development Agreement and has taken public input at those meetings; and

WHEREAS, the Property is not included within any other municipal jurisdiction and there have been no protests filed by any other jurisdictions;

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

SECTION 1. ANNEXATION. The property is hereby annexed to the corporate limits of Park City, UT according to the annexation plat executed in substantially the same form as it is attached hereto as Exhibit A. The property so annexed shall enjoy the privileges of Park City and shall be subject to all City levies and assessments including those described in the Development Agreement, attached hereto as Exhibit B. The property shall be subject to all City laws, rules, and regulations.

SECTION 2. COMPLIANCE WITH STATE LAW AND THE PARK CITY GENERAL PLAN. The annexation meets the standards for annexation set forth in Title 10, Chapter 2, of the Utah Code and the Park City General Plan.

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of Park City, as adopted by Section 1.9 of the Park City Land Management Code, is hereby amended to include the Flagstaff Annexation as depicted in Exhibit A.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon recordation of the annexation plat.

PASSED AND ADOPTED this 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Approved as to form:

Jodi Hoffman, City Attorney

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FLAGSTAFF MOUNTAIN AT DEER VALLEY

Boundary Description

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft and also being North 04°39'13" East 1303.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South Range, 4 East, Salt Lake Base and Meridian and running Northeasterly along said demarcation and ridge line :

North 44°09'00" East 1236.63 feet; thence North 35°07'44" East 548.54 feet; thence North 37°33'27" East 779.84 feet; thence North 49°33'13" East 616.72 feet; thence North 71°34'40" East 644.26 feet; thence North 30°09'00" East 354.14 feet; thence North 20°48'44" East 698.015 feet; thence North 10°48'36" East 569.75 feet; thence North 23°55'00" East 604.00 feet; thence North 87°35'00" East 778.00 feet; thence North 77°17'18" East 735.40 feet; thence North 82°14' East 672.44 feet more or less to a point on the Westerly boundary line of the "Anchor Tunnel Portal Mining Reservation", said point being North 39°17'38" East 942.39 feet more or less from the Southwest corner of Section 21 Township 2 South, Range 4.East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulch; thence along said ridgeline the following eight courses: thence North 64°44'13" East 136.79 feet; thence North 67°45'58" East 149.28 feet; thence North 81°11'10" East 122.88 feet; thence North 77°19'44" East 85.84 feet; thence North 77°48'30" East 79.25 feet; thence North 86°11'16" East 94.42 feet; thence South 72°54'27" East 85.42 feet; thence South 71°42'35" East 163.49 feet more or less to a point on the westerly right -of-way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79°18'06" West 5.00 feet more or less, from Map Point A-1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right-of-way the following fifteen (15) courses: North 10°41'54" East 76.70 feet; thence North 15°21'41" East 116.20 feet; thence North 56°44'38" East 142.80 feet; thence North 46°47'25" East 123.00 feet; thence North 35°09'16" East 88.70 feet; thence North 32°14'53" East 101.60 feet; thence North 32°00'03" East 159.20 feet; thence North 33°26'55" East 136.00 feet; thence North 38° 27'54" East 138.00 feet; thence North 27°54'51" East 126.00 feet; thence North 31°30'07" East 96.20 feet; thence North 40°35'50" East 110.80 feet; thence North 50°15'25" East 92.50 feet; thence North 56°00'00" East 94.90 feet; thence North 50°23'25" East 105.09 feet; thence North 47°29'30" East 405.07 feet more or less to a point on the westerly edge of Daly Avenue; thence along said Daly Avenue the following three courses: North 32°04'00" East 296.25 feet; thence North 29°09'57" East 315.97 feet; thence North 28°18'45" East 186.56 feet, more or less, to the East-West center line of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said Section Line also being the southerly

boundary line for the corporate limits of Park City, Utah; thence South 89°59'59" East 940.12 feet, more or less, along said Section line 940.12 feet to a point on the easterly right-of-way line for Utah State Highway 224 as located in Ontario Canyon; thence along said highway the following 12 courses; South 00°15'34" West 115.59 feet to a point on a 1,482.39 foot radius curve to the left; thence Southwesterly along the arc of said curve through a central angle of 15°23'33"398.24 feet more or less; thence South 15°39'07" West 559.69 feet to a point on a 5,679.58 foot radius curve to the left; thence Southwesterly along the arc of said curve, through a central angle of 06°11'23", a distance of 613.57 feet; thence South 09°27'44" West 368.77 feet to a point on a 1,382.39 foot radius curve to the left; thence southerly along the arc of said curve, through a central angle of 16°06'55", a distance of 388.82 feet; thence South 6°39'11" East 217.32 feet to a point on a 586.62 foot radius curve to the left; thence southeasterly along the arc of said curve, through a central angle of 48°51'38", a distance of 500.26 feet; thence South 55°30'59" East 87.30 feet to a point on a 686.62 foot radius curve to the right; thence along the arc of said curve, through a central angle of 30°23'53", a distance of 364.28 feet; fhence South 25°06'53" East 397.14 feet to a point on a 508.37 foot radius curve to the right; fhence along the arc of said curve, through a central angle of 21°36'53", a distance of 191.78 feet; thence South 3°30'00" East 63.08 feet to a point on a 220.00 foot radius curve to the left; thence along the arc of said curve, through a central angle of 55°51'14", a distance of 214.46 feet; thence South 31°30'00" West 68.20 feet; thence South 79°38'18"West 45.49 feet to a point on the southeasterly boundary of the Ontario Number 3 Shaft Mining Reservation; thence South 79°59'46" West 300.78 feet more or less along the southeastern edge of said Mining Reservation; thence South 17°09'45" East 88.76 feet more or less to a point on a piece of property that is the subject of Entry Number 158551 of the Summit County Records; thence along said parcel the following five courses: South 955.96 feet; thence North 69° East 360.00 Feet; thence South 29°20' West 117.60 feet; thence North 78°10' East 714.30 feet; thence East 1,106.71 feet more or less to a point the Wasatch-Summit County line: thence along said Wasatch – Summit County line. The following thirty courses: South 04°15'00" East 1,028.07 feet; thence South 25°30'30" East 2,521.90 feet to County Line Point 51;thence South 29°50'00" West 1,398.30 Feet to County Line Point 55; thence South 4°19'00" West 1,320.70 feet to County Line Point 58; thence South 47°05'00" West 369.50 feet to a County Line Point; thence South 83°34'00" West 69.10 feet to County Line Point 59; thence South 47°42'00" West 1,207.40 feet to County Line Point 62A; thence North 39°53'30" West 1,352.50 feet to County Line Point 64; thence North 72°50'00" West 317.30 feet to County Line Point 65; thence North 46°45'00" West 87.90 feet to County Line Point 66; thence North 70°57'00" West 502.00 feet to County Line Point 67; thence North 51°56'00" West 481.90 feet to County Line Point 68; thence North 55°53'00" West 466.80 feet to County Line Point 69 feet; thence North 21°49'00" West 317.40 feet to County Line Point 70; thence North 59°57'00" West 360.50 feet to County Line Point and Triangulation Point; thence North 33°22'30" West 467.10 feet to County Line Point 71; thence South 85°10'30" West 492.30 feet to County Line Point 72; thence South 54°42'30" West 453.20 feet to County Line Point 73; thence South 88°55'30" West 344.00 feet to County Line Point 74; thence North 82°52'30" West 1,132.30 feet to

County Line Point 77; thence North 59°43'30" West 1,074.55 feet to County Line Point 2338; thence North 79°07'30" West 494.73 feet to County Line Point 80; thence North 70°28'30" West 339.90 feet to County Line Point 81; thence North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence North 64°07'00" West 727.60 feet to County Line Point 83; thence South 77°44'00" West 966.80 feet to County Line Point 85; thence North 77°28'00" West 161.00 feet to a County Line Point and Triangulation Point 2340 which is also Judge Triangulation Point Q; thence South 85°36'00" West 219.10 feet to County Line Point 86; thence North 46°44'00" West 384.70 feet to County Line Point 87; thence North 34°37'00" West 1,077.30 feet, more or less to county Line Point 2343 the point of beginning. Said Parcel contains 1,655.4 acres more or less.

EXHIBIT B

Refer to Recorder File 99-

Recorded this ___ day of

_____, 1999

at Book #___ Page #_____.

ORIGINAL

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

Recorded at the request of and return to: Park City Municipal Corp. Attn: City Recorder P. O. Box 1480, Park City, UT 84060

DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

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ALAN SPRIGGS, SUMMIT CO RECORDER
1999 JUL 26 10:36 AM FEE $.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 24th day of June, 1999, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit D attached

hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement; and

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER has further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain; and

G. WHEREAS, the Parties intend to enter into this Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain into the City.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the

[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 84 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of

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[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least sixty-five percent (65%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

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[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

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[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

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[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 84 acres.

2.2.1.3. **Maximum Density**. The maximum density within the Mountain Village is 705 Unit Equivalents configured in no more than 470 residential units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village**. At least 65% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal. The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited. The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement, may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/subdivision review. The Northside Neighborhood may also contain a 1000 sq. ft. non-denominational Chapel, that will remain open and reasonably available to the public.[8]

2.4.1 **Small Scale MPD.** The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the

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[8] No utility extension will be allowed for the Chapel. Power may be allowed if it is readily accessible. Location of the Chapel cannot cause the extension of an improved road. Siting and construction must comply with all Code provisions.

maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.[9] In all circumstances, DEVELOPER and DEER VALLEY shall limit development in the Northside Neighborhood as follows:

2.4.1.1. **Meadow Restriction.** Homes shall not be in the meadow area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.2. **Ski Run Separation.** Limits of disturbance for each site shall be a minimum of 50 feet from any ski run.

2.4.1.3. **Viewpoint Restrictions**. Structures and roads must be configured to minimize road and utility impacts and to minimize wintertime visual impacts[10] from ski runs and designated viewpoints, including but not limited to the knoll behind the terminus of what is presently known as the Northside chairlift.

2.4.1.4. **Public Trails**. Consistent with the Trails Master Plan, DEVELOPER, DEER VALLEY, and Northside Neighborhood Property Owners shall dedicate to the City improved public trails and trail easements that connect to the surrounding trail system. Where trails pass through the Deer Valley Ski Area, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations. Such rules

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[9] If Park City Star, Bransford or Mayflower do not reach an agreement with DEVELOPER and DEER VALLEY with respect to the joint development of the detached single family homes within the Northside Neighborhood, then DEVELOPER and DEER VALLEY shall grant to the City the right to connect to the utility lines and to grant limited access to roads within the Northside Neighborhood without cost to serve the remaining property owners.

[10] As well as summertime visual impacts.

may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.4.1.5. **Enchanted Forest**. No development shall occur in the "Enchanted Forest" area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.6. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall record perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which shall prevent the construction thereon of residential, commercial and retail structures but shall allow ski-related uses.

2.4.2. **Northside Neighborhood Conservation Plan.** DEVELOPER and DEER VALLEY agree to refrain from transferring, improving or developing the Northside Neighborhood for 3 years, from the date of this Agreement to facilitate the potential of (a) the fee simple sale of the Northside Neighborhood, or (b) the sale and transfer of the development rights from the Northside Neighborhood. In either case, the sale would be completed within said time period and would be to a conservation buyer or buyers at fair market value at the date of purchase. Fair market value in this context shall reflect the entitlement for single family detached units set forth in the Large Scale Master Plan and this Agreement or, if the Small Scale Master Plan has been issued, as reflected in the Small Scale Master Plan for the Northside Neighborhood. The three-year period noted above shall not limit the Planning Commission's authority in connection with approval of the phasing plans required in sections 2.1.10 and 2.1.11.

2.5. **Ski-Related Development.** Subject to conditional use review, DEER VALLEY may construct a skier day lodge of a maximum of 35,000 square feet, in the approximate location depicted on Exhibit A. The day lodge

shall have no public road access and no day skier parking, must have adequate emergency vehicle access, and shall have only limited parking to meet service and administrative requirements. DEER VALLEY shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 20% of the commercial Unit Equivalents approved by the City for the day lodge prior to issuance of a Certificate of Occupancy for the day lodge.

2.5.1 **Conditional Use (Administrative).** Ski terrain and ski-related development is an administrative conditional use within the Project, consistent with the Deer Valley Ski Area Master Plan depicted in Exhibit F attached hereto, provided that only two graded runs shall be allowed in ski Pod Z, with thinning and other limited vegetation removal in the balance of Pod Z for skier safety and glade skiing. Review of ski terrain and ski-related development shall include, but shall not be limited to consideration of the following:

2.5.1.1 Openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible.

2.5.1.2 Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.

2.5.1.3 Lift towers shall be painted or otherwise treated to blend with the natural surroundings.

2.5.1.4 Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the "Deer Valley Resort Company Ski Run Construction and Revegetation Standards" attached hereto as Exhibit G. The objective shall be to achieve a vegetative condition that enhances the skier experience and long

term forest health. Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style[11]), at a location to be determined at the Small Scale MPD phase, with emergency access only, and no private vehicular access or parking. The size of the private restaurant shall be determined at Small Scale MPD review and shall not exceed 7000 square feet.

2.7 Silver Mine Adventure. DEVELOPER may continue to operate the Silver Mine Adventure on the Ontario Mine Site as a valid, non-conforming use. Any change or expansion of use shall be processed in accordance with the LMC in effect at the time of the DEVELOPER's submission of a complete application for the proposed expansion.

2.8 Access and Alignment of S.R. 224. DEVELOPER shall access Flagstaff Mountain by means of S.R. 224, and a private road system. DEVELOPER shall realign a portion of S.R. 224 in the approximate location set forth on Exhibit H attached hereto, and shall construct a private road system for Flagstaff Mountain in the approximate location depicted on Exhibit H. The Parties agree to the following access and alignment of the road systems within Flagstaff Mountain:

2.8.1 **Alignment.** Upon Planning Commission approval of the first Small Scale MPD for Flagstaff Mountain, DEVELOPER shall petition to vacate the existing S.R. 224 alignment and, if granted, shall realign and dedicate the relocated S.R. 224 right of way to a standard similar to the existing S.R. 224 (with an asphalt surface for dust control). Such alignment shall be as generally depicted on Exhibit H. DEVELOPER shall block and prohibit vehicular access over the discontinued historic alignment of S.R. 224.

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[11] Beano's is a 7000 square foot private restaurant. This reference to a Beano's-style restaurant is not intended to predetermine the Planning Commission's decision regarding the maximum allowable size of such a restaurant.

Access over the realigned S.R. 224 shall remain seasonal (warm weather only). Upon completion of construction thereof, to the reasonable satisfaction of the City Engineer, the City shall accept the dedication of public roads under its jurisdiction identified on Exhibit H, or as determined by the Council, upon recommendation of the Planning Commission through the Small Scale MPD and subdivision processes.

2.8.2 **Private Road.** Upon Small Scale MPD approval, and only to the extent of the Small Scale MPD approval, DEVELOPER shall construct a private road system within Flagstaff Mountain, as depicted in Exhibit H, over which DEVELOPER shall maintain all-season access throughout the year.

2.8.3 **Seasonal, Controlled Automobile Access.** DEVELOPER shall support and shall not undermine seasonal closure of realigned S.R. 224 and shall control motorized vehicular access from S.R. 224 to the private road system to prevent vehicular through traffic.

2.8.4 **Emergency Deer Valley Access.** The Project's seasonal emergency secondary access is through the Deer Valley Ski Area generally as depicted on Exhibit I and crash-gated in the approximate locations shown on Exhibit I. DEER VALLEY shall provide the City and the Park City Fire Service District with keys and/or combinations to the gates. The emergency access is necessary as a controlled evacuation route and as an emergency access for fire and safety personnel and equipment only. The secondary access route is an important ski run to the Deer Valley Ski Area that, in all but the most exceptional circumstances, will be used by skiers and over-the-snow vehicles. The Park City Fire Marshall may cause the access to be plowed and placed into winter service for emergency and evacuation purposes in that

exceptional emergency situation when normal road access to Flagstaff Mountain is interrupted for an extended period.[12]

2.8.5 **Controlled Snowmobile Access.** Winter snowmobile access to Brighton Estates and to Bonanza Flats is presently available over portions of S.R. 224. DEVELOPER and DEER VALLEY shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of S.R. 224 within the Project that are presently used or alternatively over similar portions of S.R. 224 as may be relocated. DEVELOPER and DEER VALLEY shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns S.R. 224. The current recreational snowmobile concession in Flagstaff Mountain shall be eliminated with the relocation of S.R. 224.

2.8.6 **DEVELOPER's Consent to Transfer**. DEVELOPER consents to cooperate with the City in any state transfer of any portion of S.R 224.

2.9 **Flagstaff Mountain Mitigation/Amenities.** At the City's request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:

2.9.1 **Trails.** DEVELOPER shall construct, maintain and commit to free public use, an improved public trail system as set forth in an approved Trails Master Plan. The construction of the trails shall be phased with the progress of the development of the Project. Existing trails shall remain open to the public until provisional or final trails have been constructed. Final trail locations may vary due to field conditions and season. Relocation of any trails shall be identified in the Trails Master Plan. Where the trails pass through the Deer Valley Ski Area, or are located on non-development lands owned or controlled by Deer Valley, Deer

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[12] The Park City Fire Marshall may not cause the access to be plowed simply for pubic convenience.

Valley shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for trail use, including reasonable rules and regulations intended to prevent or minimize conflict between potential trail uses. Pedestrian and bicycle uses of the trail system shall not be prohibited or restricted without being so identified in the Trails Master Plan.

2.9.2 **Gondola.** If approved by the City, DEVELOPER shall construct a gondola from a location in or near Old Town to a terminus in the Mountain Village. DEVELOPER shall submit to the City a complete written description comparing the development scenarios for Flagstaff Mountain with the construction of a gondola and without the construction of a gondola. The City agrees to work expeditiously through the public process with respect to making a final decision regarding the construction of a gondola as set forth in this Section.

2.9.3 **No Gondola Alternative.** If the City determines that the construction of a gondola is not feasible or in the public interest, then: a) DEVELOPER shall contribute $1,000,000 in cash to the City to be used specifically for other traffic mitigation projects in the City related to the Project, and b) pursuant to an approved Specific Transit Plan or a Parking Management Plan, and in addition to all other commitments herein, DEVELOPER shall expend an additional $1,000,000 ($2,000,000 total) for traffic mitigation beneficial to the Project. If DEVELOPER is required to expend $1,000,000 for traffic mitigation directly related to the Project, then such traffic mitigation expenses and the timing thereof shall be set forth in the Specific Transit Plan.

2.9.4 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to

dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

2.9.5 **Enhanced Environmental Protection.** DEVELOPER shall limit the construction or installation of wood-burning devices to one wood-burning device in each of the 54 single-family homes in the Project. DEVELOPER shall not request approval from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within the Project, DEVELOPER shall have the right to construct one wood-burning device in each such lodge or hotel.

2.9.6 **Lady Morgan Springs Open Space (Passive Use).** The Lady Morgan Springs Area[13], shall be restricted, by conservation easements acceptable to the City, and signs and monitoring, if necessary, to limit use of the area to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. Neither construction activity nor motorized vehicular use of any kind shall be allowed in the Lady Morgan Springs Area, except as allowed, with City staff approval, for forestry and wetlands management.

2.9.7 **Open Space (Active).** All land outside of the development areas (ski terrain and open space designated on Exhibit A) will be zoned as Recreation Open Space (ROS-MPD). Upon issuance of the first Small Scale MPD for any portion of the Project, DEVELOPER and DEER VALLEY shall execute a conservation easement, for the benefit of the City and a third party conservation trust (or similar entity), to limit their use of the Flagstaff Mountain ski terrain to construction, development and operation of ski and mountain bike lifts, ski and mountain bike

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[13] Described and depicted on Exhibit J, and as further defined in the Small Scale MPD process.

runs, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements shall prohibit any hotel, lodging, residential or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.8 **Open Space (Prospect Ridge).** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall grant to the City a conservation easement, with free public trail access, without encumbrances, over acreage located on Prospect Ridge, contiguous with City-owned open space. The conservation easement area on Prospect Ridge is identified on Exhibit K attached hereto. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.9 **Open Space (Iron Mountain).** Upon the issuance of any Small Scale MPD, for any portion of the Project, DEVELOPER shall deed restrict or transfer to Park City, the Iron Mountain Parcels with City-approved encumbrances. In connection with such dedication, DEVELOPER shall reserve to DEVELOPER the right to lease to third parties the Iron Mountain Parcels for ski and other environmentally sensitive recreational uses. Such reservation shall not include the right to cut runs, glade, or thin trees, or construct or install ski lifts or developed alpine ski runs. DEVELOPER shall also reserve the right to retain all rent, proceeds and other consideration resulting from or generated by DEVELOPER leasing the Iron Mountain Parcels to third parties for ski and recreation-related uses. DEVELOPER shall indemnify, defend and hold the City harmless from any claim arising from DEVELOPER's or a third party lessee's use of the Iron Mountain Parcels. Nothing herein should be construed to

limit or waive governmental immunity with respect to claims made against the City.

2.9.10 **Neighborhood-Specific Design Guidelines.** DEVELOPER shall incorporate a Master Resort Association for Flagstaff Mountain and a Project-specific Property Owners' Association for the Mountain Village and Northside Neighborhood areas to cooperatively manage certain aspects of the Project. The Design Guidelines for both the Project and Bonanza Flats must emphasize a strong, common architectural theme, and shall be enforceable by one or more of the above-mentioned Associations.

2.9.11 **Public Safety.** A comprehensive emergency response plan will be required. The proposal includes a public safety site, at a minimum. The final public safety and emergency access plan must be determined prior to any permit issuance and only after coordination with the affected entities, such as the Park City Fire Service District.

2.9.12 **Sandridge Parking Lots**. Prior to the issuance of a Small Scale MPD for any portion of Flagstaff Mountain, DEVELOPER shall irrevocably offer to dedicate to the City a conversation easement, or deed, satisfactory to the City to preserve the Sandridge Parking Lots, described in Exhibit L as a public parking facility. Such interest shall be offered with no outstanding monetary encumbrances.

2.9.13 **Sandridge Heights Property**. Developer further agrees to limit its use of its Sandridge Heights property, described in Exhibit L, to either affordable housing or open space.

2.10 FLAGSTAFF MOUNTAIN MITIGATION MEASURES:

2.10.1 **Water System.** DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery

system within Flagstaff Mountain to serve the Project, including all fire flow and irrigation needs.

2.10.1.1 **Withdrawal of Water Protests.** DEVELOPER shall immediately withdraw its protests to the City's pending water change application(s) before the State Engineer and agrees not to protest future City applications before the State Engineer.

2.10.1.2 **Water Source.** DEVELOPER shall design and construct a water source and delivery system to transport water from the water source to Flagstaff Mountain and to dedicate that system to the City. DEVELOPER and the City anticipate that such delivery system will include the development of a well of sufficient capacity to serve the Project.

2.10.1.3 **Group II Rights.** The City and DEVELOPER agree to file a joint application with the State Engineer to convert to municipal use within the boundaries of the Park City Water Service District all "Group II" water rights owned by both parties. The joint application will list all mutual points of diversion, all of the City's municipal sources, and all of DEVELOPER's sources including the proposed Ontario and Empire Canyon Wells. DEVELOPER and the City shall divide the Group II rights approved for municipal use evenly, with DEVELOPER and the City each taking ownership of one-half of the total approved rights. DEVELOPER agrees to sell exclusively to the City its portion of the approved Group II water rights and DEVELOPER's interest in its Theriot Springs and Haueter Springs water rights (Weber Decree Award #456, #467 and #468)

collectively referred to herein as the "Committed Water".

2.10.1.4 **Committed Water.** Once approved for municipal use, all Committed Water shall be leased to the City at a nominal cost and will therefore be unavailable for sale to others. DEVELOPER shall dedicate the Committed Water to the City, and the City shall pay to DEVELOPER from time to time an amount equal to the water development impact fees actually collected by the Park City Water Service District from the development of Flagstaff Mountain. Each such payment from the City to DEVELOPER shall be paid within 30 days following the receipt by the Park City Water Service District of each such water development impact fee.

2.10.1.5 **Excess Water Rights.** If after ten (10) years or 90% buildout of Flagstaff Mountain and Bonanza Flats, whichever last occurs, DEVELOPER retains water rights in excess of the water demand for both projects, the City may purchase the excess water rights from DEVELOPER at fair market value based on an appraisal from a mutually agreed upon appraiser or the City may relinquish its interest in the excess water rights. The City shall elect to either purchase (some or all of the excess water rights) or relinquish its interest in the excess water rights within 180 days of written notice of the expiration of 10 years or 90% buildout of both projects, whichever last occurs. If the City takes no action within the 180 days, City will be deemed to have relinquished its interest in the excess water rights.

2.10.1.6 **Impact Fees and Water Rates.** The City will charge water development and connection impact fees

and water rates within the Project in an amount equal to the water development and connection impact fees and water rates charged to other water users within the Park City Water Service District, unless extraordinary costs can be identified by the City and fairly assigned to the water users within the Project.

2.10.2 Transportation and Traffic Mitigation. DEVELOPER has agreed to provide the following transportation and traffic mitigation measures.[14] Prior to the issuance of a Certificate of Occupancy within the Mountain Village,[15] the DEVELOPER shall provide the following to reduce the traffic anticipated by the Project:

2.10.2.1 **Van and Shuttle Service.** DEVELOPER shall provide for its owners, employees and guests, van and shuttle service alternatives consisting of regular circulator service within the Mountain Village and service from the Mountain Village to key destinations such as the Salt Lake International Airport, Main Street, Silver Lake, golf courses, and recreational trail heads.

2.10.2.2 **Road and Intersection Improvements.** Attached hereto as Exhibit M is a map and a more detailed list of improvements, which shall be constructed by DEVELOPER in satisfaction of this obligation. Prior to the construction of any of the improvements described below, the City shall review and approve or reject with suggested changes all plans, drawings and specifications with respect to the alignment and construction of such road and intersection

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[14] However, within the Small Scale MPD process, the City may conclude that these transportation and traffic measures should be reduced, and will modify DEVELOPER's obligations accordingly.
[15] Except for DEER VALLEY's day lodge pursuant to paragraph 2.5 herein.

improvements. Following DEVELOPER's completion of the construction of such improvements, DEVELOPER shall offer to dedicate such improvements to the appropriate governmental entity.

2.10.2.3 **Contribution to Marsac Roundabout.** DEVELOPER shall financially participate in the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. DEVELOPER is responsible for paying its proportionate share (determined by projected traffic generation) of the City's cost of such reconstruction to mitigate the impact of the Flagstaff Mountain and Bonanza Flats projects on the intersection.

2.10.2.4 **Runaway Truck Lane**. DEVELOPER, or an affiliate of DEVELOPER, shall construct a run-away truck lane on the Mine Road section of S.R. 224, as described on Exhibit N attached hereto. DEVELOPER expects to dedicate the Runaway Truck Lane to UDOT.

2.10.2.5 **Mine Road Widening**. Upon Planning Commission recommendation, DEVELOPER shall widen the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.2.6 **Mine Road Passing Lane**. Upon Planning Commission recommendation, DEVELOPER shall create and dedicate a passing lane on the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.2.7 **Drainage Improvements.** DEVELOPER shall improve drainage to S.R. 224 as described on

Exhibit M attached hereto.

2.10.2.8 **Landscaping.** Upon Planning Commission approval, DEVELOPER may construct and create, at DEVELOPER'S sole cost and expense, landscape improvements in the area depicted on Exhibit M, uphill from the intersection of S.R. 224 with Hillside to act as a Project entry statement.

2.10.3 **Construction Mitigation.** DEVELOPER shall provide the following measures, all to the reasonable satisfaction of the City's Chief Building Official, to mitigate the impact of construction within Flagstaff Mountain. DEVELOPER shall also adhere to the usual construction impact mitigation measures required by the City. Additional reasonable site-specific mitigation measures may be required at the Small Scale MPD phase. These measures will be permanently reflected in Covenants, Conditions and Restrictions of each development parcel. The Detailed Construction Phasing Plan to be submitted by DEVELOPER to the City shall include, without limitation, provisions pertaining to:

2.10.3.1 Limits of Disturbance and Vegetation Protection for all construction, including construction of public improvements.

2.10.3.2 Construction staging, on-site batch plants, and materials stockpiling[16] and recycling in the Daly West area to keep all excavated materials on site during the Project infrastructure and construction phases.

2.10.3.3 Construction traffic routing plan to minimize traffic impacts on Old Town and residential areas, by only allowing construction traffic to use current state roads, unless otherwise directed by the City.

2.10.3.4 Dust and soils monitoring and containment, along with

[16] Developer shall stockpile all earthen material on site.

remediation of contaminated mining waste within the areas that are disturbed during the construction of the improvements within the Project and erosion and runoff controls for the entire Project

2.10.3.5 Temporary public access trails throughout construction.

2.10.3.6 Tools and equipment storage on-site adequate to serve all construction.

2.10.4 **Employee/Affordable Housing.** DEVELOPER shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 10% of the residential and 20% of the commercial Unit Equivalents approved by the City for the Project. A minimum of 25% of the affordable housing obligation shall be located on-site within the Project, unless otherwise directed by the Housing Authority. DEVELOPER and the City shall consult with Mountainlands Housing Trust, or its equivalent (if any), to determine the type and location of employee/affordable housing which would be most effective in offsetting the demand generated from the Project. DEVELOPER shall provide the remaining 75% of the units as directed by the Housing Authority. The employee/affordable housing will be phased with the Project. Upon Planning Commission recommendation, the Housing Authority may direct DEVELOPER to:

2.10.4.1 Develop, subject to deed restrictions some of the remaining units on the 20-Acre Quinn's Junction Parcel; or

2.10.4.2 Donate in a form satisfactory to the City, without restrictions or encumbrances, the 20-Acre Quinn's Junction Parcel to the City in lieu of some or all of the remaining portion of DEVELOPER's affordable housing obligation; or

2.10.4.3 Build the units on an alternate parcel provided to DEVELOPER by the City. DEVELOPER must donate the 20-Acre Quinn's Junction Parcel to the City if the City offers to donate otherwise suitable land to DEVELOPER. If the City and DEVELOPER exchange parcels with respect to the new employee/affordable housing units, then DEVELOPER shall construct on such alternate parcel such number of new employee/affordable housing units, up to the required number of units, for which DEVELOPER is able to obtain approval. In no event shall the cost incurred by DEVELOPER to construct the new employee/affordable housing units on an alternate parcel provided by the City exceed the cost which DEVELOPER would have incurred to construct such new employee/affordable housing units on the 20-Acre Quinn's Junction Parcel; or

2.10.4.4 If mutually acceptable to DEVELOPER and the City, pay to the City a fee in lieu of constructing employee/affordable housing, consistent with the City's affordable housing policy, if such payment in lieu of constructing employee/affordable housing results in the construction or dedication of actual units for affordable /employee housing; or

2.10.4.5 Satisfy its obligation in a manner otherwise consistent with the City's affordable housing policy.

2.10.5 **5-Year Irrevocable Offer to Annex the 20-Acre Quinn's Junction Parcel**. For the next five years, DEVELOPER hereby irrevocably offers to annex the 20-Acre Quinn's Junction Parcel to the City.

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SECTION III. ADDITIONAL PUBLIC BENEFITS

In addition to the foregoing, DEVELOPER offers the following inducements to contract:

3.1 **Richardson Flats**. DEVELOPER unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation of Richardson Flats, to restrict development of Richardson Flats to one of the following options to be selected by DEVELOPER, at DEVELOPER'S sole discretion:

Option 1. Under Option one DEVELOPER must limit the use of Richardson Flats to golf (with the requisite clubhouse, maintenance buildings and other related improvements), equestrian uses (including the construction of an arena or indoor equestrian center), and/or such other public recreational opportunities or special events as the City may deem proper. In the event DEVELOPER is able to obtain necessary approvals from EPA and/or DEQ, then DEVELOPER must construct on Richardson Flats a golf course, clubhouse, and driving range with adequate[17] provisions for defined public access.

Option 2. Under Option two, DEVELOPER must limit the use of Richardson Flats to an 18-hole golf course (with the requisite clubhouse, maintenance buildings and other related improvements)[18] and would make available to the City a site for a second 18-hole golf course. The site to be donated to the City would not include land in need of environmental remediation. If a second golf course is constructed under Option two, then the City and DEVELOPER shall work cooperatively to develop shared facilities such as a driving range and golf maintenance shops.

Option 3. If, after diligent efforts, DEVELOPER cannot receive EPA or DEQ approval of the aforementioned recreational

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[17] The course must be operated to maximize play.

[18] Under Option 2 DEVELOPER may in the City's sole discretion be afforded the right to use Richardson Flats for such other public recreational opportunities or special events as the City may deem proper.

improvements, DEVELOPER will perpetually deed restrict Richardson Flats to prevent further development.[19]

3.2 **Open Space/Transit Management Fund.** DEVELOPER shall pay on each transfer of DEVELOPER's land, and shall separately covenant with all successors in interest in a manner which runs with the land, to assess a 1% Open Space/Transit Management Fee on the gross sales price of all real property within the Project. 50% of the Open Space/Transit Management Fee shall belong to the Flagstaff Mountain Master Resort Association to reduce Master Resort Association dues associated with obligations assumed herein or to enhance the Master Resort Association's service to its members. 50% of the Open Space/Transit Management Fee shall be paid to the City to assist in funding the costs and expenses for enhanced transportation to the Project, recreation improvements and/or open space acquisition, maintenance or preservation. This Open Space/Transit Management Fee shall not apply to the transfer of real property within the Project either solely as security for financing (e.g. mortgage) or for nominal consideration solely to initially capitalize the development entity. DEVELOPER acknowledges that the Project requires an open space management fee to mitigate the adverse effects of the Project. As such, DEVELOPER covenants that it will pay this fee as a contractual obligation, and not as a regulated entity. DEVELOPER shall vigorously defend the imposition of such fees. DEVELOPER shall not take any action (contractually, judicially, or legislatively) to challenge or otherwise adversely affect the enforceability of the Open Space/Transit Management Fee as a valid and enforceable real covenant.

SECTION IV. IMPACT FEES/PLAN CHECK FEES

4.1 **Conditions of Approval and Impact Fees.** With respect to the development of Flagstaff Mountain, DEVELOPER accepts and agrees to comply with the impact, connection and building fees of the City currently

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[19] The timing of Richardson Flats development shall be addressed in the Construction Phasing and General Infrastructure Phasing Plans required in Sections 2.1.10 and 2.1.11 with development commencing as early as possible.

in effect, or as amended, to the extent the amended fees are applied uniformly within an impact fee district. DEVELOPER acknowledges that the Project requires infrastructure supported by impact fees and finds the fees currently imposed to be a reasonable monetary expression of exactions that would otherwise be required at this time. As such, DEVELOPER covenants that it will pay impact fees as a contractual obligation, and not exclusively as a regulated entity. If the state legislature disallows the imposition of a regulatory impact fee, DEVELOPER will pay those impact fees in effect at the time of such change in state law throughout the remaining buildout of the Project. Further DEVELOPER agrees to pay plan check fees in the amount of 65% of the building permit fee.

SECTION V. BONANZA FLATS DEVELOPMENT PARAMETERS

5.1 **Restrictions on Bonanza Flats Development**. DEVELOPER covenants that it will never apply, nor assist in any application, to the City or to Wasatch County for the development of Bonanza Flats in excess of the following maximum densities. Further, DEVELOPER shall amend its development application with Wasatch County, and shall restrict development in Bonanza Flats to the following maximum densities:

5.1.1 A maximum of 260 residential units (280 Unit Equivalents), of which no more than 160 units shall be Bonanza Flats single family home sites.

5.1.2 An 18-hole golf course, including the construction of no larger than a 20,000 sq. ft club house and other golf-related facilities, with Nordic skiing thereon during the winter, all as generally depicted on Exhibit O.

5.1.3 75,000 square feet of resort-related commercial uses.

5.1.4 Alpine and Nordic ski terrain, ski runs, ski lifts and other ski-related improvements, all as depicted on Exhibit O.

5.2 **Wasatch County Approval of Bonanza Flats Development Proposal**. DEVELOPER has a pending application in Wasatch County, with respect

to Bonanza Flats, requesting density far in excess of that which the City regards as appropriate. As an inducement for the City to enter into this Agreement, DEVELOPER agrees to amend its development application with Wasatch County in order to reflect the terms and conditions of this Agreement regarding the development of Bonanza Flats. City's contractual restrictions on Bonanza Flats development are in no respect an endorsement of development on Bonanza Flats. DEVELOPER agrees that the portions of Bonanza Flats, as described on Exhibit C attached hereto, which are not to be developed shall be subjected to restrictive covenants or conservation easements, dedicated to a third party conservation trust (or similar entity), in a form acceptable to the City, so that the real property which is not to be developed shall be limited in perpetuity to recreational and open-space uses. DEVELOPER and the City acknowledge that the annexation of Bonanza Flats to the City is not being considered at this time by either the City or by DEVELOPER.

5.3 **Snyderville Basin Sewer Improvement District Annexation**. Snyderville Basin Sewer Improvement District ("SBSID") must agree to annex Bonanza Flats and agree to provide sewer service within Bonanza Flats if Park City is to provide water service to the area. SBSID capacity shall be restricted in size to accommodate no more than the restricted densities agreed to herein. If Wasatch County approves the use of Park City water for culinary use in Bonanza Flats, then DEVELOPER must apply for and pursue annexation to SBSID.

5.4 **Annexation**. If Wasatch County recommends that DEVELOPER seek annexation to the City of Bonanza Flats, then DEVELOPER shall request that the City annex Bonanza Flats. In the event that DEVELOPER requests that the City annex Bonanza Flats, the City anticipates the execution of an interlocal agreement with Wasatch County to address fiscal issues in connection with the City's annexation of Bonanza Flats.

5.5 **Request for Transfer of Bonanza Flats Density to Flagstaff Mountain**. DEVELOPER may seek approval from the City of additional density

within Flagstaff Mountain in exchange for DEVELOPER transferring approved density from Bonanza Flats and deed restricting such land as open space. City's contractual restrictions on development in Bonanza Flats in no way shall be construed as an endorsement of such densities either in Bonanza Flats nor transferred to the Mountain Village. Upon DEVELOPER's request, the City would consider such transfer. If favorably inclined to entertain such density transfer, the City would attempt in good faith to negotiate an interlocal agreement with Wasatch County to address fiscal issues associated with such action. In connection with any such request by DEVELOPER, the City may give higher priority to the transfer of multifamily or lodging units and may consider many factors, including but not limited to the following:

5.5.1 The location and quality of open space within the Bonanza Flats property that would occur as a result of the transfer;

5.5.2 The suitability of increased density in the Mountain Village;

5.5.3 The potential reduction of traffic;

5.5.4 The potential positive impacts on the transportation system;

5.5.5 The visual and other impacts to the Mountain Village; and

5.5.6 The positive and negative impacts to the Bonanza Flats Property.

5.6 **Private Road**. Consistent with an approved phasing plan for Flagstaff Mountain, DEVELOPER may construct a private controlled access road between the Flagstaff Mountain and the Bonanza Flats development areas, provided that such private road is properly controlled to prevent through access to adjacent properties and deed restricted to prevent its extension beyond the terminus depicted in Exhibit C.

5.7 **Water Service.** DEVELOPER and the City acknowledge and agree that water service and sewer service to Bonanza Flats should be provided from the same basin in order to avoid any trans-basin transfer issues. Inasmuch as the City shall be providing water service to the Project, the City and DEVELOPER desire that the City provide water service to Bonanza Flats as well. If Wasatch County: 1) approves DEVELOPER's amended

proposal for the limited development of Bonanza Flats detailed herein, and 2) approves DEVELOPER's proposal that the City provide water service to Bonanza Flats, then, subject to a City-approved infrastructure phasing plan, DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system, to service Bonanza Flats, including all fire flow and irrigation needs. DEVELOPER shall work cooperatively with the City to develop a water source or sources, including, but not limited to, making well sites, water rights and easements available to the City. The City shall provide culinary water to Bonanza Flats according to the terms of this Agreement. DEVELOPER will construct all infrastructure, including a source of water necessary to provide water service to Bonanza Flats. City water development and connection fees, as well as water rates, shall be the same as those imposed in the Project, unless the City can identify and fairly assign extraordinary costs to end users within Bonanza Flats. No water from a Weber Drainage Basin source shall be used for outdoor uses in Bonanza Flats.

5.8 **No Annexation Alternative.** If Bonanza Flats is not annexed into the City, and if the requirements described in Sections 5.3, 5.6 and 5.7 are satisfied, then DEVELOPER shall not build within Bonanza Flats more than the units described in Section 5.1 above.

5.9 **Conditions of Development of Bonanza Flats**. Regardless of the annexation of Bonanza Flats to the City, DEVELOPER agrees to the following:

5.9.1 The residential and commercial units constructed within Bonanza Flats shall not be located adjacent to the lakes within the Bonanza Flats property.

5.9.2 If Bonanza Flats is developed, but is not annexed DEVELOPER agrees to provide employee/affordable housing units consistent with its obligations in the Flagstaff Mountain annexation.

5.9.3 Within Bonanza Flats, DEVELOPER shall limit the construction of wood-burning devices to one wood-burning device per single

family unit. DEVELOPER shall not request approval from Wasatch County or from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within Bonanza Flats, DEVELOPER may construct one wood-burning device in each such lodge or hotel.

5.9.4 DEVELOPER shall pursue an interlocal agreement with Wasatch County whereby the Park City Fire Protection District will provide fire protection services within Bonanza Flats.

5.9.5 Upon reallignment of S.R. 224, DEVELOPER shall prohibit commercial snowmobile use within Bonanza Flats.

SECTION VI. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

6.1 This Agreement may be amended from time to time by mutual written consent of the Parties.

SECTION VII. IMPLEMENTATION OF THIS AGREEMENT

7.1 **Processing and Approvals.** Site specific plans shall be deemed proposed Small Scale Master Plans and shall be subject to the process and limitations set forth in the Park City Municipal Corporation Land Management Code that is in effect when the DEVELOPER submits a complete application for a Small Scale MPD.

7.2 **Cooperation in the Event of Legal Challenge.** If any third party challenges the validity, or any provision, of this Agreement, (1) the Parties shall cooperate in defending such action or proceeding, and (2) DEVELOPER shall hold harmless, and shall indemnify the City for all costs (including attorneys' fees) associated with defending this Agreement. Nothing herein shall be construed as a waiver of governmental immunity, as applicable.

7.3 **Impossibility of Performance.** If this Agreement is delayed in its effect by actions beyond the control of City or DEVELOPER, this Agreement shall remain in full force and effect during such delay. If such delay in the effect of this Agreement extends for a period of more than one year, this

Agreement shall be terminable by DEVELOPER or the City upon written notice to the other at any time after such initial one-year period. In the event of termination, all rights and obligations hereunder shall be deemed terminated, provided, however, that the parties shall cooperate to return to the status quo ante.

Section VIII. GENERAL PROVISIONS

8.1 **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits hereof shall bind and inure to the benefit of each of the Parties hereto and all successors in interest to the Parties hereto. All successors in interest shall succeed only to those benefits and burdens of this Agreement which pertain to the portion of the Project to which the successor holds title. Such titleholder is not a third party beneficiary of the remainder of this Agreement or to zoning classifications and benefits relating to other portions of the Project.

8.2 **Transfer of Property.** DEVELOPER and DEER VALLEY shall have the right, without obtaining the City's consent or approval, to assign or transfer all or any portion of its rights, but not its obligations, under this Agreement to any party acquiring an interest or estate in the Project, or any portion thereof. Third party assumption of DEVELOPER's or DEER VALLEY's obligations under this Agreement shall not relieve DEVELOPER or DEER VALLEY of any responsibility or liability with respect to the expressly assumed obligation, unless the City expressly agrees in writing to the reduction or elimination of DEVELOPER's or DEER VALLEY's responsibility or liability. DEVELOPER and DEER VALLEY shall provide notice of any proposed or completed assignment or transfer. If DEVELOPER or DEER VALLEY transfers all or any portion of the property comprising Flagstaff Mountain, Richardson Flats, Sandridge or Bonanza Flats, the transferee shall succeed to all of DEVELOPER's or DEER VALLEY's rights under this Agreement. To

the extent the City believes (in its sole discretion, considering the totality of the DEVELOPER's and/or DEER VALLEY's obligations) that the successor in interest has ample resources to secure the City's rights under this Agreement, the City may release DEVELOPER and/or DEER VALLEY from its proportionate liability under this Agreement.

8.3 **No Agency, Joint Venture or Partnership.** It is specifically understood and agreed to by and among the Parties that: (1) the subject development is a private development; (2) City, DEER VALLEY and DEVELOPER hereby renounce the existence of any form of agency relationship, joint venture or partnership among City, DEER VALLEY and DEVELOPER; and (3) nothing contained herein shall be construed as creating any such relationship among City, DEER VALLEY and DEVELOPER.

SECTION IX. MISCELLANEOUS

9.1 **Incorporation of Recitals and Introductory Paragraphs.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

9.2 **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

9.3 **Severability.** If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

9.4 **Construction.** This Agreement has been reviewed and revised by legal counsel for DEVELOPER, DEER VALLEY and the City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

9.5 **Notices.** Any notice or communication required hereunder between the Parties must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered

or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If personally delivered, a notice is given when delivered to the Party to whom it is addressed. Any Party hereto may at any time, by giving ten (10) days written notice to the other Parties hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at the address set forth below:

If to City to:
City Manager
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

Copy to:
City Attorney
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

If to DEVELOPER to:
United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

Copy to:
Craig B. Terry
Parsons Behle and Latimer
P.O. Box 45898
Salt Lake City, Utah 84145-0898

If to DEER VALLEY:
Deer Valley Resort Company
Attn: Bob Wheaton, President
2250 Deer Valley Drive South
P.O. Box 889
Park City, Utah 84060

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Copy to:
Wendy A. Faber
General Counsel
Royal Street Corporation
7620 Royal Street East, Suite 205
P.O. Box 3179
Park City, Utah 84060

9.6 **No Third Party Beneficiary.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their assigns. No other party shall have any right of action based upon any provision of this Agreement whether as third party beneficiary or otherwise.

9.7 **Counterparts and Exhibits.** This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of forty-two (42) pages, including notary acknowledgment forms, and in addition, sixteen (16) exhibits, which constitute the entire understanding and agreement of the Parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Map and Legal description of Flagstaff Mountain
Exhibit B	Map and Legal description of the Iron Mountain Parcels
Exhibit C	Map of Bonanza Flats
Exhibit D	Map and Legal description of Richardson Flats
Exhibit E	Map and Legal description of 20-Acre Quinn's Junction Parcel
Exhibit F	Deer Valley Ski Area Master Plan
Exhibit G	Deer Valley Resort Company Ski Run Construction and Revegetation Standards
Exhibit H	Guardsman Realignment
Exhibit I	Emergency Access
Exhibit J	Lady Morgan Springs Open Space Area
Exhibit K	Approximate Location of Prospect Ridge Open Space

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Exhibit L	Map of Sandridge Parking Lots and Sandridge Heights parcels
Exhibit M	Road and Intersection Improvements Detail
Exhibit N	Runaway Truck Lane
Exhibit O	Bonanza Flats golf course and ski improvements
Exhibit P	Zoning Map for Flagstaff Mountain

9.8 **Attorneys' Fees.** In the event of a dispute between any of the Parties arising under this Agreement, the prevailing Party shall be awarded its attorneys' fees and costs to enforce the terms of this Agreement.

9.9 **Duration.** This Agreement shall continue in force and effect until all obligations hereto have been satisfied. DEVELOPER shall record the approved annexation plat for Flagstaff Mountain within 30 days of the City's adoption of an annexation ordinance to annex Flagstaff Mountain. The Large Scale Master Plan for Flagstaff Mountain granted herein shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two additional years of Inaction following the expiration of such four-year period, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by UPCM and by DEER VALLEY by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council as of the 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

By: _____
Bradley A. Olch, Mayor

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

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APPROVED AS TO FORM:

Jodi Hoffman, City Attorney

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

By: Hank Rothwell
Title: President

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 2nd day of July 1999, before me, **Thomas L. O'Finnegan**, the undersigned Notary Public, personally appeared **Hank Rothwell**, personally known to me to be the President of United Park City Mines Co., on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

T. L. O'FINNEGAN
NOTARY PUBLIC • STATE of UTAH
445 MARSAC AVENUE
PARK CITY, UT 84060
COMM. EXP. 2-16-2000

Notary Public, State of Utah
Residing in Park City, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

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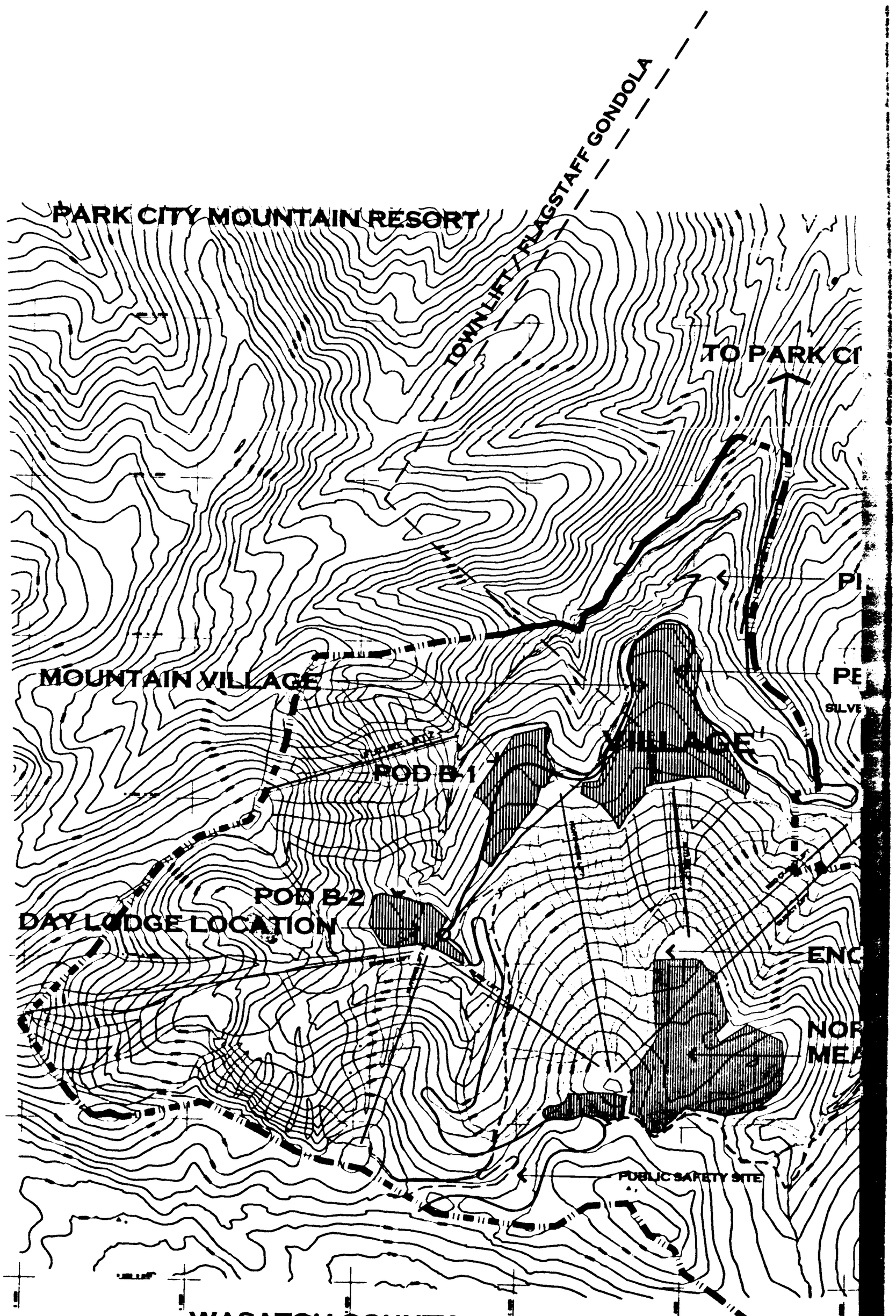
STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 2nd day of July 1999, before me, **Thomas L. O'Finnegan**, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

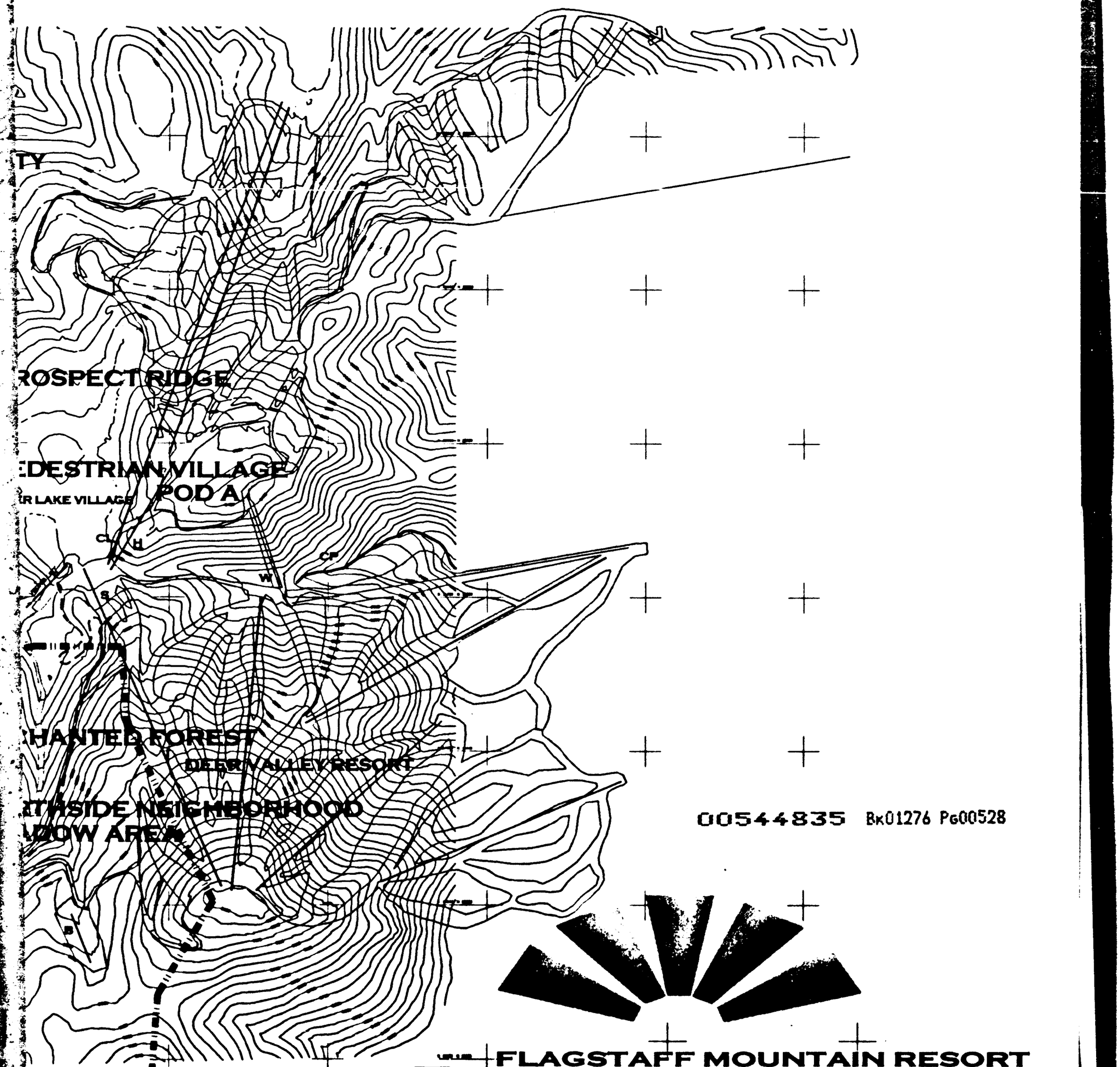
T. L. O'FINNEGAN
NOTARY PUBLIC • STATE of UTAH
446 MARSAC AVENUE
PARK CITY, UT 84060
COMM. EXP. 2-16-2000

T. L. O'Finnegan
Notary Public, State of Utah
Residing in Park City, Utah

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00544835 Bk01276 Pg00527



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FLAGSTAFF MOUNTAIN RESORT

DEER VALLEY, UTAH

SUMMIT COUNTY, UTAH

UNITED PARK CITY MINES COMPANY

JOSEPHSON DENNIS

EXHIBIT A

Exhibit A

FLAGSTAFF MOUNTAIN AT DEER VALLEY

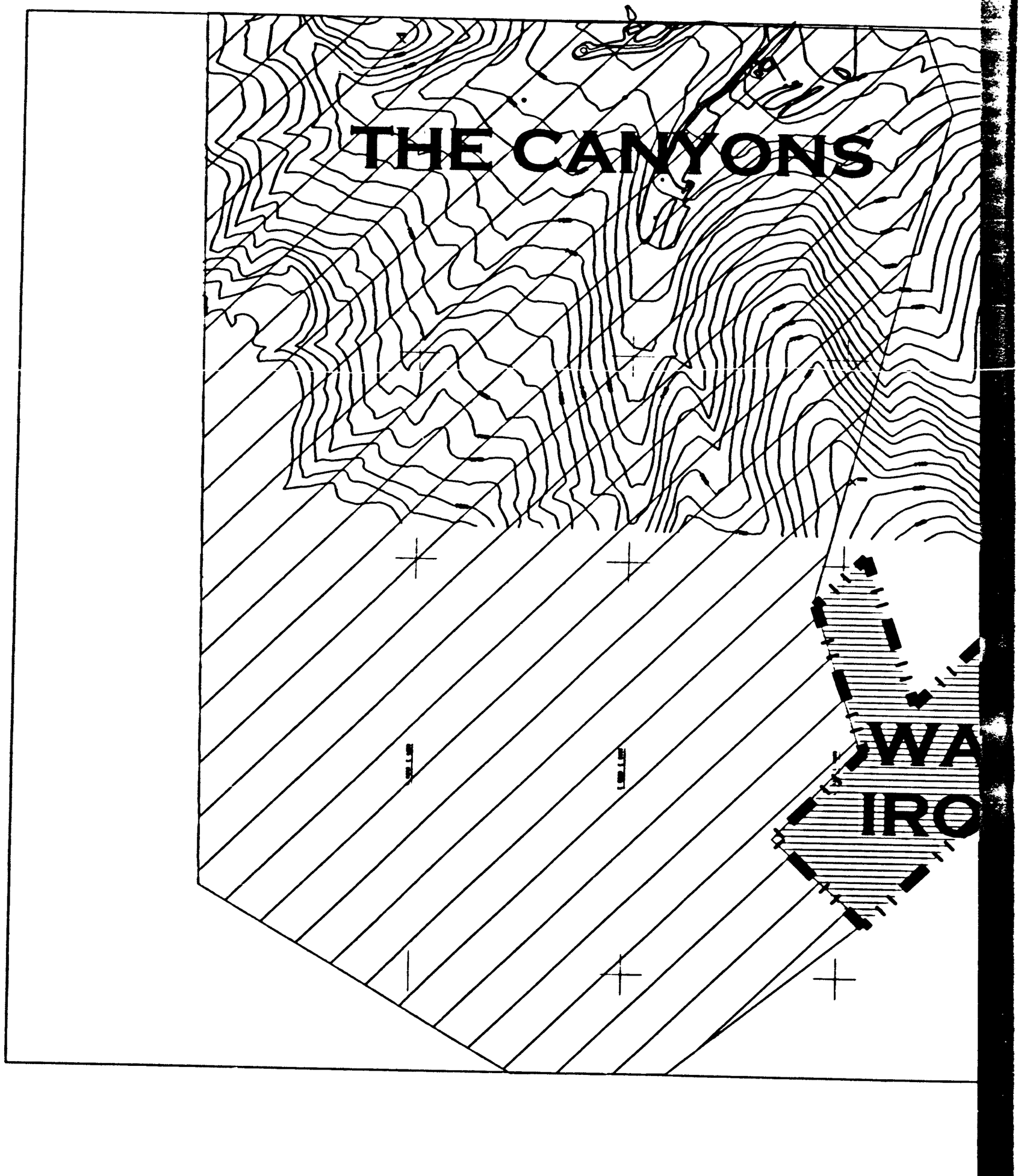
Boundary Description

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft and also being North 04°39'13" East 1303.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South Range, 4 East, Salt Lake Base and Meridian and running Northeasterly along said demarcation and ridge line :

North 44°09'00" East 1236.63 feet; thence North 35°07'44" East 548.54 feet; thence North 37°33'27" East 779.84 feet; thence North 49°33'13" East 616.72 feet; thence North 71°34'40" East 644.26 feet; thence North 30°09'00" East 354.14 feet; thence North 20°48'44" East 698.015 feet; thence North 10°48'36" East 569.75 feet; thence North 23°55'00" East 604.00 feet; thence North 87°35'00" East 778.00 feet; thence North 77°17'18" East 735.40 feet; thence North 82°14' East 672.44 feet more or less to a point on the Westerly boundary line of the "Anchor Tunnel Portal Mining Reservation", said point being North 39°17'38" East 942.39 feet more or less from the Southwest corner of Section 21 Township 2 South, Range 4.East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulch; thence along said ridgeline the following eight courses: thence North 64°44'13" East 136.79 feet; thence North 67°45'58" East 149.28 feet; thence North 81°11'10" East 122.88 feet; thence North 77°19'44" East 85.84 feet; thence North 77°48'30" East 79.25 feet; thence North 86°11'16" East 94.42 feet; thence South 72°54'27" East 85.42 feet; thence South 71°42'35" East 163.49 feet more or less to a point on the westerly right -of-way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79°18'06" West 5.00 feet more or less, from Map Point A-1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right-of-way the following fifteen (15) courses: North 10°41'54" East 76.70 feet; thence North 15°21'41" East 116.20 feet; thence North 56°44'38" East 142.80 feet; thence North 46°47'25" East 123.00 feet; thence North 35°09'16" East 88.70 feet; thence North 32°14'53" East 101.60 feet; thence North 32°00'03" East 159.20 feet; thence North 33°26'55" East 136.00 feet; thence North 38° 27'54" East 138.00 feet; thence North 27°54'51" East 126.00 feet; thence North 31°30'07" East 96.20 feet; thence North 40°35'50" East 110.80 feet; thence North 50°15'25" East 92.50 feet; thence North 56°00'00" East 94.90 feet; thence North 50°23'25" East 105.09 feet; thence North 47°29'30" East 405.07 feet more or less to a point on the westerly edge of Daly Avenue; thence along said Daly Avenue the following three courses: North 32°04'00" East 296.25 feet; thence North 29°09'57" East 315.97 feet; thence North 28°18'45" East 186.56 feet, more or less, to the East-West center line of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said Section Line also being the southerly

boundary line for the corporate limits of Park City, Utah; thence South 89°59'59" East 940.12 feet, more or less, along said Section line 940.12 feet to a point on the easterly right-of-way line for Utah State Highway 224 as located in Ontario Canyon; thence along said highway the following 12 courses; South 00°15'34" West 115.59 feet to a point on a 1,482.39 foot radius curve to the left; thence Southwesterly along the arc of said curve through a central angle of 15°23'33"398.24 feet more or less; thence South 15°39'07" West 559.69 feet to a point on a 5,679.58 foot radius curve to the left; thence Southwesterly along the arc of said curve, through a central angle of 06°11'23", a distance of 613.57 feet; thence South 09°27'44" West 368.77 feet to a point on a 1,382.39 foot radius curve to the left; thence southerly along the arc of said curve, through a central angle of 16°06'55", a distance of 388.82 feet; thence South 6°39'11" East 217.32 feet to a point on a 586.62 foot radius curve to the left; thence southeasterly along the arc of said curve, through a central angle of 48°51'38", a distance of 500.26 feet; thence South 55°30'59" East 87.30 feet to a point on a 686.62 foot radius curve to the right; thence along the arc of said curve, through a central angle of 30°23'53", a distance of 364.28 feet; fhence South 25°06'53" East 397.14 feet to a point on a 508.37 foot radius curve to the right; fhence along the arc of said curve, through a central angle of 21°36'53", a distance of 191.78 feet; thence South 3°30'00" East 63.08 feet to a point on a 220.00 foot radius curve to the left; thence along the arc of said curve, through a central angle of 55°51'14", a distance of 214.46 feet; thence South 31°30'00" West 68.20 feet; thence South 79°38'18"West 45.49 feet to a point on the southeasterly boundary of the Ontario Number 3 Shaft Mining Reservation; thence South 79°59'46" West 300.78 feet more or less along the southeastern edge of said Mining Reservation; thence South 17°09'45" East 88.76 feet more or less to a point on a piece of property that is the subject of Entry Number 158551 of the Summit County Records; thence along said parcel the following five courses: South 955.96 feet; thence North 69° East 360.00 Feet; thence South 29°20' West 117.60 feet; thence North 78°10' East 714.30 feet; thence East 1,106.71 feet more or less to a point the Wasatch-Summit County line: thence along said Wasatch – Summit County line. The following thirty courses: South 04°15'00" East 1,028.07 feet; thence South 25°30'30" East 2,521.90 feet to County Line Point 51;thence South 29°50'00" West 1,398.30 Feet to County Line Point 55; thence South 4°19'00" West 1,320.70 feet to County Line Point 58; thence South 47°05'00" West 369.50 feet to a County Line Point; thence South 83°34'00" West 69.10 feet to County Line Point 59; thence South 47°42'00" West 1,207.40 feet to County Line Point 62A; thence North 39°53'30" West 1,352.50 feet to County Line Point 64; thence North 72°50'00" West 317.30 feet to County Line Point 65; thence North 46°45'00" West 87.90 feet to County Line Point 66; thence North 70°57'00" West 502.00 feet to County Line Point 67; thence North 51°56'00" West 481.90 feet to County Line Point 68; thence North 55°53'00" West 466.80 feet to County Line Point 69 feet; thence North 21°49'00" West 317.40 feet to County Line Point 70; thence North 59°57'00" West 360.50 feet to County Line Point and Triangulation Point; thence North 33°22'30" West 467.10 feet to County Line Point 71; thence South 85°10'30" West 492.30 feet to County Line Point 72; thence South 54°42'30" West 453.20 feet to County Line Point 73; thence South 88°55'30" West 344.00 feet to County Line Point 74; thence North 82°52'30" West 1,132.30 feet to

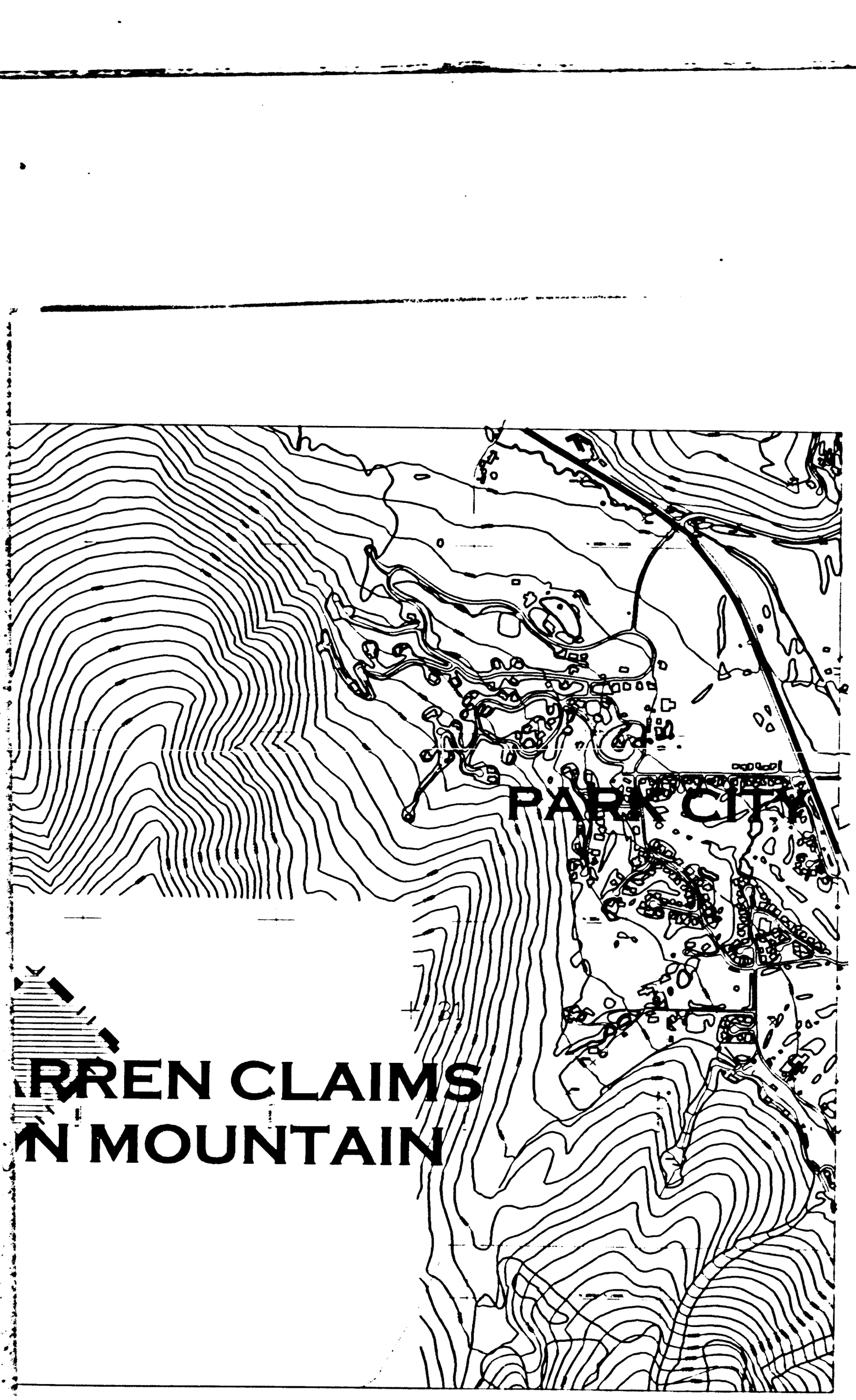
County Line Point 77; thence North 59°43'30" West 1,074.55 feet to County Line Point 2338; thence North 79°07'30" West 494.73 feet to County Line Point 80; thence North 70°28'30" West 339.90 feet to County Line Point 81; thence North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence North 64°07'00" West 727.60 feet to County Line Point 83; thence South 77°44'00" West 966.80 feet to County Line Point 85; thence North 77°28'00" West 161.00 feet to a County Line Point and Triangulation Point 2340 which is also Judge Triangulation Point Q; thence South 85°36'00" West 219.10 feet to County Line Point 86; thence North 46°44'00" West 384.70 feet to County Line Point 87; thence North 34°37'00" West 1,077.30 feet, more or less to county Line Point 2343 the point of beginning. Said Parcel contains 1,655.4 acres more or less.



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IRON MOUNTAIN PARCEL

SUMMIT COUNTY, UTAH

PREPARED FOR
UNITED PARK CITY MINES COMPANY

PARK CITY, UTAH

1999

0 800 2000

PREPARED BY
JOSEPHSON DESIGN

PARK CITY, UTAH

EXHIBIT B

Exhibit B

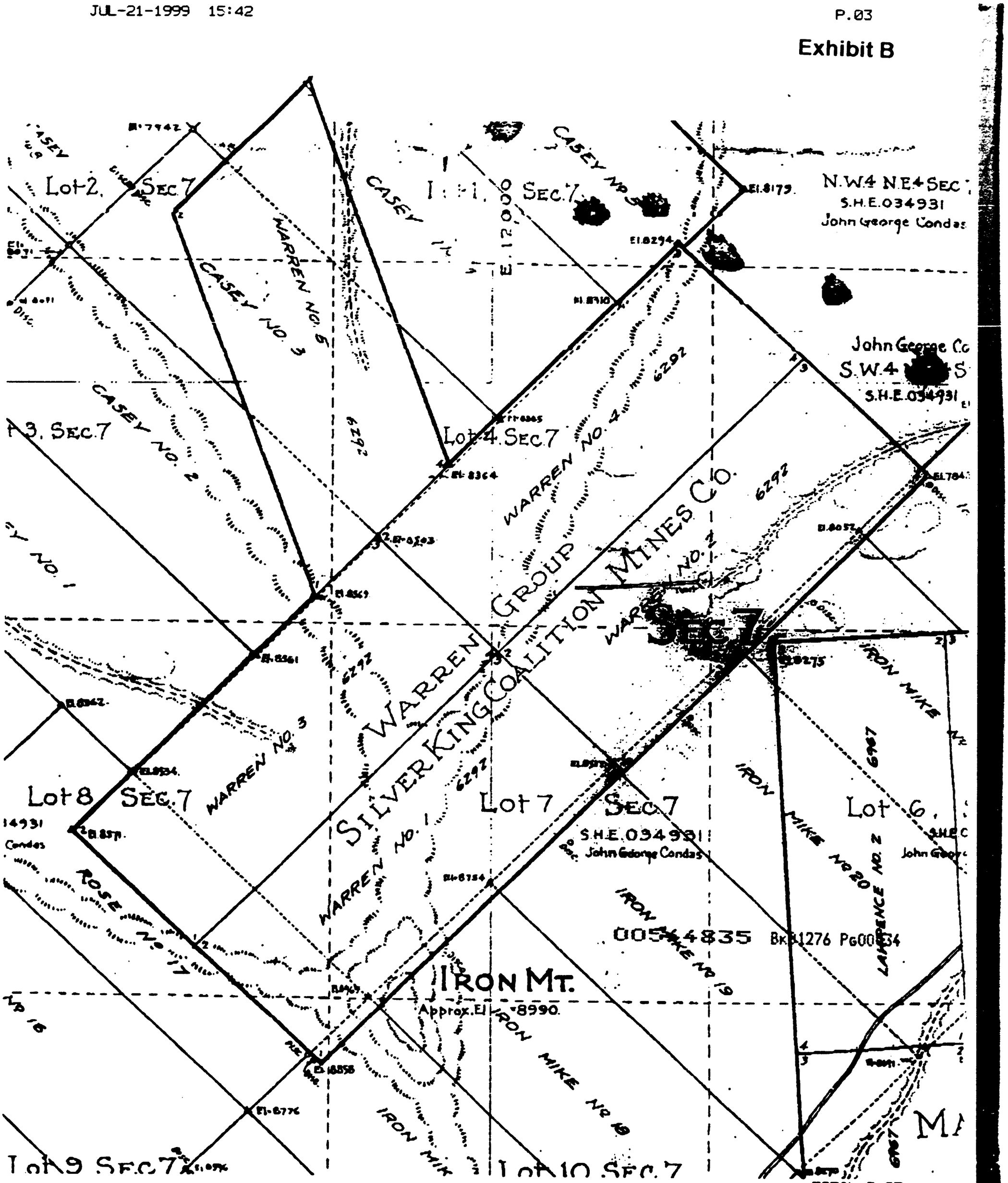
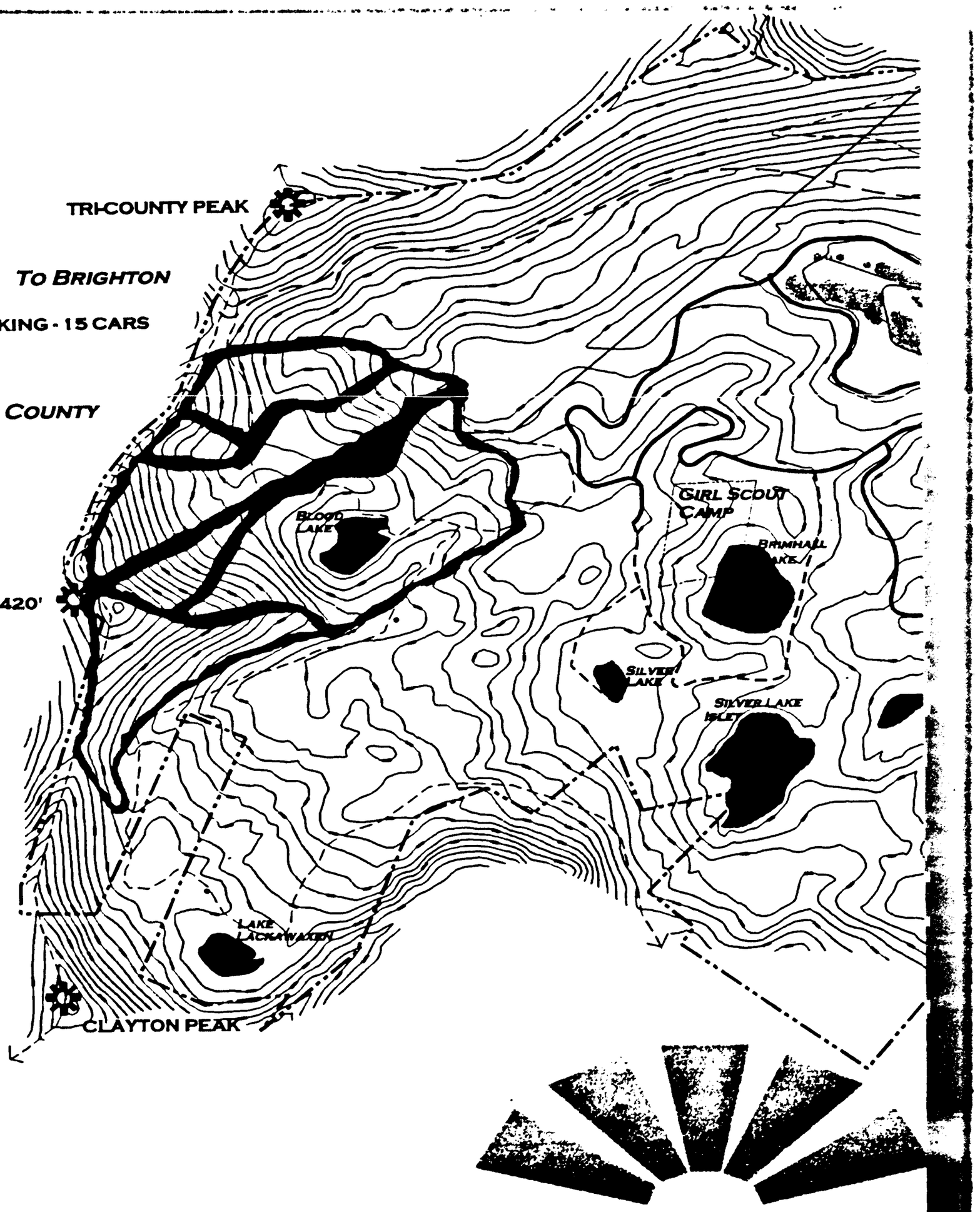

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S.H.E.034931
John George Condos
John George Co
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John George Condos
14931
Condos
IRON MT.
Approx. El. 8990.
WARREN GROUP
SILVER KING COALITION MINES CO.
CASEY No. 1
CASEY No. 2
CASEY No. 3
WARREN No. 5
WARREN No. 4
WARREN No. 1
WARREN No. 3
ROSE No. 17
No. 16
IRON MIKE No. 19
IRON MIKE No. 20
LAWRENCE No. 2
IRON MIKE No. 9
6292
El. 8179
El. 8294
El. 8364
El. 8503
El. 8561
El. 8562
El. 8554
El. 8571
El. 8569
El. 8754
El. 8784
El. 8057
El. 8275
El. 8056
El. 8776
005-4835 Bk. 1276 Pg 0034
TOTAL P.03

Exhibit B

FLAGSTAFF MOUNTAIN RESORT
IRON MOUNTAIN PROPERTY LEGAL DESCRIPTION
LOCATED IN SECTION 7, T2S, R4E, SLB & M

ALL OF THE WARREN MINING CLAIMS NO. 1, NO. 2, NO. 3, NO. 4, AND NO. 5, MINERAL SURVEY NUMBER 6292.

Y:\UPCMC\FLAGSTAFF\OVERALL\DOCS\WARREN.LGL



JUNE 1999

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BONANZA MOUNTA

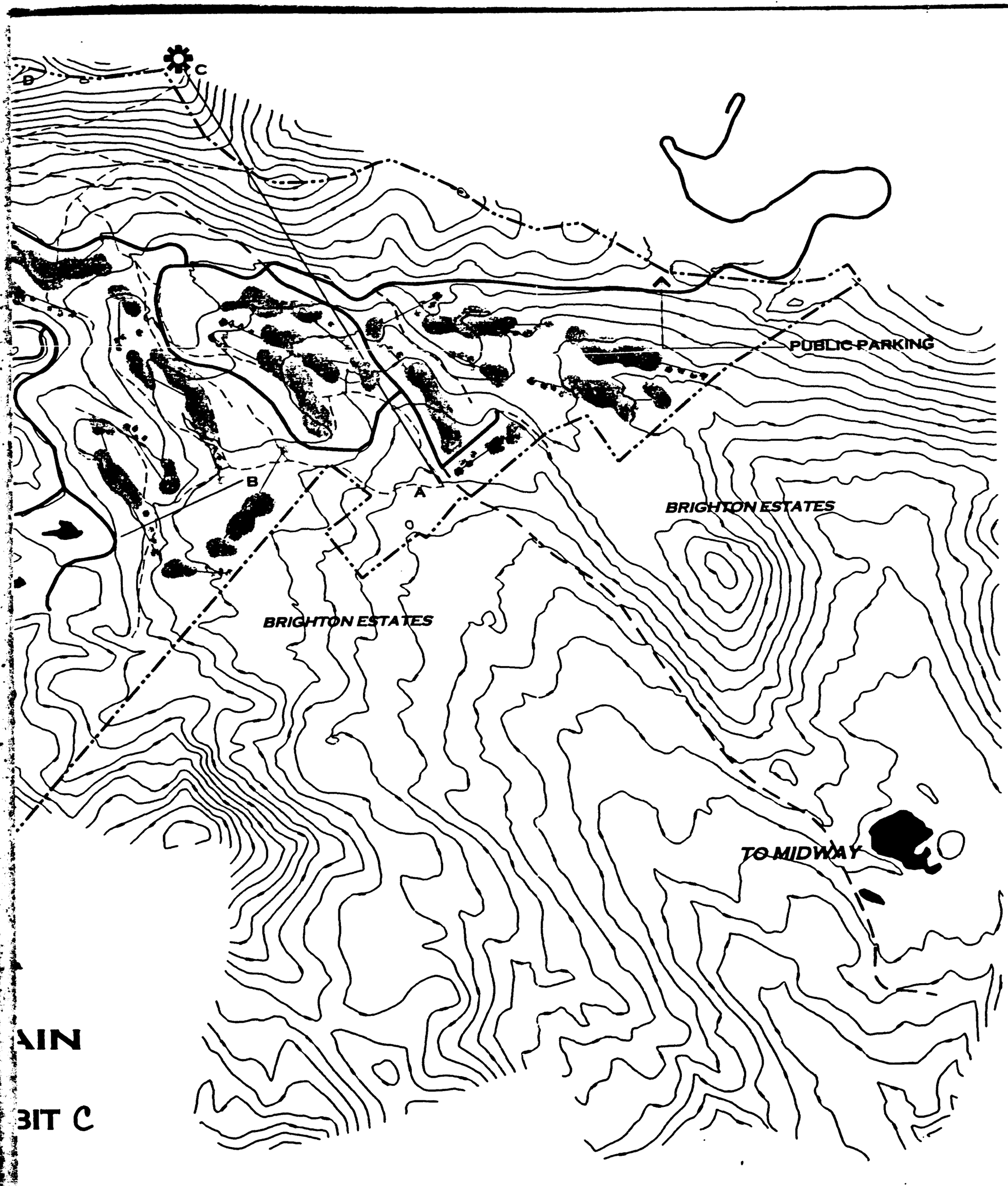
WASATCH COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8811

LAND PLANNING:
JOSEPHSON DESIGN
P. O. Box 1705
PARK CITY, UTAH 84060
(801) 647-7444

EXHIB

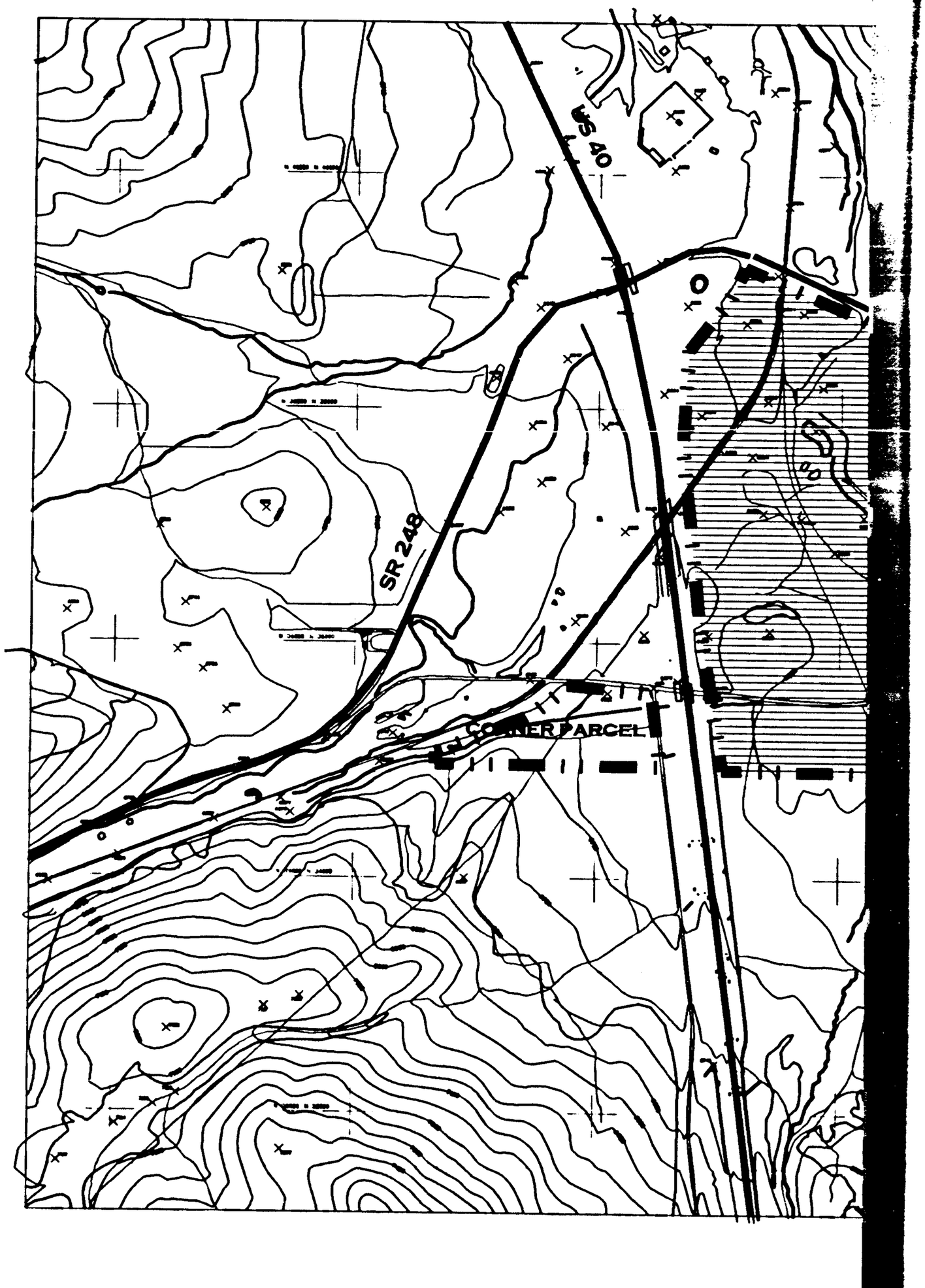
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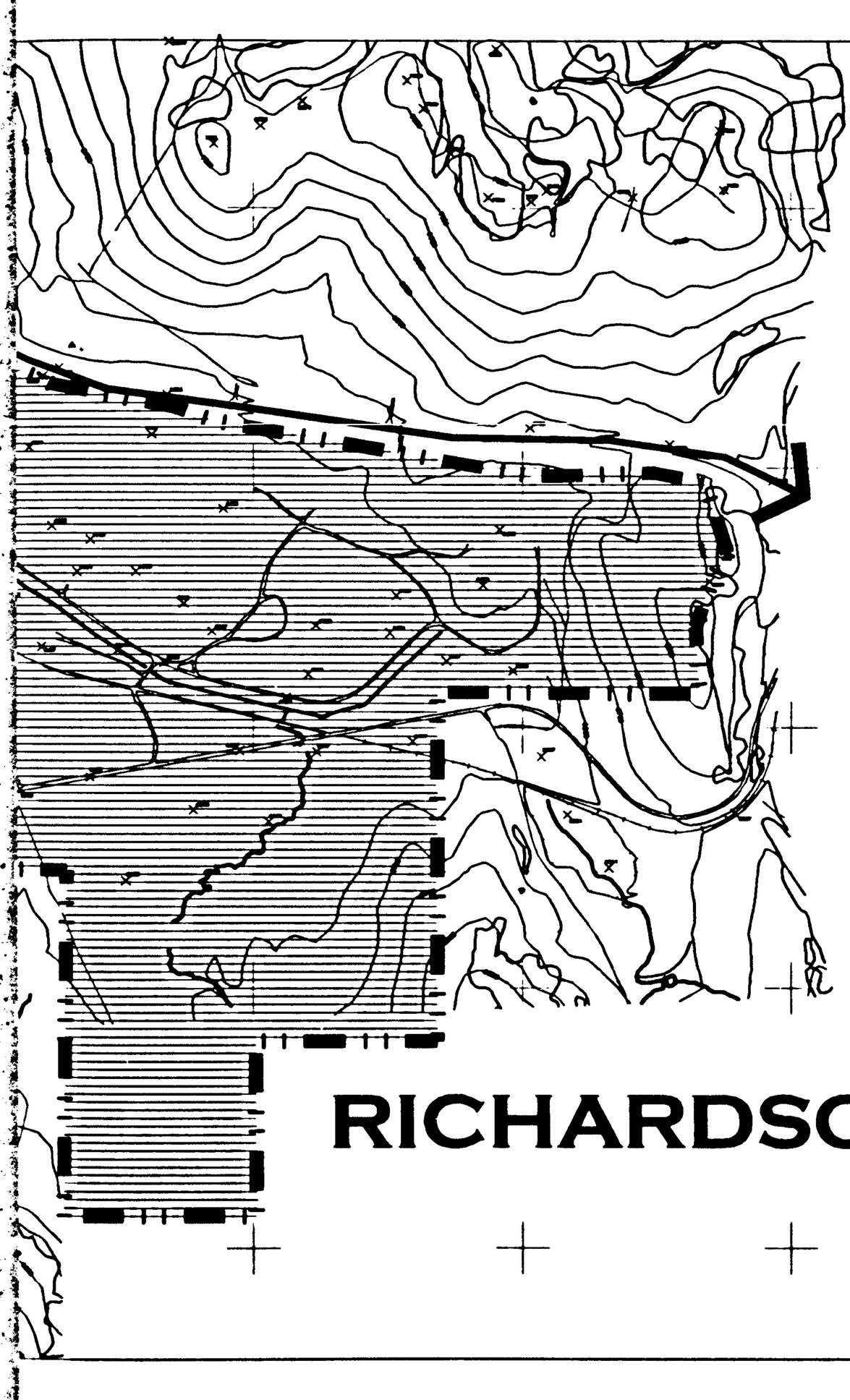


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BIT C

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US 40
SR 248
CORNER PARCEL



TO KAMAS

RICHARDSON FLATS

00544835 Bk01276 Pg00539

RICHARDSON FLATS PARCEL

SUMMIT COUNTY, UTAH

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8811

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1750
PARK CITY, UTAH 84060
(801) 649-8811

APRIL 1999

0 400 800 2000

EXHIBIT D

Exhibit D

UNITED PARK CITY MINES COMPANY

RICHARDSON FLATS DESCRIPTION

GENERAL DESCRIPTION

All of the property owned by United Park City Mines Company lying East of U. S Highway 40, South of Utah Highway 189, West of the Summit Wasatch County Line and North of the foothills forming the South edge of the Basin, being more particularly described as follows:

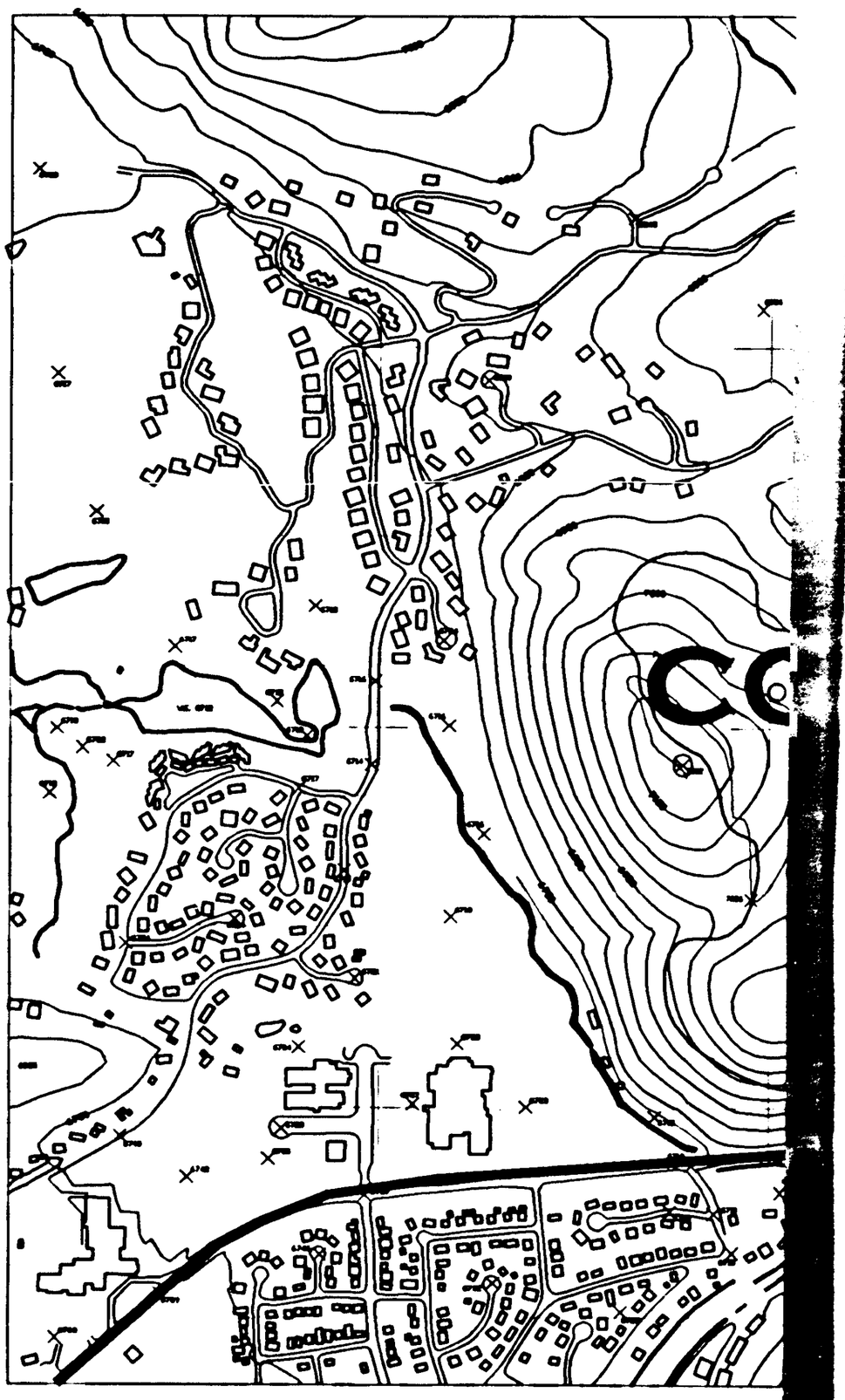
Beginning at a point lying on the center section line of Section 1, Township 2 South, Range 4 East Salt Lake Base and Meridian, said point also common with a point on the Summit and Wasatch County lines and lying South 64°34'17" East 6177.91 Feet, more or less, from the Northwest Corner of said Section 1;

Thence North 07°48'30" West 569.42 Feet more or less;
Thence North 30°03'00" East 491.00 Feet along said County Line to County Line Marker 138;
Thence North 15°43'00" West 620.95 Feet more or less to a point on the Southerly Right-of-Way line to Utah State Highway 189, said point lying on a 1,679.86 Foot radius curve to the left whose radius point bears South 18°25'57" West;
Thence along said curve, through a central angle of 12°57'43" a distance of 380.03 Feet;
Thence North 87°46'51" West 300.64 Feet;
Thence South 88°33'10" West 541.22 Feet;
Thence North 85°26'18" West 193.25 Feet;
Thence North 78°57'34" West 621.06 Feet;
Thence North 81°30'46" West 503.42 Feet;
Thence North 76°56'20" West 501.60 Feet;
Thence North 81°30'46" West 700.00 Feet;
Thence North 71°23'40" West 227.68 Feet;
Thence North 79°09'47" West 994.80 Feet;
Thence North 66°54'08" West 590.16 Feet;
Thence North 64°10'15" West 167.19 Feet;
Thence North 89°53' 00" West 978.55 Feet;
Thence South 25°23'31" West 116.87 Feet to a point on the northerly section line of said section 2;
Thence South 00°45'29" West 178.58 Feet more or less along said section line to a point on the Easterly Right-of-Way line of U. S. Highway 40;
Thence South 5°56'20" West 253.60 Feet;
Thence South 5°56'20" West 205.58 Feet to a point on a 2406.48 radius curve to the left whose radius point bears South 84°01'04" East;
Thence along said curve, through a central angle of 9°17'52" a distance of 390.52 Feet;
Thence South 3°23'37" East 105.10 Feet;
Thence South 7°04'23" East 356.56 Feet more or less to a point on the northwesterly boundary of the Rails to Trails Right-of-Way;
Thence South 7°04'23" East 150.58 Feet to a point on the southeasterly boundary of said Right-of-Way;
Thence South 7°04'24" East 48.63 Feet;
Thence South 1°27'27" West 202.24 Feet;
Thence South 40°00'00" East 554.91 Feet;
Thence South 31°40'49" West 481.87 Feet;

RICHARDSON FLAT DESCRIPTION
Page Two

Thence South 7°04'23" East 493.36 Feet more or less to a point on the northerly edge of the County Road across Richardson Flat;
Thence South 7°04'19" East 102.54 Feet to a point on the southerly boundary of said roadway;
Thence South 7°04'23" East 575.60 Feet to a point on the northern line of the South 1/2 of the Southeast one quarter of said Section 2;
Thence South 89°57'22" East 1604.54 Feet more or less along said line to the east line of said Section 2;
Thence South 00°33'35" West 1326.74 Feet more or less to the Southeast Corner of said Section 2, said point also common to Sections 1, 12 and 11 of Township 2 South, Range 4 East S.L.B. & M.;
Thence South 00°10'48" West 1328.76 Feet along the east section line of said Section 11 to a point common to the center line of the Northeast one quarter of said Section 11;
Thence South 89°09'12" East 1358.31 Feet more or less along the south line of the northwest one quarter of the northwest quarter of said Section 12;
Thence North 00°07'55" East 1347.76 Feet more or less to a point on the south line of said Section 1:
Thence North 89°58'31" East 1357.10 Feet, more or less, along said south section line to the south quarter corner of said Section 1;
Thence North 00°00'24" East 2679.92 Feet more or less along the center section line of said Section 1 to the Center of said Section 1;
Thence South 89°30'01" East 2043.63 Feet more or less along the center section line of said Section 1 to the Point of Beginning;

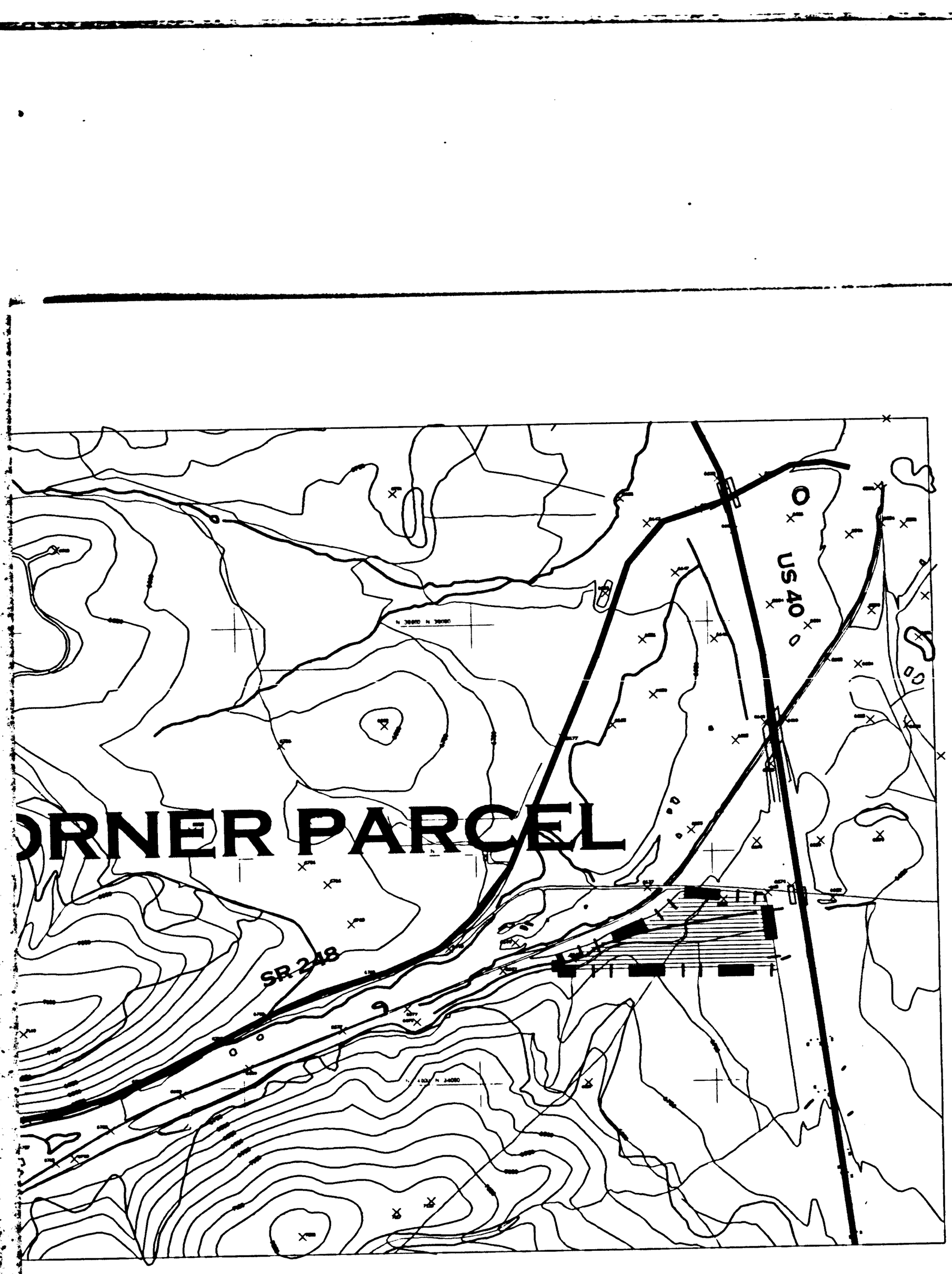
Contains 573 acres more or less.



00544835 Bk01276 Pg00542

APRIL 19

0 400



99

800 2000

CORNER PARCEL

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8811

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1758
PARK CITY, UTAH 84060
(801) 647-7704

00544835 Bk01276 Pg00543

EXHIBIT E

Exhibit E

UNITED PARK CITY MINES COMPANY

Richardson Flat Corner Parcel Description

Two parcels of land located in the North 1/2 of the South 1/2 of Section 3, Township 2 South, Range 4 East, S. L. B. & M. being more particularly described as follows:

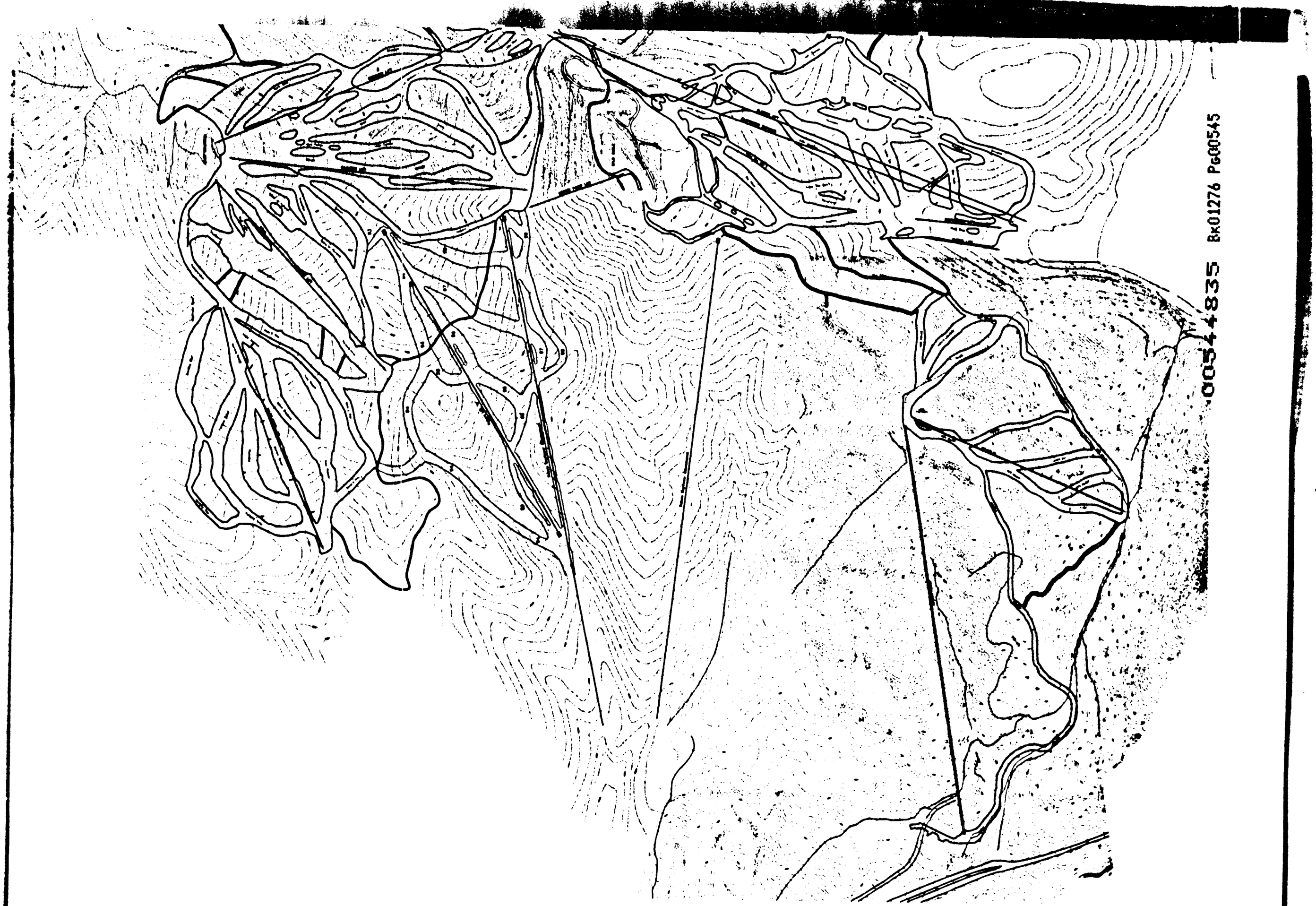
All of that portion of the NE 1/4 of the SW 1/4 of Section 2, Township 2 South, Range 4 East S.L.B. & M. lying South of the Rails to Trails right-of-way and the County Road.
Contains 12.33 acres more or less.

And,

All of that portion of the NW 1/4 of the SE 1/4 of Section 2, Township 2 South, Range 4 East S.L.B. & M. lying west of the relocated U. S. 40 and South of the County Road.
Contains 7.01 acres more or less.

00544835 Bk01276 Pg00544

0054835 Bk01276 Pg00545





SKI AREA PLAN

DEER VALLEY RESORT COMPANY

EXISTING SKI RUNS (NAMED)
PROPOSED SKI RUNS (NUMBERED)
EXISTING SKI LIFTS (NAMED)
PROPOSED SKI LIFTS (LETTERED)

400 0 400 800 FEET

NOTE:
THIS EXHIBIT IS NOT INTENDED TO BE A SURVEY OF BOUNDARY AND PLANIMETRIC FEATURES SHOWN. MAP ACCURACY IS LIMITED TO GENERAL DESCRIPTIVE PURPOSES ONLY.

Exhibit F

SHANER
Design Graphics

00544835 Bk01276 Pg00546

Exhibit G

Deer Valley Resort Company
Ski Run Construction and
Revegetation Standards

1. Prior to construction activity, ski trail sidelines will be flagged by Deer Valley Resort Company personnel. Construction activity shall be limited to within the flagged sidelines, lift tower and lift terminal areas.

2. Access to construction activity shall be by existing service roads where available.

3. Clearing operations shall leave the ski trails with a feathered edge. Low shrubs at trail edges shall remain. Tree islands shall be incorporated in the field into trails where feasible and safe.

4. After clearing in areas of cut, topsoil shall be stripped and stockpiled for later respreading.

5. In fill areas, stumps shall remain in place to a 2' maximum height. In cut areas, stumps will be removed by backhoe or dozer. Stumps shall be flush cut in areas where no grading or fill will occur.

6. Any trees cut suitable for use as firewood will be cut into firewood length and transported to Deer Valley's day lodges. Stumps and slash shall be buried as deeply as possible in field-designated areas with 3' minimum cover over uppermost slash layer. Alternate 3' maximum slash layers with 3' soil layers, running over layers with heavy equipment as placement occurs. Maximum length of any one piece of slash shall be 10'. Slash and rock burial may be used to produce terrain features within ski trails.

7. Excavation, embankment and fill operations shall proceed in such a manner that finish grading and erosion control implementation will occur as soon as possible after disturbance.

00544835 Bk01276 Pg00547

Exhibit G

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Ski Run Construction and
Revegetation Standards

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7. Excavation, embankment and fill operations shall proceed in such a manner that finish grading and erosion control implementation will occur as soon as possible after disturbance.

00544835 Bk01276 Pg00547

8. Cut and fill slopes shall be 1.5 : 1 maximum unless rock is encountered. Cut slopes in rock may be oversteepened depending upon geotechnical considerations. The top of all cut slopes in soil shall be rounded for a horizontal distance of 3' beyond the catch point. Slope rounding shall occur as the slope is being brought down.

9. Lift towers shall be set by helicopter. No work roads shall be cut to lift tower locations except at the upper and lower terminals where access roads are depicted.

10. The finished surface of ski trails shall be graded with 3' maximum, well graded topsoil and native soils. The finished surface of ski trails, fills and cut slopes not in rock shall be tracked prior to reseeding, with cleat marks left perpendicular to the fall line of the slope.

11. Sediment shall be controlled for the duration of the project. Straw bales and sediment filter fencing shall be installed at the lower limits of graded areas so that sediment is not transported off the site or into drainages.

12. On ski trails, construct water bars at 300' intervals for slopes less than 25%, at 200' intervals for slopes between 25% and 50%, and at 100' intervals for slopes in excess of 50%. Water bar locations will be field determined. Water bars shall slope at 6% to 7% in the direction of existing vegetated areas. Water bars shall be constructed immediately after rough grading and shall be maintained for the duration of the project.

13. Snowmaking and utility trenches shall be backfilled to at least 85% of maximum density. Trenches shall be mounded with 6' of compacted soil to allow settlement.

14. Riprap for drainage channels and culvert inlets and outlets shall be angular and outlets shall be angular, hard, dense, durable rock. Riprap shall be spread to achieve an interlocking structure and minimize voids.

00544835 Bk01276 Pg00548

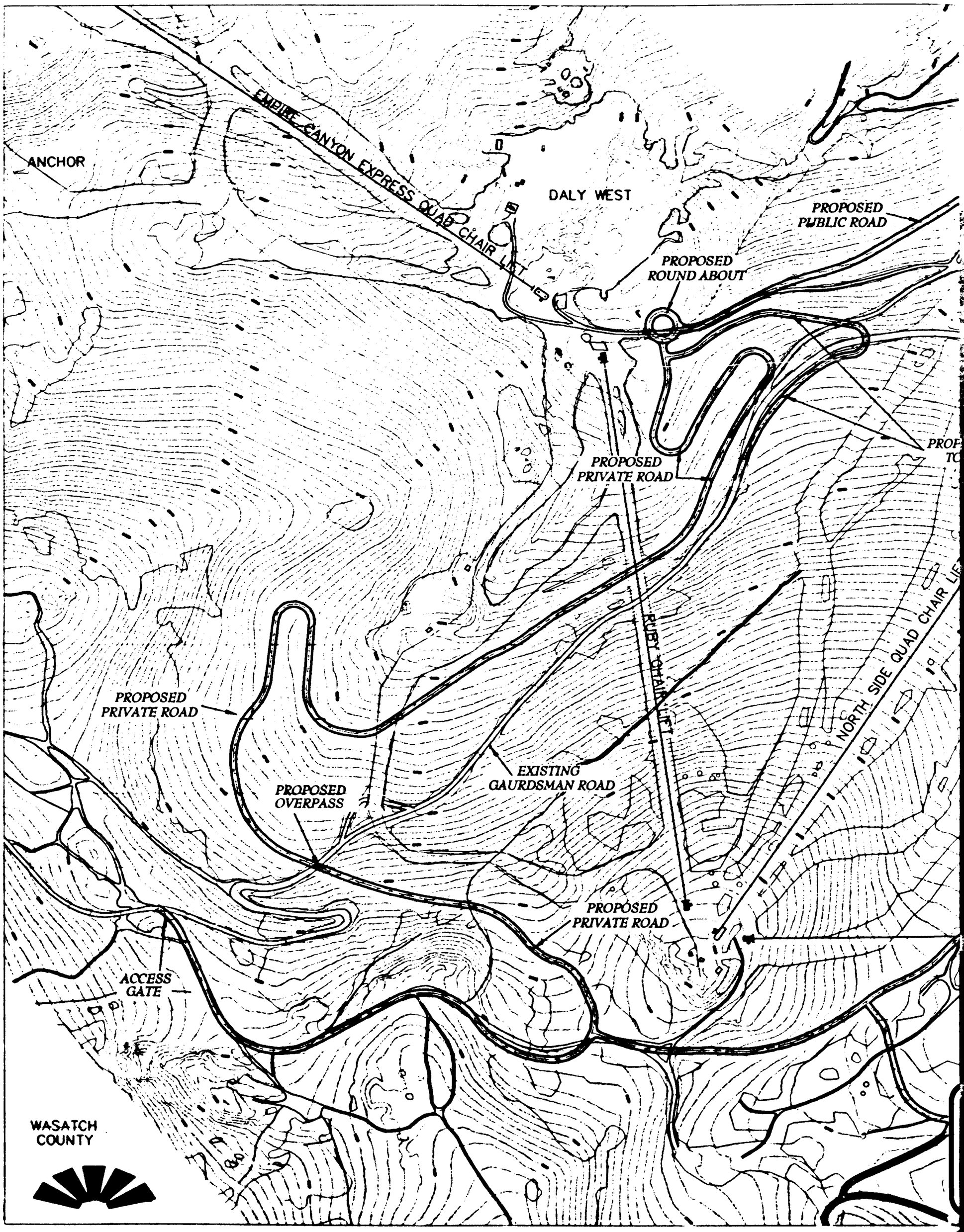
15. All areas with earth disturbance other than existing roads shall be revegetated. Seed mix shall be applied at a minimum rate of 26 lbs. per acre. Seed mix shall have the following proportions:

Durar Hard Fescue	30%
Manchar Bromegrass	30%
Orchardgrass	30%
Perennial Ryegrass	15%
Pubescent Wheatgrass	15%

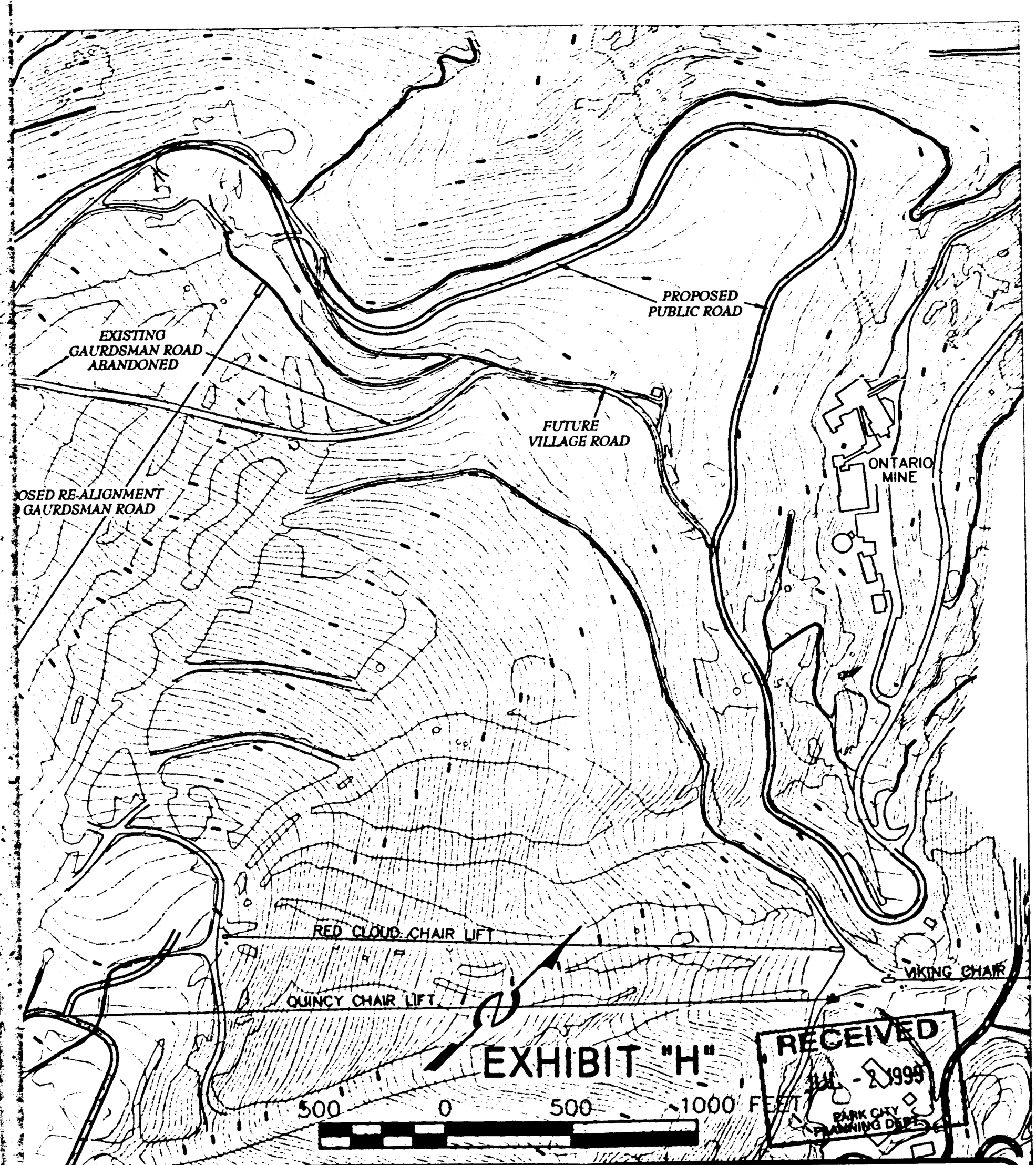
Seed shall be applied by broadcast methods. Fertilizer shall be applied at a minimum rate of 400 lbs. per acre. Areas not achieving germination and subsequent coverage of 80% shall be reseeded.

16. After seeding, ski trails shall be mulched with certified weed free straw mulch at a rate of approximately 2 tons per acre (2' to 3' in depth).

00544835 Bk01276 Pg00549



00544835 Bk01276 Pg00550



(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

333 Main Street P.O. Box 2664 Park City, Utah 84060

REVISED:
9-1-98
1-13-99
4-13-99
6-9-99

STAFF:
S. DECKERT
D. CARDWELL

DATE: 6-22-98

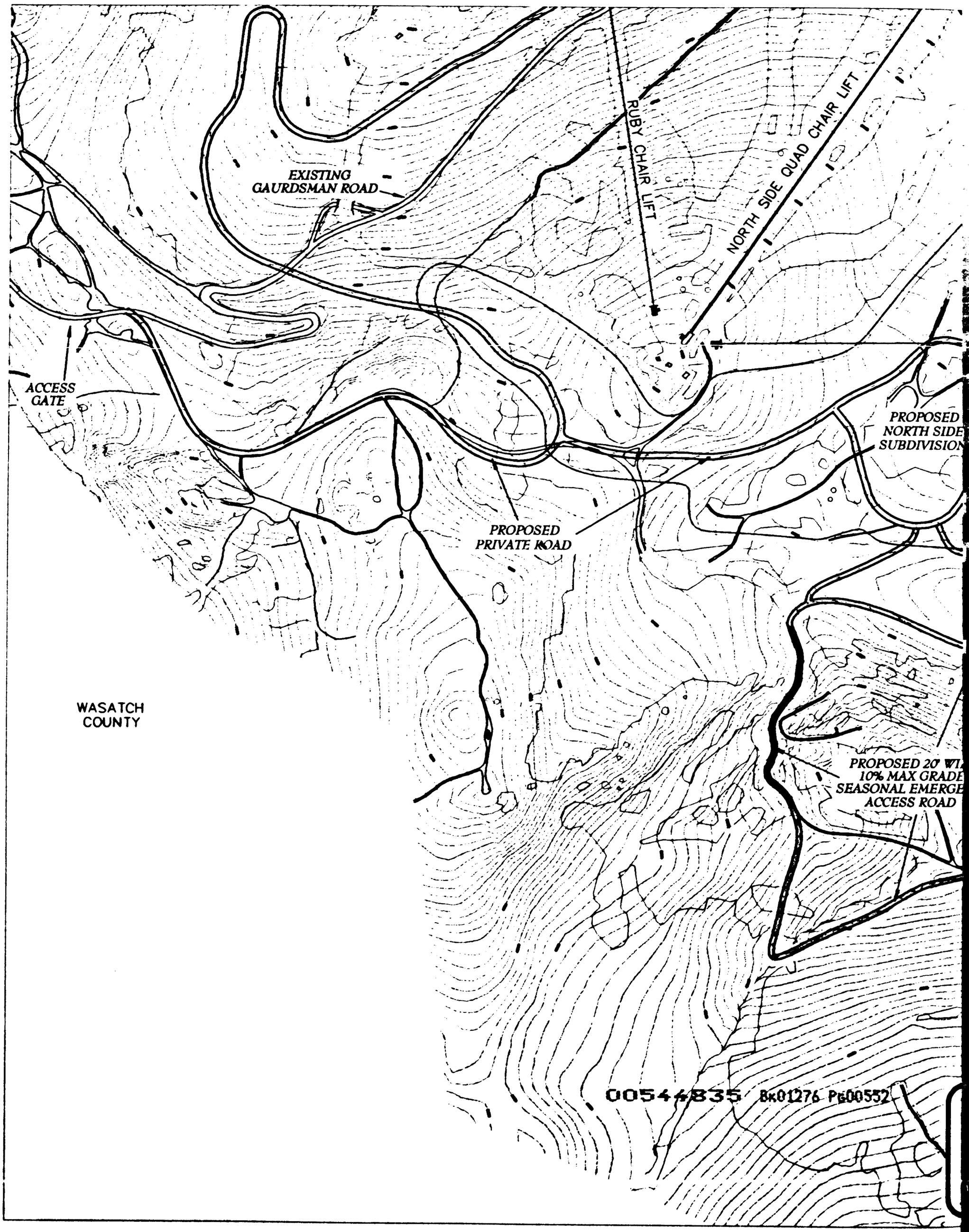
PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
GAURDSMAN RE-ALIGNMENT
PROPOSED PUBLIC/PRIVATE ROADS

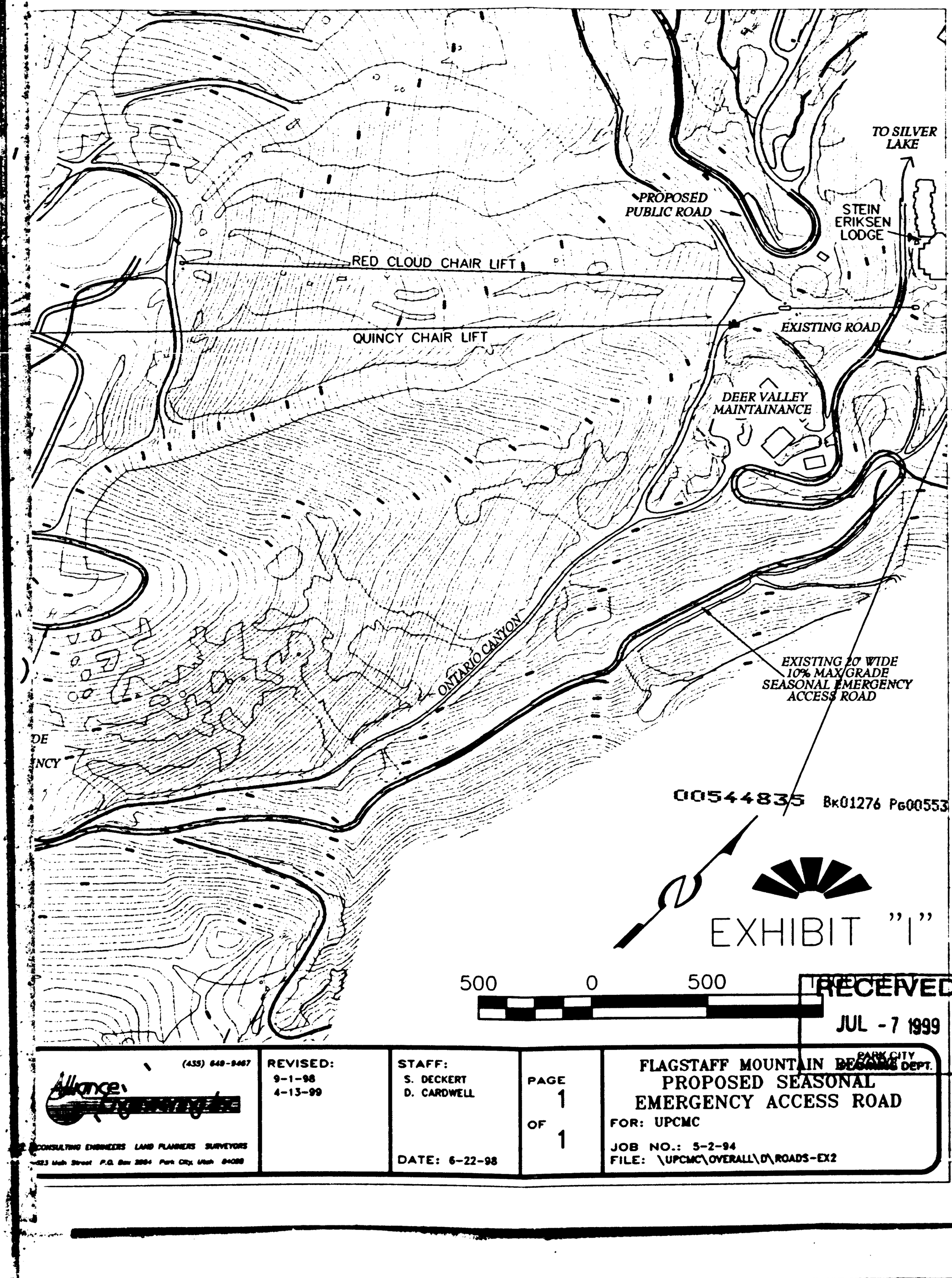
FOR: UPCMC

JOB NO.: 5-2-94
FILE: \UPCMC\OVERALL\D\ROAD-EX

00544835 Bk01276 Pg00551



00544835 Bk01276 Pg00552

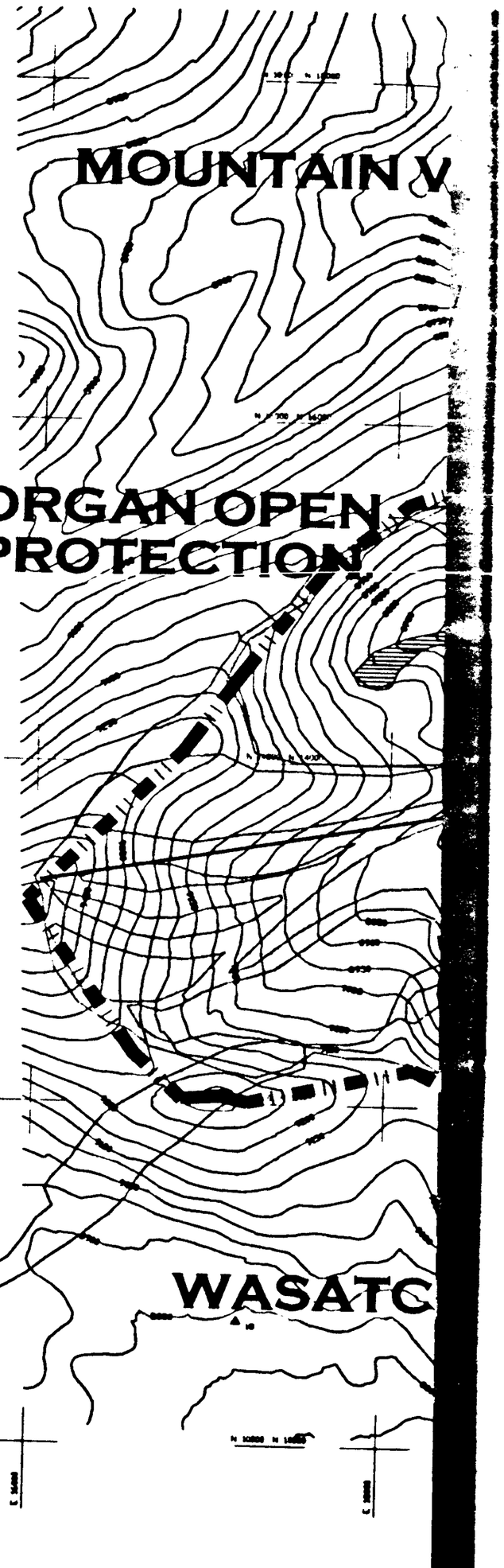


00544835 Bk01276 Pg00553

EXHIBIT "I"

RECEIVED
JUL - 7 1999
PARK CITY PLANNING DEPT.

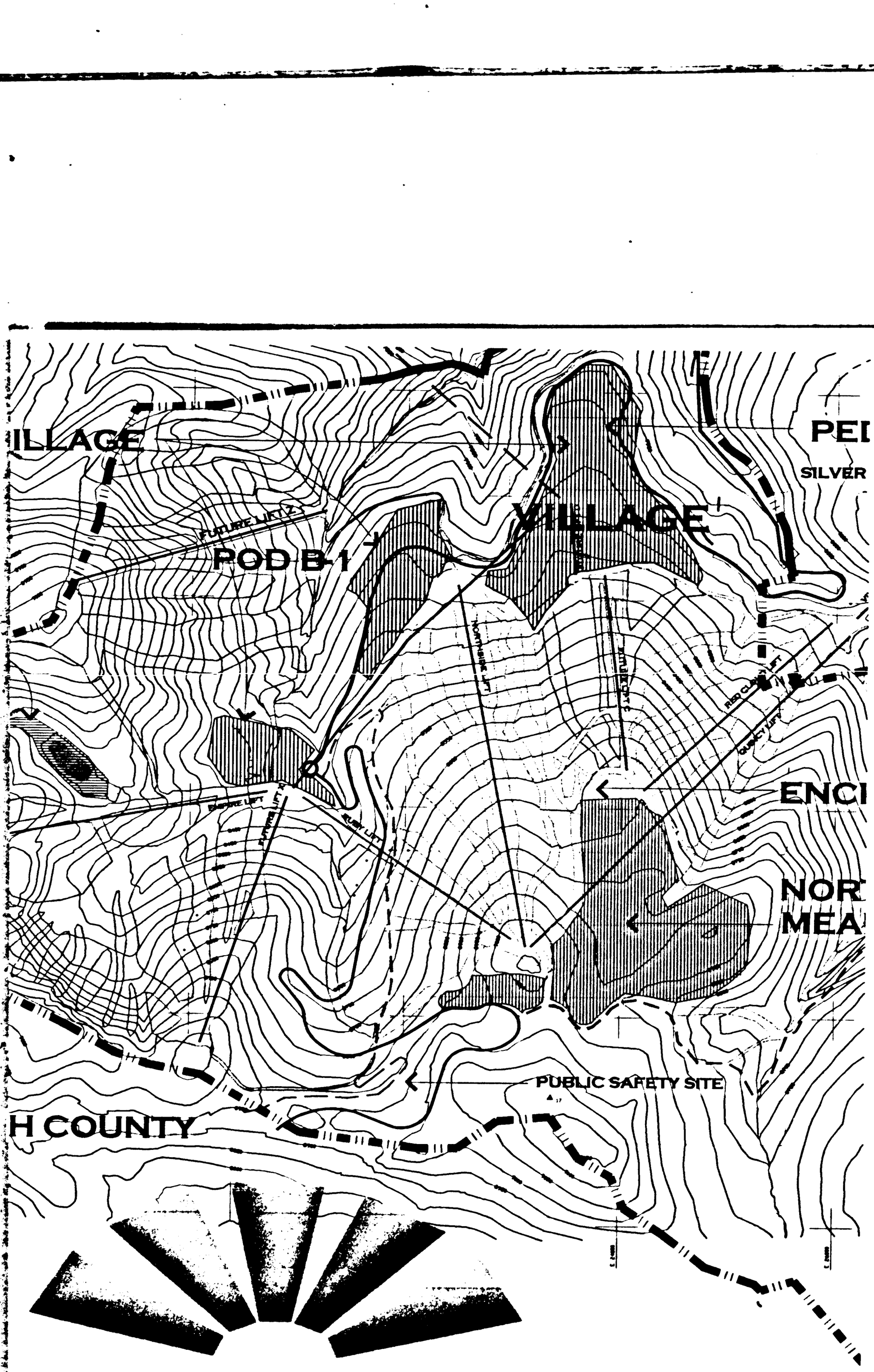
(435) 649-9467 Alliance Engineering CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 423 Main Street P.O. Box 2864 Park City, Utah 84060	REVISED: 9-1-98 4-13-99	STAFF: S. DECKERT D. CARDWELL DATE: 6-22-98	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT PROPOSED SEASONAL EMERGENCY ACCESS ROAD FOR: UPCMC JOB NO.: 5-2-94 FILE: \UPCMC\OVERALL\D\ROADS-EX2



00544835 Bk01276 Pg00554

JUNE 1999

0 400 800 2000



FLAGSTAFF MOUNTAIN RESORT

SUMMIT COUNTY, UTAH

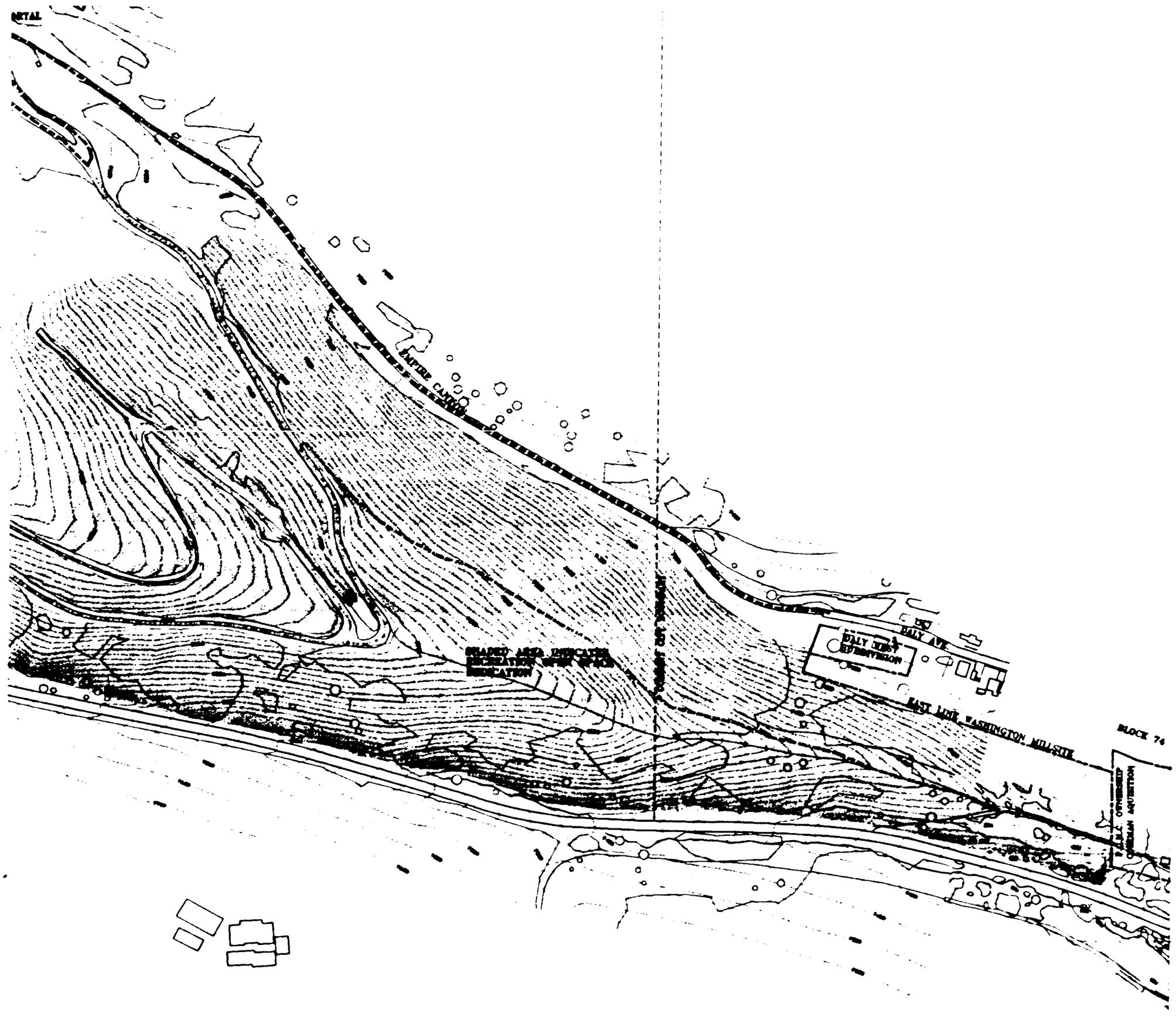
PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8811

LAND PLANNING:
JOSEPHSON DESIGN
P.O. Box 1728
PARK CITY, UTAH 84060
(801) 647-7744

00544835 Bk01276 Pg00555

EXHIBIT J

00544835 Bk01276 Pg00556



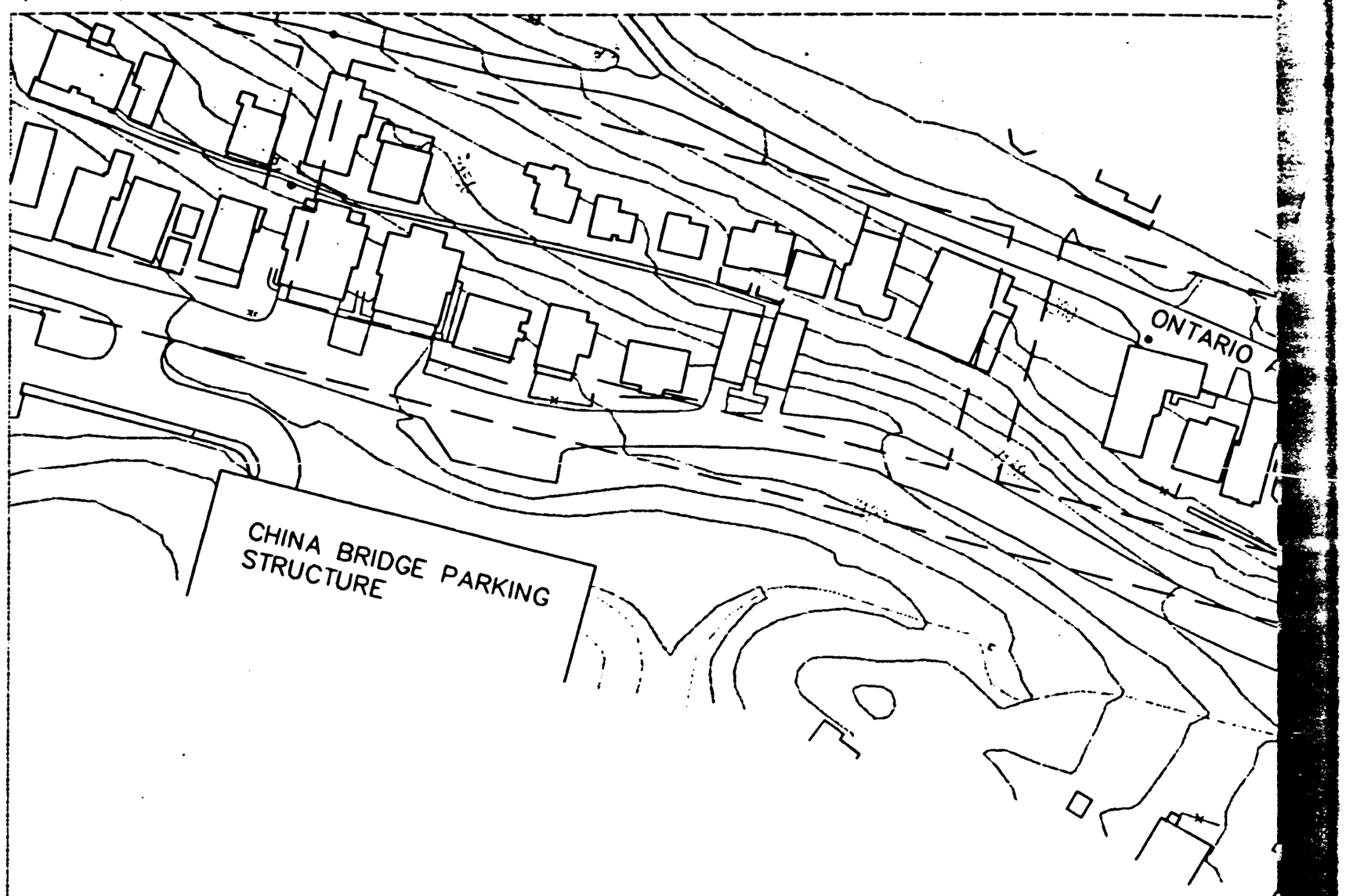
00544835 Bk01276 Pg00557

EXHIBIT "K"

400 0 400 800 FEET

RECEIVED
JUL - 7 1999
PARK CITY PLANNING DEPT.

(435) 649-9467 Alliance Engineering CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2864 Park City, Utah 84060	REVISED: 8-7-98 9-1-98 4-13-99	STAFF: S. DECKERT D. CARDWELL DATE: 6-30-98	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT PROSPECT RIDGE ROS DEDICATION FOR: UPCMC JOB NO.: 17-4-96 FILE: UPCMC\D\SR-PRELM



00544835 Bk01276 Pg00558

100 0 100 200 FEET

EXHIBIT "L"

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

REVISED:

STAFF:
S. DECKERT

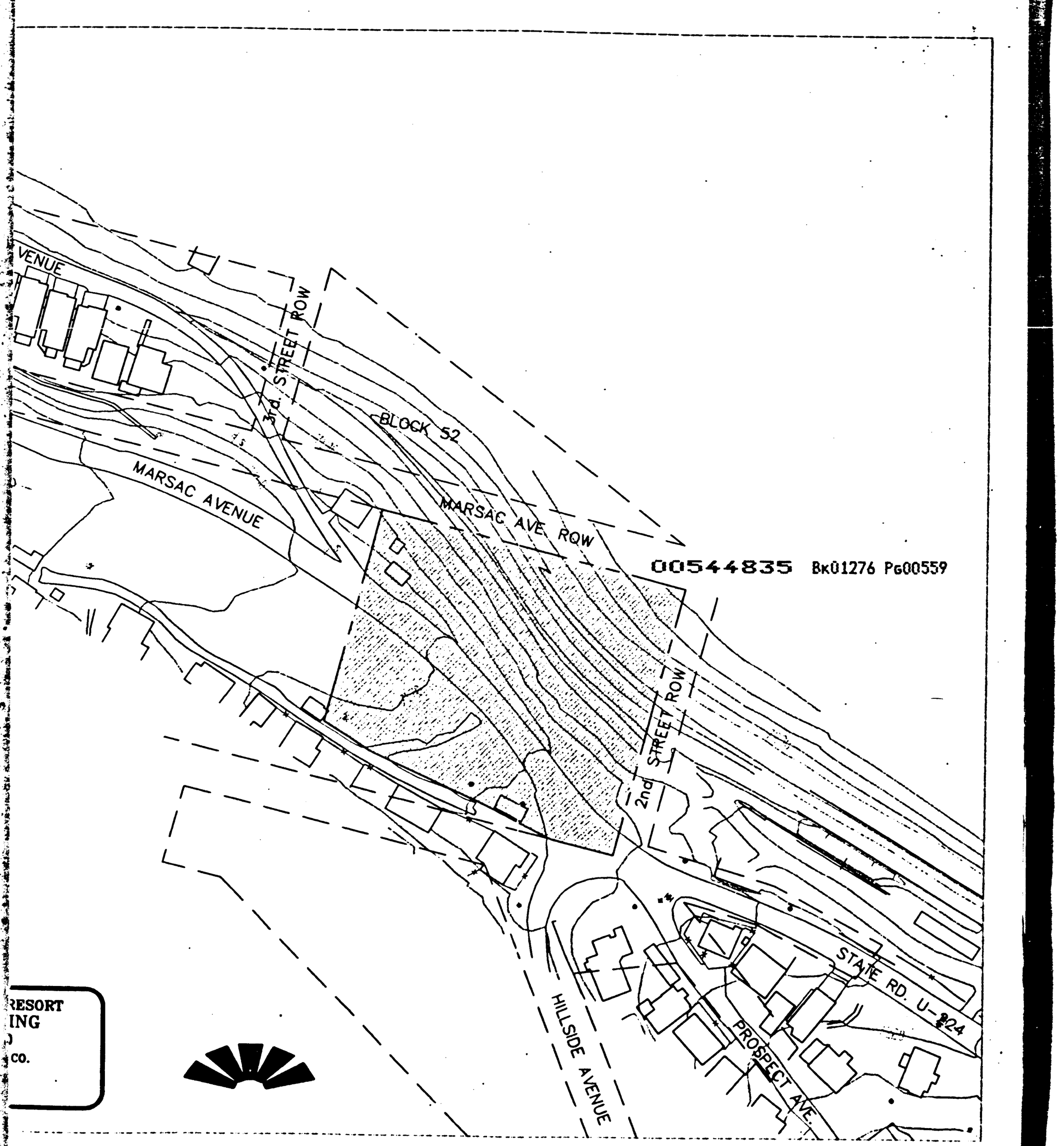
DATE: 9-1-98

PAGE 1 OF 1

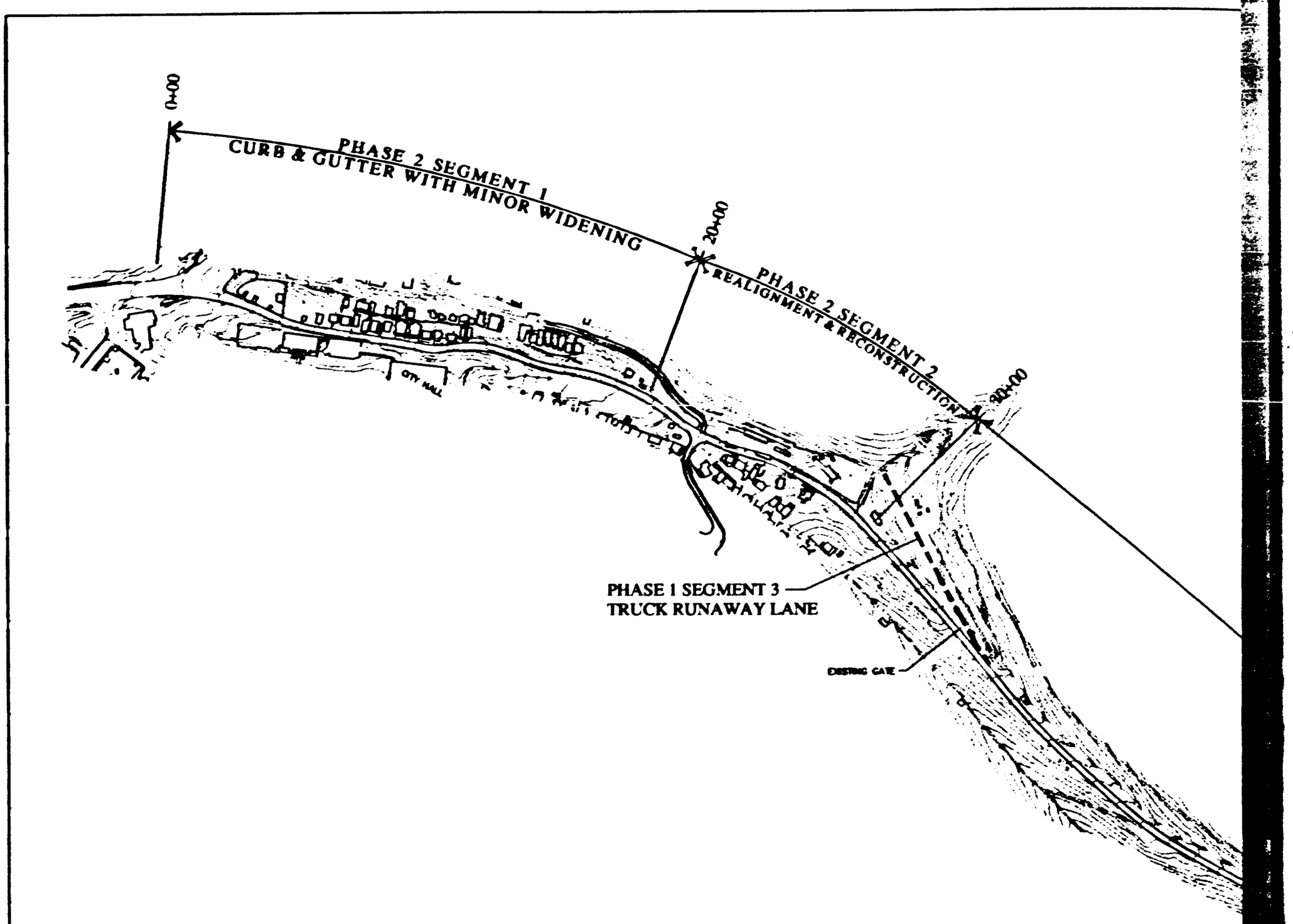
FLAGSTAFF MOUNTAIN
SAND RIDGE PARK
HILLSIDE LAND
FOR: UNITED PARK CITY MINES

JOB NO.: 5-2-84
FILE: UPCMC\D\SANDLAND

00544835 Bk01276 Pg00559



RESORT
ING
CO.



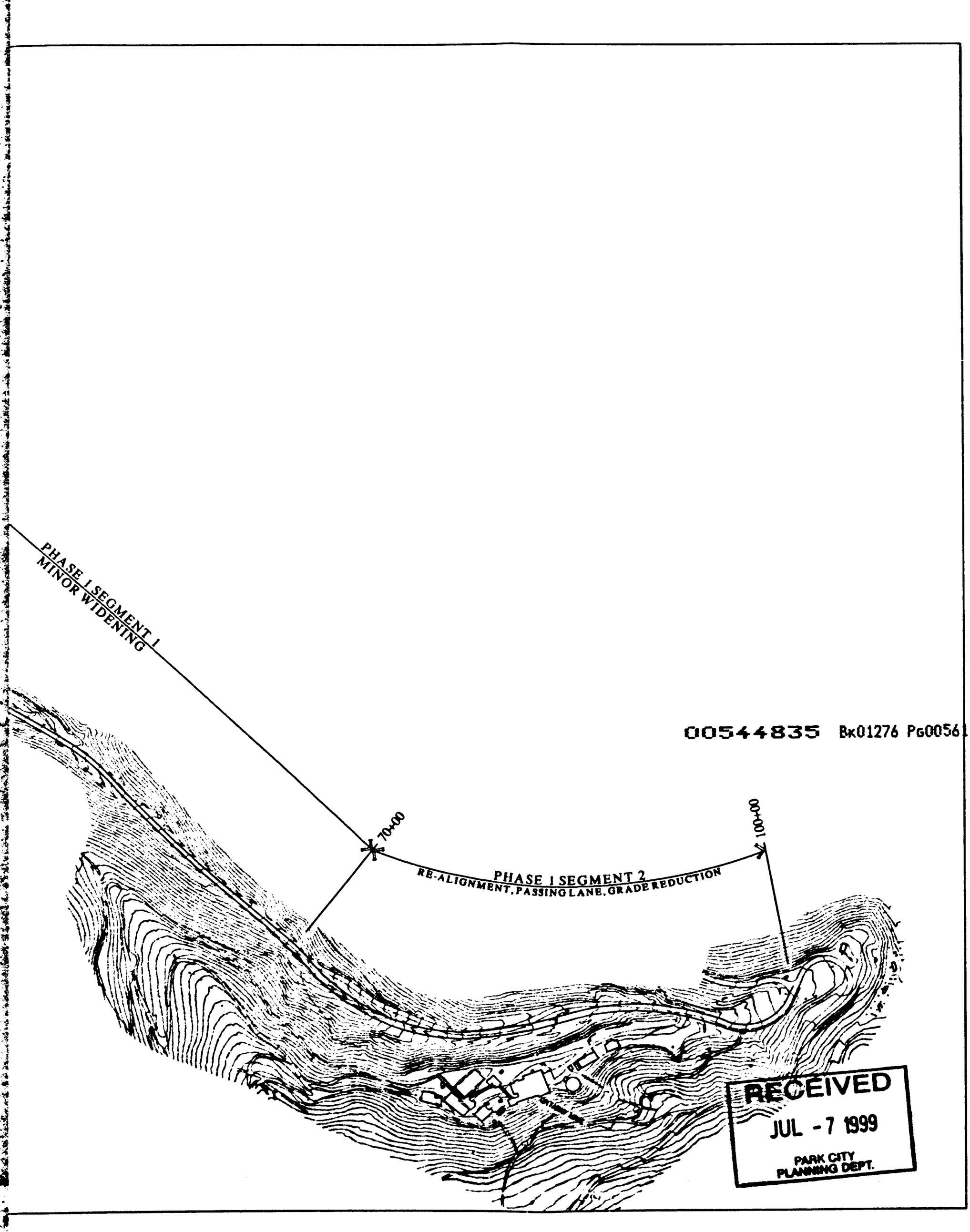
00544835 Bk01276 Pg00560

EXHIBIT "M"

600 0 600 1200 FEET

(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 355 North Street P.O. Box 2864 Park City, Utah 84060	REVISED:	STAFF: J. DEMKOWICZ L. UJHELY DATE: 1/20/99	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT STATE ROAD U-224 ROAD RECONSTRUCTION PLAN FOR: UPCMC JOB NO.: 26-8-91 FILE: UPCMC\OVERALL\D\RD600

00544835 Bk01276 Pg00561



RECEIVED
JUL - 7 1999
PARK CITY
PLANNING DEPT.

Exhibit M

The Flagstaff Mountain Resort
At
Deer Valley

Road Construction Plan

Off-site, Highway 224 Improvements
Lower Mine Road

Summary of Current Conditions.

Upgrading and improving State Highway 224 has been identified as an important component related to the Flagstaff Mountain project. S.R. 224, or the Mine Road, as it is commonly referred to, will be the primary ingress and egress route from the Flagstaff Mountain Resort project. The developer has volunteered, at considerable expense, to upgrade and improve the Mine Road. This would not only benefit the Flagstaff Mountain Resort, but all users of the road. It should be noted that the developer volunteered to fund the cost of these considerations up-front and not as an extracted concession.

The route referred to as the Mine Road begins at the far northern end of Marsac Avenue, travels along the length of Marsac Avenue and through Ontario Canyon. The Road crosses the Summit/Wasatch County line, and continues west to Brighton or east to Midway. The Mine Road currently serves during the summer months as a business route to UPCMC, the Silver Mine Adventure, Deer Valley and the horse stables. It serves as a residential access route to Brighton Estates, upper Deer Valley and the Girl Scout facility. It also serves as a sight-seeing route for the Bonanza area. Beyond the Deer Valley turn-off, traffic is not heavy on the road during the summer months, totaling approximately 3-400 vehicles/day (source: MK Centennial Traffic Eng. Report: *Deer Valley Residential Expansion 9/93, rev. 12/93*).

During the winter months the Mine Road is closed by the Utah Department of Transportation just beyond the Deer Valley connector road. The lower road then serves as business access for UPCMC, the Silver Mine Adventure, Deer Valley and High Country Snowmobiles. The road also serves as residential access route for Deer Valley. There are also a small number of snowmobilers who use the road as a recreation access point, however this number continues to decrease as more and more land in the Bonanza Basin is closed to this type of activity.

This proposal covers that portion of the Mine Road which originates at the intersection of Marsac and Deer Valley Drive, and extends to the upper Deer Valley turn-off (Guardsmen Connection). The upper sections of the Mine Road will be addressed in other proposals.

00544835 Bk01276 Pg00562

Construction traffic to upper Deer Valley is continuous throughout the year. Heavy trucks haul supplies up and excavated material down the road. In addition, delivery trucks access the aforementioned businesses throughout the year. An important consideration for public safety is a runaway truck lane. This is currently a problem on the mine road, and the voluntary concession of a runaway truck lane installed at the expense of the developer should greatly improve a problem which is presently of concern.

The present situation on the mine road will be improved with the development of the Flagstaff Mountain Resort project. Current areas of concern will be enhanced by planned improvements. The improvements to the mine road will create a situation whereby levels-of-service will be increased and the road will be made safer and more efficient.

* * *

Summary of Objectives

The off-site improvements to Highway 224 are considered to be an important component of the overall Flagstaff Mountain Resort Master Plan. The current parameters of the mine road will improve in both efficiency and safety. The following constitute the voluntary proposed changes to the mine road to develop a safe and adequate ingress/egress route to and from the Flagstaff Mountain Resort project.

⇒ **Widen the road needs where necessary**

⇒ **Increase the overall level of service**

⇒ **Curb and gutter installed in residential areas**

⇒ **Install a runaway truck lane uphill from the residential area**

⇒ **Install hydrologic controls where necessary**

⇒ **Install a passing lane below the Ontario Mine**

⇒ **Improve the grade where practical**

* * *

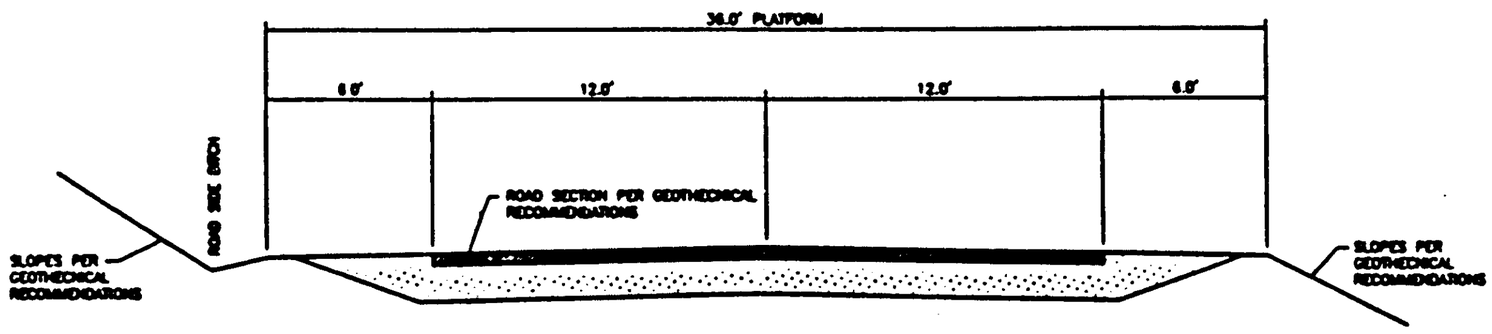
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Phase I

Segment 1- Station 30+00 to Station 70+00.

Segment 1 of Phase 1 extends from just below the sedimentation pond through to the beginning of the passing lane. The improvements to this section of road will generally follow the existing grading and alignment. The profile of the road is a 24' wide asphalt travel platform with six-foot shoulders on either side. The horizontal and vertical alignment will follow the existing road to minimize grading. It is possible that minor slope stabilization will be necessary on those slopes adjacent to the drain channel. A soils engineer will be overseeing the construction of the road and will make the determination in regards to the slope stability of the drain channel. Drainage improvements will consist of roadside ditching and culvert diversions to adjacent intermittent steam at appropriate spacing. Straw hay bales will be placed lengthwise at regular intervals to trap excess sediment.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



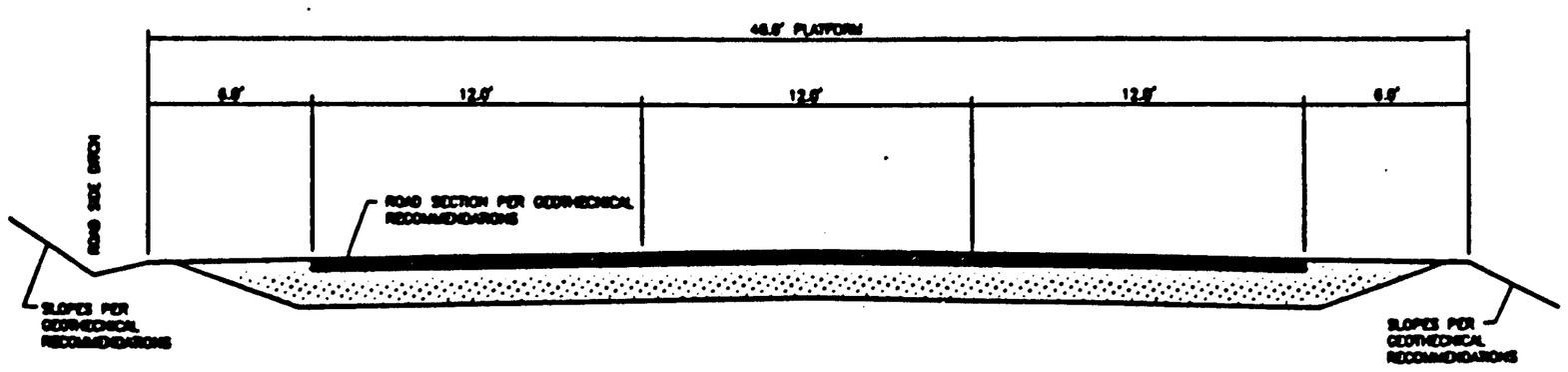
ONTARIO CANYON ROAD – PUBLIC ROAD
HILLSIDE TO GUARDSMAN DV INTERSECTION

00544835 Bk01276 Pg00565

Segment 2- Station 70+00 to Station 100+00

Segment 2 of Phase 1 consists of the route which begins at the passing lane and travels uphill to the Deer Valley connector road (Station 100+00). This segment is planned for extensive re-grading, widening and realignment. Due to the line-of-site situation which currently exists on the Mine Road, a passing land is planned along the length of this segment. The general description is three 12' travel lanes (two uphill and one downhill) for a total of 36' of paved road width. The uphill truck passing lane should greatly increase the overall safety on the road. In addition, two six-foot shoulders are planned for construction on either side. The horizontal and vertical alignment will be reconfigured so that the maximum grade does not exceed 12%. This should also positively influence safety on the road. The drainage channel for this segment will be reconstructed adjacent to new alignment. The drainage channel will be a rip rap bed which consists of large rocks hand-placed in the channel. At regular intervals, straw hay bales will be placed lengthwise to trap sedimentation, which will develop from the construction of the road. Roadside drainage will have culvert diversions to the new channel at regular spacing.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



ONTARIO CANYON ROAD – PUBLIC ROAD
PASSING LANE

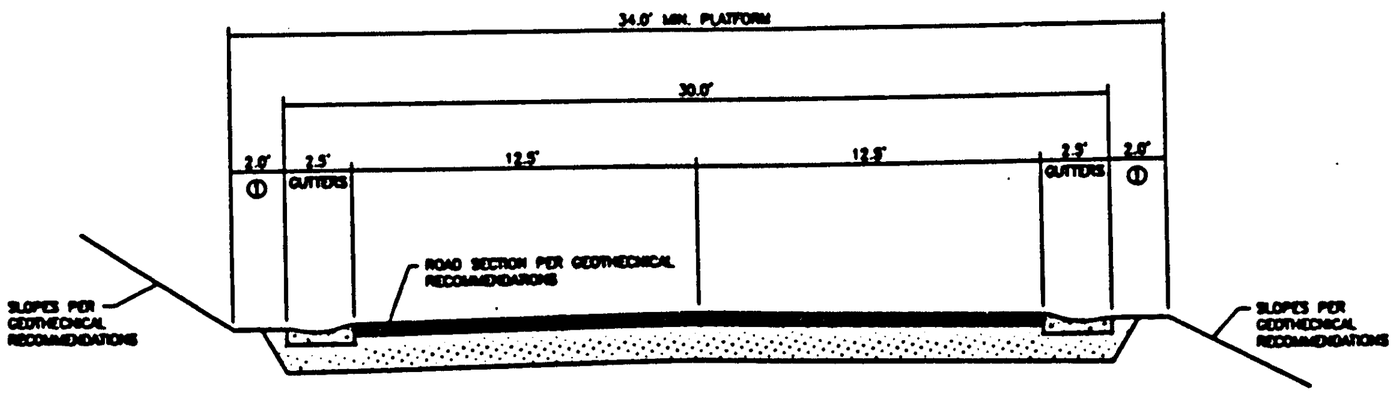
00544835 Bk01276 Pg00566

Phase II

Segment 1. Station 0+00 to Station 20 +00

Segment 1 of Phase II extends from Deer Valley Drive and extends south to Hillside Avenue. General improvements to this section of road will be the installation of a 30' wide asphalt travel lane with 2' shoulders on either side. Curb and gutter will be installed along the entire length. General alignment will follow the current horizontal and vertical alignment to minimize grading and conflicts with existing driveways. Where practical, shoulder widths will be increased provided this does not involve extensive retaining wall work or regrading. Surface drainage will be channeled through inlets and drain lines where it will be connected to existing drainage facilities at the belt route intersection and above 4th Street parking structure. Electrical conduit and sanitary sewer will be placed along the length of this road and stubbed off. The future possibility exists to bury electrical lines in Old Town and the installation of conduit will circumvent the necessity of tearing up the road to do so.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION



MARSAC AVE – PUBLIC ROAD
DEER VALLEY DRIVE TO HILLSIDE AVE

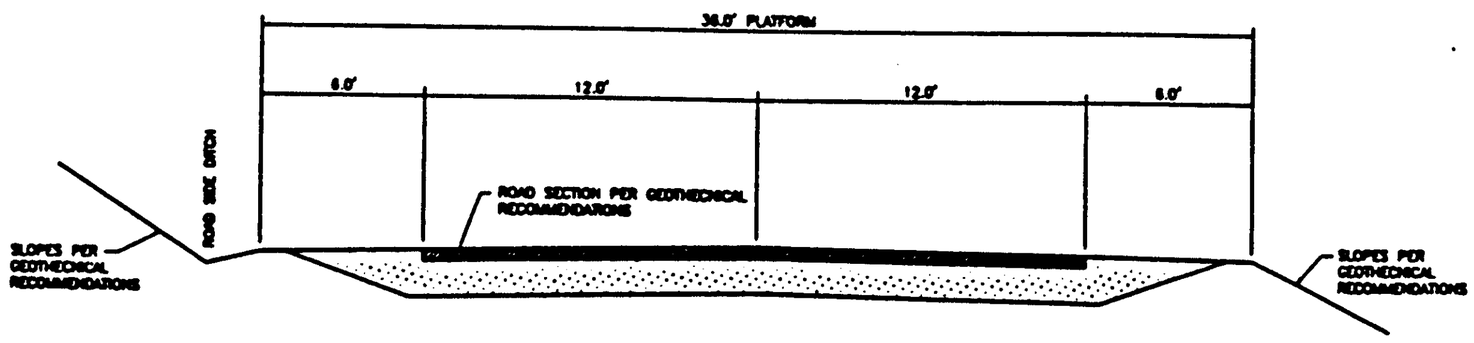
NOTE:
① SHOULDERS TO BE WIDENED TO 5' WHERE PRACTICAL WITHOUT SIGNIFICANT EARTHWORK AND/OR RETAINING WALL CONSTRUCTION.

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Segment 2. Station 20+00 to Station 30+00

The road will have a 24' wide asphalt travel platform with 4' shoulders. Drainage will consist of inlets and drain lines which channel surface water to existing drainage facilities at the belt route intersection, above the 4th Street parking facility and above the Hillside intersection. Curb and gutter will be installed along the length of the improvements.

FLAGSTAFF DEVELOPMENT PARAMETERS
TYPICAL ROAD SECTION

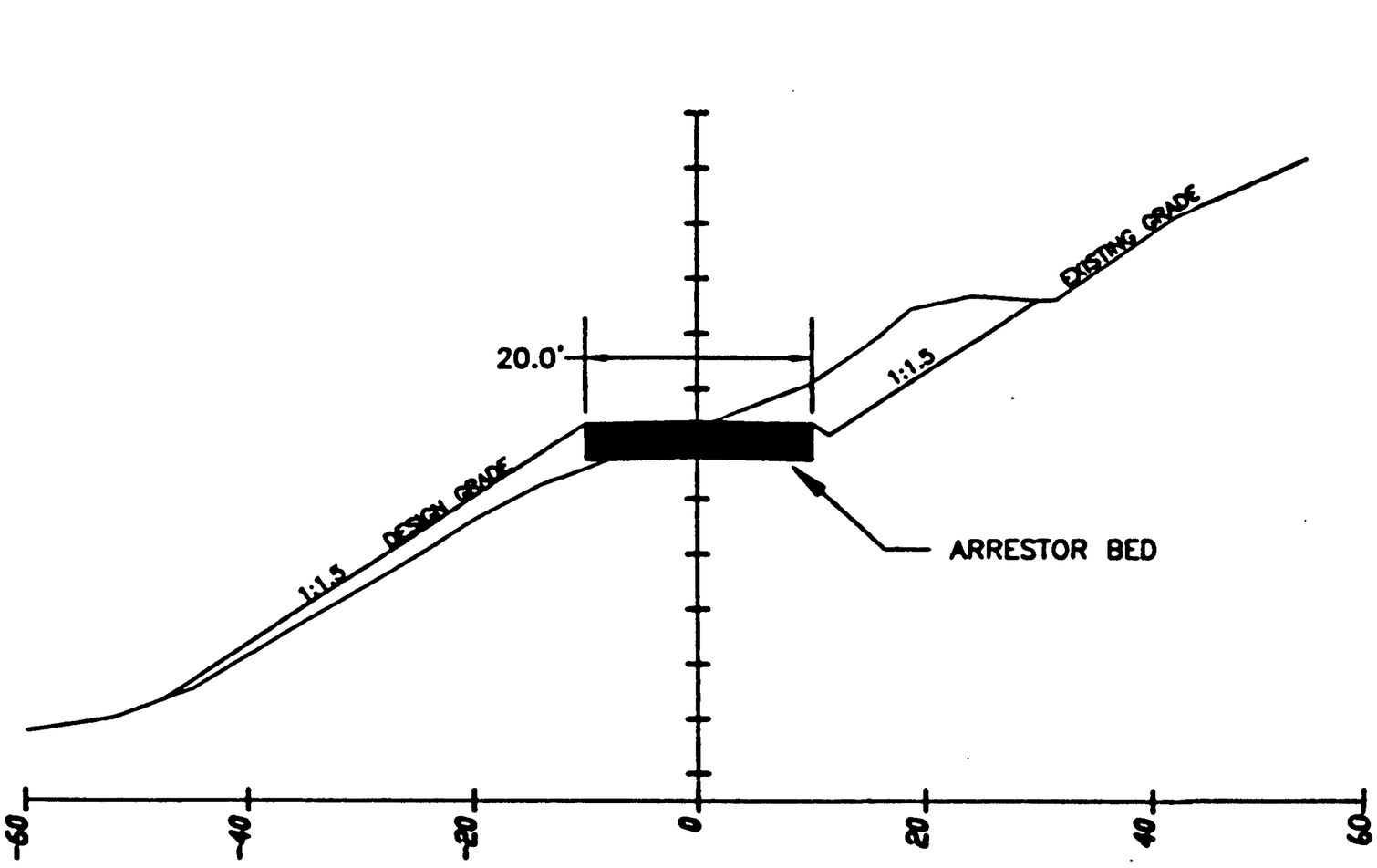


ONTARIO CANYON ROAD – PUBLIC ROAD
HILLSIDE TO GUARDSMAN DV INTERSECTION

00544835 Bk01276 Pg00568

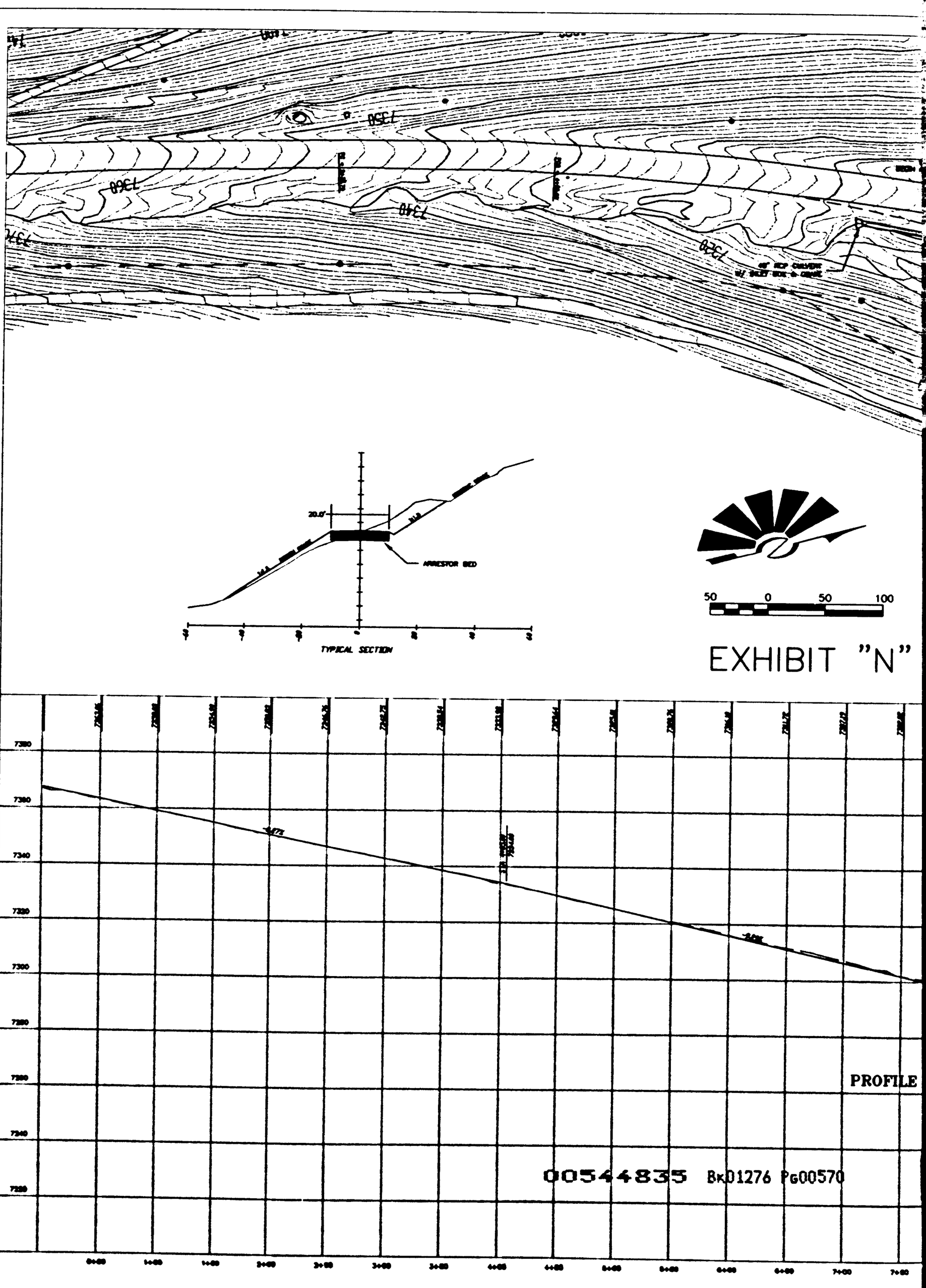
Segment 3- Runaway Truck Lane at Station 30+00.

The construction of a runaway truck ramp is proposed as a safety consideration. This is a courtesy of the developer and should be recognized as such. There are no definitive design guidelines for runaway truck ramps from AASHTO (Fehr and Peers, 11/12/98, Scott Zeigler). Basic criteria emphasize that the offset degree of the ramp to the road should be as minimal as site constraints allow. 20 feet in width is recommended as an adequate width to handle most big trucks without requiring excessive handling by the driver. The AASHTO manual recognizes that runaway truck ramps, out of necessity, need to take into account the nature of the site and design a best fit for that particular piece of property. Options for increasing the efficiency of the ramp include increasing the upward slope and installing sand piles at regular spaced intervals to slow the progress of the vehicle. At present, the Project Engineer (John Demkowicz, Alliance Engineering) is conferring with City's Engineer to determine the best layout and course for the runaway truck ramp.

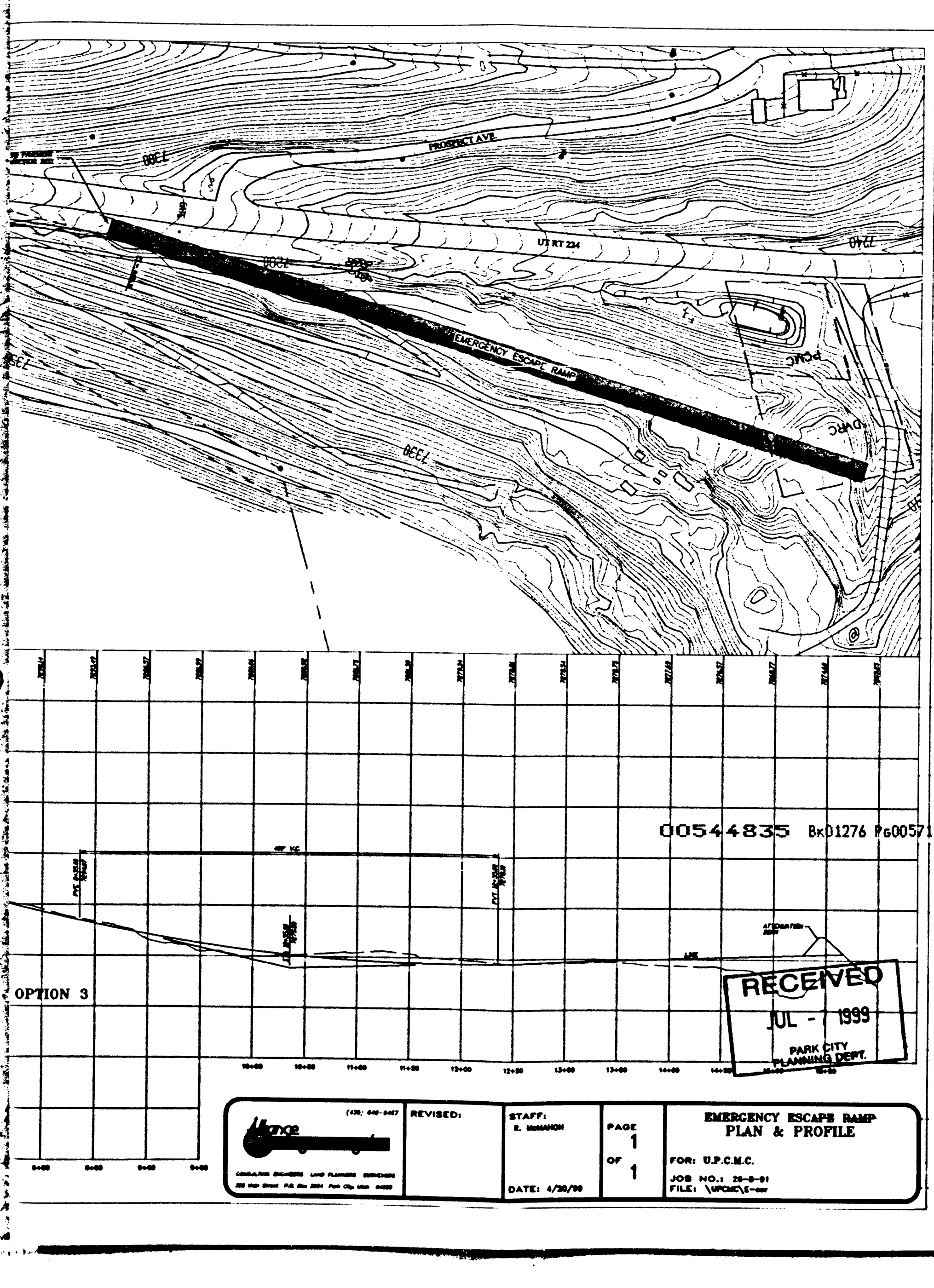


TYPICAL SECTION

00544835 Bk01276 Pg00569



00544835 Bk01276 Pg00570



0054835 Bk01276 Pg00571

(435) 649-9467

REVISED:

STAFF: R. McMAHON

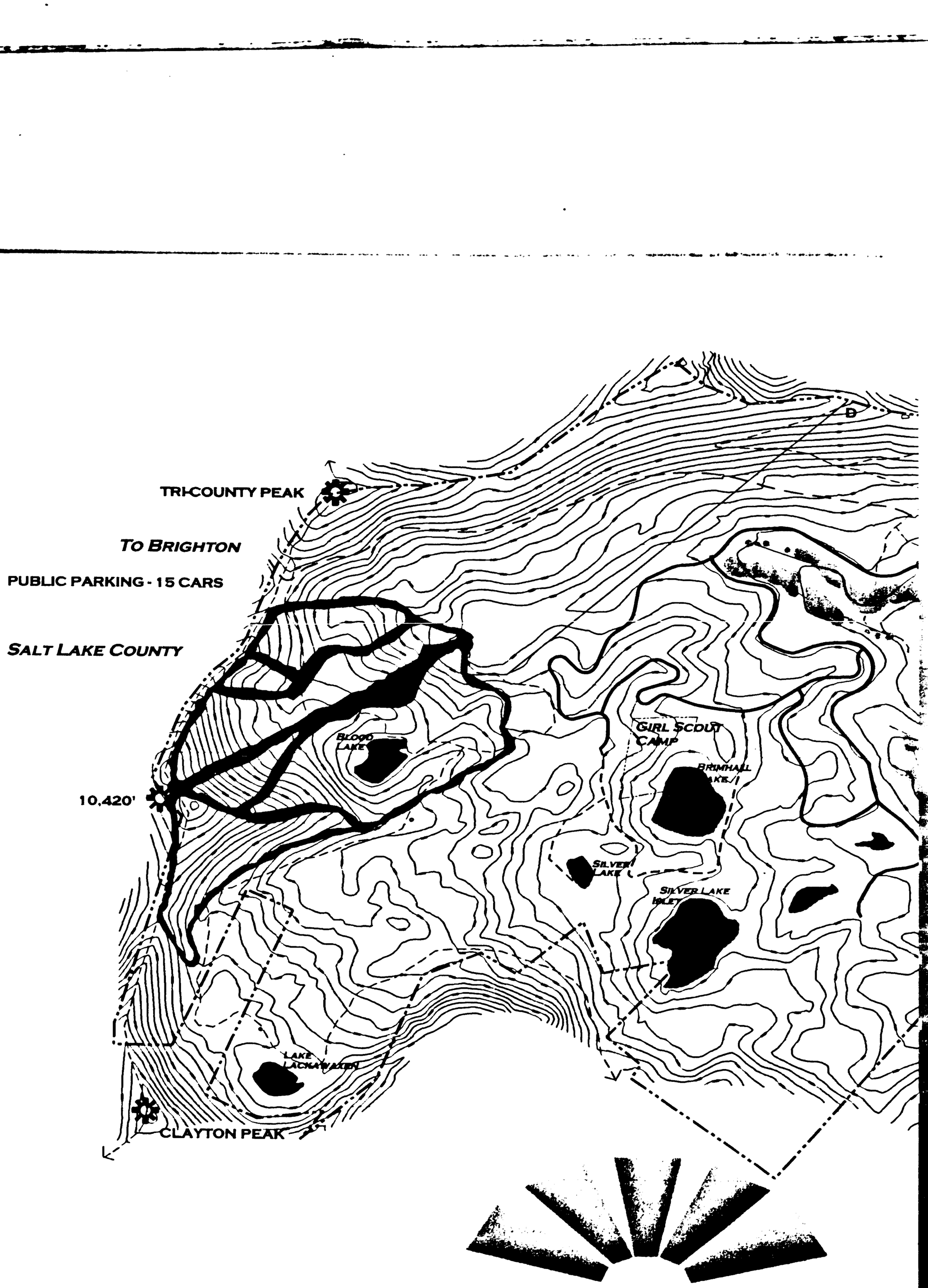
DATE: 4/20/99

PAGE 1 OF 1

EMERGENCY ESCAPE RAMP
PLAN & PROFILE

FOR: U.P.C.M.C.

JOB NO.: 28-8-91
FILE: \UPCMC\E-xxx



JUNE 1999

0 400 800 2000

BONANZA MOUNTAIN

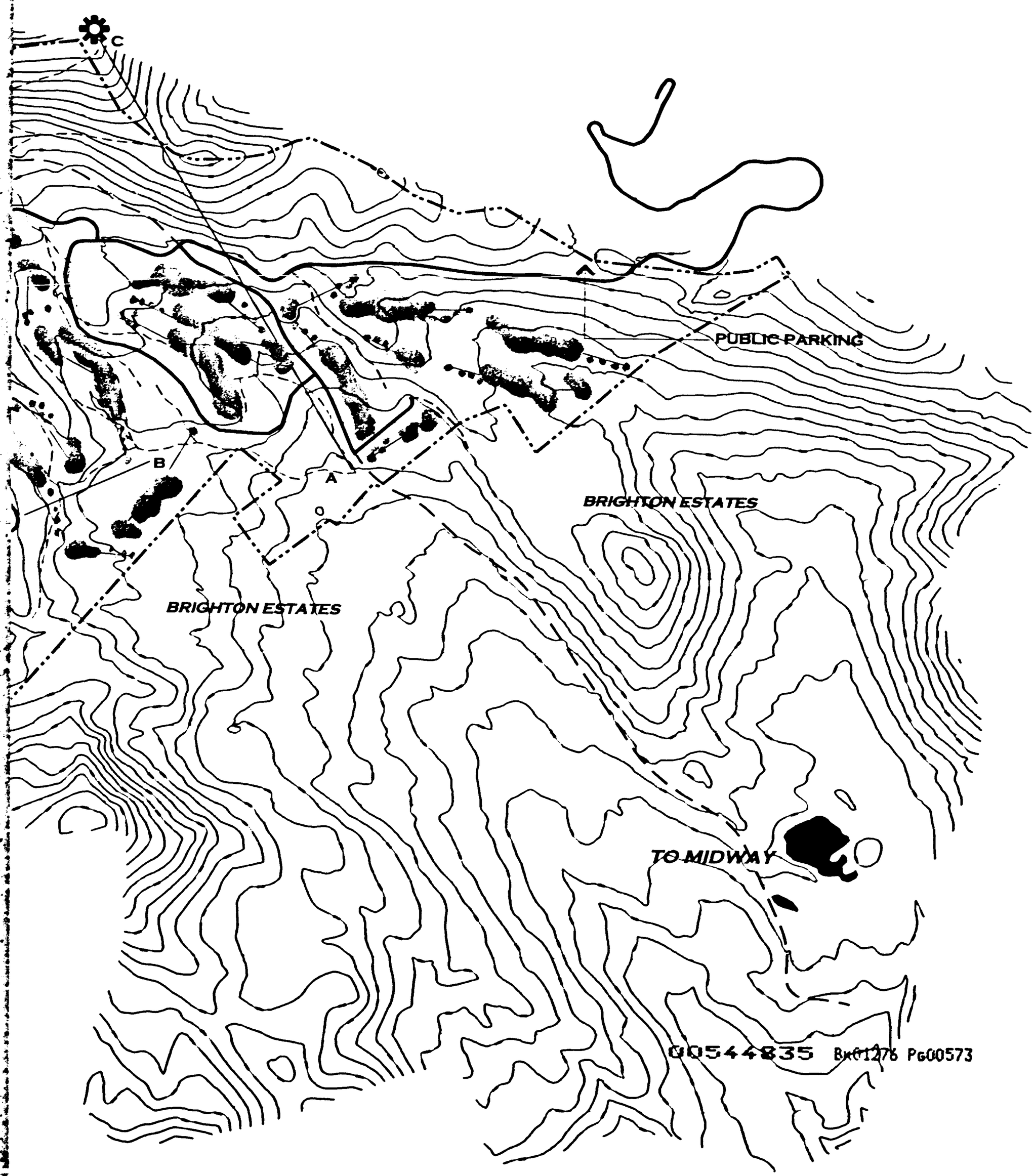
WASATCH COUNTY, UTAH

00544835 Bk01276 Pg00572

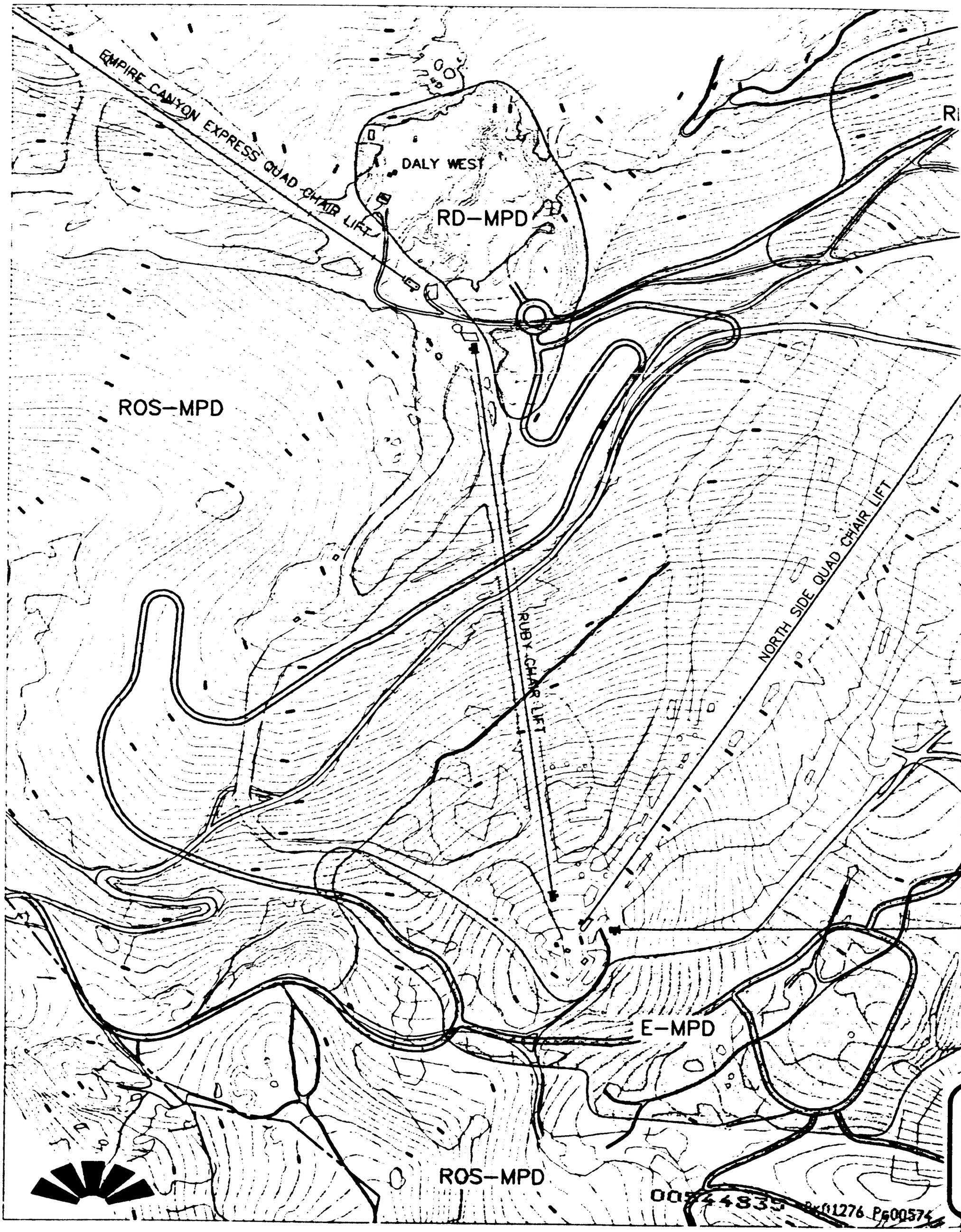
PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

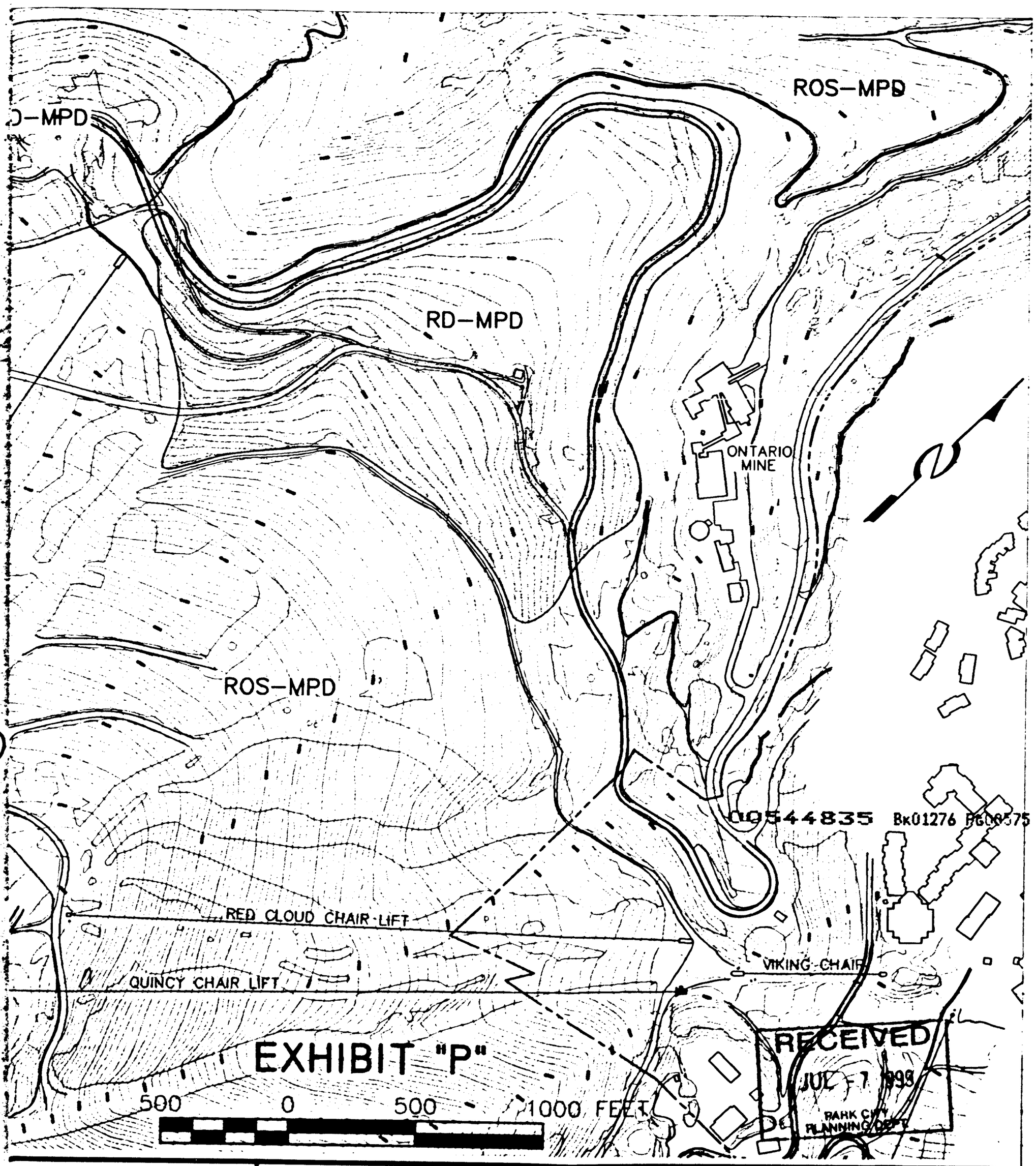
LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1709
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT O



00544835 Bk01276 Pg00573


EMPIRE CANYON EXPRESS QUAD CHAIR LIFT
DALY WEST
RD–MPD
ROS–MPD
RUBY CHAIR LIFT
NORTH SIDE QUAD CHAIR LIFT
E–MPD
ROS–MPD
00744835 Bk01276 Pg00574



(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

333 Main Street P.O. Box 2664 Park City, Utah 84060

REVISED:

STAFF:
S. DECKERT
D. CARDWELL

DATE: 6-9-99

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
DEVELOPMENT PODS
"ZONING MAP"

FOR: UPCMC

JOB NO.: 5-2-94
FILE: \UPCMC\OVERALL\D\ZONING

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

Recorded at the request of and return to: Park City Municipal Corp. Attn: City Recorder P. O. Box 1480, Park City, UT 84060

Ordinance No. 07-10

AN ORDINANCE APPROVING THE UNITED PARK CITY MINES COMPANY AND ROYAL STREET LAND COMPANY ANNEXATION OF LANDS AT PCMR AND APPROVING AN AMENDMENT TO THE PARK CITY ZONING MAP TO PLACE THE LANDS AT PCMR INTO THE RECREATION OPEN SPACE (ROS) ZONING DISTRICT AND APPROVING AMENDMENTS TO THE FLAGSTAFF MOUNTAIN DEVELOPMENT AGREEMENT, PARK CITY, UTAH.

WHEREAS, the owners of 2,800 acres of property located in unincorporated Summit County have petitioned the City Council for approval of the Annexation of Lands at PCMR into the City limits, an amendment to the current City Zoning Map and an amendment to the Flagstaff Mountain Development Agreement; and

WHEREAS, the proposed annexation is approximately 2,800 acres in size; and

WHEREAS, the zoning for the 2,800 acres will be Recreation Open Space (ROS) and zoning for the 139 acres currently within the City will also be Recreation Open Space (ROS); 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 December 13, 2006, to receive input on the Annexation of Lands PCMR, the amendment to the Park City Zoning Map, and the amended Flagstaff Development Agreement; and

WHEREAS, the Planning Commission, on December 13, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 21, 2006, January 11 and February 1, 2007, the City Council held public hearings to receive input on the Annexation of Lands PCMR, the amendment to the Park City Zoning Map, and the amended Flagstaff Development Agreement; and

WHEREAS, on February 1, 2007, the City Council approved the Annexation of Lands at PCMR, an amendment to the Park City Zoning Map and amendments to the Flagstaff Mountain Development Agreement; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Annexation of Lands at PCMR, amendments to the Park City Zoning Map, and amendments to the Flagstaff Mountain Development Agreement.

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

RECORDER'S NOTE

LEGIBILITY OF WRITING, TYPING OR PRINTING UNSATISFACTORY IN THIS DOCUMENT WHEN RECEIVED.

ENTRY NO. 00806099
03/02/2007 02:42:50 PM B: 1850 P: 1794
Ordinance PAGE 1 / 103
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE $ 0.00 BY PARK CITY MUNICIPAL CORP

follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Annexation of Lands at PCMR and amendment to the Park City Zoning Map 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 within unincorporated Summit County and contains approximately 2,800 acres to be annexed into Park City.
2. Royal Street Land Company owns a 236 acre parcel within the annexation area known as the Shadow Lake parcel. The rest of the annexation area is owned by United Park City Mines Company.
3. The current county zoning is Mountain Remote.
4. As part of the annexation petition the petitioner has requested Recreation Open Space (ROS) zoning for the entire 2,800 acre parcel and an additional 139 acre parcel currently within the City Limits and zoned Estate (E).
5. The proposed land uses are consistent with the purpose statements of the proposed zoning district. The applicants have volunteered to restrict all residential and commercial lodging by transferring all potential density to an existing development area within the Flagstaff Mountain annexation area. These restrictions are reflected in the annexation agreement.
6. Preliminary site analysis demonstrates existence of sensitive lands on the property. Therefore, the proposed SLO zoning is appropriate.
7. The proposed annexation meets the purposes stated in the Annexation Policy Plan, in that this annexation contributes to the achievement of the goals and policies of the Park City General Plan and further protects the general interests and character of Park City by including several historic mining era structures within the Park City boundary, and provides 2,800 acres of open space and ski resort related uses.
8. The annexation will bring the property into the Park City Municipal Corporation boundary and enable services to be provided to the Property, such as police and water, which are more easily accessible from the City than the County.
9. Annexation of this parcel will not create an island, peninsula, or irregular city boundary. The annexation is a logical extension of the City Boundary.
10. This property is located within the Park City Annexation Expansion Area, adopted by the City Council in 2003.
11. Provision of municipal services for this property is more efficiently provided by Park City than by Summit County.
12. Areas of wetlands, visible ridges, and steep slopes have been identified on the property. It is reasonable to include this property within the Sensitive Lands Overlay Zone.
13. It is reasonable and logical to provide municipal level services to this property adjacent to the western boundary of Park City. The annexation provides an open space buffer between Park City and the proposed boundary to the west.
14. The application is subject to the City's Affordable Housing Resolution 17-99 in

that residential density is being transferred to another location in the City. Affordable Housing is being provided under the current requirements of the Flagstaff Mountain Development Agreement, as amended.

15. The findings in the Analysis section of the staff report dated February 1, 2007, are incorporated herein.

Conclusions of Law:

1. The Zoning Map amendment is consistent with the Park City Land Management Code and General Plan.
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety and welfare of the citizens of Park City.
3. This annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and Land Management Code--Chapter 8: Annexation.

Conditions of Approval:

1. The Official Zoning Map shall be amended to include the UPCM Annexation of Lands at PCMR property within the Recreation Open Space (ROS) District and within the Sensitive Lands Overlay (SLO) Zone.
2. The Official Zoning Map shall be amended to change the 139 acre parcel within the Park City limits currently zoned Estate (E) to Recreation Open Space (ROS).
3. The annexation agreement shall be substantially the same as Exhibit B, in a form approved by the City Attorney, and fully executed and recorded with the Annexation Plat.
4. The Flagstaff Mountain Development Agreement shall be substantially the same as Exhibit C, in a form approved by the City Attorney, and fully executed and recorded with the Annexation Plat.
5. The Deed Restriction and Conservation Easement for the Annexed Lands shall be substantially the same as Exhibit D, in a form approved by the City Attorney, and fully executed and recorded with the Annexation Plat.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication and the Annexation shall be effective upon recordation and filing of this Ordinance and annexation plat pursuant to the Utah Code Annotated Section 10-2-425, and with the execution of the Amended Flagstaff Development Agreement and UPCM Lands at PCMR Annexation Agreement.

PASSED AND ADOPTED this 1st day of February, 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

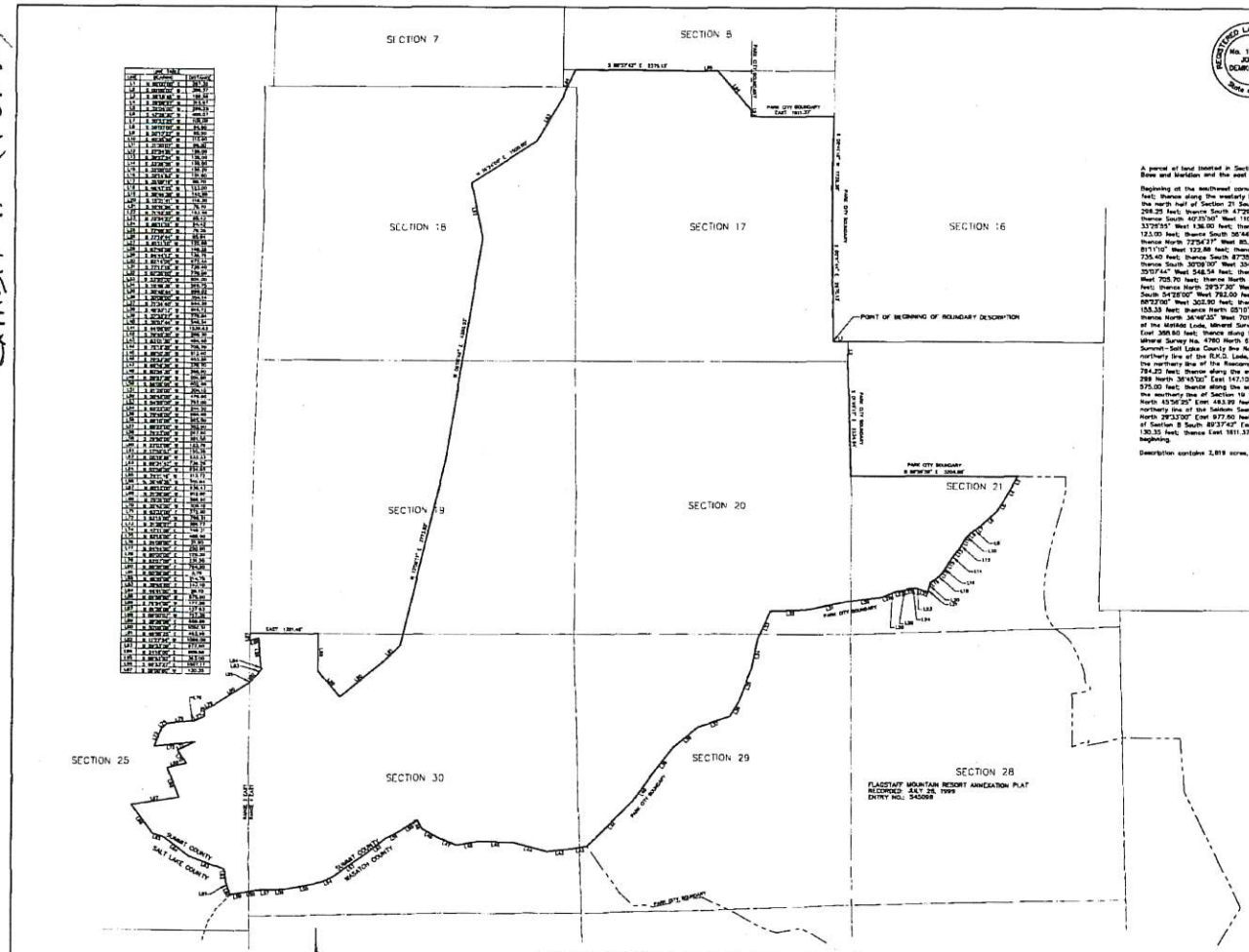
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



EXHIBIT A (1 OF 2)



ANNEXATION LANDS AT PCMR

LOCATED IN SECTION 17, THE EAST HALF OF SECTION 18, SECTIONS 19 AND 20, THE SOUTH HALF OF SECTION 21, SECTIONS 29 AND 30, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND ALSO THE EAST HALF OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

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 this plat accurately describes and illustrates the boundary and the Patented Government Lots of Record as prescribed within the boundary of the ANNEXATION LANDS AT PCMR annexation petition.

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

John Demkowicz — Date

BOUNDARY DESCRIPTION

A parcel of land located in Section 17, the east half of Section 18, Sections 19 and 20, the south half of Section 21, Sections 29 and 30, Township 2 South, Range 4 East, Salt Lake Base and Meridian and the east half of Section 25, Township 2 South, Range 3 East, Salt Lake Base and Meridian, said parcel being more or less described as follows:

Beginning at the southwest corner of Section 18, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the southerly line of Section 18 East 287.32 feet; thence along the westerly line of Section 21 South 380.37 feet; thence along the westerly line of Section 21 South 01°48'17" East 2234.84 feet; thence along the southerly line of the north half of Section 21 South 89°54'09" East 3204.88 feet; thence South 28°18'43" West 184.56 feet; thence South 29°26'57" West 215.97 feet; thence South 32°54'00" West 208.25 feet; thence South 47°29'30" West 406.07 feet; thence South 80°23'25" West 105.08 feet; thence South 56°30'00" West 84.90 feet; thence South 50°15'25" West 92.80 feet; thence South 40°25'30" West 110.80 feet; thence South 31°39'07" West 88.30 feet; thence South 27°54'51" West 198.00 feet; thence South 38°37'54" West 138.00 feet; thence South 33°28'55" West 136.00 feet; thence South 32°00'53" West 159.20 feet; thence South 32°41'53" West 101.80 feet; thence South 35°09'16" West 88.70 feet; thence South 48°47'25" West 123.00 feet; thence South 36°44'36" West 142.80 feet; thence South 15°27'41" West 116.30 feet; thence South 10°41'54" West 78.70 feet; thence North 71°57'35" West 183.60 feet; thence North 72°54'27" West 85.42 feet; thence South 86°11'58" West 84.42 feet; thence South 77°48'30" West 78.25 feet; thence South 77°19'44" West 81.84 feet; thence South 81°11'10" West 122.88 feet; thence South 82°05'58" West 149.25 feet; thence South 84°44'13" West 136.79 feet; thence South 82°14'00" West 877.44 feet; thence South 77°17'18" West 735.40 feet; thence South 87°35'00" West 778.70 feet; thence South 23°05'00" West 604.00 feet; thence South 10°48'36" West 568.75 feet; thence South 20°48'44" West 886.02 feet; thence South 30°09'00" West 334.14 feet; thence South 71°34'40" West 644.36 feet; thence South 48°33'13" West 818.72 feet; thence South 37°33'27" West 779.84 feet; thence South 05°07'44" West 548.54 feet; thence East 44°09'00" West 1236.63 feet; thence South 79°45'30" West 288.30 feet; thence South 83°01'30" West 494.40 feet; thence North 75°15'30" West 705.70 feet; thence North 86°10'30" West 812.40 feet; thence South 79°31'30" West 453.20 feet; thence North 68°16'30" West 378.70 feet; thence North 80°54'30" West 368.80 feet; thence North 29°57'30" West 201.20 feet; thence South 56°38'00" West 402.00 feet; thence South 81°28'00" West 304.10 feet; thence South 30°42'00" West 476.80 feet; thence South 54°28'00" West 782.00 feet; thence South 83°22'00" West 244.50 feet; thence South 78°48'00" West 685.90 feet; thence South 86°10'00" West 265.50 feet; thence South 68°32'00" West 305.80 feet; thence South 79°32'00" West 267.80 feet; thence South 75°52'00" West 295.50 feet; thence North 23°52'00" West 153.79 feet; thence North 17°52'03" West 155.35 feet; thence North 05°10'28" West 233.33 feet; thence North 89°34'42" West 736.25 feet; thence North 52°30'00" West 834.65 feet; thence North 74°19'18" West 213.72 feet; thence North 36°49'35" West 701.84 feet; thence along the southerly line of the Meridian Lode, Mineral Survey No. 4858 North 80°12'30" East 836.47 feet; thence along the southerly line of the Middle Lode, Mineral Survey No. 4860 North 21°36'00" West 812.00 feet; thence along the northerly line of the Fairbanks Fractional Lode, Mineral Survey No. 5384 North 75°31'00" East 388.80 feet; thence along the westerly line of the Indiana Lode, Mineral Survey No. 4780 North 35°42'00" West 308.10 feet; thence along the northerly line of the Indiana Lode, Mineral Survey No. 4780 North 83°32'00" East 372.60 feet; thence along the southerly line of the Wasatch Lode, Lot 281 South 83°15'30" East 788.21 feet; thence along the Summit-Salt Lake County line North 21°28'07" East 381.77 feet; thence along the southerly line of the Augusta Lode, Lot 122 North 47°11'00" East 145.21 feet; thence along the northerly line of the R.K.G. Lode, Lot 287 North 83°15'00" East 489.80 feet; thence along the westerly line of the R.K.G. Lode, Lot 287 South 24°08'00" East 21.80 feet; thence along the northerly line of the Roscoe Lode, Lot 286 North 84°44'00" East 250.80 feet; thence North 12°09.30 feet; thence North 83°07'00" East 231.20 feet; thence North 36°30'00" East 784.20 feet; thence along the west line of Section 30 North 00°38'00" East 1.70 feet; thence North 45°41'00" East 274.75 feet; thence along the northerly line of the Hope Lode, Lot 288 North 36°45'00" East 147.10 feet; thence along the westerly line of the Pique No. 3 Lode, Mineral Survey No. 4742 North 44°41'00" West 28.10 feet; thence North 04°53'00" West 575.00 feet; thence along the westerly line of the Norma Lode, Mineral Survey No. 4177 South 76°24'00" West 177.28 feet; thence North 01°35'00" East 137.93 feet; thence East along the northerly line of Section 19 1321.10 feet; thence South 00°00'07" West 757.38 feet; thence South 39°28'00" East 859.86 feet; thence North 50°00'00" East 1050.51 feet; thence North 45°56'25" East 483.99 feet; thence North 73°09'11" East 3773.82 feet; thence North 09°05'48" East 4380.03 feet; thence North 11°27'54" West 1099.08 feet; thence along the northerly line of the Saldom Seer No. 4, Mineral Survey No. 5091 North 56°24'00" East 1500.00 feet; thence along the northerly line of the Saldom Seer No. 3, Mineral Survey 5091 North 29°33'00" East 977.50 feet; thence along the northerly line of the Saldom Seer No. 2, Mineral Survey No. 3581 North 24°18'00" East 609.26 feet; thence along the southerly line of Section 8 South 89°37'42" East 2375.13 feet; thence along the southerly line of Section 9 North 89°52'52" East 383.00 feet; thence South 40°32'27" East 1807.17 feet; thence South 130.35 feet; thence East 1611.37 feet; thence South 00°41'48" West 1728.36 feet; thence along the westerly line of Section 16 South 00°41'44" East 2670.13 feet to the point of beginning.

Description contains 2,819 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned corporate officer of United Park City Mines; the owner of the majority of the land described and illustrated on this plat, hereby petitions Park City Municipal Corporation, of Summit County, Utah that said lands be annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Name — Title

ACKNOWLEDGMENT

State of Utah)
ss
County of Summit)

On this _____ day of _____ 2007 _____ personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the Corporate Agent for United Park City Mines Company, the owner of the majority of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

A Notary Public commissioned in Utah — Printed Name

Residing in: _____ My Commission Expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned corporate officer of Royal Street Land Company, a Utah Corporation; the owner of portions of the land described and illustrated on this plat, hereby petitions Park City Municipal Corporation, of Summit County, Utah that said lands be annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Name — Title

ACKNOWLEDGMENT

State of Utah)
ss
County of Summit)

On this _____ day of _____ 2007 _____ personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the vice-president for Royal Street Land Company, the owner of portions of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

A Notary Public commissioned in Utah — Printed Name

Residing in: _____ My Commission Expires: _____

SHEET 1 OF 2

JOB NO.: 1-1-01 FILE: X:\Empire\dwg\Talisker\plat\annexation-sht1.dwg

Alliance Engineering (435) 649-9467 — CONSULTING ENGINEERS LAND PLANNERS SURVEYORS — 332 Main Street P.O. Box 2864 Park City, Utah 84060-2864

1000' 0 1000' 2000'

ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2007 A.D.	APPROVED AS TO FORM THIS _____ DAY OF _____, 2007 A.D.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ PARK CITY RECORDER	BY _____ MAYOR	FEE _____ RECORDER _____

EXHIBIT A (2 OF 2)

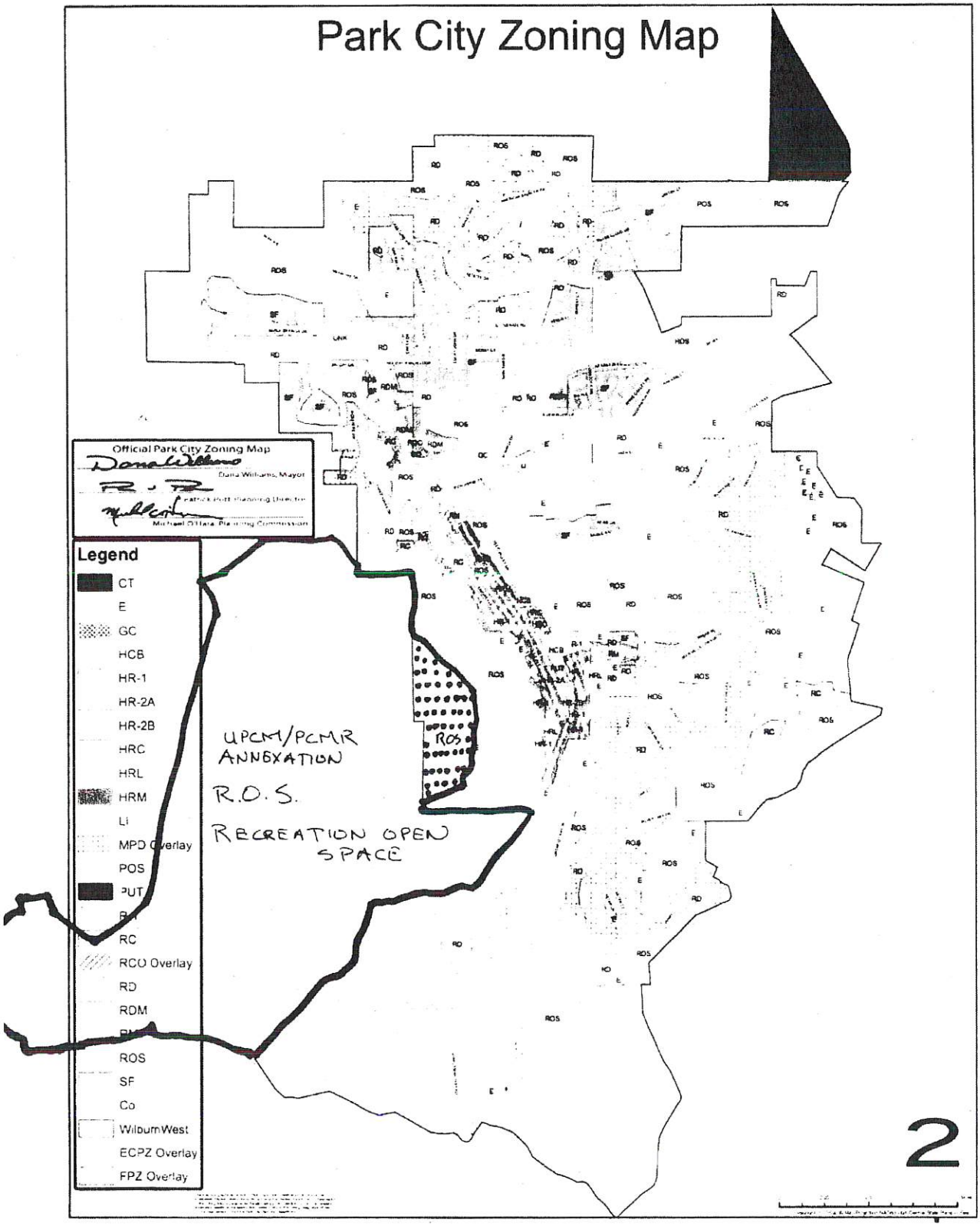


EXHIBIT B - ANNEXATION AGREEMENT

When recorded, please return to:
PARK CITY MUNICIPAL CORPORATION
City Recorder
PO Box 1480
Park City UT 84060

ANNEXATION AGREEMENT FOR THE
UNITED PARK CITY MINES COMPANY LANDS
AT PARK CITY MOUNTAIN RESORT

This Annexation Agreement is made by and between Park City Municipal Corporation (Park City), Royal Street Land Company ("RSLC"), and the United Park City Mines Company, Owner (hereafter referred to as "Petitioner") to set forth the terms and conditions under which Park City will annex land owned by RSLC and Petitioner into the corporate limits of Park City and extend certain municipal services to that property. This Agreement is made under authority of 10-2-401 et. seq. of the Utah Code, Annotated 1953, as amended, and shall serve as a supplemental annexation policy declaration when executed by all parties. In consideration of Park City's agreement to annex RSLC and Petitioner's property and in consideration of the mutual promises contained herein, the parties agree that the terms and conditions of annexation shall be as follows:

1. Property. The property to be annexed is approximately 2,800 acres in size as depicted on the annexation plat, attached as Exhibit A, and as more fully described in the legal description, attached as Exhibit B, and the preliminary plat, attached as Exhibit C, and incorporated herein by reference (hereafter referred to as the "Property"). Park City Mountain Resort (hereafter referred to as PCMR) has rights in a ski lease over a substantial portion of the annexation property.

2. Zoning. Upon annexation, the entire Property will be zoned ROS, Recreation Open Space. The entire Property shall also be included within the Sensitive Lands Overlay District. A Deed Restriction prohibiting residential construction and uses, including hotel and lodging, applies over the PCMR ski lease lands and RSLC property, and a Conservation Easement applies to those areas within the annexation boundary but not subject to the PCMR ski lease and not owned by RSLC.

3. Master Plan and Subdivision Plat Approval. Due to the transfer of development capacity from this property to adjacent lands within the Flagstaff Mountain Resort Annexation, a Master Planned Development ("MPD") is not required. The next Development Activity application or amendment under the PCMR MPD must add the PCMR lease land annexed hereby to the PCMR MPD. Following completion of the annexation process, pursuant to Utah Code Annotated Section 10- 2-425, development on the Property shall be governed by the zoning designation provided herein, this Agreement, and the Park City Land Management code in effect at the time complete subdivision and building permit applications are filed with Park City.

4. **Density.** The total density of the UPCM Lands and RSLC property upon PCMR Annexation is zero. No residential construction or uses, including hotel or lodging, are allowed. Limited ski area improvements may be permitted subject to the PCMR Master Planned Development and Park City Land Management Code.

5. **Trails.** Numerous trails exist on the annexation property. These trails will be available for public use subject to reasonable restrictions due to construction, maintenance, and environmental factors including wildlife and erosion. The existing and any newly required trails shall be added to the Park City Master Trails and as necessary dedicated to the City either on the Annexation plat or at the time of PCMR MPD amendment.

6. **Open Space**. The entirety of the Annexation will be dedicated open space.

7. **Affordable Housing.** The Petitioner shall comply with all applicable Affordable Housing requirements of Resolution 17-99, as part of the transfer of density to the Flagstaff Annexation area, as specified in the Amended and Restated Development Agreement For Flagstaff Mountain.

8. **Fire Prevention Measures.** Because of significant wild land interface issues on the Property, if required by Park City, the Petitioner agrees to implement a fire protection and emergency access plan, to be submitted prior to issuance of any building permits, and to be reviewed and approved by the Fire Marshall and Chief Building Official for compliance with applicable building and fire codes.

9. **Roads and Road Design.** No new public or private streets or roads are proposed as part of this annexation.

10. **Sanitary Sewer.** No new public or private sewer line is required or proposed with this annexation.

11. **Dedication of Water Rights.** A condition of the annexation approval is the satisfaction of the requirements of the Water Section of the Amended Development Agreement For Flagstaff Mountain.

12. **Water Infrastructure and Other Water System Costs.** A condition of the annexation approval is the satisfaction of the requirements of the Water Section of the Amended and Restated Development Agreement For Flagstaff Mountain.

13. **Sensitive Lands Review.** At the time of annexation the entire Property shall be included within the Sensitive Lands Overlay District (SLO). A sensitive lands analysis was submitted and reviewed by the Planning Commission during the annexation review for consideration of potential density available to be transferred.

14. **Planning, Building, and Inspection Fees.** Petitioner is responsible for all customary Development Activity fees, including all planning, building, subdivision, and construction inspection fees required by the City at the time of application and/or approvals.

15. Impact and Building Fees. Unless otherwise specified in the Amended Development Agreement For Flagstaff Mountain, Petitioner shall pay all generally applicable fees, such as development impact, park and recreation land acquisition, building permit, and plan check fees due for construction on the Property at the time of application for building permits.

16. Acceptance of Public Improvements. No public infrastructure is required or proposed with this annexation area, but the annexation is conditioned upon those improvements as specified in the Amended Development Agreement For Flagstaff Mountain.

17. Snow Removal and Storage. No snow removal or storage is required or proposed with this annexation.

18. Fiscal Impact Analysis. There is no proposed development within this annexation area that requires a fiscal impact analysis to be submitted with the petition. Fiscal analysis including costs and revenues relating to the density transferred to the Flagstaff Annexation area has been reviewed and accepted by the City.

19. Comprehensive Review and Analysis of Surrounding Property. The Petitioner submitted with the petition for annexation a comprehensive land use review and analysis of the surrounding properties.

20. Effective Date. Pursuant to Utah Code Section 10-3-712, the Annexation shall be effective upon recordation and filing of the Ordinance and annexation plat pursuant to the Utah Code Annotated Section 10-2-425.

21. Governing Law. The laws of the State of Utah shall govern this Agreement. Jurisdiction and venue are proper in Summit County.

22. Real Covenant, Equitable Servitude. This Agreement constitutes a real covenant and an equitable servitude on the Property. The terms of this Agreement touch and concern and both benefit and burden the Property. The benefits and burdens of this Agreement run with the land, and are intended to bind all successors in interest to any portion of the Property.

23. Assignment. This Agreement is also a personal obligation of the Petitioner. Petitioner may assign its obligations under this Agreement, only upon prior written consent of the City, upon demonstration that the City's rights are adequately secured by the assignment. Consent to assignment shall rest in the sole discretion of the City.

24. Compliance with City Code. Notwithstanding paragraph 20 herein, from the time of City Council approval of this agreement, Petitioner and its agents shall comply with all City Codes and Regulations pertaining to the subject Property.

25. Amending the Agreement. Only a written instrument signed by all parties hereto may amend this Agreement. No Third-party beneficiaries are intended or created by this agreement.

26. Additional Agreements. This Annexation is conditioned upon the Amended and Restated Development Agreement For Flagstaff Mountain, the Talisker Conservation Deed Restriction and the Conservation Easement executed and recorded concurrently herewith.

DATED this 2nd day of March, 2007.

PARK CITY MUNICIPAL CORPORATION, a municipality of the State of Utah

By: _____
Mayor

Attest: _____
Recorder

UNITED PARK CITY MINES COMPANY, a Delaware corporation authorized to do business in Utah

By: _____
Authorized Signing Officer

Attest: _____

ROYAL STREET LAND COMPANY,
a Utah corporation,

By: _____
Robert W. Wells, Vice President

26. Additional Agreements. This Annexation is conditioned upon the Amended and Restated Development Agreement For Flagstaff Mountain, the Talisker Conservation Deed Restriction and the Conservation Easement executed and recorded concurrently herewith.

DATED this 2nd day of March, 2007.

PARK CITY MUNICIPAL CORPORATION, a municipality of the State of Utah

By: _____
Mayor

Attest: _____
Recorder

UNITED PARK CITY MINES COMPANY, a Delaware corporation authorized to do business in Utah

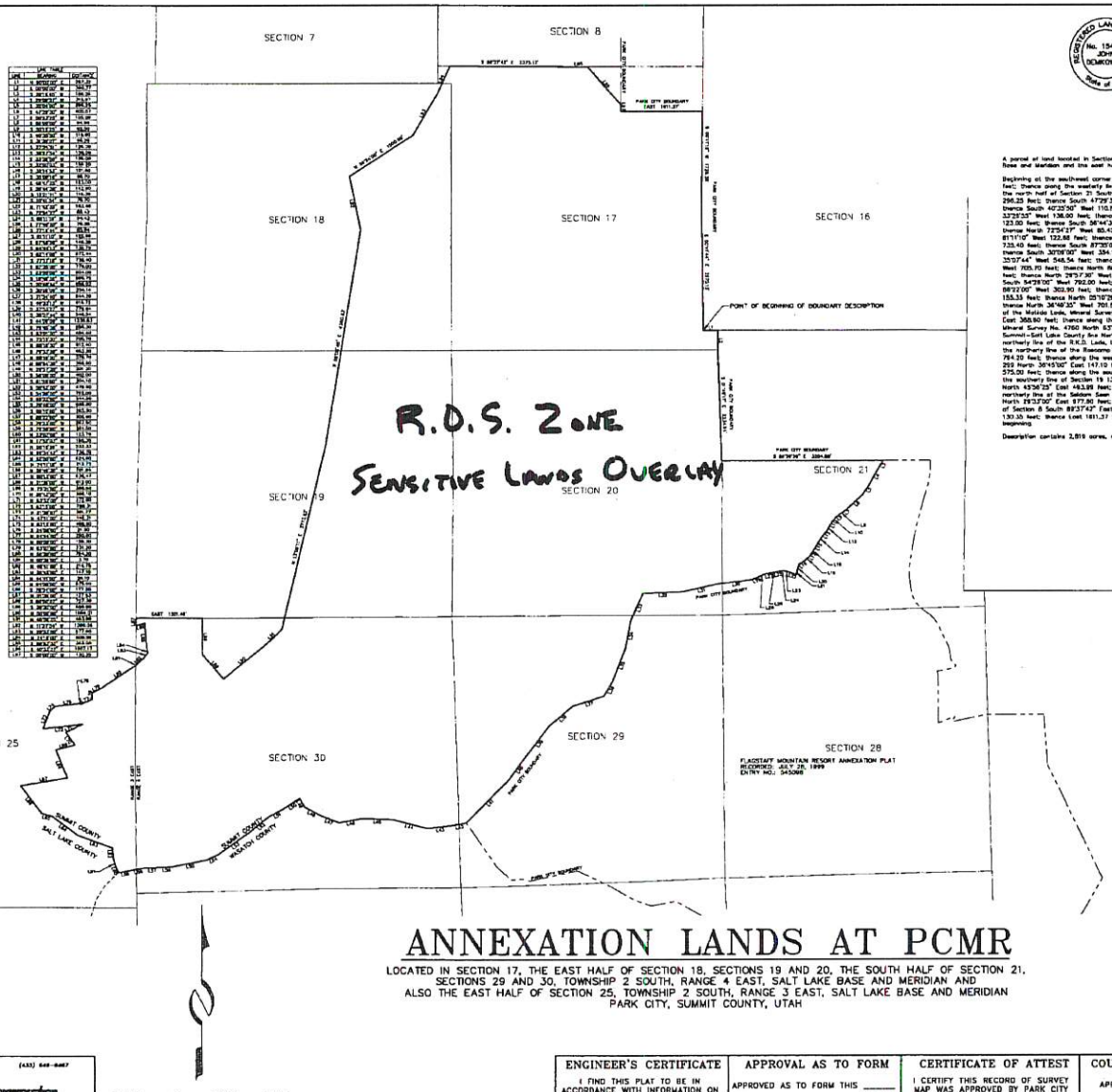
By: _____
Authorized Signing Officer

Attest: _____

ROYAL STREET LAND COMPANY,
a Utah corporation,

By: _____
Robert W. Wells, Vice President

EXHIBIT "A"
Annexation and Zoning Plat



ANNEXATION LANDS AT PCMR

LOCATED IN SECTION 17, THE EAST HALF OF SECTION 18, SECTIONS 19 AND 20, THE SOUTH HALF OF SECTION 21, SECTIONS 29 AND 30, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND ALSO THE EAST HALF OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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 this plat accurately describes and illustrates the boundary and the Patented Government Lots of Record as prescribed within the boundary of the ANNEXATION LANDS AT PCMR annexation petition.

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

John Demkowicz Date

BOUNDARY DESCRIPTION

A parcel of land located in Section 17, the east half of Section 18, Sections 19 and 20, the south half of Section 21, Sections 29 and 30, Township 2 South, Range 4 East, Salt Lake Base and Meridian and the east half of Section 25, Township 2 South, Range 3 East, Salt Lake Base and Meridian, said parcel being more or less described as follows:

Beginning at the southwest corner of Section 18, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the southerly line of Section 18 East 287.32 feet; thence along the westerly line of Section 21 South 390.37 feet; thence along the westerly line of Section 21 South 01°49'11" East 2234.84 feet; thence along the southerly line of the north half of Section 21 South 89°58'39" East 3304.88 feet; thence South 25°15'45" West 1055.56 feet; thence South 29°26'57" West 315.87 feet; thence South 37°04'00" West 298.25 feet; thence South 47°29'30" West 405.07 feet; thence South 30°23'25" West 105.09 feet; thence South 56°30'00" West 94.90 feet; thence South 50°15'25" West 92.50 feet; thence South 40°23'00" West 110.80 feet; thence South 31°30'07" West 86.20 feet; thence South 27°54'31" West 128.00 feet; thence South 38°37'54" West 138.00 feet; thence South 33°28'55" West 138.00 feet; thence South 32°00'53" West 158.20 feet; thence South 32°14'53" West 120.90 feet; thence South 20°09'18" West 88.70 feet; thence South 49°47'25" West 123.00 feet; thence South 36°44'36" West 142.80 feet; thence South 15°21'41" West 116.30 feet; thence South 10°41'54" West 78.70 feet; thence North 71°43'30" West 163.46 feet; thence North 72°54'27" West 85.43 feet; thence South 89°11'18" West 94.42 feet; thence South 77°48'30" West 79.25 feet; thence South 77°19'44" West 85.84 feet; thence South 81°11'10" West 122.88 feet; thence South 87°45'58" West 148.28 feet; thence South 84°44'13" West 136.79 feet; thence South 82°14'00" West 872.44 feet; thence South 77°17'18" West 735.40 feet; thence South 87°35'00" West 778.00 feet; thence South 23°55'00" West 604.00 feet; thence South 10°48'36" West 369.75 feet; thence South 32°48'44" West 698.03 feet; thence South 32°08'00" West 334.14 feet; thence South 71°54'40" West 844.26 feet; thence South 49°53'17" West 618.72 feet; thence South 37°53'27" West 778.84 feet; thence South 35°07'44" West 548.54 feet; thence South 44°09'00" West 1236.65 feet; thence South 78°45'30" West 288.50 feet; thence South 83°01'30" West 494.40 feet; thence North 75°13'30" West 705.90 feet; thence North 66°07'30" West 412.40 feet; thence South 79°37'30" West 453.20 feet; thence North 68°18'30" West 378.70 feet; thence North 80°54'30" West 368.80 feet; thence North 29°57'30" West 231.20 feet; thence South 56°28'00" West 402.00 feet; thence South 81°28'00" West 304.10 feet; thence South 30°42'00" West 478.80 feet; thence South 54°28'00" West 782.00 feet; thence South 65°22'00" West 244.50 feet; thence South 78°48'00" West 685.80 feet; thence South 86°10'00" West 265.50 feet; thence South 68°22'00" West 302.90 feet; thence North 79°27'00" West 297.90 feet; thence South 79°30'00" West 285.50 feet; thence North 23°20'00" West 132.78 feet; thence North 17°52'03" West 155.35 feet; thence North 05°18'28" West 233.33 feet; thence North 89°34'42" West 736.28 feet; thence North 52°56'00" West 624.65 feet; thence North 74°11'18" West 215.72 feet; thence North 36°48'35" West 700.84 feet; thence along the southerly line of the Mellos Lode, Mineral Survey No. 4958 North 80°12'00" East 836.47 feet; thence along the southerly line of the Matsos Lode, Mineral Survey No. 4959 North 31°36'00" West 512.00 feet; thence along the northerly line of the Fairgrove Fraction Lode, Mineral Survey No. 5384 North 75°31'00" East 368.80 feet; thence along the southerly line of the Indiana Lode, Mineral Survey No. 4760 North 30°42'00" West 308.10 feet; thence along the northerly line of the Indiana Lode, Mineral Survey No. 4760 North 83°31'00" East 372.80 feet; thence along the southerly line of the Malakite Lode, Lot 281 South 83°15'00" West 788.31 feet; thence along the Summit-Salt Lake County line North 21°28'07" East 381.77 feet; thence along the southerly line of the Augusta Lode, Lot 122 North 47°11'00" East 145.31 feet; thence along the northerly line of the R.K.D. Lode, Lot 282 North 83°15'00" East 489.80 feet; thence along the westerly line of the R.K.D. Lode, Lot 282 South 01°49'11" East 21.80 feet; thence along the northerly line of the Roscoma Lode, Lot 286 North 84°44'00" East 250.80 feet; thence North 126.30 feet; thence North 63°07'00" East 231.20 feet; thence North 56°30'00" East 784.20 feet; thence along the west line of Section 30 North 00°36'00" East 3.70 feet; thence North 40°41'00" East 214.75 feet; thence along the northerly line of the Hope Lode, Lot 299 North 36°45'00" East 147.10 feet; thence along the westerly line of the Plaza No. 3 Lode, Mineral Survey No. 4743 North 44°41'00" West 25.10 feet; thence North 04°55'00" West 575.20 feet; thence along the southerly line of the Norma Lode, Mineral Survey No. 4177 South 79°41'00" West 177.28 feet; thence North 01°35'00" East 137.83 feet; thence East along the southerly line of Section 19 1231.48 feet; thence South 00°00'07" West 737.38 feet; thence South 38°26'00" East 859.89 feet; thence North 50°06'00" East 1050.51 feet; thence North 45°36'25" East 483.89 feet; thence North 13°09'11" East 3773.62 feet; thence North 28°25'46" East 4380.03 feet; thence North 11°37'54" West 1389.08 feet; thence along the northerly line of the Seldom Seen No. 4, Mineral Survey No. 5081 North 24°24'00" East 1300.00 feet; thence along the northerly line of the Seldom Seen No. 3, Mineral Survey 5081 North 78°37'00" East 577.80 feet; thence along the northerly line of the Seldom Seen No. 2, Mineral Survey No. 5081 North 24°18'00" East 809.38 feet; thence along the southerly line of Section 8 South 89°37'47" East 2375.51 feet; thence along the westerly line of Section 8 North 89°53'53" East 383.00 feet; thence South 40°33'27" East 1057.17 feet; thence South 130.35 feet; thence East 1811.37 feet; thence South 00°41'16" West 1726.36 feet; thence along the westerly line of Section 18 South 00°41'44" East 2670.13 feet to the point of beginning.

Description contains 2,819 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned corporate officer of United Park City Mines; the owner of the majority of the land described and illustrated on this plat, hereby petitions Park City Municipal Corporation, of Summit County, Utah that said lands be annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Name Title

ACKNOWLEDGMENT

State of Utah)
:ss
County of Summit)

On this day of 2007 personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the Corporate Agent for United Park City Mines Company, the owner of the majority of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

A Notary Public commissioned in Utah Printed Name

Residing in: My Commission Expires:

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned corporate officer of Royal Street Land Company, a Utah Corporation; the owner of portions of the land described and illustrated on this plat, hereby petitions Park City Municipal Corporation, of Summit County, Utah that said lands be annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Name Title

ACKNOWLEDGMENT

State of Utah)
:ss
County of Summit)

On this _____ day of _____ 2007 _____ personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the vice-president for Royal Street Land Company, the owner of portions of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

A Notary Public commissioned in Utah Printed Name

Residing in: My Commission Expires:

SHEET 1 OF 2

JOB NO.: 1-1-01 FILE: X:\Empire\dwg\Talisker\plat\annexation-sht1.dwg

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

ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2007 A.D.	APPROVED AS TO FORM THIS _____ DAY OF _____, 2007 A.D.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ PARK CITY RECORDER	BY _____ MAYOR	_____ FEE _____ RECORDER

00606099 B: 1850 P: 1794 Page 14 of 103 Summit County

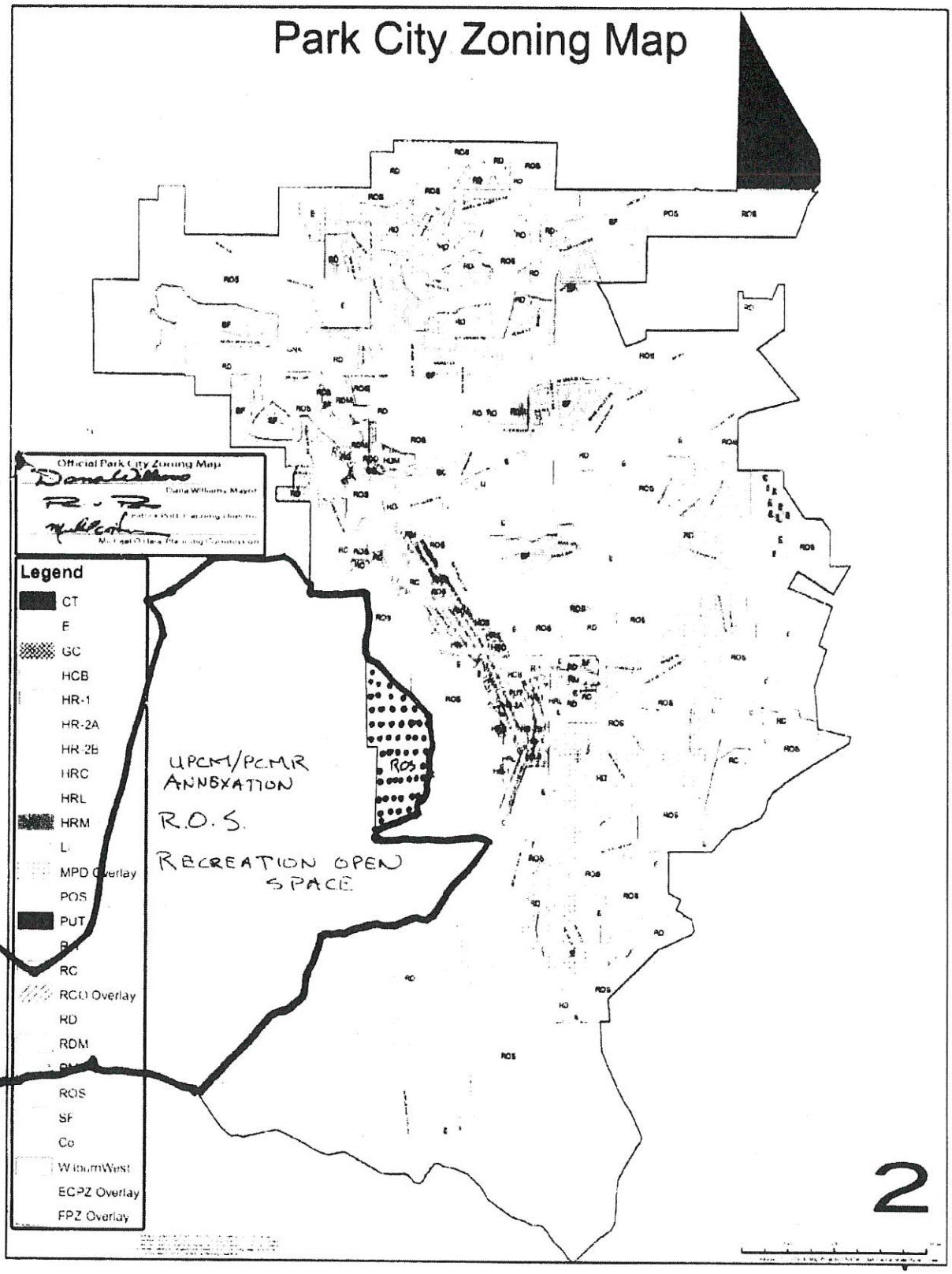

Park City Zoning Map
Official Park City Zoning Map
Legend
CT
E
GC
HCB
HR-1
HR-2A
HR-2B
HRC
HRL
HRM
LI
MPD Overlay
POS
PUT
RC
RCO Overlay
RD
RDM
ROS
SF
Co
WilliumWest
ECPZ Overlay
FPZ Overlay
UPCM/PCMR
ANNEXATION
R.O.S.
RECREATION OPEN
SPACE
ROS
2

EXHIBIT "B"
Legal Description

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LEGAL DESCRIPTION
ANNEXATION LANDS AT PCMR
March 2, 2007

A parcel of land located in Section 17, the east half of Section 18, Sections 19 and 20, the south half of Section 21, Sections 29 and 30, Township 2 South, Range 4 East, Salt Lake Base and Meridian and the east half of Section 25, Township 2 South, Range 3 East, Salt Lake Base and Meridian, said parcel being more or less described as follows:

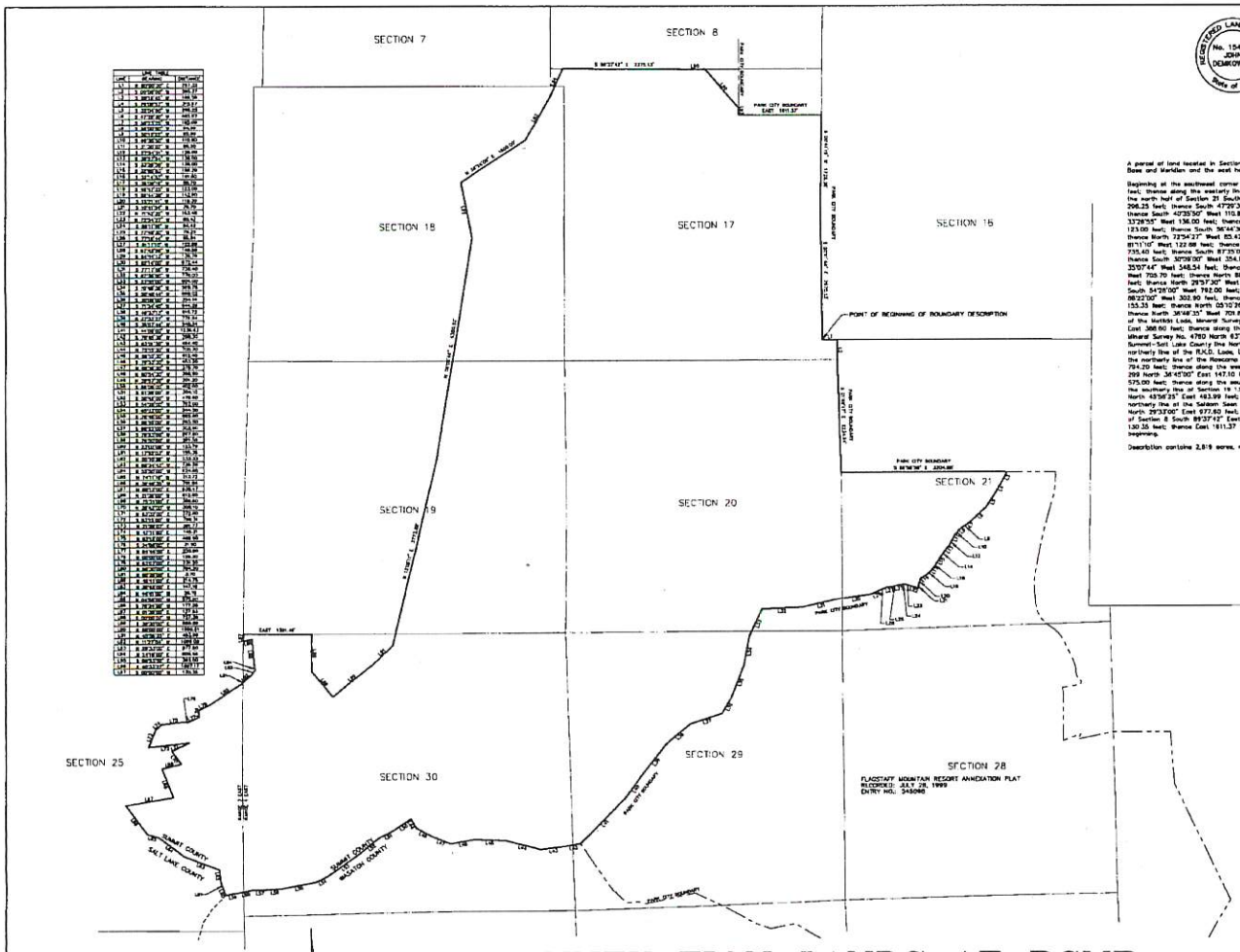
Beginning at the southwest corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the southerly line of Section 16 East 287.32 feet; thence along the westerly line of Section 21 South 390.37 feet; thence along the westerly line of Section 21 South 01°49'17" East 2234.94 feet; thence along the southerly line of the north half of Section 21 South 89°59'59" East 3204.88 feet; thence South 28°18'45" West 186.56 feet; thence South 29°09'57" West 315.97 feet; thence South 32°04'00" West 296.25 feet; thence South 47°29'30" West 405.07 feet; thence South 50°23'25" West 105.09 feet; thence South 56°00'00" West 94.90 feet; thence South 50°15'25" West 92.50 feet; thence South 40°35'50" West 110.80 feet; thence South 31°30'07" West 96.20 feet; thence South 27°54'51" West 126.00 feet; thence South 38°27'54" West 138.00 feet; thence South 33°26'55" West 136.00 feet; thence South 32°00'03" West 159.20 feet; thence South 32°14'53" West 101.60 feet; thence South 35°09'16" West 88.70 feet; thence South 46°47'25" West 123.00 feet; thence South 56°44'38" West 142.80 feet; thence South 15°21'41" West 116.30 feet; thence South 10°41'54" West 76.70 feet; thence North 71°42'35" West 163.49 feet; thence North 72°54'27" West 85.42 feet; thence South 86°11'16" West 94.42 feet; thence South 77°48'30" West 79.25 feet; thence South 77°19'44" West 85.84 feet; thence South 81°11'10" West 122.88 feet; thence South 67°45'58" West 149.28 feet; thence South 64°44'13" West 136.79 feet; thence South 82°14'00" West 672.44 feet; thence South 77°17'18" West 735.40 feet; thence South 87°35'00" West 778.00 feet; thence South 23°55'00" West 604.00 feet; thence South 10°48'36" West 569.75 feet; thence South 20°48'44" West 698.02 feet; thence South 30°09'00" West 354.14 feet; thence South 71°34'40" West 644.26 feet; thence South 49°33'13" West 616.72 feet; thence South 37°33'27" West 779.84 feet; thence South 35°07'44" West 548.54 feet; thence South 44°09'00" West 1236.63 feet; thence South 79°45'30" West 288.30 feet; thence South 83°01'30" West 494.40 feet; thence North 75°15'30" West 705.70 feet; thence North 88°10'30" West 612.40 feet; thence South 79°33'30" West 453.20 feet; thence North 68°16'30" West 378.70 feet; thence North 60°54'30" West 368.90 feet; thence North 29°57'30" West 201.20 feet; thence South 56°08'00" West 402.00 feet; thence South 61°28'00" West 304.10 feet; thence South 50°42'00" West 479.60 feet; thence South 54°28'00" West 792.00 feet; thence South 65°22'00" West 244.50 feet; thence South 78°48'00" West 685.80 feet; thence South 86°10'00" West 265.50 feet; thence South 88°22'00" West 302.90 feet; thence South 79°23'00" West 267.90 feet; thence South 79°50'00" West 261.50 feet; thence North 23°02'08" West 123.79 feet; thence North 17°52'03" West 155.35 feet; thence North 05°10'26" West 233.33 feet; thence North 69°34'42" West 736.28 feet; thence North 52°50'00" West 624.65 feet;

thence North 74°11'18" West 213.72 feet; thence North 36°49'35" West 701.84 feet; thence along the southerly line of the Matilda Lode, Mineral Survey No. 4959 North 80°12'00" East 936.47 feet; thence along the easterly line of the Matilda Lode, Mineral Survey No. 4959 North 21°36'00" West 612.00 feet; thence along the northerly line of the Fairbanks Fraction Lode, Mineral Survey No. 5364 North 75°31'00" East 388.60 feet; thence along the westerly line of the Indiana Lode, Mineral Survey No. 4760 North 35°42'00" West 308.10 feet; thence along the northerly line of the Indiana Lode, Mineral Survey No. 4760 North 63°32'00" East 372.80 feet; thence along the southerly line of the Malchite Lode, Lot 281 South 83°15'00" West 788.31 feet; thence along the Summit-Salt Lake County line North 21°28'07" East 381.77 feet; thence along the southerly line of the Augusta Lode, Lot 122 North 47°11'00" East 145.31 feet; thence along the northerly line of the R.K.D. Lode, Lot 287 North 83°15'00" East 489.90 feet; thence along the easterly line of the R.K.D. Lode, Lot 287 South 24°08'00" East 21.90 feet; thence along the northerly line of the Roscamp Lode, Lot 286 North 64°44'00" East 250.80 feet; thence North 129.30 feet; thence North 63°07'00" East 231.20 feet; thence North 56°30'00" East 794.20 feet; thence along the west line of Section 30 North 00°36'00" East 3.70 feet; thence North 45°41'00" East 214.75 feet; thence along the northerly line of the Hope Lode, Lot 299 North 36°45'00" East 147.10 feet; thence along the easterly line of the Pique No. 3 Lode, Mineral Survey No. 4742 North 44°41'00" West 26.10 feet; thence North 04°55'00" West 575.00 feet; thence along the southerly line of the Norma Lode, Mineral Survey No. 4177 South 76°24'00" West 177.28 feet; thence North 01°35'00" East 137.93 feet; thence East along the southerly line of Section 19 1321.46 feet; thence South 00°00'07" West 727.38 feet; thence South 39°30'00" East 659.89 feet; thence North 50°00'00" East 1050.51 feet; thence North 45°56'25" East 493.99 feet; thence North 13°09'11" East 3773.82 feet; thence North 09°05'46" East 4380.03 feet; thence North 11°27'54" West 1099.08 feet; thence along the northerly line of the Seldom Seen No. 4, Mineral Survey No. 5591 North 56°24'00" East 1500.00 feet; thence along the northerly line of the Seldom Seen No. 3, Mineral Survey 5591 North 29°33'00" East 977.60 feet; thence along the northerly line of the Seldom Seen No. 2, Mineral Survey No. 5591 North 24°18'00" East 609.56 feet; thence along the southerly line of Section 8 South 89°37'42" East 2375.13 feet; thence along the southerly line of Section 8 North 89°53'52" East 363.00 feet; thence South 40°33'27" East 1007.17 feet; thence South 130.35 feet; thence East 1611.37 feet; thence South 00°41'16" West 1728.36 feet; thence along the westerly line of Section 16 South 00°41'44" East 2670.13 feet to the point of beginning.

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EXHIBIT "C"
Preliminary Plat

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ANNEXATION LANDS AT PCMR

LOCATED IN SECTION 17, THE EAST HALF OF SECTION 18, SECTIONS 19 AND 20, THE SOUTH HALF OF SECTION 21, SECTIONS 29 AND 30, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND ALSO THE EAST HALF OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

1000' 0 1000' 2000'

SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

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 this plat accurately describes and illustrates the boundary and the Patented Government Lots of Record as prescribed within the boundary of the ANNEXATION LANDS AT PCMR annexation petition.

John Demkowicz — Date

BOUNDARY DESCRIPTION

A parcel of land located in Section 17, the east half of Section 18, Sections 19 and 20, the south half of Section 21, Sections 29 and 30, Township 2 South, Range 4 East, Salt Lake Base and Meridian and the east half of Section 25, Township 2 South, Range 3 East, Salt Lake Base and Meridian, said parcel being more or less described as follows:

Beginning at the southwest corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the southerly line of Section 16 East 287.32 feet; thence along the westerly line of Section 21 South 380.37 feet; thence along the westerly line of Section 21 South 01°48'17" East 2234.64 feet; thence along the southerly line of the north half of Section 21 South 88°59'56" East 2254.88 feet; thence South 28°18'45" West 188.58 feet; thence South 29°09'57" West 315.67 feet; thence South 32°04'00" West 298.25 feet; thence South 47°29'30" West 405.07 feet; thence South 50°03'25" West 105.09 feet; thence South 56°00'00" West 84.90 feet; thence South 50°15'25" West 93.50 feet; thence South 49°35'00" West 115.80 feet; thence South 31°30'07" West 90.20 feet; thence South 27°54'31" West 126.00 feet; thence South 38°27'34" West 136.00 feet; thence South 33°28'55" West 136.00 feet; thence South 32°00'23" West 158.20 feet; thence South 32°14'53" West 101.80 feet; thence South 30°09'16" West 88.70 feet; thence South 48°47'25" West 123.00 feet; thence South 36°44'36" West 142.80 feet; thence South 15°21'41" West 118.30 feet; thence South 10°41'54" West 78.70 feet; thence North 71°43'35" West 183.46 feet; thence North 72°54'27" West 83.42 feet; thence South 88°11'18" West 94.42 feet; thence South 77°48'30" West 79.25 feet; thence South 77°19'44" West 85.84 feet; thence South 81°11'10" West 122.88 feet; thence South 87°53'56" West 148.28 feet; thence South 01°41'13" West 136.78 feet; thence South 83°41'06" West 672.44 feet; thence South 77°17'16" West 735.40 feet; thence South 81°35'00" West 778.00 feet; thence South 23°55'00" West 604.00 feet; thence South 10°48'38" West 569.75 feet; thence South 20°48'44" West 886.02 feet; thence South 10°08'00" West 354.16 feet; thence South 71°54'40" West 644.26 feet; thence South 49°32'13" West 618.72 feet; thence South 37°32'37" West 738.84 feet; thence South 35°07'44" West 348.54 feet; thence South 44°08'00" West 1236.65 feet; thence South 79°45'30" West 288.50 feet; thence South 83°01'30" West 494.40 feet; thence North 75°55'30" West 705.70 feet; thence North 88°12'30" West 612.40 feet; thence South 79°32'30" West 463.30 feet; thence North 88°19'30" West 376.70 feet; thence North 80°55'30" West 368.90 feet; thence North 29°57'30" West 201.20 feet; thence South 54°08'00" West 402.20 feet; thence South 61°28'00" West 304.10 feet; thence South 30°42'00" West 478.80 feet; thence South 54°28'00" West 782.00 feet; thence South 83°22'00" West 244.50 feet; thence South 79°48'00" West 885.80 feet; thence South 86°10'00" West 285.50 feet; thence South 08°32'00" West 302.80 feet; thence South 79°32'00" West 367.90 feet; thence South 79°00'00" West 281.50 feet; thence North 33°09'08" West 123.79 feet; thence North 17°52'03" West 155.35 feet; thence North 05°10'26" West 233.33 feet; thence North 69°34'42" West 736.28 feet; thence North 52°50'00" West 824.85 feet; thence North 74°11'18" West 213.72 feet; thence North 36°48'25" West 700.84 feet; thence along the southerly line of the Methodi Lode, Mineral Survey No. 4858 North 80°12'00" East 835.47 feet; thence along the southerly line of the Methodi Lode, Mineral Survey No. 4858 North 81°13'00" East 812.00 feet; thence along the northerly line of the Fairbanks Fraction Lode, Mineral Survey No. 3364 North 75°31'00" East 388.60 feet; thence along the easterly line of the Indiana Lode, Mineral Survey No. 4760 North 30°42'00" West 308.10 feet; thence along the northerly line of the Indiana Lode, Mineral Survey No. 4760 North 63°33'00" East 372.80 feet; thence along the southerly line of the Mashita Lode, Lot 291 South 83°15'00" West 786.31 feet; thence along the Summit-Salt Lake County line North 71°58'01" East 381.77 feet; thence along the southerly line of the Augusta Lode, Lot 122 North 47°11'00" East 145.31 feet; thence along the northerly line of the R.K.D. Lode, Lot 287 North 83°15'00" East 488.90 feet; thence along the easterly line of the R.K.D. Lode, Lot 287 South 24°08'00" East 21.90 feet; thence along the northerly line of the Roscoma Lode, Lot 286 North 84°44'00" East 250.80 feet; thence North 129.30 feet; thence North 63°07'00" East 231.20 feet; thence North 56°30'00" East 784.20 feet; thence along the west line of Section 30 North 00°36'00" East 3.70 feet; thence North 62°41'00" East 214.75 feet; thence along the northerly line of the Hope Lode, Lot 299 North 36°45'00" East 147.10 feet; thence along the easterly line of the Pippa No. 2 Lode, Mineral Survey No. 4742 North 44°41'00" West 28.10 feet; thence North 04°55'00" West 575.00 feet; thence along the southerly line of the Norma Lode, Mineral Survey No. 4177 South 78°24'00" West 177.28 feet; thence North 01°25'00" East 137.83 feet; thence East along the southerly line of Section 19 1321.48 feet; thence South 00°30'00" West 727.38 feet; thence South 36°30'00" East 814.00 feet; thence North 50°00'00" East 1050.51 feet; thence North 45°56'25" East 463.99 feet; thence North 13°09'11" East 3773.82 feet; thence North 08°05'48" East 4380.03 feet; thence North 11°37'54" West 1098.08 feet; thence along the northerly line of the Seldom Seen No. 4, Mineral Survey No. 5591 North 56°24'00" East 1500.00 feet; thence along the northerly line of the Seldom Seen No. 3, Mineral Survey 5591 North 39°30'00" East 977.82 feet; thence along the northerly line of the Seldom Seen No. 2, Mineral Survey No. 5591 North 24°18'00" East 808.58 feet; thence along the southerly line of Section 8 South 89°37'42" East 2375.13 feet; thence along the southerly line of Section 8 North 89°53'52" East 363.00 feet; thence South 40°33'27" East 1007.17 feet; thence South 130.35 feet; thence East 1811.37 feet; thence South 00°41'16" West 1728.36 feet; thence along the westerly line of Section 16 South 00°41'44" East 2870.13 feet to the point of beginning.

Description contains 2,819 acres, more or less

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned corporate officer of United Park City Mines; the owner of the majority of the land described and illustrated on this plat, hereby petitions Park City Municipal Corporation, of Summit County, Utah that said lands be annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Name — Title

ACKNOWLEDGMENT

State of Utah
:ss
County of Summit

On this ____ day of _____ 2007 _____ personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the Corporate Agent for United Park City Mines Company, the owner of the majority of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

A Notary Public commissioned in Utah — Printed Name

Residing in: — My Commission Expires:

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned corporate officer of Royal Street Land Company, a Utah Corporation; the owner of portions of the land described and illustrated on this plat, hereby petitions Park City Municipal Corporation, of Summit County, Utah that said lands be annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exist under applicable legal ordinances of Park City, Utah.

Name — Title

ACKNOWLEDGMENT

State of Utah
:ss
County of Summit

On this ____ day of _____ 2007 _____ personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the vice-president for Royal Street Land Company, the owner of portions of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

A Notary Public commissioned in Utah — Printed Name

Residing in: — My Commission Expires:

SHEET 1 OF 2

1/31/07 JOB NO.: 1-1-01 FILE: K:\Empire\dwg\Talleker\plat\annexation-sht1.dwg

(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____ 2007 A.D.	APPROVED AS TO FORM THIS ____ DAY OF _____, 2007 A.D.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ PARK CITY RECORDER	BY _____ MAYOR	FEE _____ RECORDER

EXHIBIT C – AMENDED AND RESTATED FLAGSTAFF DEVELOPMENT AGREEMENT

Recorded this ___ day of
_____, 2007
at Book #___ Page #_____.

COPY

AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;

G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and

I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

---

[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

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1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.

2.2.1.3. **Maximum Density**. The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village**. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

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The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,

may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/subdivision review. The Northside Neighborhood may also contain a 1000 sq. ft. non-denominational Chapel, that will remain open and reasonably available to the public.[8]

2.4.1 **Small Scale MPD.** The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.[9] In all circumstances, DEVELOPER and DEER VALLEY shall limit development in the Northside Neighborhood as follows:

2.4.1.1. **Meadow Restriction.** Homes shall not be in the meadow area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.2. **Ski Run Separation.** Limits of disturbance for each site shall be a minimum of 50 feet from any ski run, except where existing ski runs conflict with platted ski easements or platted lots, in which event the City shall have the discretion and authority to approve case-by-case exceptions to the foregoing distance limitation.

2.4.1.3. **Viewpoint Restrictions**. Structures and roads must be configured to minimize road and utility impacts and to

[8] No utility extension will be allowed for the Chapel. Power may be allowed if it is readily accessible. Location of the Chapel cannot cause the extension of an improved road. Siting and construction must comply with all Code provisions.

[9] If Park City Star, Bransford or Mayflower do not reach an agreement with DEVELOPER and DEER VALLEY with respect to the joint development of the detached single family homes within the Northside Neighborhood, then DEVELOPER and DEER VALLEY shall grant to the City the right to connect to the utility lines and to grant limited access to roads within the Northside Neighborhood without cost to serve the remaining property owners.

minimize wintertime visual impacts[10] from ski runs and designated viewpoints, including but not limited to the knoll behind the terminus of what is presently known as the Northside chairlift.

2.4.1.4. **Public Trails**. Consistent with the Trails Master Plan, DEVELOPER, DEER VALLEY, and Northside Neighborhood Property Owners shall dedicate to the City improved public trails and trail easements that connect to the surrounding trail system. Where trails pass through the Deer Valley Ski Area, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.4.1.5. **Enchanted Forest**. No development shall occur in the "Enchanted Forest" area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.6. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall record perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which shall prevent the construction thereon of residential, commercial and retail structures but shall allow ski-related uses.

2.4.2. **Northside Neighborhood Conservation Plan.** DEVELOPER and DEER VALLEY agree to refrain from transferring, improving or developing the Northside Neighborhood for 3 years, from the date of this Agreement to facilitate the potential of (a) the fee simple sale of the Northside Neighborhood, or (b) the sale and transfer of the development rights from the Northside

[10] As well as summertime visual impacts.

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Neighborhood. In either case, the sale would be completed within said time period and would be to a conservation buyer or buyers at fair market value at the date of purchase. Fair market value in this context shall reflect the entitlement for single family detached units set forth in the Large Scale Master Plan and this Agreement or, if the Small Scale Master Plan has been issued, as reflected in the Small Scale Master Plan for the Northside Neighborhood. The three-year period noted above shall not limit the Planning Commission's authority in connection with approval of the phasing plans required in sections 2.1.10 and 2.1.11.

2.5. **Ski-Related Development.** Subject to conditional use review, DEER VALLEY may construct a skier day lodge of a maximum of 35,000 square feet, in the approximate location depicted on Exhibit A. The day lodge shall have no day skier parking, and must have adequate emergency vehicle access. Any parking lot for the lodge shall be for the purpose of meeting temporary events, intermittent seasonal dining, and service and administrative requirements, and shall be reviewed by the planning commission as a Conditional Use. Such Conditional Uses will have a traffic mitigation plan that may include the number of events, hours of operation, shuttle bus requirements and/or a limit to the number of guests. Pursuant to a Conditional Use Permit, said temporary parking area may be located on adjacent properties. Permanent non-skier parking for the Empire Day Lodge will be considered as part of the POD B-2 Master Plan Development. Such parking shall consist of not more than 75 spaces. These parking spaces are in addition to those otherwise required or allowed under this Agreement and the LMC. DEER VALLEY shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 20% of the commercial Unit Equivalents approved by the City for the day lodge prior to issuance of a Certificate of Occupancy for the day lodge.

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2.5.1 **Conditional Use (Administrative).** Ski terrain and ski-related development is an administrative conditional use within the Project, consistent with the Deer Valley Ski Area Master Plan depicted in Exhibit F attached hereto, provided that only two graded runs shall be allowed in ski Pod Z, with thinning and other limited vegetation removal in the balance of Pod Z for skier safety and glade skiing. Review of ski terrain and ski-related development shall include, but shall not be limited to consideration of the following:

2.5.1.1 Openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible.

2.5.1.2 Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.

2.5.1.3 Lift towers shall be painted or otherwise treated to blend with the natural surroundings.

2.5.1.4 Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the "Deer Valley Resort Company Ski Run Construction and Revegetation Standards" attached hereto as Exhibit G. The objective shall be to achieve a vegetative condition that enhances the skier experience and long term forest health. Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style[11]), at a location to be determined at the CUP phase. No private parking areas or vehicular

[11] Beano's is a 10,000 square foot private restaurant at Beaver Creek, Colorado.

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access will be allowed except (i) access and space for patron drop-off's and pick-up's, and (ii) access, loading areas and circulation for emergency, delivery and service vehicles. The size of the private restarurant shall be determined by the Planning Commission at the CUP review phase, and shall be between 7,000 and 10,000 square feet.

2.7 Silver Mine Adventure. DEVELOPER may continue to operate the Silver Mine Adventure on the Ontario Mine Site as a valid, non-conforming use. Any change or expansion of use shall be processed in accordance with the LMC in effect at the time of the DEVELOPER's submission of a complete application for the proposed expansion.

2.8 Access and Alignment of S.R. 224. DEVELOPER shall access Flagstaff Mountain by means of S.R. 224, and a private road system. DEVELOPER shall realign a portion of S.R. 224 in the approximate location set forth on Exhibit H attached hereto, and shall construct a private road system for Flagstaff Mountain in the approximate location depicted on Exhibit H. The Parties agree to the following access and alignment of the road systems within Flagstaff Mountain:

2.8.1 **Alignment.** Upon Planning Commission approval of the first Small Scale MPD for Flagstaff Mountain, DEVELOPER shall petition to vacate the existing S.R. 224 alignment and, if granted, shall realign and dedicate the relocated S.R. 224 right of way to a standard similar to the existing S.R. 224 (with an asphalt surface for dust control). Such alignment shall be as generally depicted on Exhibit H. DEVELOPER shall block and prohibit vehicular access over the discontinued historic alignment of S.R. 224. Access over the realigned S.R. 224 shall remain seasonal (warm weather only). Upon completion of construction thereof, to the reasonable satisfaction of the City Engineer, the City shall accept the dedication of public roads under its jurisdiction identified on Exhibit H, or as determined by the Council, upon

recommendation of the Planning Commission through the Small Scale MPD and subdivision processes.

2.8.2 **Private Road.** Upon Small Scale MPD approval, and only to the extent of the Small Scale MPD approval, DEVELOPER shall construct a private road system within Flagstaff Mountain, as depicted in Exhibit H, over which DEVELOPER shall maintain all-season access throughout the year. Said private road, from its point of departure from S.R. 224 to the Summit/Wasatch County line, may be converted to a public road, in which event existing S.R. 224 from said point of departure to the county line shall no longer be used as a public road.

2.8.3 **Seasonal, Controlled Automobile Access.** DEVELOPER shall support and shall not undermine seasonal closure of realigned S.R. 224 and shall control motorized vehicular access from S.R. 224 to the private road system to prevent vehicular through traffic.

2.8.4 **Emergency Deer Valley Access.** The Project's seasonal emergency secondary access is through the Deer Valley Ski Area generally as depicted on Exhibit I and crash-gated in the approximate locations shown on Exhibit I. DEER VALLEY shall provide the City and the Park City Fire Service District with keys and/or combinations to the gates. The emergency access is necessary as a controlled evacuation route and as an emergency access for fire and safety personnel and equipment only. The secondary access route is an important ski run to the Deer Valley Ski Area that, in all but the most exceptional circumstances, will be used by skiers and over-the-snow vehicles. The Park City Fire Marshall may cause the access to be plowed and placed into winter service for emergency and evacuation purposes in that

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exceptional emergency situation when normal road access to Flagstaff Mountain is interrupted for an extended period.[12]

2.8.5 **Controlled Snowmobile Access.** Winter snowmobile access to Brighton Estates and to Bonanza Flats is presently available over portions of S.R. 224. DEVELOPER and DEER VALLEY shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of S.R. 224 within the Project that are presently used or alternatively over similar portions of S.R. 224 as may be relocated. DEVELOPER and DEER VALLEY shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns S.R. 224. The current recreational snowmobile concession in Flagstaff Mountain shall be eliminated with the relocation of S.R. 224.

2.8.6 **DEVELOPER's Consent to Transfer**. DEVELOPER consents to cooperate with the City in any state transfer of any portion of S.R 224.

2.9 **Flagstaff Mountain Mitigation/Amenities.** At the City's request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:

2.9.1 **Trails.** DEVELOPER shall construct, maintain and commit to free public use, an improved public trail system as set forth in an approved Trails Master Plan. The construction of the trails shall be phased with the progress of the development of the Project. Existing trails shall remain open to the public until provisional or final trails have been constructed. Final trail locations may vary due to field conditions and season. Relocation of any trails shall be identified in the Trails Master Plan. Where the trails pass through the Deer Valley Ski Area, or are located on non-development lands owned or controlled by Deer Valley, Deer

[12] The Park City Fire Marshall may not cause the access to be plowed simply for pubic convenience.

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Valley shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for trail use, including reasonable rules and regulations intended to prevent or minimize conflict between potential trail uses. Pedestrian and bicycle uses of the trail system shall not be prohibited or restricted without being so identified in the Trails Master Plan.

2.9.2 **No Gondola Alternative.** DEVELOPER shall contribute $1,000,000 in cash to the City to be used specifically for other traffic mitigation projects in the City related to the Project. Additionally, the DEVELOPER shall (i) contribute $10,000 toward the cost of a feasibility study, when commissioned by the City, to evaluate a potential ski amenity gondola, and (ii) contribute toward the construction of the Richardson Flats parking improvements described in the last paragraph of Section 3.1 of this Agreement, which shall be constructed in accordance with the specifications and conditions attached hereto as Schedule 3.1. The parking improvements shall be constructed in phases as established during the MPD for those improvements in cooperation with Summit County. Construction of the parking improvements will be assured through a form of completion bonding consisting of a draw-down letter of credit or other similar instrument in an amount equal to the good faith estimated cost to construct the parking improvements, but in an amount not to exceed $1,800,000. In the event any permit application is denied such that the parking improvements cannot be constructed, the City shall be entitled to draw the entire amount of the completion bond, letter of credit or similar instrument (as the case may be), and DEVELOPER shall have no further obligation to construct the parking improvements.

2.9.3 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant

structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

2.9.4 **Enhanced Environmental Protection.** DEVELOPER shall limit the construction or installation of wood-burning devices to one wood-burning device in each of the 54 single-family homes in the Project. DEVELOPER shall not request approval from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within the Project, DEVELOPER shall have the right to construct one wood-burning device in each such lodge or hotel, except the Montage which may have three.

2.9.5 **Lady Morgan Springs Open Space (Passive Use).** The Lady Morgan Springs Area[13], shall be restricted, by conservation easements acceptable to the City, and signs and monitoring, if necessary, to limit use of the area to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. Neither construction activity nor motorized vehicular use of any kind shall be allowed in the Lady Morgan Springs Area, except as allowed, with City staff approval, for forestry and wetlands management.

2.9.6 **Open Space (Active).** All land outside of the development areas (ski terrain and open space designated on Exhibit A) will be zoned as Recreation Open Space (ROS-MPD). Upon issuance of the first Small Scale MPD for any portion of the Project, DEVELOPER and DEER VALLEY shall execute a conservation easement, for the benefit of the City and a third party conservation trust (or similar entity), to limit their use of the

[13] Described and depicted on Exhibit J, and as further defined in the Small Scale MPD process.

Flagstaff Mountain ski terrain to construction, development and operation of ski and mountain bike lifts, ski and mountain bike runs, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements shall prohibit any hotel, lodging, residential or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.7 **Open Space (Prospect Ridge).** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall grant to the City a conservation easement, with free public trail access, without encumbrances, over acreage located on Prospect Ridge, contiguous with City-owned open space. The conservation easement area on Prospect Ridge is identified on Exhibit K attached hereto. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.8 **Open Space (Iron Mountain).** Upon the issuance of any Small Scale MPD, for any portion of the Project, DEVELOPER shall deed restrict or transfer to Park City, the Iron Mountain Parcels with City-approved encumbrances. In connection with such dedication, DEVELOPER shall reserve to DEVELOPER the right to lease to third parties the Iron Mountain Parcels for ski and other environmentally sensitive recreational uses. Such reservation shall not include the right to cut runs, glade, or thin trees, or construct or install ski lifts or developed alpine ski runs. DEVELOPER shall also reserve the right to retain all rent, proceeds and other consideration resulting from or generated by DEVELOPER leasing the Iron Mountain Parcels to third parties for ski and recreation-related uses. DEVELOPER shall indemnify, defend and hold the City harmless from any claim

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arising from DEVELOPER's or a third party lessee's use of the Iron Mountain Parcels. Nothing herein should be construed to limit or waive governmental immunity with respect to claims made against the City.

2.9.9 **Neighborhood-Specific Design Guidelines.** DEVELOPER shall incorporate a Master Resort Association for Flagstaff Mountain and a Project-specific Property Owners' Association for the Mountain Village and Northside Neighborhood areas to cooperatively manage certain aspects of the Project. The Design Guidelines for both the Project and Bonanza Flats must emphasize a strong, common architectural theme, and shall be enforceable by one or more of the above-mentioned Associations.

2.9.10 **Public Safety.** A comprehensive emergency response plan will be required. The proposal includes a public safety site, at a minimum. The final public safety and emergency access plan must be determined prior to any permit issuance and only after coordination with the affected entities, such as the Park City Fire Service District. To the extent the Montage hotel structure requires additional safety equipment or infrastructure to achieve a minimum standard that will not result in a degradation of the Park City Fire District's I.S.O. rating, and to the extent ongoing tax revenues and impact fees generated by the Montage are insufficient to cover the costs of such additional equipment and infrastructure, any such shortfall shall be paid by DEVELOPER. Changes to any applicable Technical Report must be approved by the Park City Fire Marshall.

2.9.11 **Sandridge Parking Lots**. Prior to the issuance of a Small Scale MPD for any portion of Flagstaff Mountain, DEVELOPER shall irrevocably offer to dedicate to the City a conversation easement, or deed, satisfactory to the City to preserve the Sandridge

Parking Lots, described in Exhibit L as a public parking facility. Such interest shall be offered with no outstanding monetary encumbrances.

2.9.12 **Sandridge Heights Property**. Developer further agrees to limit its use of its Sandridge Heights property, described in Exhibit L, to either affordable housing or open space.

2.10 **FLAGSTAFF MOUNTAIN MITIGATION MEASURES:**

2.10.1 **Water System.** DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system within Flagstaff Mountain to serve the Project, including all fire flow and irrigation needs.

2.10.1.1 **Withdrawal of Water Protests.** DEVELOPER shall immediately withdraw its protests to the City's pending water change application(s) before the State Engineer and agrees not to protest future City applications before the State Engineer.

2.10.1.2 **Water Source.** DEVELOPER shall design and construct a water source and delivery system to transport water from the water source to Flagstaff Mountain and to dedicate that system to the City. DEVELOPER and the City anticipate that such delivery system will include the development of a well of sufficient capacity to serve the Project.

2.10.1.3 **Group II Rights.** The City and DEVELOPER agree to file a joint application with the State Engineer to convert to municipal use within the boundaries of the Park City Water Service District all "Group II" water rights owned by both parties. The joint application will list all mutual points of diversion, all of the City's municipal sources, and all of DEVELOPER's sources including the proposed Ontario and Empire Canyon

Wells. DEVELOPER and the City shall divide the Group II rights approved for municipal use evenly, with DEVELOPER and the City each taking ownership of one-half of the total approved rights. DEVELOPER agrees to sell exclusively to the City its portion of the approved Group II water rights and DEVELOPER's interest in its Theriot Springs and Haueter Springs water rights (Weber Decree Award #456, #467 and #468) collectively referred to herein as the "Committed Water".

2.10.1.4 **Committed Water.** Once approved for municipal use, all Committed Water shall be leased to the City at a nominal cost and will therefore be unavailable for sale to others. DEVELOPER shall dedicate the Committed Water to the City, and the City shall pay to DEVELOPER from time to time an amount equal to the water development impact fees actually collected by the Park City Water Service District from the development of Flagstaff Mountain. Each such payment from the City to DEVELOPER shall be paid within 30 days following the receipt by the Park City Water Service District of each such water development impact fee.

2.10.1.5 **Excess Water Rights.** If after ten (10) years or 90% buildout of Flagstaff Mountain and Bonanza Flats, whichever last occurs, DEVELOPER retains water rights in excess of the water demand for both projects, the City may purchase the excess water rights from DEVELOPER at fair market value based on an appraisal from a mutually agreed upon appraiser or the City may relinquish its interest in the excess water rights. The City shall elect to either purchase (some or all of the

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excess water rights) or relinquish its interest in the excess water rights within 180 days of written notice of the expiration of 10 years or 90% buildout of both projects, whichever last occurs. If the City takes no action within the 180 days, City will be deemed to have relinquished its interest in the excess water rights.

2.10.1.6 **Impact Fees and Water Rates.** The City will charge water development and connection impact fees and water rates within the Project in an amount equal to the water development and connection impact fees and water rates charged to other water users within the Park City Water Service District, unless extraordinary costs can be identified by the City and fairly assigned to the water users within the Project.

2.10.2 **Subsequent Agreements.** Since the time the original Agreement was adopted and executed, the City and DEVELOPER have entered into agreements that impact, implement and/or clarify certain provisions of the original Agreement including (i) An Agreement For A Joint Well Development Program dated January 14, 2000, (ii) a Memorandum of Understanding, dated January 14, 2000, Between Park City Municipal Corporation and United Park City Mines Company Clarifying and Implementing the Water Service and Water Source Development Provisions of the Development Agreement of June 24, 1999, and (iii) the Water Agreement dated effective as of March 2, 2007 (collectively, the Subsequent Agreements). The fact that this Agreement is styled as an amended and restated agreement shall not operate or be deemed to supersede, contravene, or amend the terms, conditions or provisions of the Subsequent Agreements.

2.10.3 Transportation and Traffic Mitigation. DEVELOPER has agreed to provide the following transportation and traffic mitigation measures.[14] Prior to the issuance of a Certificate of Occupancy within the Mountain Village,[15] the DEVELOPER shall provide the following to reduce the traffic anticipated by the Project:

2.10.3.1 **Van and Shuttle Service.** DEVELOPER shall provide for its owners, employees and guests, van and shuttle service alternatives consisting of regular circulator service within the Mountain Village and service from the Mountain Village to key destinations such as the Salt Lake International Airport, Main Street, Silver Lake, golf courses, and recreational trail heads.

2.10.3.2 **Road and Intersection Improvements.** Attached hereto as Exhibit M is a map and a more detailed list of improvements, which shall be constructed by DEVELOPER in satisfaction of this obligation. Prior to the construction of any of the improvements described below, the City shall review and approve or reject with suggested changes all plans, drawings and specifications with respect to the alignment and construction of such road and intersection improvements. Following DEVELOPER's completion of the construction of such improvements, DEVELOPER shall offer to dedicate such improvements to the appropriate governmental entity.

[14] However, within the Small Scale MPD process, the City may conclude that these transportation and traffic measures should be reduced, and will modify DEVELOPER's obligations accordingly.
[15] Except for DEER VALLEY's day lodge pursuant to paragraph 2.5 herein.

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2.10.3.3 **Contribution to Marsac Roundabout.** DEVELOPER shall financially participate in the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. DEVELOPER is responsible for paying its proportionate share (determined by projected traffic generation) of the City's cost of such reconstruction to mitigate the impact of the Flagstaff Mountain and Bonanza Flats projects on the intersection.

2.10.3.4 **Runaway Truck Lane**. DEVELOPER, or an affiliate of DEVELOPER, shall construct a run-away truck lane on the Mine Road section of S.R. 224, as described on Exhibit N attached hereto. DEVELOPER expects to dedicate the Runaway Truck Lane to UDOT.

2.10.3.5 **Mine Road Widening**. Upon Planning Commission recommendation, DEVELOPER shall widen the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.3.6 **Mine Road Passing Lane**. Upon Planning Commission recommendation, DEVELOPER shall create and dedicate a passing lane on the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.3.7 **Drainage Improvements.** DEVELOPER shall improve drainage to S.R. 224 as described on Exhibit M attached hereto.

2.10.3.8 **Landscaping.** Upon Planning Commission approval, DEVELOPER may construct and create, at DEVELOPER'S sole cost and expense, landscape improvements in the area depicted on

Exhibit M, uphill from the intersection of S.R. 224 with Hillside to act as a Project entry statement.

2.10.4 **Construction Mitigation.** DEVELOPER shall provide the following measures, all to the reasonable satisfaction of the City's Chief Building Official, to mitigate the impact of construction within Flagstaff Mountain. DEVELOPER shall also adhere to the usual construction impact mitigation measures required by the City. Additional reasonable site-specific mitigation measures may be required at the Small Scale MPD phase. These measures will be permanently reflected in Covenants, Conditions and Restrictions of each development parcel. The Detailed Construction Phasing Plan to be submitted by DEVELOPER to the City shall include, without limitation, provisions pertaining to:

2.10.4.1 Limits of Disturbance and Vegetation Protection for all construction, including construction of public improvements.

2.10.4.2 Construction staging, on-site batch plants, and materials stockpiling[16] and recycling in the Daly West area to keep all excavated materials on site during the Project infrastructure and construction phases.

2.10.4.3 Construction traffic routing plan to minimize traffic impacts on Old Town and residential areas, by only allowing construction traffic to use current state roads, unless otherwise directed by the City.

2.10.4.4 Dust and soils monitoring and containment, along with remediation of contaminated mining waste within the areas that are disturbed during the construction of the improvements within the Project and erosion and runoff controls for the entire Project

[16] Developer shall stockpile all earthen material on site.

2.10.4.5 Temporary public access trails throughout construction.

2.10.4.6 Tools and equipment storage on-site adequate to serve all construction.

2.10.5 **Employee/Affordable Housing.** DEVELOPER shall provide deed-restricted employee/affordable housing units ("Affordable Unit Equivalents" or "AUEs") as defined by the City's affordable housing policy in an amount equal to 10% of the residential Unit Equivalents and 20% of the commercial Unit Equivalents approved by the City for the Project (collectively, the "Base AUEs"). The employee/affordable housing requirement for the Project, including the Montage, is 98.9 Base AUEs. One AUE equals 800 square feet. In addition to the Base AUEs, DEVELOPER has committed to construct, off-site, 20 additional AUEs (the "Additional AUEs") as an additional community benefit for the Project. Within 24 months from the effective date of this Agreement, the DEVELOPER (or any assignee thereof) shall either (i) begin construction of the 20 Additional AUEs, or (ii) post a financial guarantee in a form acceptable to the City Attorney in favor of the City equal to 10 percent of the estimated construction costs of the Additional AUEs. Each Additional AUE shall be sold or rented at prices and terms consistent with the City's affordable housing guidelines in effect at the time a Certificate of Occupancy is issued for the AUE. The calculation of total AUEs is detailed in the following table:

Type of Use	Unit Equivalents	Mitigation Rate	AUEs Required
Residential			
Residential Units	785	0.1	78.50
Single Family Home Sites	54	0.1	5.40
Subtotal Residential	***839***		***83.90***
Type of Use	**Square Footage / 1,000 SF**	**Mitigation Rate**	**AUEs Required**
Commercial			
Commercial Unit Equivalents	75	0.2	15.00
Subtotal Commercial	***75***		***15.00***
Base AUEs On-Site (25%): 24.725			
Base AUEs Off-Site (75%): 74.175 *			
Total Base AUEs			**98.90**
Additional AUEs Contributed by Developer (located Quinns Junction)			**20.00**
TOTAL AUEs			***118.00***

*May be located at Quinns Junction, consistent with the City's approved employee/affordable housing plan.

A minimum of 25% of the Base AUEs shall be located on-site within the Project; however, at DEVELOPER'S option, any such on-site Base AUEs not actually constructed on-site or contractually committed to be constructed on-site may be constructed off-site on a 1.5-for-1 basis. DEVELOPER and the City shall consult with Mountainlands Housing Trust, or its equivalent (if any), to determine the type and location of employee/affordable housing which would be most effective in offsetting the demand generated from the Project. DEVELOPER shall provide the remaining 75% of the Base AUEs consistent with the City's approved employee/affordable housing plan. The employee/affordable housing will be phased with the Project in accordance with the approved Phasing Plan. Upon Planning Commission recommendation, the Housing Authority may direct DEVELOPER to:

2.10.5.1 Develop, subject to deed restrictions some of the remaining units on the 20-Acre Quinn's Junction Parcel; or

2.10.5.2 Donate in a form satisfactory to the City, without restrictions or encumbrances, the 20-Acre Quinn's Junction Parcel to the City in lieu of some or all of the remaining portion of DEVELOPER's affordable housing obligation; or

2.10.5.3 Build the units on an alternate parcel provided to DEVELOPER by the City. DEVELOPER must donate the 20-Acre Quinn's Junction Parcel to the City if the City offers to donate otherwise suitable land to DEVELOPER. If the City and DEVELOPER exchange parcels with respect to the new employee/affordable housing units, then DEVELOPER shall construct on such alternate parcel such number of new employee/affordable housing units, up to the required number of units, for which DEVELOPER is able to obtain approval. In no event shall the cost incurred by DEVELOPER to construct the new employee/affordable housing units on an alternate parcel provided by the City exceed the cost which DEVELOPER would have incurred to construct such new employee/affordable housing units on the 20-Acre Quinn's Junction Parcel; or

2.10.5.4 If mutually acceptable to DEVELOPER and the City, pay to the City a fee in lieu of constructing employee/affordable housing, consistent with the City's affordable housing policy, if such payment in lieu of constructing employee/affordable housing results in the construction or dedication of actual units for affordable /employee housing; or

2.10.5.5 Satisfy its obligation in a manner otherwise consistent with the City's affordable housing policy.

2.10.6 **5-Year Irrevocable Offer to Annex the 20-Acre Quinn's Junction Parcel**. For the next five years from the date of this Amended and Restated Agreement, DEVELOPER hereby irrevocably offers to annex the 20-Acre Quinn's Junction Parcel to the City.

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SECTION III. ADDITIONAL PUBLIC BENEFITS

In addition to the foregoing, DEVELOPER offers the following inducements to contract:

3.1 **Richardson Flats**. DEVELOPER unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation of Richardson Flats, to restrict development of Richardson Flats to one of the following options to be selected by DEVELOPER, at DEVELOPER'S sole discretion:

Option 1. Under Option one DEVELOPER must limit the use of Richardson Flats to golf (with the requisite clubhouse, maintenance buildings and other related improvements), equestrian uses (including the construction of an arena or indoor equestrian center), and/or such other public recreational opportunities or special events as the City may deem proper. In the event DEVELOPER is able to obtain necessary approvals from EPA and/or DEQ, then DEVELOPER must construct on Richardson Flats a golf course, clubhouse, and driving range with adequate[17] provisions for defined public access.

Option 2. Under Option two, DEVELOPER must limit the use of Richardson Flats to an 18-hole golf course (with the requisite clubhouse, maintenance buildings and other related improvements)[18] and would make available to the City a site for a second 18-hole golf course. The site to be donated to the City would not include land in need of environmental remediation. If a second golf course is constructed under Option two, then the City and DEVELOPER shall work cooperatively to develop shared facilities such as a driving range and golf maintenance shops.

Option 3. If, after diligent efforts, DEVELOPER cannot receive EPA or DEQ approval of the aforementioned recreational

[17] The course must be operated to maximize play.
[18] Under Option 2 DEVELOPER may in the City's sole discretion be afforded the right to use Richardson Flats for such other public recreational opportunities or special events as the City may deem proper.

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improvements, DEVELOPER will perpetually deed restrict Richardson Flats to prevent further development.[19]

In addition to the foregoing provisions, DEVELOPER shall, in part as an additional public benefit and in part as a traffic mitigation measure, provide the City with fee title (unless the City otherwise agrees to a long term lease) to 30 acres at Richardson Flats. Such acreage will be used only for ball fields or similar recreational spaces, and improvements related thereto, and parking. On this acreage, DEVELOPER will provide a parking area which may be paved and which will accommodate segregated Montage and Empire Pass parking (up to 100 spaces), and parking for the City (up to 650 spaces), for a total of up to 750 spaces. This parking area will also serve as the location for Montage construction parking, and DEVELOPER or Montage shall be responsible for providing or arranging construction parking shuttles. The parking improvements may be constructed in phases. DEVELOPER will have naming rights for the ball fields or similar recreational spaces, and will not select a name that is inappropriate. The parking improvements (excluding the 100 dedicated Montage spaces and spaces required for construction parking and other operational needs) may be used by the City for reasonable ancillary uses such as special events. .

3.2 **Open Space/Transit Management Fund.** DEVELOPER shall pay on each transfer of DEVELOPER's land, and shall separately covenant with all successors in interest in a manner which runs with the land, to assess a 1% Open Space/Transit Management Fee on the gross sales price of all real property within the Project. 50% of the Open Space/Transit Management Fee shall belong to the Flagstaff Mountain Master Resort

[19] The timing of Richardson Flats development shall be addressed in the Construction Phasing and General Infrastructure Phasing Plans required in Sections 2.1.10 and 2.1.11 with development commencing as early as possible.

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Association to reduce Master Resort Association dues associated with obligations assumed herein or to enhance the Master Resort Association's service to its members. 50% of the Open Space/Transit Management Fee shall be paid to the City to assist in funding the costs and expenses for enhanced transportation to the Project, recreation improvements and/or open space acquisition, maintenance or preservation. This Open Space/Transit Management Fee shall not apply to the transfer of real property within the Project either solely as security for financing (e.g. mortgage) or for nominal consideration solely to initially capitalize the development entity. DEVELOPER acknowledges that the Project requires an open space management fee to mitigate the adverse effects of the Project. As such, DEVELOPER covenants that it will pay this fee as a contractual obligation, and not as a regulated entity. DEVELOPER shall vigorously defend the imposition of such fees. DEVELOPER shall not take any action (contractually, judicially, or legislatively) to challenge or otherwise adversely affect the enforceability of the Open Space/Transit Management Fee as a valid and enforceable real covenant.

SECTION IV. IMPACT FEES/PLAN CHECK FEES

4.1 **Conditions of Approval and Impact Fees.** With respect to the development of Flagstaff Mountain, DEVELOPER accepts and agrees to comply with the impact, connection and building fees of the City currently in effect, or as amended, to the extent the amended fees are applied uniformly within an impact fee district. DEVELOPER acknowledges that the Project requires infrastructure supported by impact fees and finds the fees currently imposed to be a reasonable monetary expression of exactions that would otherwise be required at this time. As such, DEVELOPER covenants that it will pay impact fees as a contractual obligation, and not exclusively as a regulated entity. If the state legislature disallows the imposition of a regulatory impact fee, DEVELOPER will pay those impact fees in effect at the time of such change in state law throughout the remaining buildout of the Project. Further DEVELOPER

agrees to pay plan check fees in the amount of 65% of the building permit fee.

SECTION V. BONANZA FLATS DEVELOPMENT PARAMETERS

5.1 **Restrictions on Bonanza Flats Development.** DEVELOPER covenants that it will never apply, nor assist in any application, to the City or to Wasatch County for the development of Bonanza Flats in excess of the following maximum densities. Further, DEVELOPER shall amend its development application with Wasatch County, and shall restrict development in Bonanza Flats to the following maximum densities:

5.1.1 A maximum of 260 residential units (280 Unit Equivalents), of which no more than 160 units shall be Bonanza Flats single family home sites.

5.1.2 An 18-hole golf course, including the construction of no larger than a 20,000 sq. ft club house and other golf-related facilities, with Nordic skiing thereon during the winter, all as generally depicted on Exhibit O.

5.1.3 75,000 square feet of resort-related commercial uses.

5.1.4 Alpine and Nordic ski terrain, ski runs, ski lifts and other ski-related improvements, all as depicted on Exhibit O.

5.2 **Wasatch County Approval of Bonanza Flats Development Proposal.** DEVELOPER has a pending application in Wasatch County, with respect to Bonanza Flats, requesting density far in excess of that which the City regards as appropriate. As an inducement for the City to enter into this Agreement, DEVELOPER agrees to amend its development application with Wasatch County in order to reflect the terms and conditions of this Agreement regarding the development of Bonanza Flats. City's contractual restrictions on Bonanza Flats development are in no respect an endorsement of development on Bonanza Flats. DEVELOPER agrees that the portions of Bonanza Flats, as described on Exhibit C attached hereto, which are not to be developed shall be subjected to restrictive covenants or conservation easements, dedicated to a third party conservation trust (or

similar entity), in a form acceptable to the City, so that the real property which is not to be developed shall be limited in perpetuity to recreational and open-space uses. DEVELOPER and the City acknowledge that the annexation of Bonanza Flats to the City is not being considered at this time by either the City or by DEVELOPER.

5.3 **Snyderville Basin Sewer Improvement District Annexation.** Snyderville Basin Sewer Improvement District ("SBSID") must agree to annex Bonanza Flats and agree to provide sewer service within Bonanza Flats if Park City is to provide water service to the area. SBSID capacity shall be restricted in size to accommodate no more than the restricted densities agreed to herein. If Wasatch County approves the use of Park City water for culinary use in Bonanza Flats, then DEVELOPER must apply for and pursue annexation to SBSID.

5.4 **Annexation.** If Wasatch County recommends that DEVELOPER seek annexation to the City of Bonanza Flats, then DEVELOPER shall request that the City annex Bonanza Flats. In the event that DEVELOPER requests that the City annex Bonanza Flats, the City anticipates the execution of an interlocal agreement with Wasatch County to address fiscal issues in connection with the City's annexation of Bonanza Flats.

5.5 **Request for Transfer of Bonanza Flats Density to Flagstaff Mountain.** DEVELOPER may seek approval from the City of additional density within Flagstaff Mountain in exchange for DEVELOPER transferring approved density from Bonanza Flats and deed restricting such land as open space. City's contractual restrictions on development in Bonanza Flats in no way shall be construed as an endorsement of such densities either in Bonanza Flats nor transferred to the Mountain Village. Upon DEVELOPER's request, the City would consider such transfer. If favorably inclined to entertain such density transfer, the City would attempt in good faith to negotiate an interlocal agreement with Wasatch County to address fiscal issues associated with such action. In connection with any such request by DEVELOPER, the City may give higher priority

to the transfer of multifamily or lodging units and may consider many factors, including but not limited to the following:

5.5.1 The location and quality of open space within the Bonanza Flats property that would occur as a result of the transfer;

5.5.2 The suitability of increased density in the Mountain Village;

5.5.3 The potential reduction of traffic;

5.5.4 The potential positive impacts on the transportation system;

5.5.5 The visual and other impacts to the Mountain Village; and

5.5.6 The positive and negative impacts to the Bonanza Flats Property.

5.6 **Private Road.** Consistent with an approved phasing plan for Flagstaff Mountain, DEVELOPER may construct a private controlled access road between the Flagstaff Mountain and the Bonanza Flats development areas, provided that such private road is properly controlled to prevent through access to adjacent properties and deed restricted to prevent its extension beyond the terminus depicted in Exhibit C.

5.7 **Water Service.** DEVELOPER and the City acknowledge and agree that water service and sewer service to Bonanza Flats should be provided from the same basin in order to avoid any trans-basin transfer issues. Inasmuch as the City shall be providing water service to the Project, the City and DEVELOPER desire that the City provide water service to Bonanza Flats as well. If Wasatch County: 1) approves DEVELOPER's amended proposal for the limited development of Bonanza Flats detailed herein, and 2) approves DEVELOPER's proposal that the City provide water service to Bonanza Flats, then, subject to a City-approved infrastructure phasing plan, DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system, to service Bonanza Flats, including all fire flow and irrigation needs. DEVELOPER shall work cooperatively with the City to develop a water source or sources, including, but not limited to, making well sites, water rights and easements available to the City. The City shall provide culinary water to Bonanza Flats according to the terms of this Agreement. DEVELOPER will

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construct all infrastructure, including a source of water necessary to provide water service to Bonanza Flats. City water development and connection fees, as well as water rates, shall be the same as those imposed in the Project, unless the City can identify and fairly assign extraordinary costs to end users within Bonanza Flats. No water from a Weber Drainage Basin source shall be used for outdoor uses in Bonanza Flats.

5.8 **No Annexation Alternative.** If Bonanza Flats is not annexed into the City, and if the requirements described in Sections 5.3, 5.6 and 5.7 are satisfied, then DEVELOPER shall not build within Bonanza Flats more than the units described in Section 5.1 above.

5.9 **Conditions of Development of Bonanza Flats**. Regardless of the annexation of Bonanza Flats to the City, DEVELOPER agrees to the following:

5.9.1 The residential and commercial units constructed within Bonanza Flats shall not be located adjacent to the lakes within the Bonanza Flats property.

5.9.2 If Bonanza Flats is developed, but is not annexed DEVELOPER agrees to provide employee/affordable housing units consistent with its obligations in the Flagstaff Mountain annexation.

5.9.3 Within Bonanza Flats, DEVELOPER shall limit the construction of wood-burning devices to one wood-burning device per single family unit. DEVELOPER shall not request approval from Wasatch County or from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within Bonanza Flats, DEVELOPER may construct one wood-burning device in each such lodge or hotel.

5.9.4 DEVELOPER shall pursue an interlocal agreement with Wasatch County whereby the Park City Fire Protection District will provide fire protection services within Bonanza Flats.

5.9.5 Upon reallignment of S.R. 224, DEVELOPER shall prohibit

commercial snowmobile use within Bonanza Flats.

SECTION VI. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

6.1 This Agreement may be amended from time to time by mutual written consent of the Parties.

SECTION VII. IMPLEMENTATION OF THIS AGREEMENT

7.1 **Processing and Approvals.** Site specific plans shall be deemed proposed Small Scale Master Plans and shall be subject to the process and limitations set forth in the Park City Municipal Corporation Land Management Code that is in effect when the DEVELOPER submits a complete application for a Small Scale MPD.

7.2 **Cooperation in the Event of Legal Challenge.** If any third party challenges the validity, or any provision, of this Agreement, (1) the Parties shall cooperate in defending such action or proceeding, and (2) DEVELOPER shall hold harmless, and shall indemnify the City for all costs (including attorneys' fees) associated with defending this Agreement. Nothing herein shall be construed as a waiver of governmental immunity, as applicable.

7.3 **Impossibility of Performance.** If this Agreement is delayed in its effect by actions beyond the control of City or DEVELOPER, this Agreement shall remain in full force and effect during such delay. If such delay in the effect of this Agreement extends for a period of more than one year, this Agreement shall be terminable by DEVELOPER or the City upon written notice to the other at any time after such initial one-year period. In the event of termination, all rights and obligations hereunder shall be deemed terminated, provided, however, that the parties shall cooperate to return to the status quo ante.

Section VIII. GENERAL PROVISIONS

8.1 **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits hereof shall bind and inure to the benefit of each

of the Parties hereto and all successors in interest to the Parties hereto. All successors in interest shall succeed only to those benefits and burdens of this Agreement which pertain to the portion of the Project to which the successor holds title. Such titleholder is not a third party beneficiary of the remainder of this Agreement or to zoning classifications and benefits relating to other portions of the Project.

8.2 **Transfer of Property.** DEVELOPER and DEER VALLEY shall have the right, without obtaining the City's consent or approval, to assign or transfer all or any portion of its rights, but not its obligations, under this Agreement to any party acquiring an interest or estate in the Project, or any portion thereof. Third party assumption of DEVELOPER's or DEER VALLEY's obligations under this Agreement shall not relieve DEVELOPER or DEER VALLEY of any responsibility or liability with respect to the expressly assumed obligation, unless the City expressly agrees in writing to the reduction or elimination of DEVELOPER's or DEER VALLEY's responsibility or liability. DEVELOPER and DEER VALLEY shall provide notice of any proposed or completed assignment or transfer. If DEVELOPER or DEER VALLEY transfers all or any portion of the property comprising Flagstaff Mountain, Richardson Flats, Sandridge or Bonanza Flats, the transferee shall succeed to all of DEVELOPER's or DEER VALLEY's rights under this Agreement. To the extent the City believes (in its sole discretion, considering the totality of the DEVELOPER's and/or DEER VALLEY's obligations) that the successor in interest has ample resources to secure the City's rights under this Agreement, the City may release DEVELOPER and/or DEER VALLEY from its proportionate liability under this Agreement.

8.3 **No Agency, Joint Venture or Partnership.** It is specifically understood and agreed to by and among the Parties that: (1) the subject development is a private development; (2) City, DEER VALLEY and DEVELOPER hereby renounce the existence of any form of agency relationship, joint venture or partnership among City, DEER VALLEY and DEVELOPER;

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and (3) nothing contained herein shall be construed as creating any such relationship among City, DEER VALLEY and DEVELOPER.

SECTION IX. MISCELLANEOUS

9.1 **Incorporation of Recitals and Introductory Paragraphs.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

9.2 **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

9.3 **Severability.** If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

9.4 **Construction.** This Agreement has been reviewed and revised by legal counsel for DEVELOPER, DEER VALLEY and the City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Since the time the original Agreement was adopted and executed, many of the DEVELOPER'S obligations hereunder have been satisfied. The fact that this Agreement is styled as an amended and restated agreement shall not be deemed or construed to reinstate the DEVELOPER obligations that have been satisfied as of the date hereof.

9.5 **Notices.** Any notice or communication required hereunder between the Parties must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States

mail. If personally delivered, a notice is given when delivered to the Party to whom it is addressed. Any Party hereto may at any time, by giving ten (10) days written notice to the other Parties hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at the address set forth below:

If to City to:
City Manager
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

Copy to:
City Attorney
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

If to DEVELOPER to:
United Park City Mines Company
c/o David J. Smith
P.O. Box 1450
Park City, UT 84060

Copy to:
Clark K. Taylor
VanCott Bagley Cornwall & McCarthy
P. O. Box 45340
Salt Lake City, Utah 84145

If to DEER VALLEY:
Deer Valley Resort Company
Attn: Bob Wheaton, President
2250 Deer Valley Drive South
P.O. Box 889
Park City, Utah 84060

Copy to:

_____
General Counsel
Royal Street Corporation
7620 Royal Street East, Suite 205
P.O. Box 3179
Park City, Utah 84060

9.6 **No Third Party Beneficiary.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their assigns. No other party shall have any right of action based upon any provision of this Agreement whether as third party beneficiary or otherwise.

9.7 **Counterparts and Exhibits.** This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of forty-two (42) pages, including notary acknowledgment forms, and in addition, sixteen (16) exhibits, which constitute the entire understanding and agreement of the Parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Map and Legal description of Flagstaff Mountain
Exhibit B	Map and Legal description of the Iron Mountain Parcels
Exhibit C	Map and Legal description of Bonanza Flats
Exhibit D	Map and Legal description of Richardson Flats
Exhibit E	Map and Legal description of 20-Acre Quinn's Junction Parcel
Exhibit F	Deer Valley Ski Area Master Plan
Exhibit G	Deer Valley Resort Company Ski Run Construction and Revegetation Standards
Exhibit H	Guardsman Realignment
Exhibit I	Emergency Access
Exhibit J	Lady Morgan Springs Open Space Area
Exhibit K	Approximate Location of Prospect Ridge Open Space
Exhibit L	Map and Legal description of Sandridge Parking Lots and Sandridge Heights parcels
Exhibit M	Road and Intersection Improvements Detail
Exhibit N	Runaway Truck Lane
Exhibit O	Bonanza Flats golf course and ski improvements

Exhibit P Zoning Map for Flagstaff Mountain

9.8 **Attorneys' Fees.** In the event of a dispute between any of the Parties arising under this Agreement, the prevailing Party shall be awarded its attorneys' fees and costs to enforce the terms of this Agreement.

9.9 **Duration.** This Agreement shall continue in force and effect until all obligations hereto have been satisfied. DEVELOPER shall record the approved annexation plat for Flagstaff Mountain within 30 days of the City's adoption of an annexation ordinance to annex Flagstaff Mountain. The Large Scale Master Plan for Flagstaff Mountain granted herein shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two additional years of Inaction following the expiration of such four-year period, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by UPCM and by DEER VALLEY by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council effective as of the 2nd day of March, 2007.

PARK CITY MUNICIPAL CORPORATION

By: _____
Dana Williams, Mayor

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

APPROVED AS TO FORM:

_____
Mark D. Harrington, City Attorney

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

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DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4540 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

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Arizona

STATE OF ~~UTAH~~)
MARICOPA : ss
COUNTY OF ~~SUMMIT~~)

On this 1 day of March, 2007 before me, Constance M Richards, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

OFFICIAL SEAL
CONSTANCE M. RICHARDS
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires Feb. 1, 2008

Constance M Richards
Notary Public, State of ~~Utah~~ AZ
Residing in Maricopa County, AZ

SCHEDULE 3.1

RICHARDSON FLATS PARKING AREA SPECIFICATIONS

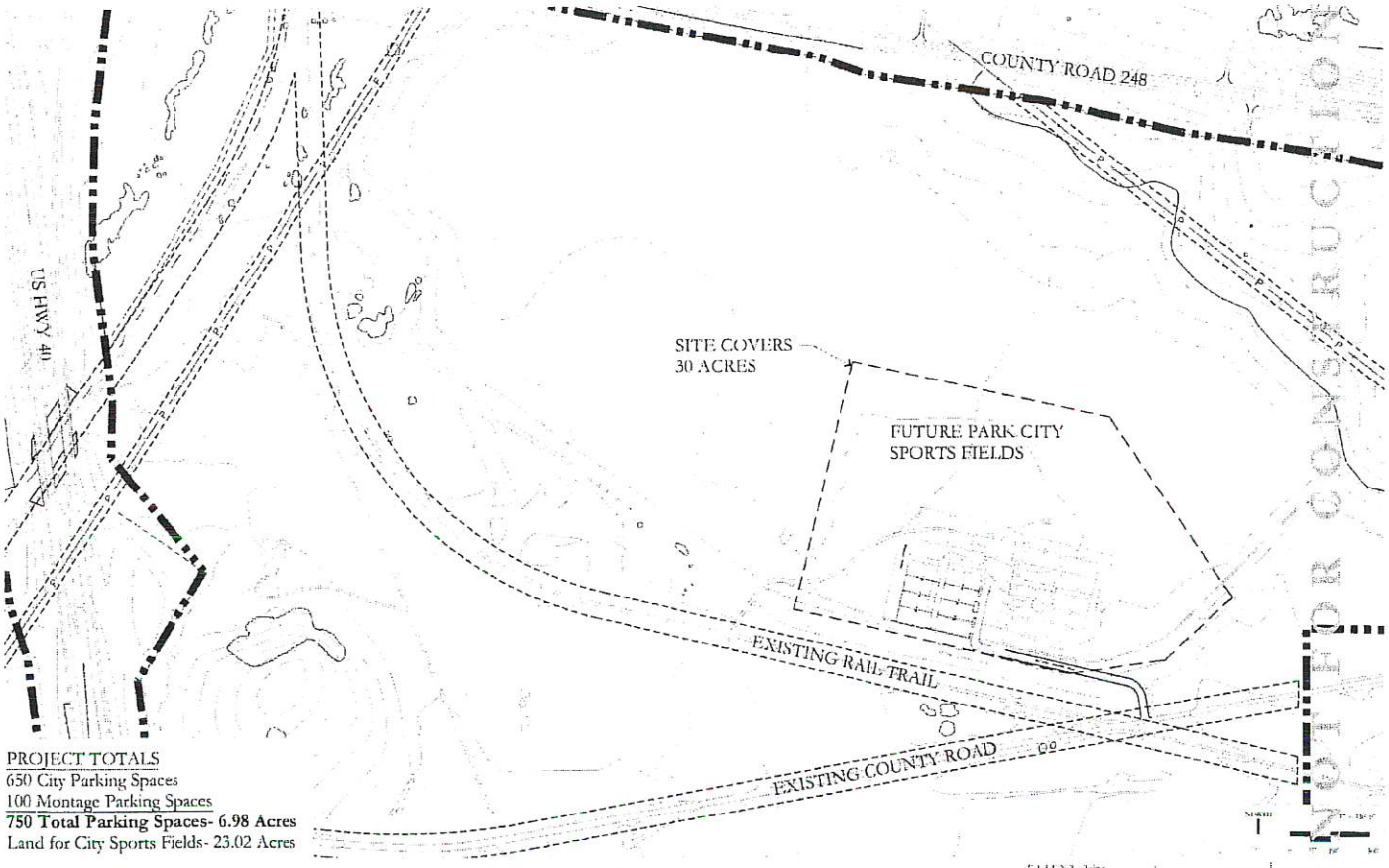
Talisker or United Park City Mines Company will provide the City with fee title (unless the City otherwise agrees to a long term lease) to 30 acres at Richardson Flats (map attached). The use of this land is provided on the basis that it will be only for ball fields or similar recreational spaces (and related improvements) and parking. On this acreage, Talisker will provide a paved area which will accommodate segregated Montage and Empire Pass parking (up to 100 spaces) and parking for the City (up to 650 spaces) for a total of up to 750 spaces. The cost of improving the existing County road leading to the site shall be paid for by the Developer, and shall be subject to a late comer's agreement. The parking improvements shall be constructed in phases as established during the MPD for those improvements in cooperation with Summit County. The parking improvements (excluding the 100 dedicated Montage spaces and spaces required for construction parking and other operational needs) may be used by the City for reasonable ancillary uses such as special events. Construction of the parking improvements will be assured through a form of completion bonding consisting of a draw-down letter of credit or other similar instrument in an amount equivalent to the good faith estimated cost to construct the parking improvements, but in an amount not to exceed $1,800,000. In the event any permit application is denied such that the parking improvements cannot be constructed, the City shall be entitled to draw the entire amount of the completion bond, letter of credit or similar instrument (as the case may be), and DEVELOPER shall have no further obligation to construct the parking improvements.

Additional specifications are as follows:

1. Adequate space will be provided for drainage & snow storage.
2. The area will have reasonably flat terrain.
3. The parking lot will allow adequate bus travel through the parking area.
4. An allowance for signs and street lights is included.
5. The lot will be paved to accommodate the weight of City busses, in accordance with applicable Summit County construction standards and/or the Park City Construction Specifications and Standard Drawings as reasonably applied by the City engineer and the DEVELOPER'S design engineer.

The precise layout and cost of the ball fields or similar recreational spaces within the 30 acre parcel, and improvements related thereto, are the City's responsibility.

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EXHIBIT D – 1
DEED RESTRICTION

EXHIBIT A
TO
GRANT OF TALISKER CONSERVATION DEED RESTRICTION

[Insert Legal Description of the Property]

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WHEN RECORDED, MAIL TO:
Mark D. Harrington, City Attorney
Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah 84060

COPY

TALISKER CONSERVATION DEED RESTRICTION

THIS GRANT OF CONSERVATION DEED RESTRICTION ("Deed Restriction") is made effective as of the 2nd day of March, 2007, by UNITED PARK CITY MINES COMPANY, a Delaware corporation ("UPMC"), its subsidiary, TALISKER LAND HOLDINGS, LLC ("TLH"), and Royal Street Land Company ("RSLC"), which contribute, grant and convey the rights described hereafter to PARK CITY MUNICIAL CORPORATION, a city and political subdivision of the STATE OF UTAH located in Summit County, Utah ("City"). UPCMC, TLH and RSLC are collectively referred to herein as "Grantor", and City is referred to herein as "Grantee". Grantor and Grantee are sometimes collectively referred to herein as the "Parties".

WITNESSETH:

WHEREAS, Grantor owns certain real property located in Park City and Summit County, Utah (the "Property") more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Property possesses natural, scenic, open space, public recreation, wildlife and wetland values described in Section 170(h)(4)(A) of the Internal Revenue Code of 1986 (the "Code") (collectively referred to herein as "Conservation Values"); and

WHEREAS, the specific Conservation Values of the Property are documented in materials sometimes referred to as the "Baseline Documentation," which consists of reports, maps, photographs and other documentation intended to provide the Parties with an accurate representation of the Property at the time of the granting of the Deed Restriction as defined below; and

WHEREAS, the Property is appropriate for substantial and regular skiing, year-round recreational and other uses as hereinafter described as the Reserved Use Rights, and the Property is necessary to the operation of the Park City Mountain Resort; and

WHEREAS, Grantor intends that the Conservation Values of the Property be preserved and maintained by the continuation of land use patterns, including, without limitation, those existing at the time of the recording of this Deed Restriction, subject to the Reserved Use Rights; and

WHEREAS, Grantor further intends, as owner of the Property, to preserve and protect the conservation values of the Property in perpetuity, subject to the Reserved Use Rights; and

WHEREAS, GRANTEE is a political subdivision of the State of Utah described in Code Section 170(b)(1)(A)(v), (c)(1) and (h)(3)(A); and

WHEREAS, Grantee agrees by accepting this grant that the Deed Restriction contained herein significantly furthers a clearly delineated local governmental policy of Grantee, and that Grantee will honor the intentions of Grantor stated herein to preserve and protect in perpetuity the Conservation Values of the Property for the benefit of this generation and the generations to come;

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Utah and in particular U.C.A. Title 57, Chapter 18, Grantor hereby contributes, grants and conveys to Grantee a conservation Deed Restriction in perpetuity over the Property of the nature and character and to the extent set forth herein (the "Deed Restriction").

1. Purpose. It is the purpose of the Deed Restriction to prevent residential development on the Property and, subject to the Reserved Use Rights described in Section 3 of this Deed Restriction, to assure that the Property will be retained forever in its open, generally undeveloped condition as provided herein and to prevent any use of the Property that will significantly impair or interfere with the Conservation Values of the Property. Grantor intends that the Deed Restriction will confine the use of the Property to those activities, including without limitation the Reserved Use Rights, that are consistent with the terms of this Deed Restriction.

2. Rights of Grantee. To accomplish the purpose of this Deed Restriction, the following rights are conveyed to Grantee by this Deed Restriction, subject at all times to the Reserved Use Rights:

(a) The right to preserve and protect the Conservation Values of the Property;

(b) The right to enter upon the Property at reasonable times in order to monitor Grantor's compliance with and otherwise enforce the terms of this Deed Restriction; provided that such entry shall be upon prior reasonable notice to Grantor and to Grantor's tenants and subtenants, and Grantee shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property, whether directly or through tenants or subtenants;

(c) The right to prevent any activity on or use of the Property that is inconsistent with the terms of this Deed Restriction and to enforce the restoration of such areas or features of the Property that may be damaged by inconsistent activity or use, pursuant to Section 7 hereof; and

(d) The right to enforce this Deed Restriction by appropriate legal proceedings, after providing Grantor with reasonable notice and opportunity to cure, as provided in section 7 herein.

3. Reserved Use Rights. The following uses and practices (collectively referred to herein as the "Reserved Use Rights"), while not an exhaustive recital of permitted uses and practices, are consistent with the purpose of the Deed Restriction, and the following purposes

and practices shall not be precluded or prevented by this Deed Restriction to the extent they are not inconsistent with Conservation Values:

(a) Until the expiration or earlier termination of that certain Lease dated as of January 1, 1971, by and between UPCMC and Treasure Mountain Resort Company ("Current Lessee"), as now amended, as the term may be extended from time to time (the "Lease"), all uses, practices and activities permitted under the Lease. The Parties agree that all permitted uses under the Lease are consistent with Conservation Values. Future amendments to or replacements of said Lease shall also be permitted, provided that such are consistent with applicable zoning requirements and this Deed Restriction.

(b) Upon and after the expiration or earlier termination of the Lease:

(i) Recreational, entertainment, and retail usages not inconsistent with Conservation Values.

(ii) All uses, practices and activities incident to the operation, maintenance, repair and replacement of the Park City Mountain Resort and related facilities when done in a manner not inconsistent with Conservation Values.

(iii) Substantial and regular skiing uses consisting of ski lifts, ski runs, and other winter and summer recreational and resort facilities and uses incident or related thereto, such facilities and uses to include (i) fuel storage and dispensing, (ii) bomb caches for avalanche control, (iii) maintenance facilities, (iv) vehicle fleet maintenance and operations, (v) bike trails, (vi) avalanche hazard reduction, (vii) forestry management, (viii) night skiing operations and related lighting, (ix) day lodges and restaurants, (x) yurts, (xi) mobile or modular units for security personnel, (xii) culinary water lines, pump stations and storage tanks, and (xiii) snowmaking water lines, pump stations, storage tanks and storage ponds, all of which are to be implemented in a manner not inconsistent with Conservation Values;

(iv) The construction, development and operation of ski-related development and other allowed uses as provided by the PCMR Development Agreement dated on or about June 25, 1998 (as amended from to time in a manner not inconsistent with Conservation Values), including activities conducted under Master Festival Licenses, and recreational, entertainment, and retail usages that are not inconsistent with the Development Agreement, underlying zoning or with Conservation Values;

(v) The construction, installation, use, maintenance, repair, replacement and relocation of water wells, water lines, sanitary sewer lines, storm sewer lines and the right to discharge their flows, natural gas lines, electric power lines, cable television lines, telephone lines, and other utility lines, together with the right to temporarily stockpile construction materials and equipment as approved by the Grantee, so long as such uses are necessary for the Reserved Use Rights, are located in disturbed areas such as ski runs or existing utility corridors

(unless otherwise approved by the Grantee) and are not inconsistent with Conservation Values;

(vi) The construction, installation, use, maintenance, repair, replacement and relocation of secondary access roads provided all applicable land use approvals are obtained from Grantee (nothing herein shall be deemed as such approval) and such are done in a manner not inconsistent with Conservation Values;

(vii) All activities on the Property that are necessary to perform investigation, remediation, closure and/or reclamation work consistent with or required by law with respect to any portion of the Property that has been used previously for mining activities or mining operations;

(viiii) The right to access all subsurface oil, gas or other minerals by subsurface techniques to the maximum extent permitted by a "Qualified Mineral Interest" within the meaning of Section 170(h)(6) of the Code provided that such rights are exercised only without use of any surface mining method and only in a manner which is not inconsistent with the Conservation Values.

(ix) Passive uses otherwise allowed by the Park City Land Management Code in the ROS District intended to preserve and protect the Conservation Values.

4. Prohibited Uses and Practices. Any activity on or use of the Property inconsistent with the purpose of the Deed Restriction is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

(a) Any residential construction or use including hotels and lodging, and any surface mining, use of surface mining methods or mining by any method inconsistent with Conservation Values; and

(b) Hunting or trapping for any purpose other than predatory or problem animal control.

The foregoing prohibited activities and uses may be amended by the express written agreement of the Grantee and Grantor, provided such amendment is not inconsistent with either Section 170(h) of the Code or Conservation Values.

5. Existing Liens. The Property is subject to all existing easements and other liens and encumbrances of record.

6. Reserved Rights. Grantor reserves to Grantor and to Grantor's successors and assigns as the owner of the Property all rights accruing from the ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are consistent with the purpose of the Deed Restriction and that are not expressly prohibited herein, including without limitation the right to engage in or permit others to engage in Reserved Use Rights.

6.1 Minor Boundary Adjustments. Grantor reserves the right to make reasonable and minor boundary line adjustments in the legal description of the Property, provided that any such adjustments are consistent with the Reserved Use Rights and provided that the total area of the Property that is subject to the Deed Restriction shall not be reduced as the result of any such boundary line adjustments. The Grantee shall execute, acknowledge and record in the Office of the Recorder of Summit County, Utah any amendments to this Deed Restriction proposed by Grantor for such purpose so long as such adjustments are not inconsistent with Conservation Values.

6.2 Notice of New Uses. Grantor agrees to notify Grantee in writing at least 30 days in advance of any change in use or exercise of any Reserved Use Right which may have an adverse impact on any Conservation Value.

7. Grantee's Remedies. If Grantee determines that Grantor is in violation of the terms of this Deed Restriction or that a violation is threatened, Grantee shall give written notice to both Grantor and Current Lessee of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the terms of this Deed Restriction, to restore the portion of the Property so injured. If Grantor fails to cure the violation within thirty (30) days after receipt of notice thereof from Grantee, or under circumstances where the violation cannot reasonably be cured within a thirty (30) day period, fails to begin curing such violation within the thirty (30) day period, or fails to continue diligently to cure such violation until finally cured, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Deed Restriction, to enjoin the violation, ex parte as necessary, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the terms of this Deed Restriction or injury to any Conservation Values protected by the Deed Restriction, including damages for the loss of scenic, aesthetic, or environmental values, and to require the restoration of the Property to the condition that existed prior to any such injury. Without limiting Grantor's liability therefor, Grantee, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property. If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Conservation Values of the Property, Grantee may pursue its remedies under this Section without prior notice to Grantor or without waiting for the period provided for cure to expire. Grantee's rights under this Section apply equally in the event of either actual or threatened violations of the terms of this Deed Restriction, and Grantor agrees that Grantee's remedies at law for any violation of the terms of this Deed Restriction are inadequate and that Grantee shall be entitled to the injunctive relief described in this Section, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Deed Restriction, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this Section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity. Current Lessee shall, with at least simultaneous notice to Grantor, have the right, but not the duty, to undertake any above described cures on behalf of Grantor if Grantor has not commenced such cure at least five days before the end of the cure period described herein.

7.1 Costs of Enforcement. Any costs incurred by Grantee in enforcing the terms of this Deed Restriction against Grantor, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Grantor's violation of the terms of this Deed Restriction shall be borne by Grantor. If Grantor prevails in any action to enforce the terms of this Deed Restriction, Grantor's costs of suit, including, without limitation, attorneys' fees, shall be borne by Grantee.

7.2 Grantee's Enforcement. Failure by Grantee to immediately enforce this Deed Restriction in the event of any breach of any term of this Deed Restriction by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Deed Restriction.

7.3 Waiver of Certain Defenses. Grantor hereby waives any defense of laches, estoppel, or prescription.

7.4 Acts Beyond Grantor's Control. Nothing contained in this Deed Restriction shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

8. Access. No specific right of access by the general public to any specific portion of the Property is conveyed by this Deed Restriction, but the overall operation of the Property shall be such as to provide the Public substantial and regular access for recreational and scenic uses.

9. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. Grantor shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor.

9.1 Taxes. Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, the Deed Restriction, and shall furnish Grantee with satisfactory evidence of payment upon request.

9.2 Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents, and contractors (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including, without limitation, reasonable attorneys' fees arising from or in any connection with: (a) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (b) the obligations specified in Sections 9 and 9.1; and (c) the existence or administration of this Deed Restriction.

10. Property Interest; Condemnation or Extinguishment. The Deed Restriction constitutes a real property interest immediately vested in Grantee, which the Parties agree can not be extinguished except by (i) a super majority vote by at least 80% of the City Council and a vote of the City residents, and (ii) a judicial action as permitted under Treas. Reg. 1.170A-14(g)(6)(i), and which, for the purposes of this Deed Restriction, the Parties stipulate to have a fair market value determined in accordance with the requirements of the Code and Treas. Reg. 1.170A-14(g)(6)(ii), as applicable to conservation contributions. Grantee acknowledges that Grantor is making a bargain contribution as described in the eighth sentence of Treas. Reg. 1.170A-14(h)(3)(i), but makes no representation as to the tax consequences of the transaction contemplated by this Deed Restriction. Grantor will obtain independent tax counsel and be solely responsible for compliance requirements of the Code. The values as of the date of this Deed Restriction shall be those values used to calculate the deduction, if any, for federal income tax purposes allowable by reason of this Deed Restriction, pursuant to Section 170(h) of the Code. If the Deed Restriction is taken, in whole or in part, by exercise of the power of eminent domain or by an extinguishment by judicial proceeding permitted under Treas. Reg. 1.170A-14(g)(6)(i), Grantee shall be entitled to compensation in accordance with applicable law (but in no event less than the amount required to be received under Treas. Reg. 1.170A-14(g)(6)(ii)) and such proceeds shall be used in solely in accordance with Treas. Reg. 1.170A-14(c)(2).

11. Transfer, Assignment and Substitution of Conservation Easement. The Deed Restriction is not transferable by Grantee so long as the Lease is in effect. Grantor agrees (to the extent it can be done in compliance with all provisions of the Code and Treasury Regulations then in effect) that, upon Grantee's request after the Lease is no longer in effect, Grantor will cooperate with the City and will take all reasonable steps necessary to substitute for this Deed Restriction a Conservation Easement having identical substantive terms. Further, within a reasonable time after the expiration or other termination of the Lease, the Grantee shall, to the extent permitted by the Code and Treasury Regulations then in effect, transfer the Deed Restriction (or Conservation Easement, if substituted as provided above) to a non-governmental eligible donee within the meaning of Treas. Reg. 1.170A-14(c)(1) in a properly documented transfer complying with all requirements of law including, without limit, Treas. Reg. 1.170A-14(c)(2).

12. Estoppel Certificates. Upon request by Grantor, Grantee shall within thirty (30) days execute and deliver to Grantor any document, including an estoppel certificate, which certifies Grantor's compliance with any obligation of Grantor contained in this Deed Restriction and otherwise evidences the status of this Deed Restriction as may be requested by Grantor.

13. Baseline Documentation. The Parties acknowledge that an inventory of Baseline Documentation relating to the Property has been completed based upon information available to Grantor on the date hereof and which has been provided by Grantor to Grantee. Copies of this inventory of Baseline Documentation are on file in Grantee's offices and in Grantor's offices. The Parties acknowledge that this collection of Baseline Documentation contains an accurate representation of the condition of the Property subject to the Deed Restriction and the natural

resources associated with the Property as of the date of the execution of this Deed Restriction in accordance with Treasury Regulation § 1.170A-14(g)(5)(i). Notwithstanding the foregoing, in the event of a controversy arising with respect to the nature of the biological and/or physical condition of the Property, the Parties shall not be foreclosed from using any and all other relevant or material documents, surveys, reports and other information to assist in the resolution of that controversy.

14. Notices. Any notice, demand, request, consent, approval, or communication that any Party to this Deed Restriction desires or is required to give to the other Parties shall be in writing and shall be served either personally or sent by first class mail, postage prepaid, addressed as follows:

To United Park City Mines Company, Grantor:	United Park City Mines Company Attn.: David J. Smith 900 Main Street, Suite 6107 P. O. Box 1450 Park City, UT 84060
To Talisker Land Holdings, LLC, Grantor:	Talisker Land Holdings, LLC Attn.: David J. Smith 900 Main Street, Suite 6111 P. O. Box 4349 Park City, Utah 84060
To Royal Street Land Company, Grantor:	Royal Street Land Company Attn: Robert W. Wells 7620 Royal Street East P. O. Box 3179 Park City, UT 84060
To Park City Municipal Corporation, Grantee:	Office of the Mayor 445 Marsac Avenue Park City, UT 84060

or to such other address as any Party to this Agreement from time to time shall designate by written notice to the other Party.

15. Recordation. Grantee shall record this Deed Restriction in a timely fashion in the Office of the Recorder of Summit County, Utah, and Grantee may re-record it at any time as may be required to preserve Grantee's rights in the Deed Restriction.

16. General Provisions.

(a) Controlling Law. The Code, Treasury Regulations and laws of the State of Utah shall govern the interpretation and performance of this Deed Restriction.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Deed Restriction shall be liberally construed in favor of preserving Conservation Values and to effect the purpose of the Deed Restriction and the policy and purposes of both Utah statute and Section 170(h) of the Code. If any provision in this Deed Restriction is found to be ambiguous, an interpretation consistent with Conservation Values and the purpose of the Deed Restriction that would render the provision valid shall be favored over any such interpretation that would render it invalid.

(c) Severability. If any provision of this Deed Restriction, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Deed Restriction, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

(d) Entire Agreement. This Deed Restriction sets forth the entire agreement of the Parties hereto with respect to the Deed Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Deed Restriction, all of which are merged herein.

(e) Amendments. Any amendments to this Deed Restriction must be in writing and must be executed by all Parties hereto.

(f) No Forfeiture. Nothing contained herein will result in the forfeiture or reversion of Grantor's title in any respect.

(g) Successors. The covenants, terms, conditions, and restrictions of this Deed Restriction shall be binding upon, and inure to the benefit of, the Parties hereto and their respective successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

(h) Termination of Rights and Obligations. A Party's rights and obligations under this Deed Restriction (but no part of the Deed Restriction itself) shall terminate upon transfer of the Party's interest in the Deed Restriction or the Property, as the case may be, except that responsibility for acts or omissions occurring prior to transfer shall survive transfer.

(i) Captions. The captions in this Deed Restriction have been inserted solely for convenience of reference and are not a part of this Deed Restriction and shall have no effect upon the construction or interpretation hereof.

IN WITNESS WHEREOF Grantor and Grantee have caused this Deed Restriction to be executed by persons duly authorized to execute the same as of the day and year first above written.

[signatures follow on next pages]

GRANTOR:

UNITED PARK CITY MINES COMPANY, a Delaware corporation

By: _____
David J. Smith, Authorized Signing Officer

TALISKER LAND HOLDINGS, LLC, a Delaware limited liability company

By: _____
David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 1st day of March, 2007 by David J. Smith in his capacity as the Authorized Signing Officer of United Park City Mines Company, a Delaware corporation.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

NOTARY PUBLIC
Residing at: Oakley, Utah

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 1st day of March, 2007 by David J. Smith in his capacity as the Authorized Signing Officer of Talisker Land Holdings, LLC, a Delaware limited liability company.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

NOTARY PUBLIC
Residing at: Oakley, Utah

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ROYAL STREET LAND COMPANY, a
Utah corporation

By: _____
Robert W. Wells, Vice President

STATE OF ~~UTAH~~ ARIZONA)
: ss.
COUNTY OF ~~SUMMIT~~ MARICOPA)

The foregoing instrument was acknowledged before me this 1 day of March, 2007 by Robert W. Wells in his capacity as Vice President of Royal Street Land Company, a Utah corporation.

OFFICIAL SEAL
CONSTANCE M. RICHARDS
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires Feb. 1, 2008

_____
NOTARY PUBLIC
Residing at: Maricopa County, Az

GRANTEE:

PARK CITY MUNICIPAL CORPORATION,
a Utah city and political subdivision.

By: Dana Williams

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 2nd day of March, 2007 by Dana Williams, as the Mayor of Park City Municipal Corporation, a Utah city and political subdivision.

Notary Public
SABRA KARR DATOR
5729 Kingsford Avenue
Park City, Utah 84098
My Commission Expires
June 15, 2007
State of Utah

Sabra Karr Dator
NOTARY PUBLIC
Residing at: Summit Co.

LEGAL DESCRIPTION
PCMR LANDS DEED RESTRICTION
March 2, 2007

A parcel of land located in the southwest quarter of Section 16, Section 17, the east half of Section 18, Sections 19 and 20, the south half of Section 21, Sections 29 and 30, Township 2 South, Range 4 East, Salt Lake Base and Meridian and the east half of Section 25, Township 2 South, Range 3 East, Salt Lake Base and Meridian, said parcel being more or less described as follows:

Beginning at point is that North 00°30'11" West 934.67 feet along section line and West 3404.71 feet from the southeast corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the northernmost corner of King Road Estate, recorded February 26, 2002 as entry no. 612078, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; and running thence along the westerly boundary of said King Road Estate the following sixteen (16) courses: 1) South 11°44'40" West 75.86 feet; thence 2) South 08°16'31" East 93.02 feet; thence 3) South 03°34'29" West 97.70 feet; thence 4) South 11°54'04" West 151.80 feet; thence 5) South 03°04'59" West 97.45 feet; thence 6) South 16°59'41" East 157.20 feet; thence 7) South 11°10'49" East 123.76 feet; thence 8) South 19°07'06" West 182.56 feet; thence 9) South 17°58'26" East 97.99 feet; thence 10) South 08°24'14" West 124.71 feet; thence 11) South 14°01'12" West 102.12 feet; thence 12) South 21°15'12" West 223.98 feet; thence 13) South 00°02'02" West 420.00 feet; thence 14) South 09°57'58" East 290.00 feet; thence 15) South 38°02'02" West 601.95 feet; thence 16) South 21°27'58" East 195.08 feet to the northerly boundary of the Silver King Mining Reservation; thence along the northerly boundary of the Silver King Mining Reservation the following three (3) courses: 1) South 68°24'45" West 1065.03 feet; thence 2) South 61°30'44" West 93.44 feet; thence 3) South 67°30'00" West 25.28 feet to the westerly line of Section 21; thence along the westerly line of Section 21 South 01°49'17" East 266.83 feet; thence along the southerly line of the north half of Section 21 South 89°59'59" East 3204.88 feet; thence South 28°18'45" West 186.56 feet; thence South 29°09'57" West 315.97 feet; thence South 32°04'00" West 296.25 feet; thence South 47°29'30" West 405.07 feet; thence South 50°23'25" West 105.09 feet; thence South 56°00'00" West 94.90 feet; thence South 50°15'25" West 92.50 feet; thence South 40°35'50" West 110.80 feet; thence South 31°30'07" West 96.20 feet; thence South 27°54'51" West 126.00 feet; thence South 38°27'54" West 138.00 feet; thence South 33°26'55" West 136.00 feet; thence South 32°00'03" West 159.20 feet; thence South 32°14'53" West 101.60 feet; thence South 35°09'16" West 88.70 feet; thence South 46°47'25" West 123.00 feet; thence South 56°44'38" West 142.80 feet; thence South 15°21'41" West 116.30 feet; thence South 10°41'54" West 76.70 feet; thence North 71°42'35" West 163.49 feet; thence North 72°54'27" West 85.42 feet; thence South 86°11'16" West 94.42 feet; thence South 77°48'30" West 79.25 feet; thence South 77°19'44" West 85.84 feet; thence South 81°11'10" West 122.88 feet; thence South 67°45'58" West 149.28 feet; thence South 64°44'13" West 136.79 feet; thence South 82°14'00" West 672.44 feet; thence South 77°17'18" West 735.40 feet; thence South 87°35'00" West 778.00 feet; thence South 23°55'00" West 604.00 feet; thence South 10°48'36" West 569.75 feet; thence South 20°48'44" West 698.02 feet; thence South

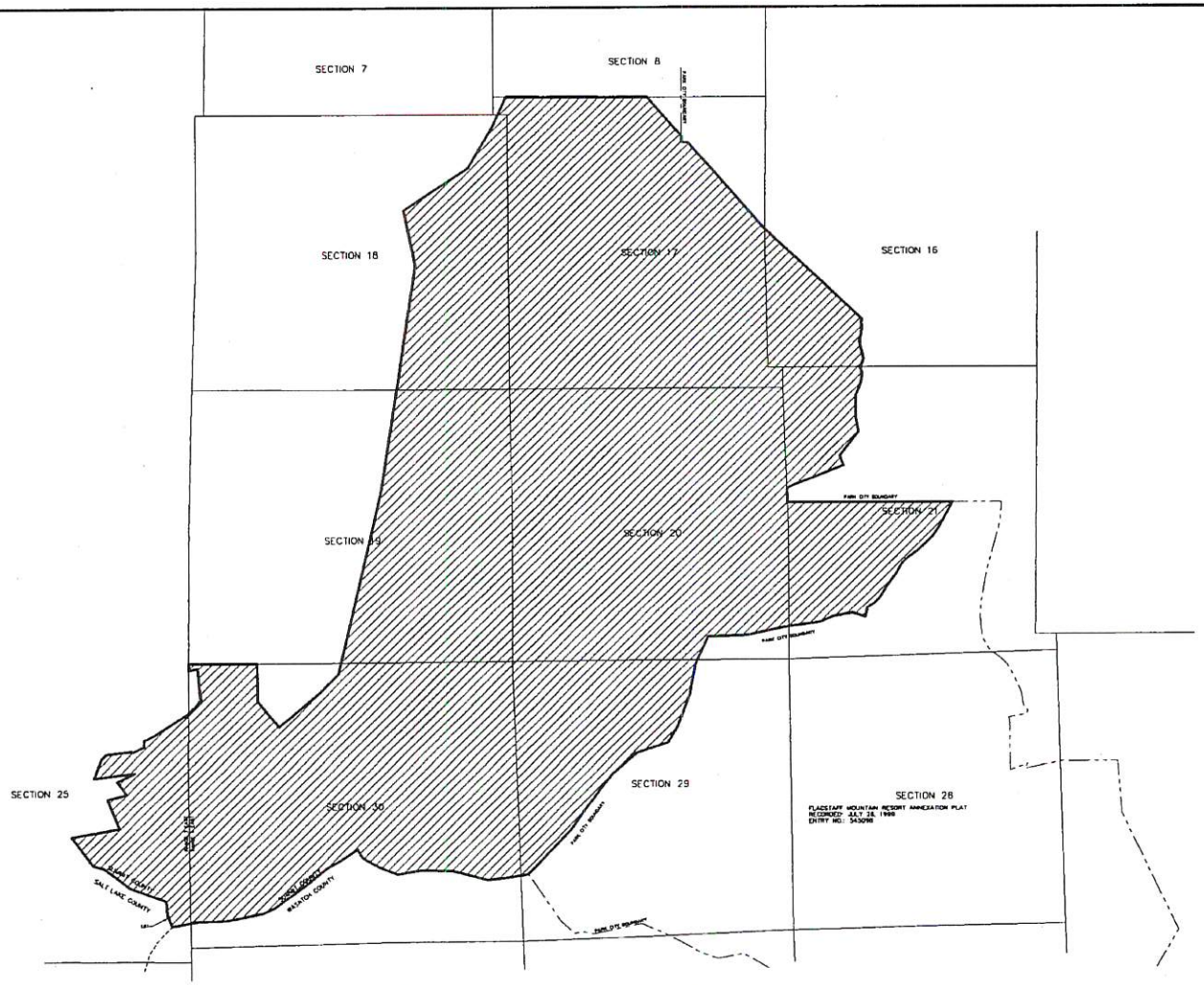
30°09'00" West 354.14 feet; thence South 71°34'40" West 644.26 feet; thence South 49°33'13" West 616.72 feet; thence South 37°33'27" West 779.84 feet; thence South 35°07'44" West 548.54 feet; thence South 44°09'00" West 1236.63 feet; thence South 79°45'30" West 288.30 feet; thence South 83°01'30" West 494.40 feet; thence North 75°15'30" West 705.70 feet; thence North 88°10'30" West 612.40 feet; thence South 79°33'30" West 453.20 feet; thence North 68°16'30" West 378.70 feet; thence North 60°54'30" West 368.90 feet; thence North 29°57'30" West 201.20 feet; thence South 56°08'00" West 402.00 feet; thence South 61°28'00" West 304.10 feet; thence South 50°42'00" West 479.60 feet; thence South 54°28'00" West 792.00 feet; thence South 65°22'00" West 244.50 feet; thence South 78°48'00" West 685.80 feet; thence South 86°10'00" West 265.50 feet; thence South 88°22'00" West 302.90 feet; thence South 79°23'00" West 267.90 feet; thence South 79°50'00" West 261.50 feet; thence North 23°02'08" West 123.79 feet; thence North 17°52'03" West 155.35 feet; thence North 05°10'26" West 233.33 feet; thence North 69°34'42" West 736.28 feet; thence North 52°50'00" West 624.65 feet; thence North 74°11'18" West 213.72 feet; thence North 36°49'35" West 701.84 feet; thence along the southerly line of the Matilda Lode, Mineral Survey No. 4959 North 80°12'00" East 936.47 feet; thence along the easterly line of the Matilda Lode, Mineral Survey No. 4959 North 21°36'00" West 612.00 feet; thence along the northerly line of the Fairbanks Fraction Lode, Mineral Survey No. 5364 North 75°31'00" East 388.60 feet; thence along the westerly line of the Indiana Lode, Mineral Survey No. 4760 North 35°42'00" West 308.10 feet; thence along the northerly line of the Indiana Lode, Mineral Survey No. 4760 North 63°32'00" East 372.80 feet; thence along the southerly line of the Malchite Lode, Lot 281 South 83°15'00" West 788.31 feet; thence along the Summit-Salt Lake County line North 21°28'07" East 381.77 feet; thence along the southerly line of the Augusta Lode, Lot 122 North 47°11'00" East 145.31 feet; thence along the northerly line of the R.K.D. Lode, Lot 287 North 83°15'00" East 489.90 feet; thence along the easterly line of the R.K.D. Lode, Lot 287 South 24°08'00" East 21.90 feet; thence along the northerly line of the Roscamp Lode, Lot 286 North 64°44'00" East 250.80 feet; thence North 129.30 feet; thence North 63°07'00" East 231.20 feet; thence North 56°30'00" East 794.20 feet; thence along the west line of Section 30 North 00°36'00" East 3.70 feet; thence North 45°41'00" East 214.75 feet; thence along the northerly line of the Hope Lode, Lot 299 North 36°45'00" East 147.10 feet; thence along the easterly line of the Pique No. 3 Lode, Mineral Survey No. 4742 North 44°41'00" West 26.10 feet; thence North 04°55'00" West 575.00 feet; thence along the southerly line of the Norma Lode, Mineral Survey No. 4177 South 76°24'00" West 177.28 feet; thence North 01°35'00" East 137.93 feet; thence East along the southerly line of Section 19 1321.46 feet; thence South 00°00'07" West 727.38 feet; thence South 39°30'00" East 659.89 feet; thence North 50°00'00" East 1050.51 feet; thence North 45°56'25" East 493.99 feet; thence North 13°09'11" East 3773.82 feet; thence North 09°05'46" East 4380.03 feet; thence North 11°27'54" West 1099.08 feet; thence along the northerly line of the Seldom Seen No. 4, Mineral Survey No. 5591 North 56°24'00" East 1500.00 feet; thence along the northerly line of the Seldom Seen No. 3, Mineral Survey 5591 North 29°33'00" East 977.60 feet; thence along the northerly line of the Seldom Seen No. 2, Mineral Survey No. 5591 North 24°18'00" East 609.56 feet; thence along the southerly line of Section 8 South 89°37'42" East 2375.13 feet; thence along the southerly line of Section 8 North 89°53'52" East 363.00 feet; thence (along the boundary of property owned by Park Properties) the following three (3) courses: 1) South 40°33'27" East 1007.17 feet; thence 2) South 130.35

feet; thence 3) East 119.98 feet to the southwesterly boundary of the parcel described in that Special Warranty Deed recorded October 30, 1975 as entry no. 129128 in the office of the recorder, Summit County, Utah; thence along said parcel South 40°33'27" East 643.53 feet to the southwesterly line of Parcel No. 7, described in the document recorded on March 18, 1971 as entry no. 112831 in the office of the recorder, Summit County, Utah; thence along the boundary of said Parcel No. 7 the following two (2) courses: 1) South 40°33'27" East 1600.00 feet; thence 2) South 46°37'01" East 2570.22 feet (deed South 46°54'22" East) to the point of beginning.

Description contains 2,931 acres, more or less.

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PCMR LANDS DEED RESTRICTION

(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

JOB NO.: 1-1-01 FILE: X:\Empire\dwg\Talisker\plat\legal exhibit.dwg

EXHIBIT D – 2
CONSERVATION EASEMENT

COPY

WHEN RECORDED MAIL TO
Summit Land Conservancy
Attn: Cheryl Fox, Executive Director
1650 Park Avenue
P. O. Box 1775
Park City, UT 84060

CONSERVATION EASEMENT

THIS GRANT OF CONSERVATION EASEMENT ("Easement") is made effective as of the 2nd day of March, 2007, by UNITED PARK CITY MINES COMPANY, a Delaware corporation ("UPCMC") and its subsidiary, TALISKER LAND HOLDINGS, LLC ("TLH"), which contribute, grant and convey the rights described hereafter to SUMMIT LAND CONSERVANCY, a Utah non-profit corporation ("Summit"). UPCMC and TLH are collectively referred to herein as "Grantor" and Summit is referred to herein as "Grantee". Grantor and Grantee are sometimes collectively referred to herein as the "Parties".

WITNESSETH:

WHEREAS, Grantor owns certain real property located in Summit County, Utah (the "Property") more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Property possesses natural, scenic, open space, and public recreation values as described in Section 170(h)(4)(A) of the Internal Revenue Code of 1986 (the "Code") (collectively referred to herein as "Conservation Values"); and

WHEREAS, the specific Conservation Values of the Property are documented in materials sometimes referred to as the "Baseline Documentation," which consists of narratives, maps, photographs and other documentation intended to provide the Parties with an accurate representation of the Property at the time of the granting of the Easement as defined below; and

WHEREAS, located on the Property is a certain historic mining structure and related improvements identified in the Baseline Documentation (collectively, the "Historic Mining Improvements"); and

WHEREAS, the Property is appropriate for substantial and regular year-round recreational and other uses as hereinafter described as the Reserved Use Rights,; and

WHEREAS, Grantor intends that the Conservation Values of the Property be preserved and maintained by the continuation of land use patterns, including, without limitation, those existing at the time of the recording of this Easement, subject to the Reserved Use Rights; and

WHEREAS, Grantor further intends, as owner of the Property, to preserve and protect the conservation values of the Property in perpetuity, subject to the Reserved Use Rights; and

WHEREAS, GRANTEE is a qualified organization described in Code Section 170(b)(1)(A)(vi), (c)(2) and (h)(3)(A); and

WHEREAS, Grantee agrees by accepting this grant that the Easement contained herein significantly furthers conservation values including a clearly delineated local governmental policy of Park City Municipal Corporation, and that Grantee will honor the intentions of Grantor stated herein to preserve and protect in perpetuity the Conservation Values of the Property for the benefit of this generation and the generations to come;

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Utah and in particular U.C.A. Title 57, Chapter 18, Grantor hereby contributes, grants and conveys to Grantee a Conservation Easement in perpetuity over the Property of the nature and character and to the extent set forth herein (the "Easement").

1. Purpose. It is the primary purpose of the Easement to prevent residential development on the Property and, subject to the Reserved Use Rights described in Section 3 of this Easement, to assure that the Property will be retained forever in its open, generally undeveloped condition as provided herein and to prevent any use of the Property that will significantly impair or interfere with the Conservation Values of the Property. Grantor intends that the Easement will confine the use of the Property to those activities, including without limitation the Reserved Use Rights, that are consistent with the terms of this Easement.

2. Rights of Grantee. To accomplish the purpose of this Easement, the following rights are conveyed to Grantee by this Easement, subject at all times to the Reserved Use Rights:

(a) The right to preserve and protect the Conservation Values of the Property;

(b) The right to enter upon the Property at reasonable times in order to monitor Grantor's compliance with and otherwise enforce the terms of this Easement; provided that such entry shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property;

(c) The right to prevent any activity on or use of the Property that is inconsistent with the terms of this Easement and to enforce the restoration of such areas or features of the Property that may be damaged by inconsistent activity or use, pursuant to Section 7 hereof; and

(d) The right to enforce this Easement by appropriate legal proceedings, after providing Grantor with reasonable notice and opportunity to cure, as provided in section 7 herein.

3. Reserved Use Rights. The following uses and practices (collectively referred to herein as the "Reserved Use Rights") are consistent with the purpose of the Easement, shall not be precluded or prevented by this Easement to the extent they are not inconsistent with Conservation Values:

(a) Substantial and regular recreational uses consisting of winter and summer recreational uses to include (i) bike, skiing, snowshoe and hiking trails, (ii) avalanche hazard reduction, (iii) forestry management, and (iv) other passive recreational activities (e.g., ornithology and botany);;

(b) the establishment and maintenance of culinary water lines, pump stations and storage tanks, snowmaking water lines, pump stations, storage tanks and storage ponds, all of which are to be implemented in a manner not inconsistent with Conservation Values but which shall not involve the construction of any new buildings;

(c) The protection, maintenance, repair, renovation, restoration and use of the Historic Mining Improvements by Grantor subject to the approval of Park City Municipal Corporation, in cooperation with the Utah Historic Preservation Society, and in a manner not inconsistent with the Conservation Values;

(d) The construction, installation, use, maintenance, repair, replacement and relocation of utilities including water wells, water lines, sanitary sewer lines, storm sewer lines [and the right to discharge their flows], natural gas lines, electric power lines, cable television lines, telephone lines, and other utility lines, together with the right to temporarily stockpile materials and equipment as expressly approved in writing by the Grantee, so long as such uses are necessary for the Reserved Use Rights, are located in disturbed areas such as ski runs or existing utility corridors (unless otherwise approved by the Grantee) and are not inconsistent with Conservation Values;

(e) The use, maintenance and repair of existing roads (no new roads may be constructed) provided all applicable land use approvals are obtained from Park City Municipal Corporation (nothing herein shall be deemed as such approval) and such are done in a manner not inconsistent with Conservation Values;

(f) All activities on the Property that are necessary to perform investigation, remediation, closure and/or reclamation work consistent with or required by law with respect to any portion of the Property that has been used previously for mining activities or mining operations;

(g) The right to access all subsurface oil, gas or other minerals by subsurface techniques to the maximum extent permitted by a "Qualified Mineral Interest" within the meaning of Section 170(h)(6) of the Code provided that such rights are exercised only without use of any surface mining method and only in a manner which is not inconsistent with the Conservation Values.

(h) Passive uses otherwise allowed by the Park City Land Management Code in the ROS District intended to preserve and protect the Conservation Values.

4. Prohibited Uses and Practices. Any activity on or use of the Property inconsistent with the purpose of the Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

(a) Any residential development or use including hotels condominiums and overnight lodging, and any surface mining, use of surface mining methods or mining by any method inconsistent with Conservation Values; and

(b) Hunting or trapping for any purpose other than predatory or problem animal control.

5. Existing Encumbrances. The Property is subject to all existing easements and other encumbrances of record.

6. Reserved Rights. Grantor reserves to Grantor and to Grantor's successors and assigns as the owner of the Property all rights accruing from the ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are consistent with the purpose of the Easement and that are not expressly prohibited herein, including without limitation the right to engage in or permit others to engage in Reserved Use Rights.

6.1 Minor Boundary Adjustments. Grantor reserves the right to make reasonable and minor boundary line adjustments in the legal description of the Property, provided that any such adjustments are consistent with the Reserved Use Rights and provided that the total area of the Property that is subject to the Easement shall not be reduced as the result of any such boundary line adjustments. The Grantee shall execute, acknowledge and record in the Office of the Recorder of Summit County, Utah any amendments to this Easement proposed by Grantor for such purpose so long as such adjustments are not inconsistent with Conservation Values.

6.2 Notice of Reserved Use Rights and New Uses and Other Purposes. Grantor agrees to notify Grantee in writing at least 30 days in advance of any change in use or exercise of any Reserved Use Right or other activity undertaken by Grantor which may have an adverse impact on any Conservation Value. The purpose of requiring Grantor to notify Grantee prior to undertaking certain permitted activities, such as those provided in Paragraph 3 above, is to afford Grantee an adequate opportunity to monitor the activities in question to ensure that they are designed and carried out in a manner consistent with the terms and Purpose of this Easement Agreement. Therefore the notice shall describe the activity in sufficient detail to permit Grantee to make an informed judgment as to the consistency of the intended action with the requirements and Purpose of this Easement Agreement. Grantor further agrees to give written notice to Grantee of the transfer of any interest in the Property, including but not limited to any sale, gift, or long-term lease, at least thirty (30) days prior to the date of such transfer.

7. Grantee's Remedies. If Grantee determines that Grantor is in violation of the terms of this Easement or that a violation is threatened, Grantee shall give written notice to both Grantor and Current Lessee of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the terms of this Easement, to restore the portion of the Property so injured. If Grantor fails to cure the violation within thirty (30) days after receipt of notice thereof from Grantee, or under circumstances where the violation cannot reasonably be cured within a thirty (30) day period, fails to begin curing such violation within the thirty (30) day period, or

fails to continue diligently to cure such violation until finally cured, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Easement, to enjoin the violation, ex parte as necessary, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the terms of this Easement or injury to any Conservation Values protected by the Easement, including damages for the loss of scenic, aesthetic, or environmental values, and to require the restoration of the Property to the condition that existed prior to any such injury. Without limiting Grantor's liability therefor, Grantee, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property. If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Conservation Values of the Property, Grantee may pursue its remedies under this Section without prior notice to Grantor or without waiting for the period provided for cure to expire. Grantee's rights under this Section apply equally in the event of either actual or threatened violations of the terms of this Easement, and Grantor agrees that Grantee's remedies at law for any violation of the terms of this Easement are inadequate and that Grantee shall be entitled to the injunctive relief described in this Section, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this Section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity. Current Lessee shall, with at least simultaneous notice to Grantor, have the right, but not the duty, to undertake any above described cures on behalf of Grantor if Grantor has not commenced such cure at least five days before the end of the cure period described herein.

7.1 Costs of Enforcement. Any costs incurred by Grantee in enforcing the terms of this Easement against Grantor, including, without limitation, costs of suit and attorneys' fees, the reasonable fees and expenses of any expert engaged by Grantee, and any costs of restoration necessitated by Grantor's violation of the terms of this Easement shall be borne by Grantor. If Grantor prevails in any action to enforce the terms of this Easement, Grantor's costs of suit, including, without limitation, attorneys' fees, shall be borne by Grantee.

7.2 Grantee's Enforcement. Failure by Grantee to immediately enforce this Easement in the event of any breach of any term of this Easement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement.

7.3 Waiver of Certain Defenses. Grantor hereby waives any defense of laches, estoppel, or prescription.

7.4 Acts Beyond Grantor's Control. Nothing contained in this Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

8. Access. No specific right of access by the general public to any specific portion of the Property is conveyed by this Easement, but the overall operation of the Property shall be such as to provide the Public substantial and regular access for recreational and scenic uses However, Grantor agrees with Grantee to refrain from taking any action to post against, prohibit, charge a fee, or otherwise discourage access and use of established trails as shown on Exhibit B by the general public for traditional, daytime, non- intensive outdoor recreation such as back country skiing, hiking, mountain biking, trail running, and other activities that are permitted in Park City's ROS zones; except that Grantor and Grantee may mutually agree in writing to temporarily restrict public access on the public trails, but only to the extent and for the duration necessary to assure safety, to permit necessary maintenance, or to preserve important scenic, ecological, or other Conservation Values of the Property. Notwithstanding any public use of the Property and any insurance coverage therefore, neither the Grantor nor the Grantee assumes any obligation to maintain the Property for public recreational use, and Grantor and Grantee claim all the rights and immunities against liabilities for injury to the public to the fullest extent of the law under Utah Code Annotated §57-14-3 and §57-14-4 and or any tort claims act for government, and/or charitable immunity statutes for nonprofits.

9. Costs and Liabilities. Grantor retains sole and exclusive responsibility and shall bear all costs, expenses, fees, and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of comprehensive general liability insurance coverage with a limit of at least $2,000,000. Grantor shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor.

9.1 Taxes. Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, the Easement, and shall furnish Grantee with satisfactory evidence of payment upon request.

9.2 Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents, and contractors (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including, without limitation, reasonable attorneys' fees arising from or in any connection with: (a) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (b) the obligations specified in Sections 9 and 9.1; and (c) the existence or administration of this Easement.

9.3 Insurance. The Grantor covenants and warrants that it will maintain Public Liability Insurance, with sound and reputable insurers licensed to transact business in the State of Utah, in the amount of at least $2,000,000.00 insuring against the risks posed by the construction, maintenance, operation, repair, inspection and public trail use of the easement area. The Grantor shall name the Grantee as an additional insured on the liability insurance policy. Upon request, Grantor shall provide Grantee with a certificate of insurance confirming the foregoing coverage.

9.4 Hazardous Materials. Grantor also agrees to defend and indemnify Grantee against obligations arising from past, present or future dumping of hazardous materials on the Property, and any obligations associated with their cleanup or containment.

10. Property Interest; Condemnation or Extinguishment. The Easement constitutes a real property interest immediately vested in Grantee, which the Parties agree can not be extinguished except by a judicial action as permitted under Treas. Reg. 1.170A-14(g)(6)(i), and which, for the purposes of this Easement, the Parties stipulate to have a fair market value determined in accordance with the requirements of the Code and Treas. Reg. 1.170A-14(g)(6)(ii), as applicable to conservation contributions. Grantor will obtain independent tax counsel and be solely responsible for compliance requirements of the Code with respect to the establishment of the fair market value of the Property upon recordation of this Easement; it being understood that Grantee shall have no responsibility relative to the establishment of values for the Property. The values as of the date of this Easement shall be those values used to calculate the deduction, if any, for federal income tax purposes allowable by reason of this Easement, pursuant to Section 170(h) of the Code. If the Easement is taken, in whole or in part, by exercise of the power of eminent domain or by an extinguishment by judicial proceeding permitted under Treas. Reg. 1.170A-14(g)(6)(i), Grantee shall be entitled to compensation in accordance with applicable law (but in no event less than the amount required to be received under Treas. Reg. 1.170A-14(g)(6)(ii)) and such proceeds shall be used in solely in accordance with Treas. Reg. 1.170A-14(c)(2).

11. Assignment. The Easement is not transferable by Grantee except to a non-governmental eligible donee within the meaning of Treas. Reg. 1.170A-14(c)(1) in a properly documented transfer complying with all requirements of law including, without limit, Treas. Reg. 1.170A-14(c)(2).

12. Estoppel Certificates. Upon request by Grantor, Grantee shall within thirty (30) days execute and deliver to Grantor any document, including an estoppel certificate, which certifies Grantor's compliance with any obligation of Grantor contained in this Easement and otherwise evidences the status of this Easement as may be requested by Grantor.

13. Baseline Documentation. The Parties acknowledge that an inventory of Baseline Documentation relating to the Property has been completed based upon information available to Grantor on the date hereof and which has been provided by Grantor to Grantee. Copies of this inventory of Baseline Documentation are on file in Grantee's offices and in Grantor's offices. The Parties acknowledge that this collection of Baseline Documentation contains an accurate representation of the condition of the Property subject to the Easement and the natural resources associated with the Property as of the date of the execution of this Easement in accordance with Treasury Regulation § 1.170A-14(g)(5)(i). Notwithstanding the foregoing, in the event of a controversy arising with respect to the nature of the biological and/or physical condition of the Property, the Parties shall not be foreclosed from using any and all other relevant or material documents, surveys, reports and other information to assist in the resolution of that controversy.

14. Notices. Any notice, demand, request, consent, approval, or communication that any Party to this Easement desires or is required to give to the other Parties shall be in writing

and shall be served either personally or sent by first class mail, postage prepaid, or by other courier providing reliable proof of delivery, and addressed as follows:

To United Park City Mines Company, Grantor:	United Park City Mines Company Attn.: David J. Smith 900 Main Street, Suite 6107 P. O. Box 1450 Park City, Utah 84060
To Talisker Land Holdings, LLC, Grantor:	Talisker Land Holdings, LLC Attn.: David J. Smith 900 Main Street, Suite 6111 P. O. Box 4349 Park City, Utah 84060
To Summit Land Conservancy, Grantee:	Summit Land Conservancy Attn: Cheryl Fox, Executive Director 1650 Park Avenue PO Box 1775 Park City, UT 84060

or to such other address as any Party to this Agreement from time to time shall designate by written notice to the other Party.

15. Recordation. Grantee shall record this Easement in a timely fashion in the Office of the Recorder of Summit County, Utah, and Grantee may re-record it at any time as may be required to preserve Grantee's rights in the Easement.

16. General Provisions.

(a) Controlling Law. The Code, Treasury Regulations and laws of the State of Utah shall govern the interpretation and performance of this Easement.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of preserving Conservation Values and to effect the purpose of the Easement and the policy and purposes of both Utah statute and Section 170(h) of the Code. If any provision in this Easement is found to be ambiguous, an interpretation consistent with Conservation Values and the purpose of the Easement that would render the provision valid shall be favored over any such interpretation that would render it invalid.

(c) Severability. If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

(d) Entire Agreement. This Easement sets forth the entire agreement of the Parties hereto with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein.

(e) Amendments. The Parties may by mutual written agreement jointly amend this Easement; provided that no amendment shall be made that would not be in compliance with the then existing Code or the Treasury Regulations (including the interpretation or application thereof by any court) or that would adversely affect the qualification of this Easement or the status of Grantee under any applicable laws, including Sections 170(h) and 501(c)(3) of the Code, the Treasury Regulations, and the laws of the State of Utah, as then existing. Any such amendment shall be consistent with the purpose of this Easement, shall not affect its duration, shall not permit any of the prohibited uses and practices described herein including residential, hotel and lodging uses and development, and shall not permit any impairment of the Conservation Values of the Property. Any such amendment shall be filed in the Summit County Recorder's office. Nothing in this paragraph shall require Grantor or Grantee to agree to any amendment or to consult or negotiate regarding any amendment.

(f) No Forfeiture. Nothing contained herein will result in the forfeiture or reversion of Grantor's title in any respect.

(g) Successors. The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and inure to the benefit of, the Parties hereto and their respective successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

(h) Termination of Rights and Obligations. A Party's rights and obligations under this Easement (but no part of the Easement itself) shall terminate upon transfer of the Party's interest in the Easement or the Property, as the case may be, except that responsibility for acts or omissions occurring prior to transfer shall survive transfer.

(i) Captions. The captions in this Easement have been inserted solely for convenience of reference and are not a part of this Easement and shall have no effect upon the construction or interpretation hereof.

IN WITNESS WHEREOF Grantor and Grantee have caused this Easement to be executed by persons duly authorized to execute the same effective as of the day and year first above written.

GRANTOR:

UNITED PARK CITY MINES COMPANY, a Delaware corporation

By: _____
David J. Smith, Authorized Signing Officer

TALISKER LAND HOLDINGS, LLC, a Delaware limited liability company

By: _____
David J. Smith, Authorized Signing Officer

GRANTEE:

SUMMIT LAND CONSERVANCY,
a Utah non-profit corporation.

By: _____
Richard Sheinberg, President

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 1st day of March, 2007 by David J. Smith in his capacity as the Authorized Signing Officer of United Park City Mines Company, a Delaware corporation.

_____
NOTARY PUBLIC
Residing at: Oakley, Utah

My Commission Expires:

10-11-07

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 1st day of March, 2007 by David J. Smith in his capacity as the Authorized Signing Officer of Talisker Land Holdings, LLC, a Delaware limited liability company.

NOTARY PUBLIC
Residing at: Oakley, Utah

My Commission Expires:

10-11-07

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 1st day of March, 2007 by Richard Sheinberg, as the President of Summit Lands Conservancy, a Utah non-profit corporation.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

NOTARY PUBLIC
Residing at: Oakley, Utah

My Commission Expires:

10-11-07

EXHIBIT A
TO
CONSERVATION EASEMENT

[Insert Legal Description of the Property]

(Attached)

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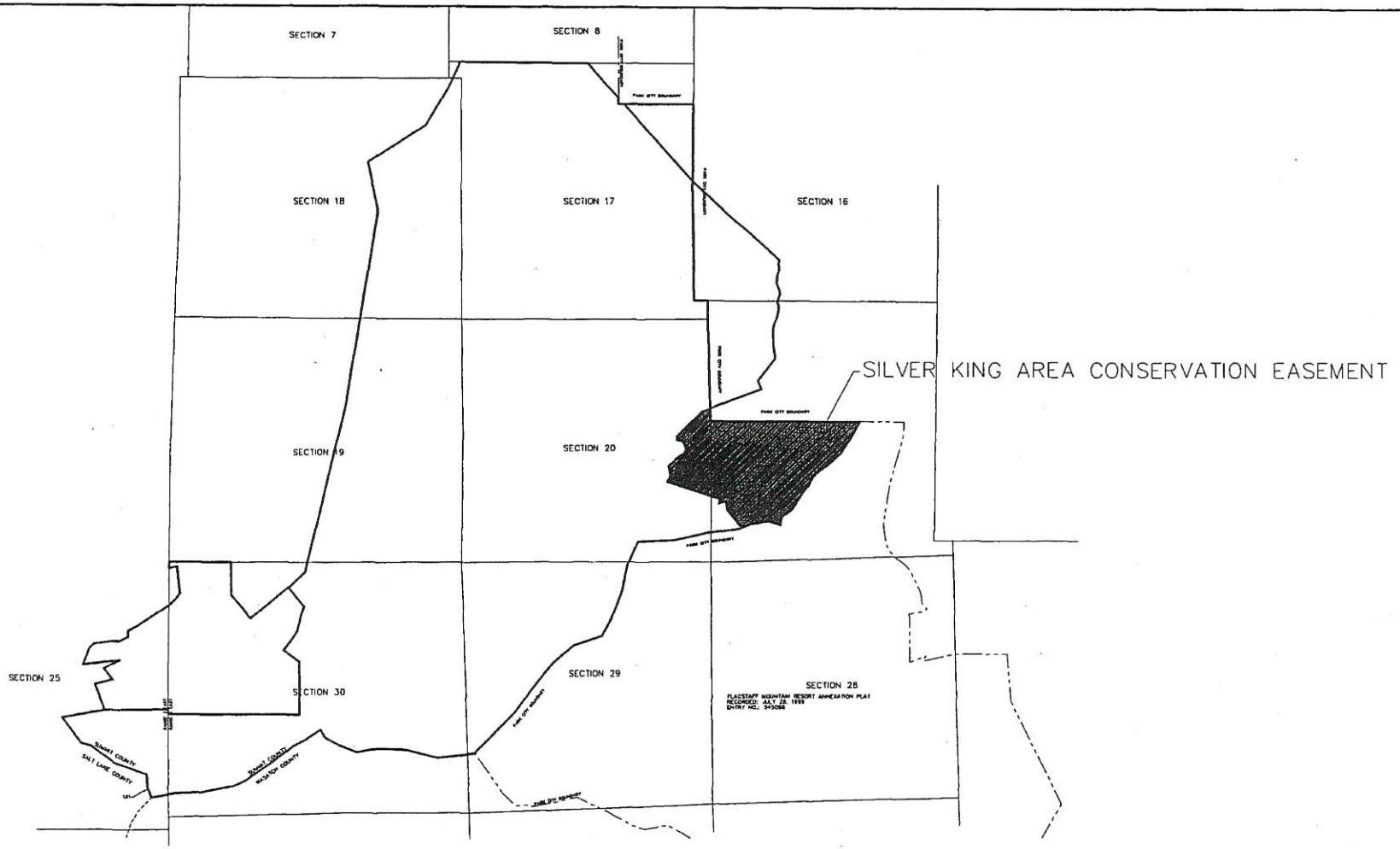
LEGAL DESCRIPTION
SILVER KING AREA CONSERVATION EASEMENT
March 2, 2007

A parcel of land located in the east half of Section 20 and the south half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more or less described as follows:

Beginning at a point on the north line of the south half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the northwestern corner of the Flagstaff Mountain Resort Annexation Plat, recorded July 28, 1999 as entry no. 545098 in the office of the recorder, Summit County,Utah; and running thence along the northwestern boundary of said Flagstaff Mountain Resort Annexation Plat the following twenty-seven (27) courses: 1) South 28°18'45" West 186.56 feet; thence 2) South 29°09'57" West 315.97 feet; thence 3) South 32°04'00" West 296.25 feet; thence 4) South 47°29'30" West 405.07 feet; thence 5) South 50°23'25" West 105.09 feet; thence 6) South 56°00'00" West 94.90 feet; thence 7) South 50°15'25" West 92.50 feet; thence 8) South 40°35'50" West 110.80 feet; thence 9) South 31°30'07" West 96.20 feet; thence 10) South 27°54'51" West 126.00 feet; thence 11) South 38°27'54" West 138.00 feet; thence 12) South 33°26'55" West 136.00 feet; thence 13) South 32°00'03" West 159.20 feet; thence 14) South 32°14'53" West 101.60 feet; thence 15) South 35°09'16" West 88.70 feet; thence 16) South 46°47'25" West 123.00 feet; thence 17) South 56°44'38" West 142.80 feet; thence 18) South 15°21'41" West 116.30 feet; thence 19) South 10°41'54" West 76.70 feet; thence 20) North 71°42'35" West 163.49 feet; thence 21) North 72°54'27" West 85.42 feet; thence 22) South 86°11'16" West 94.42 feet; thence 23) South 77°48'30" West 79.25 feet; thence 24) South 77°19'44" West 85.84 feet; thence 25) South 81°11'10" West 122.88 feet; thence 26) South 67°45'58" West 149.28 feet; thence 27) South 64°44'12" West 50.80 feet; thence North 85°19'13" West 26.72 feet; thence North 38°07'58" West 492.94 feet; thence North 10°07'30" West 212.80 feet; thence South 71°23'17" West 141.94 feet; thence North 08°33'57" East 80.65 feet; thence North 71°14'09" West 1185.64 feet; thence North 27°00'44" East 149.76 feet; thence North 13°42'15" West 216.34 feet; thence North 50°17'45" East 117.77 feet; thence North 40°17'45" East 142.11 feet; thence North 58°48'26" East 193.35 feet; thence North 19°44'22" East 106.66 feet; thence North 23°13'01" West 168.03 feet; thence North 73°32'40" West 146.17 feet; thence North 03°13'23" West 78.48 feet; thence North 45°49'43" East 766.88 feet; thence North 69°44'01" East 184.61 feet to the west line of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence along the west line of said Section 21 South 01°49'17" East 266.56 feet; thence along the north line of the south half of said Section 21 South 89°59'59" East 3204.88 feet to the point of beginning.

Description contains 143.40 acres, more or less.

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SILVER KING AREA CONSERVATION EASEMENT

SHEET 1 OF 2

JOB NO.: 1-1-01 FILE: X:\Empire\dwg\Talisker\plat\annexation-shtl.dwg

(435) 649-9467

Alliance Engineering

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2007 A.D.	APPROVED AS TO FORM THIS ____ DAY OF _____, 2007 A.D.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 1ST DAY OF FEBRUARY, 2007 A.D.	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ PARK CITY RECORDER	BY _____ MAYOR	_____ FEE _____ RECORDER

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Recorded at the request of and return to: Park City Municipal Corp.
Attn: City Recorder
P.O. Box 1480, Park City, UT 84060

Recorded this ___ day of _____, 2007
at Book #___ Page #___

ENTRY NO. 00806100
03/02/2007 02:42:51 PM B: 1850 P: 1897
Agreement PAGE 1 / 49
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE $ 0.00 BY PARK CITY MUNICIPAL CORP

AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;

G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and

I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

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[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.

2.2.1.3. **Maximum Density.** The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village.** At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,

may contain a maximum of 38 homes, the size and location of which shall be determined at Small Scale MPD/subdivision review. The Northside Neighborhood may also contain a 1000 sq. ft. non-denominational Chapel, that will remain open and reasonably available to the public.[8]

2.4.1 **Small Scale MPD.** The Small Scale MPD must include all Northside Neighborhood Property Owners to achieve the maximum density of 38 detached single-family homes. Absent participation by all Northside Neighborhood Property Owners, DEVELOPER and DEER VALLEY may apply for a Small Scale MPD for a maximum of 30 single-family homes on the portion of the Northside Neighborhood owned by DEVELOPER and DEER VALLEY.[9] In all circumstances, DEVELOPER and DEER VALLEY shall limit development in the Northside Neighborhood as follows:

2.4.1.1. **Meadow Restriction.** Homes shall not be in the meadow area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.2. **Ski Run Separation.** Limits of disturbance for each site shall be a minimum of 50 feet from any ski run, except where existing ski runs conflict with platted ski easements or platted lots, in which event the City shall have the discretion and authority to approve case-by-case exceptions to the foregoing distance limitation.

2.4.1.3. **Viewpoint Restrictions.** Structures and roads must be configured to minimize road and utility impacts and to

[8] No utility extension will be allowed for the Chapel. Power may be allowed if it is readily accessible. Location of the Chapel cannot cause the extension of an improved road. Siting and construction must comply with all Code provisions.

[9] If Park City Star, Bransford or Mayflower do not reach an agreement with DEVELOPER and DEER VALLEY with respect to the joint development of the detached single family homes within the Northside Neighborhood, then DEVELOPER and DEER VALLEY shall grant to the City the right to connect to the utility lines and to grant limited access to roads within the Northside Neighborhood without cost to serve the remaining property owners.

minimize wintertime visual impacts[10] from ski runs and designated viewpoints, including but not limited to the knoll behind the terminus of what is presently known as the Northside chairlift.

2.4.1.4. **Public Trails.** Consistent with the Trails Master Plan, DEVELOPER, DEER VALLEY, and Northside Neighborhood Property Owners shall dedicate to the City improved public trails and trail easements that connect to the surrounding trail system. Where trails pass through the Deer Valley Ski Area, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.4.1.5. **Enchanted Forest.** No development shall occur in the "Enchanted Forest" area generally designated on Exhibit A and further defined in the Small Scale MPD process.

2.4.1.6. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall record perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which shall prevent the construction thereon of residential, commercial and retail structures but shall allow ski-related uses.

2.4.2. **Northside Neighborhood Conservation Plan.** DEVELOPER and DEER VALLEY agree to refrain from transferring, improving or developing the Northside Neighborhood for 3 years, from the date of this Agreement to facilitate the potential of (a) the fee simple sale of the Northside Neighborhood, or (b) the sale and transfer of the development rights from the Northside

[10] As well as summertime visual impacts.

Neighborhood. In either case, the sale would be completed within said time period and would be to a conservation buyer or buyers at fair market value at the date of purchase. Fair market value in this context shall reflect the entitlement for single family detached units set forth in the Large Scale Master Plan and this Agreement or, if the Small Scale Master Plan has been issued, as reflected in the Small Scale Master Plan for the Northside Neighborhood. The three-year period noted above shall not limit the Planning Commission's authority in connection with approval of the phasing plans required in sections 2.1.10 and 2.1.11.

2.5. **Ski-Related Development.** Subject to conditional use review, DEER VALLEY may construct a skier day lodge of a maximum of 35,000 square feet, in the approximate location depicted on Exhibit A. The day lodge shall have no day skier parking, and must have adequate emergency vehicle access. Any parking lot for the lodge shall be for the purpose of meeting temporary events, intermittent seasonal dining, and service and administrative requirements, and shall be reviewed by the planning commission as a Conditional Use. Such Conditional Uses will have a traffic mitigation plan that may include the number of events, hours of operation, shuttle bus requirements and/or a limit to the number of guests. Pursuant to a Conditional Use Permit, said temporary parking area may be located on adjacent properties. Permanent non-skier parking for the Empire Day Lodge will be considered as part of the POD B-2 Master Plan Development. Such parking shall consist of not more than 75 spaces. These parking spaces are in addition to those otherwise required or allowed under this Agreement and the LMC. DEER VALLEY shall provide deed-restricted employee/affordable housing units as defined by the City's affordable housing policy in an amount equal to 20% of the commercial Unit Equivalents approved by the City for the day lodge prior to issuance of a Certificate of Occupancy for the day lodge.

2.5.1 **Conditional Use (Administrative).** Ski terrain and ski-related development is an administrative conditional use within the Project, consistent with the Deer Valley Ski Area Master Plan depicted in Exhibit F attached hereto, provided that only two graded runs shall be allowed in ski Pod Z, with thinning and other limited vegetation removal in the balance of Pod Z for skier safety and glade skiing. Review of ski terrain and ski-related development shall include, but shall not be limited to consideration of the following:

2.5.1.1 Openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible.

2.5.1.2 Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.

2.5.1.3 Lift towers shall be painted or otherwise treated to blend with the natural surroundings.

2.5.1.4 Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the "Deer Valley Resort Company Ski Run Construction and Revegetation Standards" attached hereto as Exhibit G. The objective shall be to achieve a vegetative condition that enhances the skier experience and long term forest health. Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

2.6 Beano's Style Private Club. DEVELOPER may construct a private restaurant (Beano's Cabin at Beaver Creek-style[11]), at a location to be determined at the CUP phase. No private parking areas or vehicular

[11] Beano's is a 10,000 square foot private restaurant at Beaver Creek, Colorado.

access will be allowed except (i) access and space for patron drop-off's and pick-up's, and (ii) access, loading areas and circulation for emergency, delivery and service vehicles. The size of the private restarurant shall be determined by the Planning Commission at the CUP review phase, and shall be between 7,000 and 10,000 square feet.

2.7 **Silver Mine Adventure.** DEVELOPER may continue to operate the Silver Mine Adventure on the Ontario Mine Site as a valid, non-conforming use. Any change or expansion of use shall be processed in accordance with the LMC in effect at the time of the DEVELOPER's submission of a complete application for the proposed expansion.

2.8 **Access and Alignment of S.R. 224.** DEVELOPER shall access Flagstaff Mountain by means of S.R. 224, and a private road system. DEVELOPER shall realign a portion of S.R. 224 in the approximate location set forth on Exhibit H attached hereto, and shall construct a private road system for Flagstaff Mountain in the approximate location depicted on Exhibit H. The Parties agree to the following access and alignment of the road systems within Flagstaff Mountain:

2.8.1 **Alignment.** Upon Planning Commission approval of the first Small Scale MPD for Flagstaff Mountain, DEVELOPER shall petition to vacate the existing S.R. 224 alignment and, if granted, shall realign and dedicate the relocated S.R. 224 right of way to a standard similar to the existing S.R. 224 (with an asphalt surface for dust control). Such alignment shall be as generally depicted on Exhibit H. DEVELOPER shall block and prohibit vehicular access over the discontinued historic alignment of S.R. 224. Access over the realigned S.R. 224 shall remain seasonal (warm weather only). Upon completion of construction thereof, to the reasonable satisfaction of the City Engineer, the City shall accept the dedication of public roads under its jurisdiction identified on Exhibit H, or as determined by the Council, upon

recommendation of the Planning Commission through the Small Scale MPD and subdivision processes.

2.8.2 **Private Road.** Upon Small Scale MPD approval, and only to the extent of the Small Scale MPD approval, DEVELOPER shall construct a private road system within Flagstaff Mountain, as depicted in Exhibit H, over which DEVELOPER shall maintain all-season access throughout the year. Said private road, from its point of departure from S.R. 224 to the Summit/Wasatch County line, may be converted to a public road, in which event existing S.R. 224 from said point of departure to the county line shall no longer be used as a public road.

2.8.3 **Seasonal, Controlled Automobile Access.** DEVELOPER shall support and shall not undermine seasonal closure of realigned S.R. 224 and shall control motorized vehicular access from S.R. 224 to the private road system to prevent vehicular through traffic.

2.8.4 **Emergency Deer Valley Access.** The Project's seasonal emergency secondary access is through the Deer Valley Ski Area generally as depicted on Exhibit I and crash-gated in the approximate locations shown on Exhibit I. DEER VALLEY shall provide the City and the Park City Fire Service District with keys and/or combinations to the gates. The emergency access is necessary as a controlled evacuation route and as an emergency access for fire and safety personnel and equipment only. The secondary access route is an important ski run to the Deer Valley Ski Area that, in all but the most exceptional circumstances, will be used by skiers and over-the-snow vehicles. The Park City Fire Marshall may cause the access to be plowed and placed into winter service for emergency and evacuation purposes in that

exceptional emergency situation when normal road access to Flagstaff Mountain is interrupted for an extended period.[12]

2.8.5 **Controlled Snowmobile Access.** Winter snowmobile access to Brighton Estates and to Bonanza Flats is presently available over portions of S.R. 224. DEVELOPER and DEER VALLEY shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of S.R. 224 within the Project that are presently used or alternatively over similar portions of S.R. 224 as may be relocated. DEVELOPER and DEER VALLEY shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns S.R. 224. The current recreational snowmobile concession in Flagstaff Mountain shall be eliminated with the relocation of S.R. 224.

2.8.6 **DEVELOPER's Consent to Transfer**. DEVELOPER consents to cooperate with the City in any state transfer of any portion of S.R 224.

2.9 **Flagstaff Mountain Mitigation/Amenities.** At the City's request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:

2.9.1 **Trails.** DEVELOPER shall construct, maintain and commit to free public use, an improved public trail system as set forth in an approved Trails Master Plan. The construction of the trails shall be phased with the progress of the development of the Project. Existing trails shall remain open to the public until provisional or final trails have been constructed. Final trail locations may vary due to field conditions and season. Relocation of any trails shall be identified in the Trails Master Plan. Where the trails pass through the Deer Valley Ski Area, or are located on non-development lands owned or controlled by Deer Valley, Deer

[12] The Park City Fire Marshall may not cause the access to be plowed simply for pubic convenience.

Valley shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for trail use, including reasonable rules and regulations intended to prevent or minimize conflict between potential trail uses. Pedestrian and bicycle uses of the trail system shall not be prohibited or restricted without being so identified in the Trails Master Plan.

2.9.2 **No Gondola Alternative.** DEVELOPER shall contribute $1,000,000 in cash to the City to be used specifically for other traffic mitigation projects in the City related to the Project. Additionally, the DEVELOPER shall (i) contribute $10,000 toward the cost of a feasibility study, when commissioned by the City, to evaluate a potential ski amenity gondola, and (ii) contribute toward the construction of the Richardson Flats parking improvements described in the last paragraph of Section 3.1 of this Agreement, which shall be constructed in accordance with the specifications and conditions attached hereto as Schedule 3.1. The parking improvements shall be constructed in phases as established during the MPD for those improvements in cooperation with Summit County. Construction of the parking improvements will be assured through a form of completion bonding consisting of a draw-down letter of credit or other similar instrument in an amount equal to the good faith estimated cost to construct the parking improvements, but in an amount not to exceed $1,800,000. In the event any permit application is denied such that the parking improvements cannot be constructed. the City shall be entitled to draw the entire amount of the completion bond, letter of credit or similar instrument (as the case may be), and DEVELOPER shall have no further obligation to construct the parking improvements.

2.9.3 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant

structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

2.9.4 **Enhanced Environmental Protection.** DEVELOPER shall limit the construction or installation of wood-burning devices to one wood-burning device in each of the 54 single-family homes in the Project. DEVELOPER shall not request approval from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within the Project, DEVELOPER shall have the right to construct one wood-burning device in each such lodge or hotel, except the Montage which may have three.

2.9.5 **Lady Morgan Springs Open Space (Passive Use).** The Lady Morgan Springs Area[15], shall be restricted, by conservation easements acceptable to the City, and signs and monitoring, if necessary, to limit use of the area to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. Neither construction activity nor motorized vehicular use of any kind shall be allowed in the Lady Morgan Springs Area, except as allowed, with City staff approval, for forestry and wetlands management.

2.9.6 **Open Space (Active).** All land outside of the development areas (ski terrain and open space designated on Exhibit A) will be zoned as Recreation Open Space (ROS-MPD). Upon issuance of the first Small Scale MPD for any portion of the Project, DEVELOPER and DEER VALLEY shall execute a conservation easement, for the benefit of the City and a third party conservation trust (or similar entity), to limit their use of the

[15] Described and depicted on Exhibit J, and as further defined in the Small Scale MPD process.

Flagstaff Mountain ski terrain to construction, development and operation of ski and mountain bike lifts, ski and mountain bike runs, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements shall prohibit any hotel, lodging, residential or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.7 **Open Space (Prospect Ridge).** Within 30 days of issuance of a Small Scale MPD, DEVELOPER shall grant to the City a conservation easement, with free public trail access, without encumbrances, over acreage located on Prospect Ridge, contiguous with City-owned open space. The conservation easement area on Prospect Ridge is identified on Exhibit K attached hereto. Such conservation easement shall be to the reasonable satisfaction of the City and shall be first in priority in title.

2.9.8 **Open Space (Iron Mountain).** Upon the issuance of any Small Scale MPD, for any portion of the Project, DEVELOPER shall deed restrict or transfer to Park City, the Iron Mountain Parcels with City-approved encumbrances. In connection with such dedication, DEVELOPER shall reserve to DEVELOPER the right to lease to third parties the Iron Mountain Parcels for ski and other environmentally sensitive recreational uses. Such reservation shall not include the right to cut runs, glade, or thin trees, or construct or install ski lifts or developed alpine ski runs. DEVELOPER shall also reserve the right to retain all rent, proceeds and other consideration resulting from or generated by DEVELOPER leasing the Iron Mountain Parcels to third parties for ski and recreation-related uses. DEVELOPER shall indemnify, defend and hold the City harmless from any claim

arising from DEVELOPER's or a third party lessee's use of the Iron Mountain Parcels. Nothing herein should be construed to limit or waive governmental immunity with respect to claims made against the City.

2.9.9 **Neighborhood-Specific Design Guidelines.** DEVELOPER shall incorporate a Master Resort Association for Flagstaff Mountain and a Project-specific Property Owners' Association for the Mountain Village and Northside Neighborhood areas to cooperatively manage certain aspects of the Project. The Design Guidelines for both the Project and Bonanza Flats must emphasize a strong, common architectural theme, and shall be enforceable by one or more of the above-mentioned Associations.

2.9.10 **Public Safety.** A comprehensive emergency response plan will be required. The proposal includes a public safety site, at a minimum. The final public safety and emergency access plan must be determined prior to any permit issuance and only after coordination with the affected entities, such as the Park City Fire Service District. To the extent the Montage hotel structure requires additional safety equipment or infrastructure to achieve a minimum standard that will not result in a degradation of the Park City Fire District's I.S.O. rating, and to the extent ongoing tax revenues and impact fees generated by the Montage are insufficient to cover the costs of such additional equipment and infrastructure, any such shortfall shall be paid by DEVELOPER. Changes to any applicable Technical Report must be approved by the Park City Fire Marshall.

2.9.11 **Sandridge Parking Lots**. Prior to the issuance of a Small Scale MPD for any portion of Flagstaff Mountain, DEVELOPER shall irrevocably offer to dedicate to the City a conversation easement, or deed, satisfactory to the City to preserve the Sandridge

Parking Lots, described in Exhibit L as a public parking facility. Such interest shall be offered with no outstanding monetary encumbrances.

2.9.12 **Sandridge Heights Property**. Developer further agrees to limit its use of its Sandridge Heights property, described in Exhibit L, to either affordable housing or open space.

2.10 **FLAGSTAFF MOUNTAIN MITIGATION MEASURES:**

2.10.1 **Water System.** DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system within Flagstaff Mountain to serve the Project, including all fire flow and irrigation needs.

2.10.1.1 **Withdrawal of Water Protests.** DEVELOPER shall immediately withdraw its protests to the City's pending water change application(s) before the State Engineer and agrees not to protest future City applications before the State Engineer.

2.10.1.2 **Water Source.** DEVELOPER shall design and construct a water source and delivery system to transport water from the water source to Flagstaff Mountain and to dedicate that system to the City. DEVELOPER and the City anticipate that such delivery system will include the development of a well of sufficient capacity to serve the Project.

2.10.1.3 **Group II Rights.** The City and DEVELOPER agree to file a joint application with the State Engineer to convert to municipal use within the boundaries of the Park City Water Service District all "Group II" water rights owned by both parties. The joint application will list all mutual points of diversion, all of the City's municipal sources, and all of DEVELOPER's sources including the proposed Ontario and Empire Canyon

Wells. DEVELOPER and the City shall divide the Group II rights approved for municipal use evenly, with DEVELOPER and the City each taking ownership of one-half of the total approved rights. DEVELOPER agrees to sell exclusively to the City its portion of the approved Group II water rights and DEVELOPER's interest in its Theriot Springs and Haueter Springs water rights (Weber Decree Award #456, #467 and #468) collectively referred to herein as the "Committed Water".

2.10.1.4 **Committed Water.** Once approved for municipal use, all Committed Water shall be leased to the City at a nominal cost and will therefore be unavailable for sale to others. DEVELOPER shall dedicate the Committed Water to the City, and the City shall pay to DEVELOPER from time to time an amount equal to the water development impact fees actually collected by the Park City Water Service District from the development of Flagstaff Mountain. Each such payment from the City to DEVELOPER shall be paid within 30 days following the receipt by the Park City Water Service District of each such water development impact fee.

2.10.1.5 **Excess Water Rights.** If after ten (10) years or 90% buildout of Flagstaff Mountain and Bonanza Flats, whichever last occurs, DEVELOPER retains water rights in excess of the water demand for both projects, the City may purchase the excess water rights from DEVELOPER at fair market value based on an appraisal from a mutually agreed upon appraiser or the City may relinquish its interest in the excess water rights. The City shall elect to either purchase (some or all of the

excess water rights) or relinquish its interest in the excess water rights within 180 days of written notice of the expiration of 10 years or 90% buildout of both projects, whichever last occurs. If the City takes no action within the 180 days, City will be deemed to have relinquished its interest in the excess water rights.

2.10.1.6 **Impact Fees and Water Rates.** The City will charge water development and connection impact fees and water rates within the Project in an amount equal to the water development and connection impact fees and water rates charged to other water users within the Park City Water Service District, unless extraordinary costs can be identified by the City and fairly assigned to the water users within the Project.

2.10.2 **Subsequent Agreements.** Since the time the original Agreement was adopted and executed, the City and DEVELOPER have entered into agreements that impact, implement and/or clarify certain provisions of the original Agreement including (i) An Agreement For A Joint Well Development Program dated January 14, 2000, (ii) a Memorandum of Understanding, dated January 14, 2000, Between Park City Municipal Corporation and United Park City Mines Company Clarifying and Implementing the Water Service and Water Source Development Provisions of the Development Agreement of June 24, 1999, and (iii) the Water Agreement dated effective as of March 2, 2007 (collectively, the Subsequent Agreements). The fact that this Agreement is styled as an amended and restated agreement shall not operate or be deemed to supersede, contravene, or amend the terms, conditions or provisions of the Subsequent Agreements.

2.10.3 **Transportation and Traffic Mitigation.** DEVELOPER has agreed to provide the following transportation and traffic mitigation measures.[14] Prior to the issuance of a Certificate of Occupancy within the Mountain Village,[15] the DEVELOPER shall provide the following to reduce the traffic anticipated by the Project:

2.10.3.1 **Van and Shuttle Service.** DEVELOPER shall provide for its owners, employees and guests, van and shuttle service alternatives consisting of regular circulator service within the Mountain Village and service from the Mountain Village to key destinations such as the Salt Lake International Airport, Main Street, Silver Lake, golf courses, and recreational trail heads.

2.10.3.2 **Road and Intersection Improvements.** Attached hereto as Exhibit M is a map and a more detailed list of improvements, which shall be constructed by DEVELOPER in satisfaction of this obligation. Prior to the construction of any of the improvements described below, the City shall review and approve or reject with suggested changes all plans, drawings and specifications with respect to the alignment and construction of such road and intersection improvements. Following DEVELOPER's completion of the construction of such improvements, DEVELOPER shall offer to dedicate such improvements to the appropriate governmental entity.

[14] However, within the Small Scale MPD process, the City may conclude that these transportation and traffic measures should be reduced, and will modify DEVELOPER's obligations accordingly.
[15] Except for DEER VALLEY's day lodge pursuant to paragraph 2.5 herein.

2.10.3.3 **Contribution to Marsac Roundabout.** DEVELOPER shall financially participate in the reconstruction of the intersection of Marsac Avenue and Deer Valley Drive. DEVELOPER is responsible for paying its proportionate share (determined by projected traffic generation) of the City's cost of such reconstruction to mitigate the impact of the Flagstaff Mountain and Bonanza Flats projects on the intersection.

2.10.3.4 **Runaway Truck Lane.** DEVELOPER, or an affiliate of DEVELOPER, shall construct a run-away truck lane on the Mine Road section of S.R. 224, as described on Exhibit N attached hereto. DEVELOPER expects to dedicate the Runaway Truck Lane to UDOT.

2.10.3.5 **Mine Road Widening.** Upon Planning Commission recommendation, DEVELOPER shall widen the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.3.6 **Mine Road Passing Lane.** Upon Planning Commission recommendation, DEVELOPER shall create and dedicate a passing lane on the Mine Road section of S.R. 224 as described on Exhibit M attached hereto.

2.10.3.7 **Drainage Improvements.** DEVELOPER shall improve drainage to S.R. 224 as described on Exhibit M attached hereto.

2.10.3.8 **Landscaping.** Upon Planning Commission approval, DEVELOPER may construct and create, at DEVELOPER'S sole cost and expense, landscape improvements in the area depicted on

Exhibit M, uphill from the intersection of S.R. 224 with Hillside to act as a Project entry statement.

2.10.4 **Construction Mitigation.** DEVELOPER shall provide the following measures, all to the reasonable satisfaction of the City's Chief Building Official, to mitigate the impact of construction within Flagstaff Mountain. DEVELOPER shall also adhere to the usual construction impact mitigation measures required by the City. Additional reasonable site-specific mitigation measures may be required at the Small Scale MPD phase. These measures will be permanently reflected in Covenants, Conditions and Restrictions of each development parcel. The Detailed Construction Phasing Plan to be submitted by DEVELOPER to the City shall include, without limitation, provisions pertaining to:

2.10.4.1 Limits of Disturbance and Vegetation Protection for all construction, including construction of public improvements.

2.10.4.2 Construction staging, on-site batch plants, and materials stockpiling[16] and recycling in the Daly West area to keep all excavated materials on site during the Project infrastructure and construction phases.

2.10.4.3 Construction traffic routing plan to minimize traffic impacts on Old Town and residential areas, by only allowing construction traffic to use current state roads, unless otherwise directed by the City.

2.10.4.4 Dust and soils monitoring and containment, along with remediation of contaminated mining waste within the areas that are disturbed during the construction of the improvements within the Project and erosion and runoff controls for the entire Project

[16] Developer shall stockpile all earthen material on site.

2.10.4.5 Temporary public access trails throughout construction.

2.10.4.6 Tools and equipment storage on-site adequate to serve all construction.

2.10.5 **Employee/Affordable Housing.** DEVELOPER shall provide deed-restricted employee/affordable housing units ("Affordable Unit Equivalents" or "AUEs") as defined by the City's affordable housing policy in an amount equal to 10% of the residential Unit Equivalents and 20% of the commercial Unit Equivalents approved by the City for the Project (collectively, the "Base AUEs"). The employee/affordable housing requirement for the Project, including the Montage, is 98.9 Base AUEs. One AUE equals 800 square feet. In addition to the Base AUEs, DEVELOPER has committed to construct, off-site, 20 additional AUEs (the "Additional AUEs") as an additional community benefit for the Project. Within 24 months from the effective date of this Agreement, the DEVELOPER (or any assignee thereof) shall either (i) begin construction of the 20 Additional AUEs, or (ii) post a financial guarantee in a form acceptable to the City Attorney in favor of the City equal to 10 percent of the estimated construction costs of the Additional AUEs. Each Additional AUE shall be sold or rented at prices and terms consistent with the City's affordable housing guidelines in effect at the time a Certificate of Occupancy is issued for the AUE. The calculation of total AUEs is detailed in the following table:

Type of Use	Unit Equivalents	Mitigation Rate	AUEs Required
Residential			
Residential Units	785	0.1	78.50
Single Family Home Sites	54	0.1	5.40
Subtotal Residential	***839***		***83.90***
Type of Use	**Square Footage / 1,000 SF**	**Mitigation Rate**	**AUEs Required**
Commercial			
Commercial Unit Equivalents	75	0.2	15.00
Subtotal Commercial	***75***		***15.00***
Base AUEs On-Site (25%): 24.725			
Base AUEs Off-Site (75%): 74.175 *			
Total Base AUEs			**98.90**
Additional AUEs Contributed by Developer (located Quinns Junction)			**20.00**
TOTAL AUEs			***118.00***

*May be located at Quinns Junction, consistent with the City's approved employee/affordable housing plan.

A minimum of 25% of the Base AUEs shall be located on-site within the Project; however, at DEVELOPER'S option, any such on-site Base AUEs not actually constructed on-site or contractually committed to be constructed on-site may be constructed off-site on a 1.5-for-1 basis. DEVELOPER and the City shall consult with Mountainlands Housing Trust, or its equivalent (if any), to determine the type and location of employee/affordable housing which would be most effective in offsetting the demand generated from the Project. DEVELOPER shall provide the remaining 75% of the Base AUEs consistent with the City's approved employee/affordable housing plan. The employee/affordable housing will be phased with the Project in accordance with the approved Phasing Plan. Upon Planning Commission recommendation, the Housing Authority may direct DEVELOPER to:

2.10.5.1 Develop, subject to deed restrictions some of the remaining units on the 20-Acre Quinn's Junction Parcel; or

2.10.5.2 Donate in a form satisfactory to the City, without restrictions or encumbrances, the 20-Acre Quinn's Junction Parcel to the City in lieu of some or all of the remaining portion of DEVELOPER's affordable housing obligation; or

2.10.5.3 Build the units on an alternate parcel provided to DEVELOPER by the City. DEVELOPER must donate the 20-Acre Quinn's Junction Parcel to the City if the City offers to donate otherwise suitable land to DEVELOPER. If the City and DEVELOPER exchange parcels with respect to the new employee/affordable housing units, then DEVELOPER shall construct on such alternate parcel such number of new employee/affordable housing units, up to the required number of units, for which DEVELOPER is able to obtain approval. In no event shall the cost incurred by DEVELOPER to construct the new employee/affordable housing units on an alternate parcel provided by the City exceed the cost which DEVELOPER would have incurred to construct such new employee/affordable housing units on the 20-Acre Quinn's Junction Parcel; or

2.10.5.4 If mutually acceptable to DEVELOPER and the City, pay to the City a fee in lieu of constructing employee/affordable housing, consistent with the City's affordable housing policy, if such payment in lieu of constructing employee/affordable housing results in the construction or dedication of actual units for affordable /employee housing; or

2.10.5.5 Satisfy its obligation in a manner otherwise consistent with the City's affordable housing policy.

2.10.6 **5-Year Irrevocable Offer to Annex the 20-Acre Quinn's Junction Parcel**. For the next five years from the date of this Amended and Restated Agreement, DEVELOPER hereby irrevocably offers to annex the 20-Acre Quinn's Junction Parcel to the City.

SECTION III. ADDITIONAL PUBLIC BENEFITS

In addition to the foregoing, DEVELOPER offers the following inducements to contract:

3.1 **Richardson Flats.** DEVELOPER unconditionally offers to annex Richardson Flats to the City and, regardless of the annexation of Richardson Flats, to restrict development of Richardson Flats to one of the following options to be selected by DEVELOPER, at DEVELOPER'S sole discretion:

Option 1. Under Option one DEVELOPER must limit the use of Richardson Flats to golf (with the requisite clubhouse, maintenance buildings and other related improvements), equestrian uses (including the construction of an arena or indoor equestrian center), and/or such other public recreational opportunities or special events as the City may deem proper. In the event DEVELOPER is able to obtain necessary approvals from EPA and/or DEQ, then DEVELOPER must construct on Richardson Flats a golf course, clubhouse, and driving range with adequate[17] provisions for defined public access.

Option 2. Under Option two, DEVELOPER must limit the use of Richardson Flats to an 18-hole golf course (with the requisite clubhouse, maintenance buildings and other related improvements)[18] and would make available to the City a site for a second 18-hole golf course. The site to be donated to the City would not include land in need of environmental remediation. If a second golf course is constructed under Option two, then the City and DEVELOPER shall work cooperatively to develop shared facilities such as a driving range and golf maintenance shops.

Option 3. If, after diligent efforts, DEVELOPER cannot receive EPA or DEQ approval of the aforementioned recreational

[17] The course must be operated to maximize play.

[18] Under Option 2 DEVELOPER may in the City's sole discretion be afforded the right to use Richardson Flats for such other public recreational opportunities or special events as the City may deem proper.

improvements, DEVELOPER will perpetually deed restrict Richardson Flats to prevent further development.[19]

In addition to the foregoing provisions, DEVELOPER shall, in part as an additional public benefit and in part as a traffic mitigation measure, provide the City with fee title (unless the City otherwise agrees to a long term lease) to 30 acres at Richardson Flats. Such acreage will be used only for ball fields or similar recreational spaces, and improvements related thereto, and parking. On this acreage, DEVELOPER will provide a parking area which may be paved and which will accommodate segregated Montage and Empire Pass parking (up to 100 spaces), and parking for the City (up to 650 spaces), for a total of up to 750 spaces. This parking area will also serve as the location for Montage construction parking, and DEVELOPER or Montage shall be responsible for providing or arranging construction parking shuttles. The parking improvements may be constructed in phases. DEVELOPER will have naming rights for the ball fields or similar recreational spaces, and will not select a name that is inappropriate. The parking improvements (excluding the 100 dedicated Montage spaces and spaces required for construction parking and other operational needs) may be used by the City for reasonable ancillary uses such as special events.

3.2 **Open Space/Transit Management Fund.** DEVELOPER shall pay on each transfer of DEVELOPER's land, and shall separately covenant with all successors in interest in a manner which runs with the land, to assess a 1% Open Space/Transit Management Fee on the gross sales price of all real property within the Project. 50% of the Open Space/Transit Management Fee shall belong to the Flagstaff Mountain Master Resort

[19] The timing of Richardson Flats development shall be addressed in the Construction Phasing and General Infrastructure Phasing Plans required in Sections 2.1.10 and 2.1.11 with development commencing as early as possible.

Association to reduce Master Resort Association dues associated with obligations assumed herein or to enhance the Master Resort Association's service to its members. 50% of the Open Space/Transit Management Fee shall be paid to the City to assist in funding the costs and expenses for enhanced transportation to the Project, recreation improvements and/or open space acquisition, maintenance or preservation. This Open Space/Transit Management Fee shall not apply to the transfer of real property within the Project either solely as security for financing (e.g. mortgage) or for nominal consideration solely to initially capitalize the development entity. DEVELOPER acknowledges that the Project requires an open space management fee to mitigate the adverse effects of the Project. As such, DEVELOPER covenants that it will pay this fee as a contractual obligation, and not as a regulated entity. DEVELOPER shall vigorously defend the imposition of such fees. DEVELOPER shall not take any action (contractually, judicially, or legislatively) to challenge or otherwise adversely affect the enforceability of the Open Space/Transit Management Fee as a valid and enforceable real covenant.

SECTION IV. IMPACT FEES/PLAN CHECK FEES

4.1 **Conditions of Approval and Impact Fees.** With respect to the development of Flagstaff Mountain, DEVELOPER accepts and agrees to comply with the impact, connection and building fees of the City currently in effect, or as amended, to the extent the amended fees are applied uniformly within an impact fee district. DEVELOPER acknowledges that the Project requires infrastructure supported by impact fees and finds the fees currently imposed to be a reasonable monetary expression of exactions that would otherwise be required at this time. As such, DEVELOPER covenants that it will pay impact fees as a contractual obligation, and not exclusively as a regulated entity. If the state legislature disallows the imposition of a regulatory impact fee, DEVELOPER will pay those impact fees in effect at the time of such change in state law throughout the remaining buildout of the Project. Further DEVELOPER

agrees to pay plan check fees in the amount of 65% of the building permit fee.

SECTION V. BONANZA FLATS DEVELOPMENT PARAMETERS

5.1 **Restrictions on Bonanza Flats Development**. DEVELOPER covenants that it will never apply, nor assist in any application, to the City or to Wasatch County for the development of Bonanza Flats in excess of the following maximum densities. Further, DEVELOPER shall amend its development application with Wasatch County, and shall restrict development in Bonanza Flats to the following maximum densities:

5.1.1 A maximum of 260 residential units (280 Unit Equivalents), of which no more than 160 units shall be Bonanza Flats single family home sites.

5.1.2 An 18-hole golf course, including the construction of no larger than a 20,000 sq. ft club house and other golf-related facilities, with Nordic skiing thereon during the winter, all as generally depicted on Exhibit O.

5.1.3 75,000 square feet of resort-related commercial uses.

5.1.4 Alpine and Nordic ski terrain, ski runs, ski lifts and other ski-related improvements, all as depicted on Exhibit O.

5.2 **Wasatch County Approval of Bonanza Flats Development Proposal.** DEVELOPER has a pending application in Wasatch County, with respect to Bonanza Flats, requesting density far in excess of that which the City regards as appropriate. As an inducement for the City to enter into this Agreement, DEVELOPER agrees to amend its development application with Wasatch County in order to reflect the terms and conditions of this Agreement regarding the development of Bonanza Flats. City's contractual restrictions on Bonanza Flats development are in no respect an endorsement of development on Bonanza Flats. DEVELOPER agrees that the portions of Bonanza Flats, as described on Exhibit C attached hereto, which are not to be developed shall be subjected to restrictive covenants or conservation easements, dedicated to a third party conservation trust (or

similar entity), in a form acceptable to the City, so that the real property which is not to be developed shall be limited in perpetuity to recreational and open-space uses. DEVELOPER and the City acknowledge that the annexation of Bonanza Flats to the City is not being considered at this time by either the City or by DEVELOPER.

5.3 **Snyderville Basin Sewer Improvement District Annexation.** Snyderville Basin Sewer Improvement District ("SBSID") must agree to annex Bonanza Flats and agree to provide sewer service within Bonanza Flats if Park City is to provide water service to the area. SBSID capacity shall be restricted in size to accommodate no more than the restricted densities agreed to herein. If Wasatch County approves the use of Park City water for culinary use in Bonanza Flats, then DEVELOPER must apply for and pursue annexation to SBSID.

5.4 **Annexation.** If Wasatch County recommends that DEVELOPER seek annexation to the City of Bonanza Flats, then DEVELOPER shall request that the City annex Bonanza Flats. In the event that DEVELOPER requests that the City annex Bonanza Flats, the City anticipates the execution of an interlocal agreement with Wasatch County to address fiscal issues in connection with the City's annexation of Bonanza Flats.

5.5 **Request for Transfer of Bonanza Flats Density to Flagstaff Mountain.** DEVELOPER may seek approval from the City of additional density within Flagstaff Mountain in exchange for DEVELOPER transferring approved density from Bonanza Flats and deed restricting such land as open space. City's contractual restrictions on development in Bonanza Flats in no way shall be construed as an endorsement of such densities either in Bonanza Flats nor transferred to the Mountain Village. Upon DEVELOPER's request, the City would consider such transfer. If favorably inclined to entertain such density transfer, the City would attempt in good faith to negotiate an interlocal agreement with Wasatch County to address fiscal issues associated with such action. In connection with any such request by DEVELOPER, the City may give higher priority

to the transfer of multifamily or lodging units and may consider many factors, including but not limited to the following:

5.5.1 The location and quality of open space within the Bonanza Flats property that would occur as a result of the transfer;

5.5.2 The suitability of increased density in the Mountain Village;

5.5.3 The potential reduction of traffic;

5.5.4 The potential positive impacts on the transportation system;

5.5.5 The visual and other impacts to the Mountain Village; and

5.5.6 The positive and negative impacts to the Bonanza Flats Property.

5.6 **Private Road.** Consistent with an approved phasing plan for Flagstaff Mountain, DEVELOPER may construct a private controlled access road between the Flagstaff Mountain and the Bonanza Flats development areas, provided that such private road is properly controlled to prevent through access to adjacent properties and deed restricted to prevent its extension beyond the terminus depicted in Exhibit C.

5.7 **Water Service.** DEVELOPER and the City acknowledge and agree that water service and sewer service to Bonanza Flats should be provided from the same basin in order to avoid any trans-basin transfer issues. Inasmuch as the City shall be providing water service to the Project, the City and DEVELOPER desire that the City provide water service to Bonanza Flats as well. If Wasatch County: 1) approves DEVELOPER's amended proposal for the limited development of Bonanza Flats detailed herein, and 2) approves DEVELOPER's proposal that the City provide water service to Bonanza Flats, then, subject to a City-approved infrastructure phasing plan, DEVELOPER shall build and dedicate to the Park City Water Service District an adequate water delivery system, to service Bonanza Flats, including all fire flow and irrigation needs. DEVELOPER shall work cooperatively with the City to develop a water source or sources, including, but not limited to, making well sites, water rights and easements available to the City. The City shall provide culinary water to Bonanza Flats according to the terms of this Agreement. DEVELOPER will

construct all infrastructure, including a source of water necessary to provide water service to Bonanza Flats. City water development and connection fees, as well as water rates, shall be the same as those imposed in the Project, unless the City can identify and fairly assign extraordinary costs to end users within Bonanza Flats. No water from a Weber Drainage Basin source shall be used for outdoor uses in Bonanza Flats.

5.8 **No Annexation Alternative.** If Bonanza Flats is not annexed into the City, and if the requirements described in Sections 5.3, 5.6 and 5.7 are satisfied, then DEVELOPER shall not build within Bonanza Flats more than the units described in Section 5.1 above.

5.9 **Conditions of Development of Bonanza Flats.** Regardless of the annexation of Bonanza Flats to the City, DEVELOPER agrees to the following:

5.9.1 The residential and commercial units constructed within Bonanza Flats shall not be located adjacent to the lakes within the Bonanza Flats property.

5.9.2 If Bonanza Flats is developed, but is not annexed DEVELOPER agrees to provide employee/affordable housing units consistent with its obligations in the Flagstaff Mountain annexation.

5.9.3 Within Bonanza Flats, DEVELOPER shall limit the construction of wood-burning devices to one wood-burning device per single family unit. DEVELOPER shall not request approval from Wasatch County or from the City for wood-burning devices in any other attached, or detached, residential uses. Within each lodge, or hotel constructed within Bonanza Flats, DEVELOPER may construct one wood-burning device in each such lodge or hotel.

5.9.4 DEVELOPER shall pursue an interlocal agreement with Wasatch County whereby the Park City Fire Protection District will provide fire protection services within Bonanza Flats.

5.9.5 Upon reallignment of S.R. 224, DEVELOPER shall prohibit

commercial snowmobile use within Bonanza Flats.

SECTION VI. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

6.1 This Agreement may be amended from time to time by mutual written consent of the Parties.

SECTION VII. IMPLEMENTATION OF THIS AGREEMENT

7.1 **Processing and Approvals.** Site specific plans shall be deemed proposed Small Scale Master Plans and shall be subject to the process and limitations set forth in the Park City Municipal Corporation Land Management Code that is in effect when the DEVELOPER submits a complete application for a Small Scale MPD.

7.2 **Cooperation in the Event of Legal Challenge.** If any third party challenges the validity, or any provision, of this Agreement, (1) the Parties shall cooperate in defending such action or proceeding, and (2) DEVELOPER shall hold harmless, and shall indemnify the City for all costs (including attorneys' fees) associated with defending this Agreement. Nothing herein shall be construed as a waiver of governmental immunity, as applicable.

7.3 **Impossibility of Performance.** If this Agreement is delayed in its effect by actions beyond the control of City or DEVELOPER, this Agreement shall remain in full force and effect during such delay. If such delay in the effect of this Agreement extends for a period of more than one year, this Agreement shall be terminable by DEVELOPER or the City upon written notice to the other at any time after such initial one-year period. In the event of termination, all rights and obligations hereunder shall be deemed terminated, provided, however, that the parties shall cooperate to return to the status quo ante.

Section VIII. GENERAL PROVISIONS

8.1 **Covenants Running with the Land.** The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits hereof shall bind and inure to the benefit of each

of the Parties hereto and all successors in interest to the Parties hereto. All successors in interest shall succeed only to those benefits and burdens of this Agreement which pertain to the portion of the Project to which the successor holds title. Such titleholder is not a third party beneficiary of the remainder of this Agreement or to zoning classifications and benefits relating to other portions of the Project.

8.2 **Transfer of Property.** DEVELOPER and DEER VALLEY shall have the right, without obtaining the City's consent or approval, to assign or transfer all or any portion of its rights, but not its obligations, under this Agreement to any party acquiring an interest or estate in the Project, or any portion thereof. Third party assumption of DEVELOPER's or DEER VALLEY's obligations under this Agreement shall not relieve DEVELOPER or DEER VALLEY of any responsibility or liability with respect to the expressly assumed obligation, unless the City expressly agrees in writing to the reduction or elimination of DEVELOPER's or DEER VALLEY's responsibility or liability. DEVELOPER and DEER VALLEY shall provide notice of any proposed or completed assignment or transfer. If DEVELOPER or DEER VALLEY transfers all or any portion of the property comprising Flagstaff Mountain, Richardson Flats, Sandridge or Bonanza Flats, the transferee shall succeed to all of DEVELOPER's or DEER VALLEY's rights under this Agreement. To the extent the City believes (in its sole discretion, considering the totality of the DEVELOPER's and/or DEER VALLEY's obligations) that the successor in interest has ample resources to secure the City's rights under this Agreement, the City may release DEVELOPER and/or DEER VALLEY from its proportionate liability under this Agreement.

8.3 **No Agency, Joint Venture or Partnership.** It is specifically understood and agreed to by and among the Parties that: (1) the subject development is a private development; (2) City, DEER VALLEY and DEVELOPER hereby renounce the existence of any form of agency relationship, joint venture or partnership among City, DEER VALLEY and DEVELOPER;

and (3) nothing contained herein shall be construed as creating any such relationship among City, DEER VALLEY and DEVELOPER.

SECTION IX. MISCELLANEOUS

9.1 **Incorporation of Recitals and Introductory Paragraphs.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

9.2 **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive.

9.3 **Severability.** If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

9.4 **Construction.** This Agreement has been reviewed and revised by legal counsel for DEVELOPER, DEER VALLEY and the City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Since the time the original Agreement was adopted and executed, many of the DEVELOPER'S obligations hereunder have been satisfied. The fact that this Agreement is styled as an amended and restated agreement shall not be deemed or construed to reinstate the DEVELOPER obligations that have been satisfied as of the date hereof.

9.5 **Notices.** Any notice or communication required hereunder between the Parties must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States

mail. If personally delivered, a notice is given when delivered to the Party to whom it is addressed. Any Party hereto may at any time, by giving ten (10) days written notice to the other Parties hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at the address set forth below:

If to City to:
City Manager
445 Marsac Ave.
P.O. Box 1480
Park City, UT 8406^

Copy to:
City Attorney
445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060

FALISKER
900 MAIN ST SUITE 611
P.O. BOX 4349
84060

If to DEVELOPER to:
United Park City Mines
c/o David J. Smith
P.O. Box 1450
Park City, UT 84060

Copy to:
Clark K. Taylor
VanCott Bagley Cornwall & McCarthy
P. O. Box 45340
Salt Lake City, Utah 84145

If to DEER VALLEY:
Deer Valley Resort Company
Attn: Bob Wheaton, President
2250 Deer Valley Drive South
P.O. Box 889
Park City, Utah 84060

Copy to:

General Counsel
Royal Street Corporation
7620 Royal Street East, Suite 205
P.O. Box 3179
Park City, Utah 84060

9.6 **No Third Party Beneficiary.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their assigns. No other party shall have any right of action based upon any provision of this Agreement whether as third party beneficiary or otherwise.

9.7 **Counterparts and Exhibits.** This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of forty-two (42) pages, including notary acknowledgment forms, and in addition, sixteen (16) exhibits, which constitute the entire understanding and agreement of the Parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Map and Legal description of Flagstaff Mountain
Exhibit B	Map and Legal description of the Iron Mountain Parcels
Exhibit C	Map and Legal description of Bonanza Flats
Exhibit D	Map and Legal description of Richardson Flats
Exhibit E	Map and Legal description of 20-Acre Quinn's Junction Parcel
Exhibit F	Deer Valley Ski Area Master Plan
Exhibit G	Deer Valley Resort Company Ski Run Construction and Revegetation Standards
Exhibit H	Guardsman Realignment
Exhibit I	Emergency Access
Exhibit J	Lady Morgan Springs Open Space Area
Exhibit K	Approximate Location of Prospect Ridge Open Space
Exhibit L	Map and Legal description of Sandridge Parking Lots and Sandridge Heights parcels
Exhibit M	Road and Intersection Improvements Detail
Exhibit N	Runaway Truck Lane
Exhibit O	Bonanza Flats golf course and ski improvements

Exhibit P Zoning Map for Flagstaff Mountain

9.8 **Attorneys' Fees.** In the event of a dispute between any of the Parties arising under this Agreement, the prevailing Party shall be awarded its attorneys' fees and costs to enforce the terms of this Agreement.

9.9 **Duration.** This Agreement shall continue in force and effect until all obligations hereto have been satisfied. DEVELOPER shall record the approved annexation plat for Flagstaff Mountain within 30 days of the City's adoption of an annexation ordinance to annex Flagstaff Mountain. The Large Scale Master Plan for Flagstaff Mountain granted herein shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two additional years of Inaction following the expiration of such four-year period, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by UPCM and by DEER VALLEY by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council effective as of the 2nd day of March, 2007.

PARK CITY MUNICIPAL CORPORATION

By: _____
Dana Williams, Mayor

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

APPROVED AS TO FORM:

_____
Mark D. Harrington, City Attorney

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On this 28th day of ~~March~~ February, 2007 before me, Lorrie J. Hoggan, the undersigned Notary Public, personally appeared David J. Smith, personally known to me to be the Authorized Signing Officer of United Park City Mines Company, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

DEVELOPER:
United Park City Mines Company,
a Delaware corporation

David J. Smith, Authorized Signing Officer

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

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STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

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By: Royal Street of Utah, a Utah corporation,
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By: _____
Robert Wells, Vice President

DEVELOPER:
United Park City Mines Company,
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STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

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NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
October 11, 2007
LORRIE J. HOGGAN
4549 NSR32
Oakley, Utah 84055

Notary Public, State of Utah
Residing in Oakley, Utah

DEER VALLEY RESORT COMPANY,
a Utah limited partnership
By: Royal Street of Utah, a Utah corporation,
General Partner

By: _____
Robert Wells, Vice President

STATE OF ~~UTAH~~ ARIZONA)
: ss
COUNTY OF ~~SUMMIT~~ MARICOPA)

On this 1 day of MARCH, 2007 before me, Constance M Richards, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.

OFFICIAL SEAL
CONSTANCE M. RICHARDS
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires Feb. 1, 2008

Constance M Richards
Notary Public, State of ~~Utah~~ AZ
Residing in Maricopa County, AZ

ARIZONA
STATE OF ~~UTAH~~)
MARICOPA : ss
COUNTY OF ~~SUMMIT~~)

On this 1 day of MARCH, 2007 before me, Constance M Richards, the undersigned Notary Public, personally appeared **Robert Wells**, personally known to me to be the Vice President of Royal Street of Utah, on behalf of the corporation named herein, and acknowledged to me that the corporation executed it. Witness my hand and official seal.



Constance M Richards
Notary Public, State of ~~Utah~~ AZ
Residing in Maricopa County, AZ

SCHEDULE 3.1

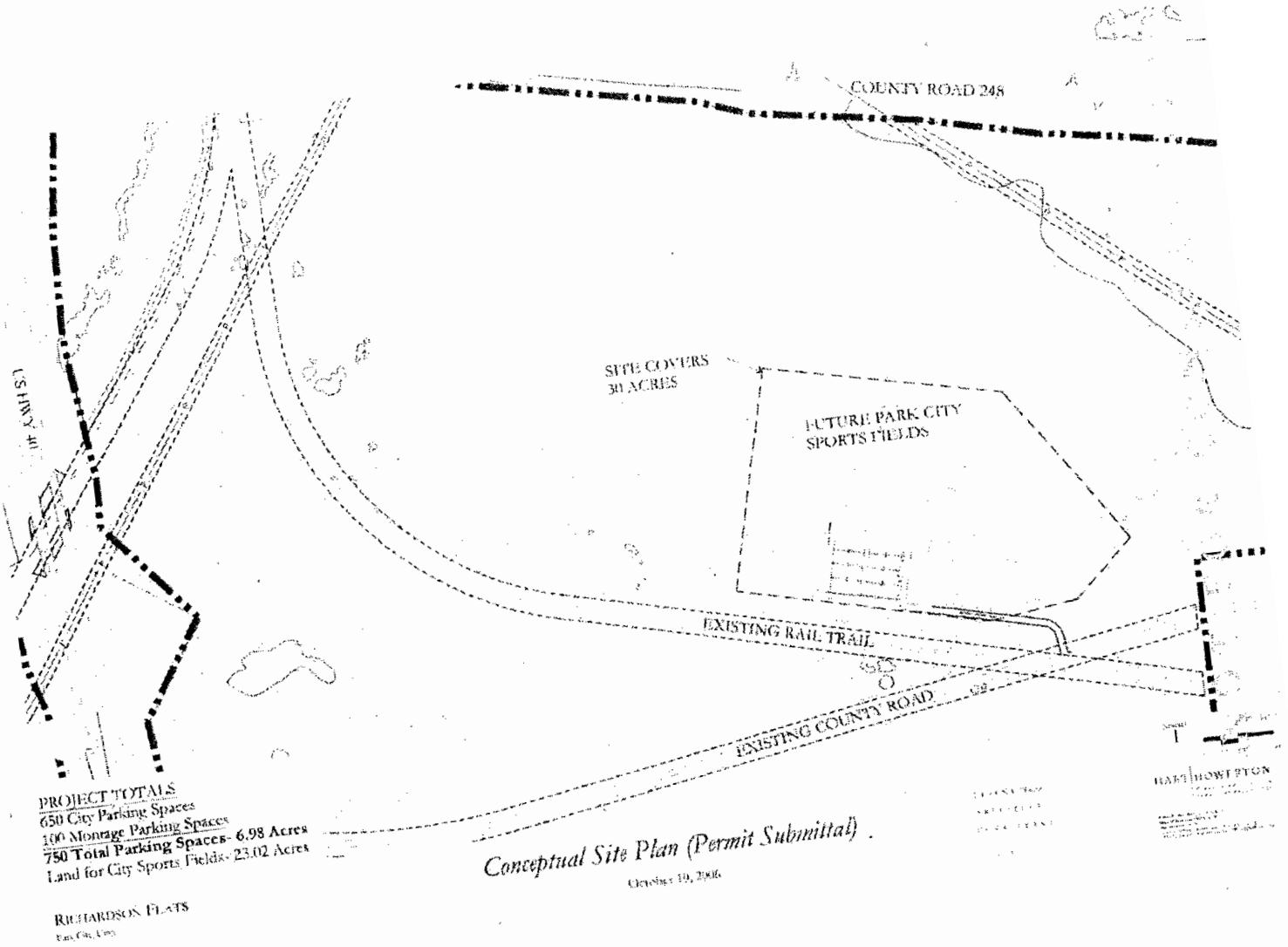
RICHARDSON FLATS PARKING AREA SPECIFICATIONS

Talisker or United Park City Mines Company will provide the City with fee title (unless the City otherwise agrees to a long term lease) to 30 acres at Richardson Flats (map attached). The use of this land is provided on the basis that it will be only for ball fields or similar recreational spaces (and related improvements) and parking. On this acreage, Talisker will provide a paved area which will accommodate segregated Montage and Empire Pass parking (up to 100 spaces) and parking for the City (up to 650 spaces) for a total of up to 750 spaces. The cost of improving the existing County road leading to the site shall be paid for by the Developer, and shall be subject to a late comer's agreement. The parking improvements shall be constructed in phases as established during the MPD for those improvements in cooperation with Summit County. The parking improvements (excluding the 100 dedicated Montage spaces and spaces required for construction parking and other operational needs) may be used by the City for reasonable ancillary uses such as special events. Construction of the parking improvements will be assured through a form of completion bonding consisting of a draw-down letter of credit or other similar instrument in an amount equivalent to the good faith estimated cost to construct the parking improvements, but in an amount not to exceed $1,800,000. In the event any permit application is denied such that the parking improvements cannot be constructed, the City shall be entitled to draw the entire amount of the completion bond, letter of credit or similar instrument (as the case may be), and DEVELOPER shall have no further obligation to construct the parking improvements.

Additional specifications are as follows:

1. Adequate space will be provided for drainage & snow storage.
2. The area will have reasonably flat terrain.
3. The parking lot will allow adequate bus travel through the parking area.
4. An allowance for signs and street lights is included.
5. The lot will be paved to accommodate the weight of City busses, in accordance with applicable Summit County construction standards and/or the Park City Construction Specifications and Standard Drawings as reasonably applied by the City engineer and the DEVELOPER'S design engineer.

The precise layout and cost of the ball fields or similar recreational spaces within the 30 acre parcel, and improvements related thereto, are the City's responsibility.

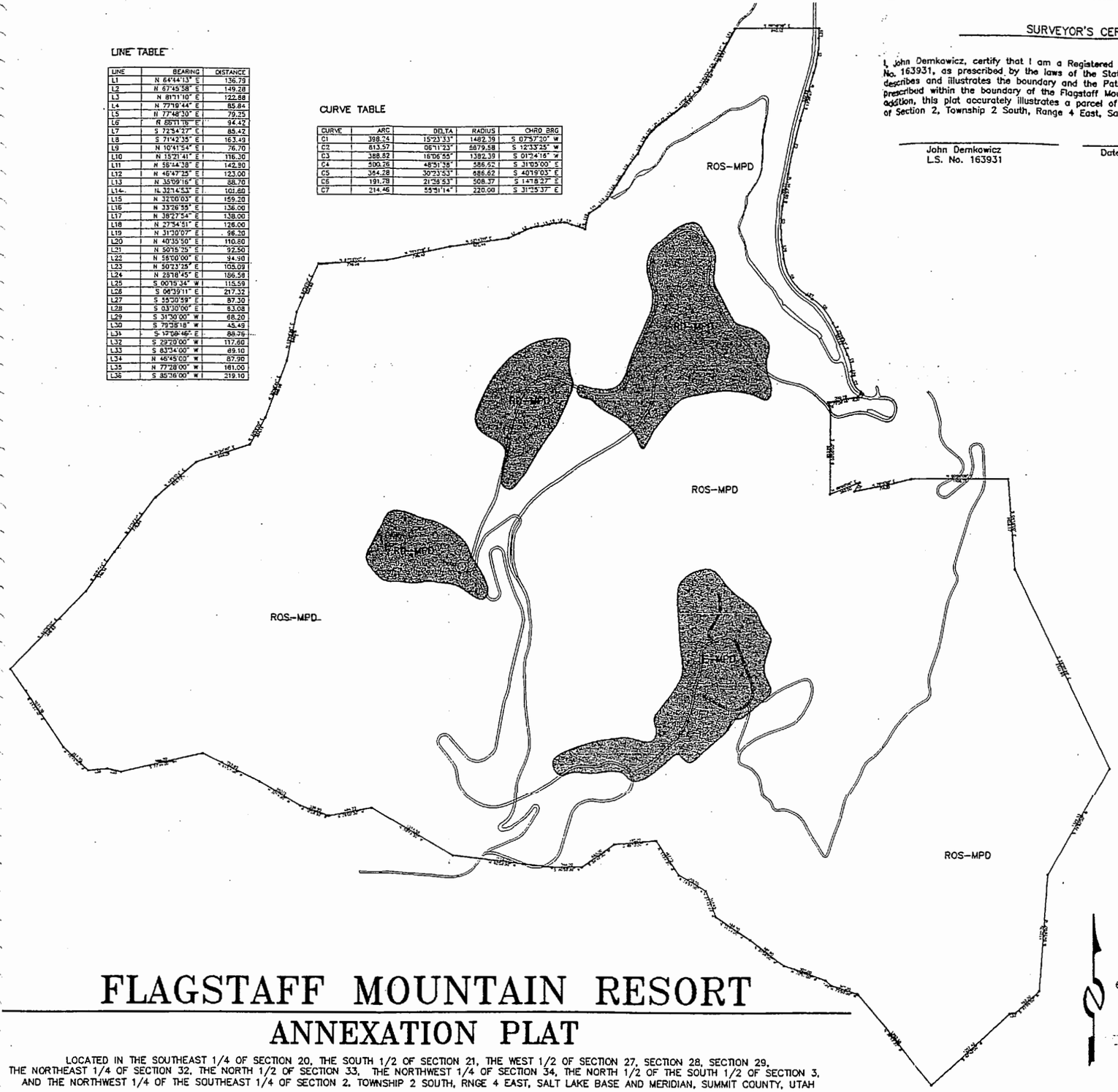

COUNTY ROAD 248
SITE COVERS
30 ACRES
FUTURE PARK CITY
SPORTS FIELDS
EXISTING RAIL TRAIL
EXISTING COUNTY ROAD
PROJECT TOTALS
650 City Parking Spaces
100 Montage Parking Spaces
750 Total Parking Spaces- 6.98 Acres
Land for City Sports Fields- 23.02 Acres
Conceptual Site Plan (Permit Submittal)
RICHARDSON FLATS

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 64°44'13" E	136.79
L2	N 67°45'58" E	149.28
L3	N 81°11'10" E	122.88
L4	N 77°19'44" E	85.84
L5	N 77°48'30" E	79.25
L6	N 88°11'16" E	94.42
L7	S 72°54'27" E	85.42
L8	S 71°42'35" E	163.49
L9	N 10°41'54" E	76.70
L10	N 15°21'41" E	116.20
L11	N 58°44'38" E	142.90
L12	N 46°47'25" E	123.00
L13	N 35°09'16" E	88.70
L14	N 32°14'53" E	101.60
L15	N 32°00'03" E	159.20
L16	N 33°26'55" E	136.00
L17	N 38°27'54" E	138.00
L18	N 27°54'51" E	126.00
L19	N 31°30'07" E	96.20
L20	N 40°35'50" E	110.80
L21	N 50°15'25" E	92.50
L22	N 58°00'00" E	94.90
L23	N 50°23'25" E	105.09
L24	N 28°18'45" E	186.58
L25	S 00°15'34" W	115.59
L26	S 06°39'11" E	217.32
L27	S 35°30'59" E	87.30
L28	S 03°30'00" E	83.08
L29	S 31°30'00" W	68.20
L30	S 79°38'18" W	45.49
L31	S 17°06'46" E	88.75
L32	S 29°20'00" W	117.60
L33	S 83°34'00" W	89.10
L34	N 46°45'00" W	87.90
L35	N 77°28'00" W	161.00
L36	S 85°26'00" W	219.10

CURVE TABLE

CURVE	ARC	DELTA	RADIUS	CHRD BRG
C1	398.24	15°23'33"	1482.39	S 07°57'20" W
C2	813.57	06°11'23"	5879.58	S 12°33'25" W
C3	388.82	16°06'55"	1382.39	S 01°24'16" W
C4	500.26	48°51'38"	586.62	S 31°05'00" E
C5	354.28	30°23'53"	686.62	S 40°19'03" E
C6	191.78	21°36'53"	508.37	S 14°18'27" E
C7	214.46	55°51'14"	220.00	S 31°25'37" E



FLAGSTAFF MOUNTAIN RESORT

ANNEXATION PLAT

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 20, THE SOUTH 1/2 OF SECTION 21, THE WEST 1/2 OF SECTION 27, SECTION 28, SECTION 29, THE NORTHEAST 1/4 OF SECTION 32, THE NORTH 1/2 OF SECTION 33, THE NORTHWEST 1/4 OF SECTION 34, THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 3, AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 2 SOUTH, RNGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that this plat accurately describes and illustrates the boundary and the Patented Convernment Lots of Record as prescribed within the boundary of the Flagstaff Mountain Resort annexation petition. In addition, this plat accurately illustrates a parcel of land located in the Southwest Quarter of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

John Demkowicz
L.S. No. 163931

Date

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned corporate agent for United Park City Mines; the owner of the majority of the land described and illustrated on this plat do hereby petition Park City Municipal Corporation, of Summit County, Utah that said lands be Annexed to and included within the legal boundary of Park City, Utah, and be subject to such benefits and restrictions as exsist under applicable legal ordinances of Park City, Utah.

Hank Rothwell, President

ACKNOWLEDGEMENT

State of _____
:ss
County of _____

On this _____ day of _____, 1999 Hank Rothwell personally appeared before me, the undersigned Notary Public, who being duly sworn, did say that he is the Corporate Agent for United Park City Mines Company, the owner of the majority of the land described and illustrated on this plat and that the foregoing Owners Dedication and Certificate of Consent to Record was signed freely and voluntarily for the purposes therein mentioned and that said Company executed the same.

Notary Public

My Commission Expires: _____

LEGAL DESCRIPTIONS

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft and also being North 04 39'13" East 1303.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South Range, 4 East, Salt Lake Base and Meridian and running Northeasterly along said demarcation and ridge line : North 44 09'00" East 1256.63 feet; thence North 35 07'44" East 548.54 feet; thence North 37 33'27" East 779.84 feet; thence North 49 33'13" East 616.72 feet; thence North 71 34'40" East 644.25 feet; thence North 30 09'00" East 354.14 feet; thence North 20 46'44" East 698.015 feet; thence North 10 48'39" East 569.75 feet; thence North 23 55'00" East 604.00 feet; thence North 87 35'00" East 778.00 feet; thence North 77 17'18" East 735.40 feet; thence North 82 14' East 672.44 feet more or less to a point on the Westerly boundary line of the "Anchor Tunnel Portal Mining Reservation", said point being North 39 17'28" East 942.39 feet more or less from the Southwest corner of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulch; thence along said ridgeline the following eight courses: thence North 64 44'13" East 136.79 feet; thence North 67 45'58" East 149.28 feet; thence North 81 11'10" East 122.88 feet; thence North 77 19'44" East 85.84 feet; thence North 77 48'30" East 79.25 feet; thence North 88 11'16" East 94.42 feet; thence South 72 54'27" East 85.42 feet; thence South 71 42'35" East 163.49 feet more or less to a point on the westerly right —of—way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79 18'06" West 5.00 feet more or less, from Map Point A—1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right—of—way the following fifteen (15) courses: North 10 41'54" East 76.70 feet; thence North 15 21'41" East 116.20 feet; thence North 58 44'38" East 142.90 feet; thence North 46 47'25" East 123.00 feet; thence North 35 09'16" East 88.70 feet; thence North 32 14'53" East 101.60 feet; thence North 32 00'03" East 159.20 feet; thence North 33 26'55" East 136.00 feet; thence North 38 27'54" East 138.00 feet; thence North 27 54'51" East 126.00 feet; thence North 31 30'07" East 98.20 feet; thence North 40 35'50" East 110.80 feet; thence North 50 15'25" East 92.50 feet; thence North 58 00'00" East 94.90 feet; thence North 50 23'25" East 105.09 feet; thence North 47 29'39" East 405.07 feet more or less to a point on the westerly edge of Daly Avenue; thence along said Daly Avenue the following three courses: North 32 04'00" East 298.25 feet; thence North 29 09'57" East 315.97 feet; thence North 28 18'45" East 188.56 feet, more or less, to the East—West center line of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said Section Line also being the southerly boundary line for the corporate limits of Park City, Utah; thence South 89 59'59" East 940.12 feet, more or less, along said Section line 940.12 feet to a point on the easterly right—of—way line for Utah State Highway 224 as located in Ontario Canyon; thence along said highway the following 12 courses; South 00 15'34" West 111.59 feet to a point on a 1,482.39 foot radius curve to the left; thence Southwesterly along the arc of said curve through a central angle of 15 23'33"398.24 feet more or less; thence South 15 39'07" West 559.89 feet to a point on a 5,879.58 foot radius curve to the left; thence Southwesterly along the arc of said curve, through a central angle of 06 11'23", a distance of 813.57 feet; thence South 09 27'44" West 368.77 feet to a point on a 1,382.39 foot radius curve to the left; thence southerly along the arc of said curve, through a central angle of 16 06'55", a distance of 388.82 feet; thence South 6 39'11" East 217.32 feet to a point on a 586.62 foot radius curve to the left; thence southeasterly along the arc of said curve, through a central angle of 48 51'38", a distance of 500.26 feet; thence South 55 30'59" East 87.30 feet to a point on a 686.62 foot radius curve to the right; thence along the arc of said curve, through a central angle of 30 23'53", a distance of 364.28 feet; thence South 25 06'53" East 397.14 feet to a point on a 508.37 foot radius curve to the right; thence along the arc of said curve, through a central angle of 21 36'53", a distance of 191.78 feet; thence South 3 30'00" East 83.08 feet to a point on a 220.00 foot radius curve to the left; thence along the arc of said curve, through a central angle of 55 51'14", a distance of 214.46 feet; thence South 31 30'00" West 68.20 feet; thence South 79 38'18"West 45.49 feet to a point on the southeasterly boundary of the Ontario Number 3 Shaft Mining Reservation; thence South 79 59'46" West 300.78 feet more or less along the southeastern edge of said Mining Reservation; thence South 17 09'45" East 88.78 feet more or less to a point on a piece of property that is the subject of Entry Number 158551 of the Summit County Records; thence along said parcel the following five courses: South 955.96 feet; thence North 69 East 360.00 Feet; thence South 29 20' West 117.50 feet; thence North 78 10' East 714.30 feet; thence East 1,108.71 feet more or less to a point the Wasatch—Summit County line; thence along said Wasatch — Summit County line. The following thirty courses: South 04 39'00" East 1,028.07 feet; thence South 25 30'30" East 2,521.90 feet to County Line Point 51; thence South 29 50'00" West 1,398.30 Feet to County Line Point 55; thence South 4 18'00" West 1,320.70 feet to County Line Point 58; thence South 47 05'00" West 369.50 feet to a County Line Point; thence South 83 34'00" West 88.10 feet to County Line Point 59; thence South 47 42'00" West 1,207.40 feet to County Line Point 62A; thence North 39 53'30" West 1,352.50 feet to County Line Point 64; thence North 72 50'00" West 317.30 feet to County Line Point 65; thence North 48 45'00" West 87.90 feet to County Line Point 66; thence North 70 57'00" West 502.00 feet to County Line Point 67; thence North 31 56'00" West 481.90 feet to County Line Point 68; thence North 55 53'00" West 486.80 feet to County Line Point 69 feet; thence North 21 49'00" West 317.40 feet to County Line Point 70; thence North 59 57'00" West 360.50 feet to County Line Point and Triangulation Point; thence North 33 22'30" West 467.10 feet to County Line Point 71; thence South 85 10'30" West 492.30 feet to County Line Point 72; thence South 54 42'30" West 453.20 feet to County Line Point 73; thence South 88 55'30" West 344.00 feet to County Line Point 74; thence North 82 52'30" West 1,132.30 feet to County Line Point 77; thence North 59 43'30" West 1,074.55 feet to County Line Point 233B; thence North 79 07'30" West 494.73 feet to County Line Point 80; thence North 70 28'30" West 339.90 feet to County Line Point 81; thence North 60 14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence North 54 07'00" West 727.60 feet to County Line Point 83; thence North 77 44'00" West 968.80 feet to County Line Point 85; thence North 77 28'00" West 161.00 feet to a County Line Point and Triangulation Point 2340 which is also Judge Triangulation Point 0; thence South 85 39'00" West 219.10 feet to County Line Point 86; thence North 48 44'00" West 384.70 feet to County Line Point 87; thence North 34 37'00" West 1,077.30 feet, more or less to county Line Point 2343 the point of beginning. Said Parcel contains 1,555.4 acres more or less.

EXHIBIT "A"

RECEIVED
JUL- 2 1999
PARK CITY
PLANNING DEPT.

1 OF 2

Alliance Engineering Inc.

JOB No. 17-4-96 FLAGSTAFF\OVERALL\FLGANEX

~~ALLIANCE ENGINEERING INC.~~	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (435) 649-9467	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 1999 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1999 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1999 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1999 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1999 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

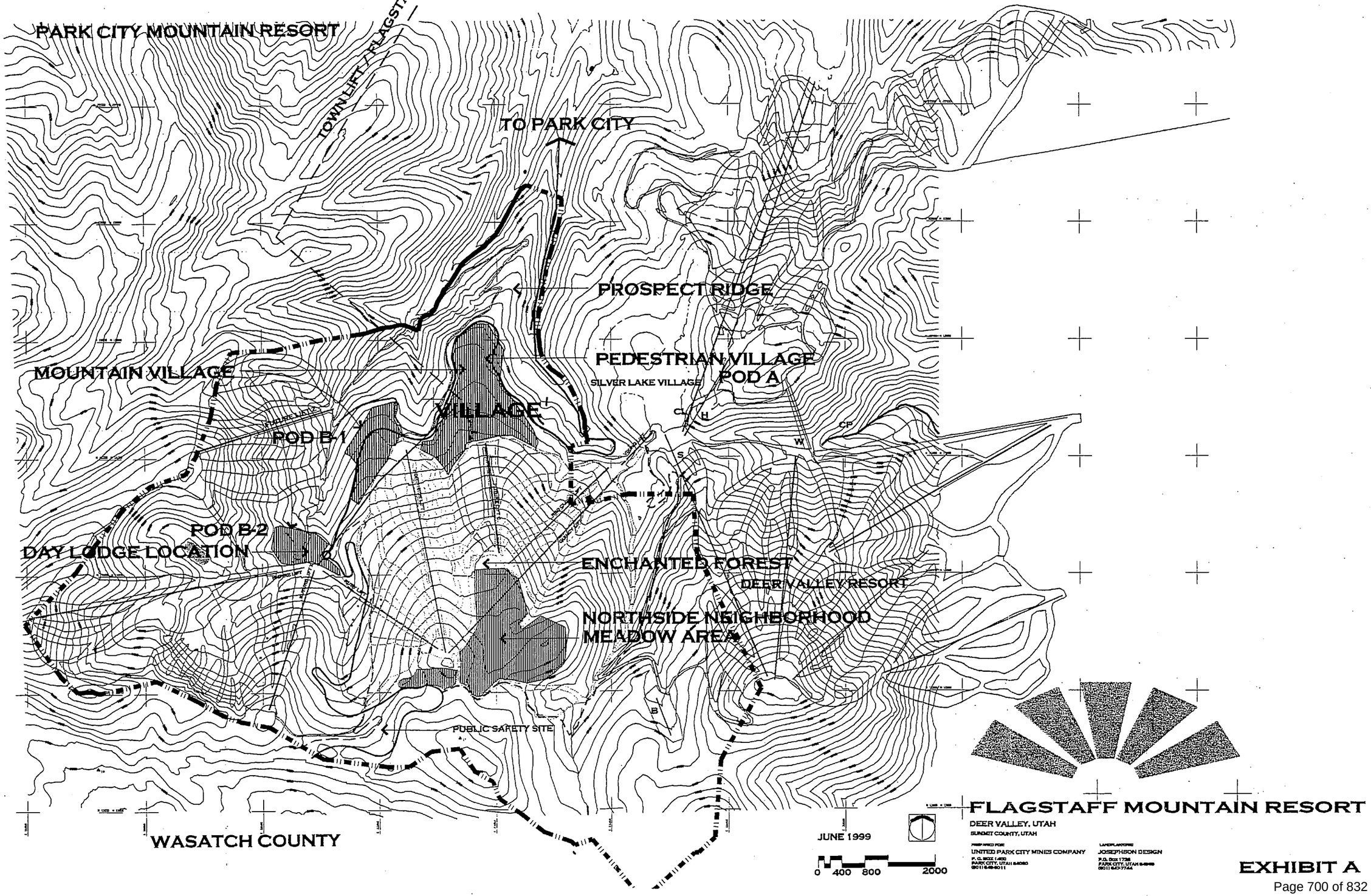
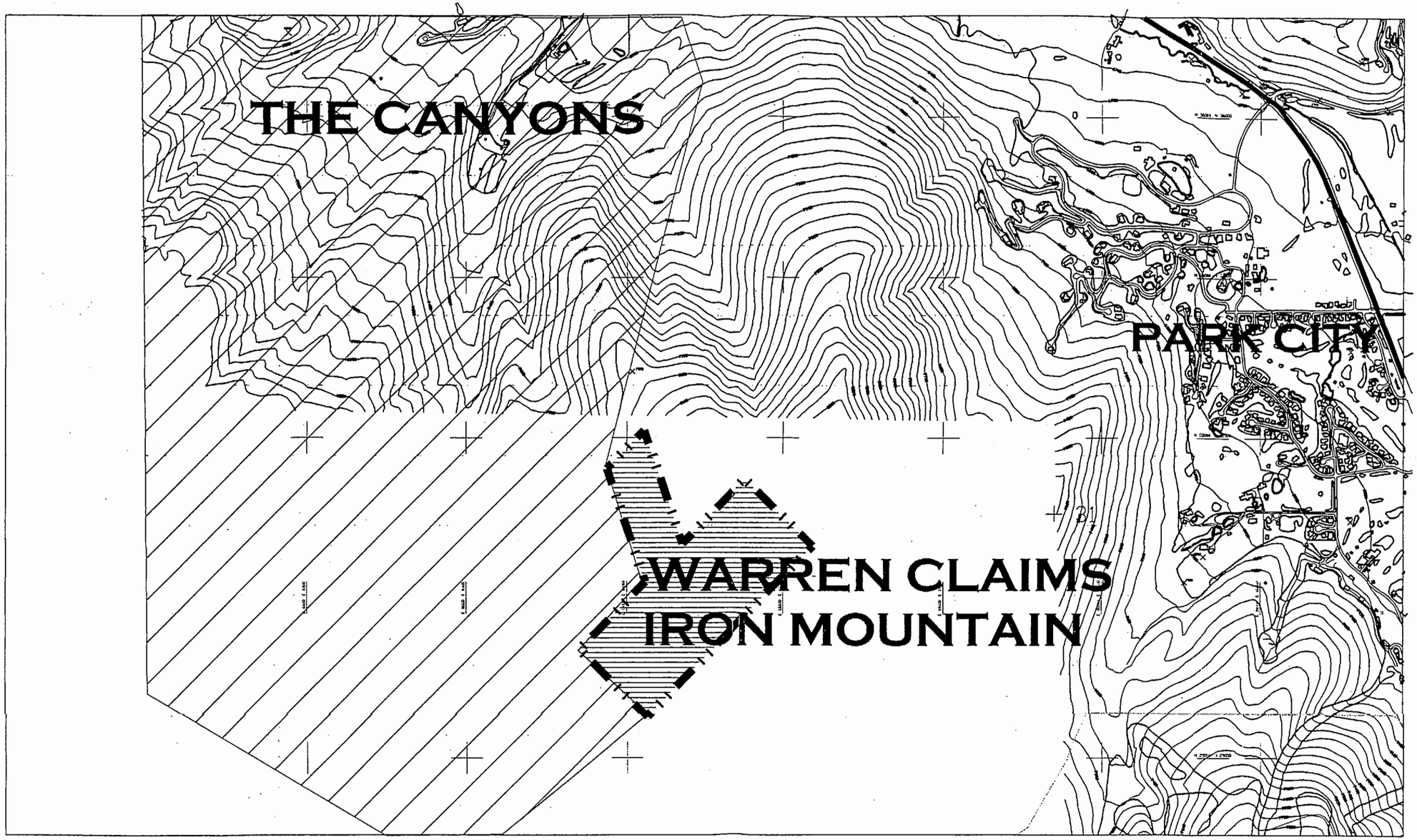

PARK CITY MOUNTAIN RESORT
TOWN LIFT / FLAGSTAFF GONDOLA
TO PARK CITY
PROSPECT RIDGE
PEDESTRIAN VILLAGE
SILVER LAKE VILLAGE
POD A
MOUNTAIN VILLAGE
VILLAGE
POD B-1
POD B-2
DAY LODGE LOCATION
ENCHANTED FOREST
DEER VALLEY RESORT
NORTHSIDE NEIGHBORHOOD
MEADOW AREA
PUBLIC SAFETY SITE
WASATCH COUNTY
JUNE 1999
0 400 800 2000
FLAGSTAFF MOUNTAIN RESORT
DEER VALLEY, UTAH
SUMMIT COUNTY, UTAH
UNITED PARK CITY MINES COMPANY
JOSEPHSON DESIGN

EXHIBIT A



APRIL, 1999

0 400 800 2000

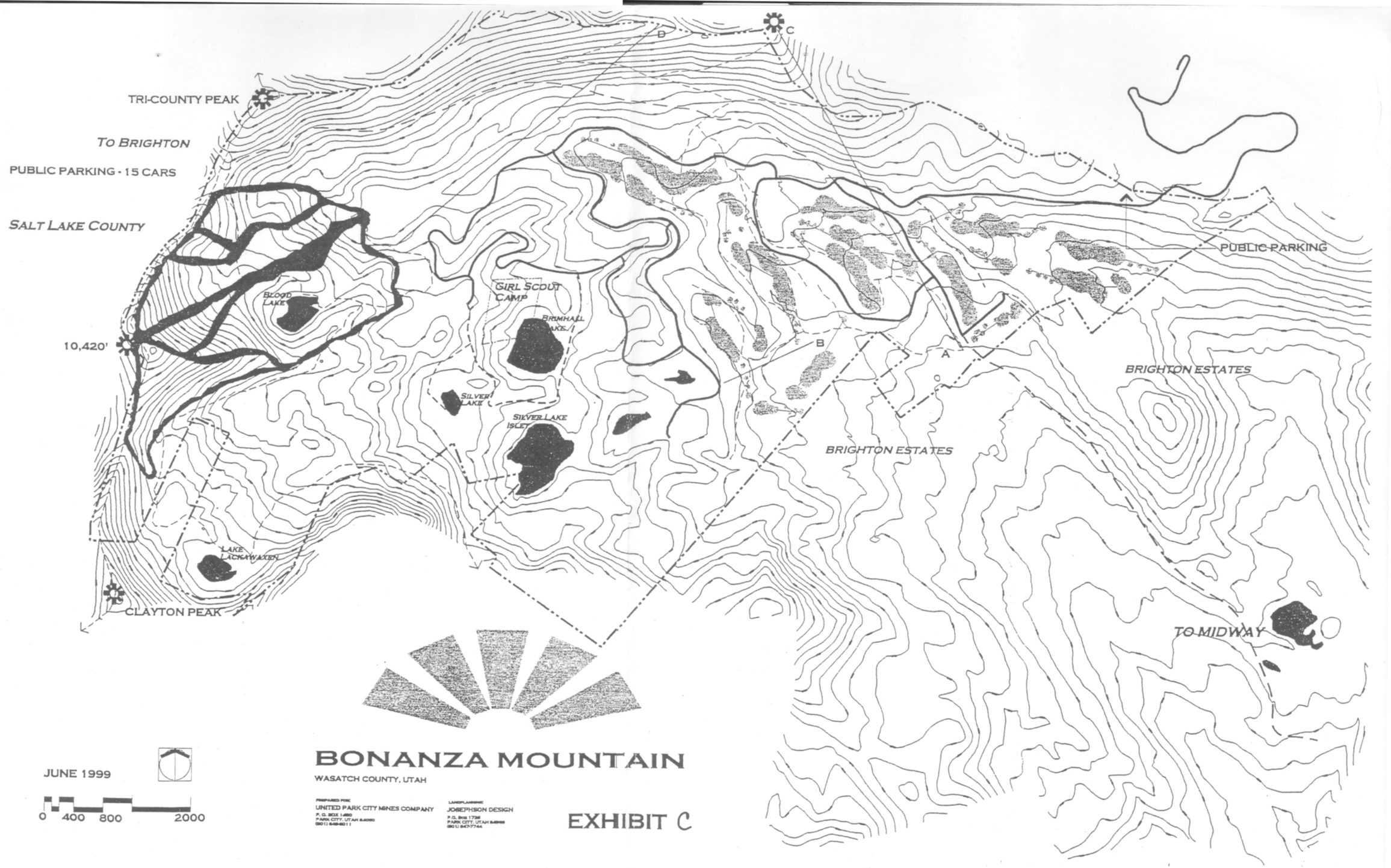
IRON MOUNTAIN PARCEL

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1728
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT B



JUNE 1999

0 400 800 2000

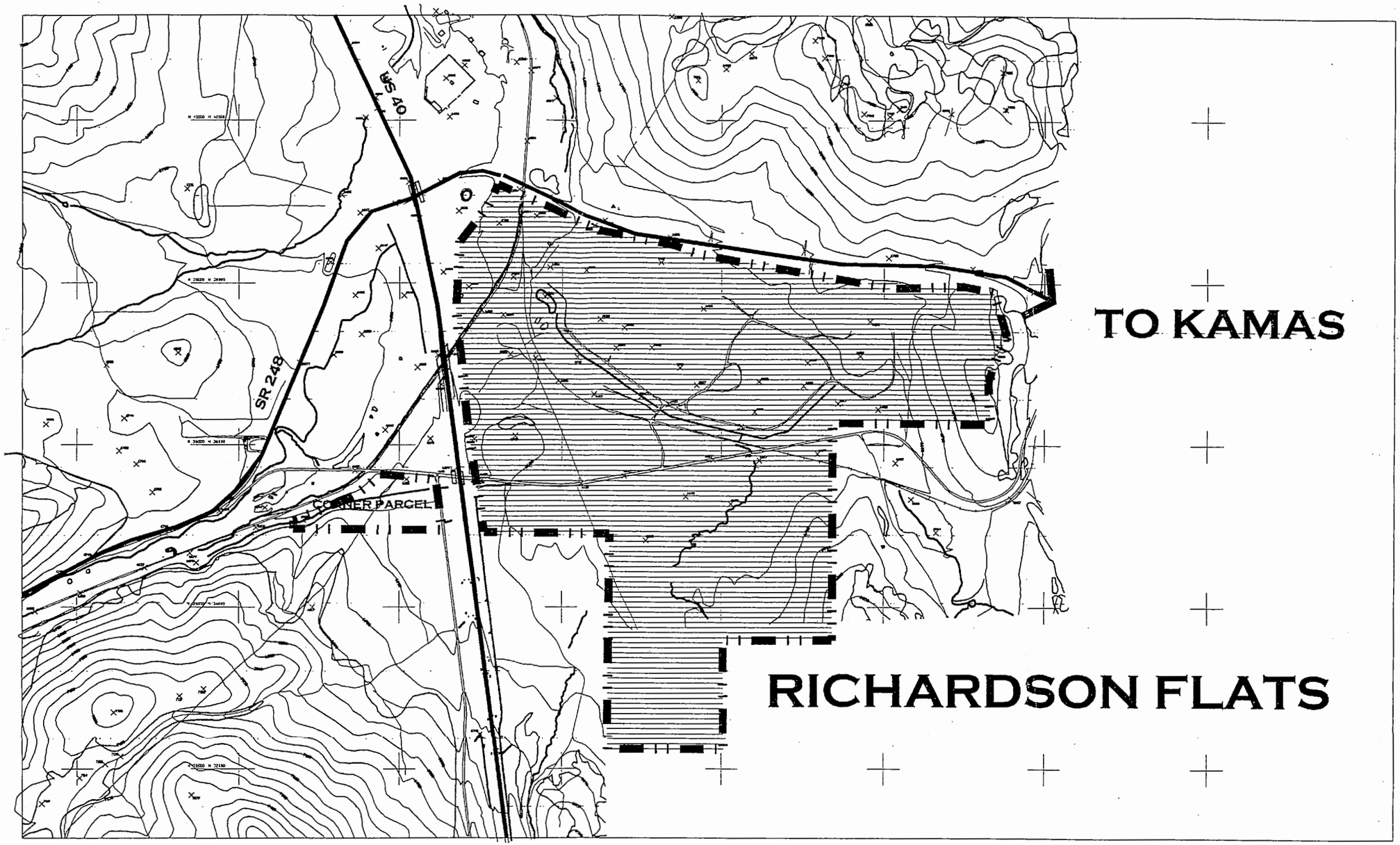
BONANZA MOUNTAIN

WASATCH COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1738
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT C



RICHARDSON FLATS PARCEL

APRIL 1999

0 400 800 2000

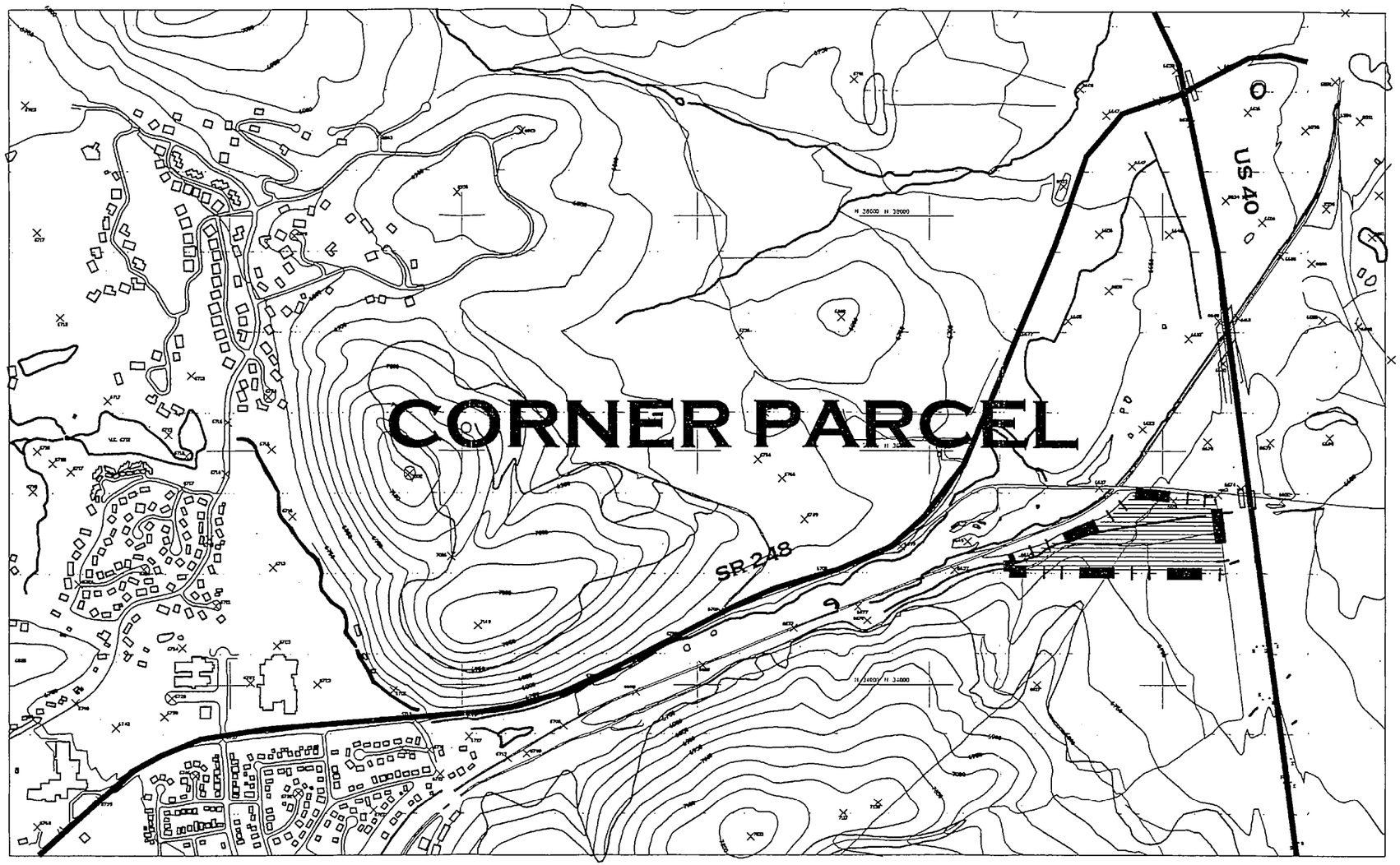
SUMMIT COUNTY, UTAH

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1738
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT D



APRIL 1999

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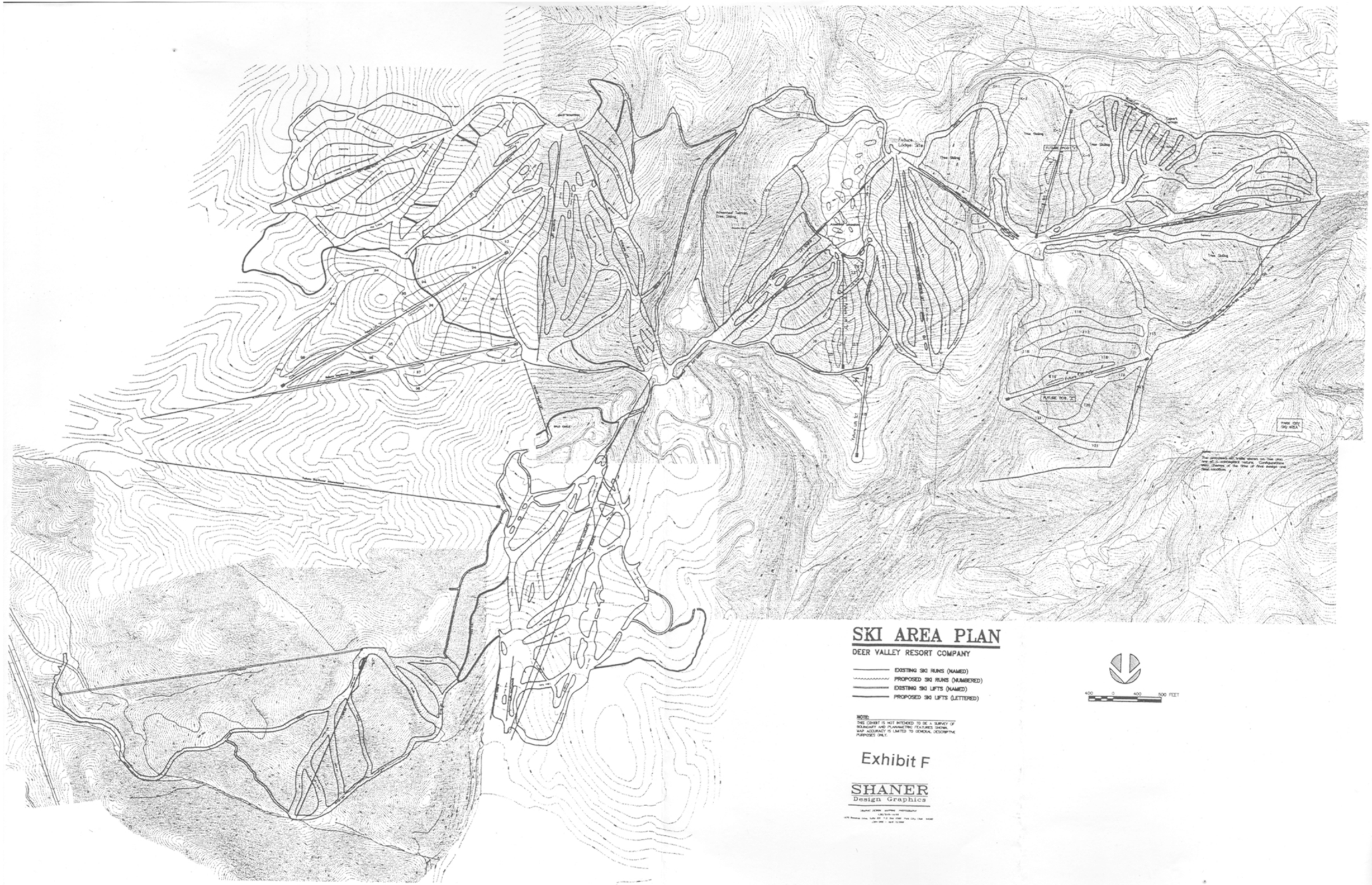
CORNER PARCEL

SUMMIT COUNTY, UTAH

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-9011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1725
PARK CITY, UTAH 84969
(801) 647-7744

EXHIBIT E



SKI AREA PLAN

DEER VALLEY RESORT COMPANY

EXISTING SKI RUNS (NAMED)
PROPOSED SKI RUNS (NUMBERED)
EXISTING SKI LIFTS (NAMED)
PROPOSED SKI LIFTS (LETTERED)

400 0 400 800 FEET

NOTE:
THIS EXHIBIT IS NOT INTENDED TO BE A SURVEY OF BOUNDARY AND PLANIMETRIC FEATURES SHOWN. MAP ACCURACY IS LIMITED TO GENERAL DESCRIPTIVE PURPOSES ONLY.

Exhibit F

SHANER
Design Graphics

ANCHOR

EMPIRE CANYON EXPRESS QUAD CHAIR LIFT

DALY WEST

PROPOSED PUBLIC ROAD

PROPOSED ROUND ABOUT

EXISTING GAURDSMAN ROAD ABANDONED

PROPOSED PUBLIC ROAD

FUTURE VILLAGE ROAD

ONTARIO MINE

PROPOSED PRIVATE ROAD

PROPOSED RE-ALIGNMENT TO GAURDSMAN ROAD

RUBY CHAIR LIFT

NORTH SIDE QUAD CHAIR LIFT

PROPOSED PRIVATE ROAD

EXISTING GAURDSMAN ROAD

PROPOSED OVERPASS

PROPOSED PRIVATE ROAD

ACCESS GATE

RED CLOUD CHAIR LIFT

QUINCY CHAIR LIFT

VIKING CHAIR

WASATCH COUNTY

EXHIBIT "H"

500 0 500 1000 FEET

RECEIVED
JUL - 2 1999
PARK CITY PLANNING DEPT.

(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060

REVISED:
9-1-98
1-13-99
4-13-99
6-9-99

STAFF:
S. DECKERT
D. CARDWELL

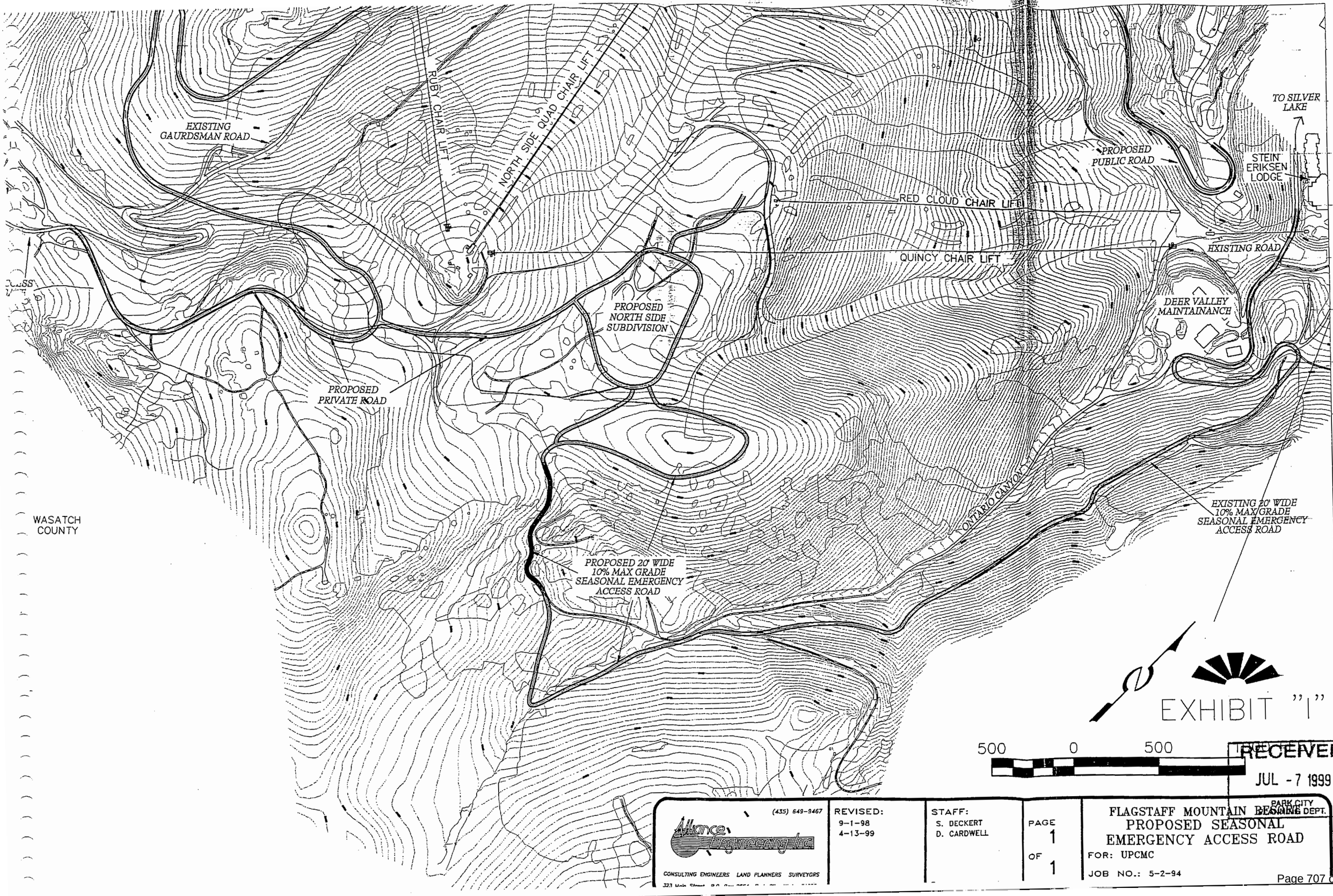
DATE: 6-22-98

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
GAURDSMAN RE-ALIGNMENT
PROPOSED PUBLIC/PRIVATE ROADS

FOR: UPCMC

JOB NO.: 5-2-94
FILE: \UPCMC\OVERALL\D\ROAD-EX



RECEIVED
JUL - 7 1999
PARK CITY PLANNING DEPT.

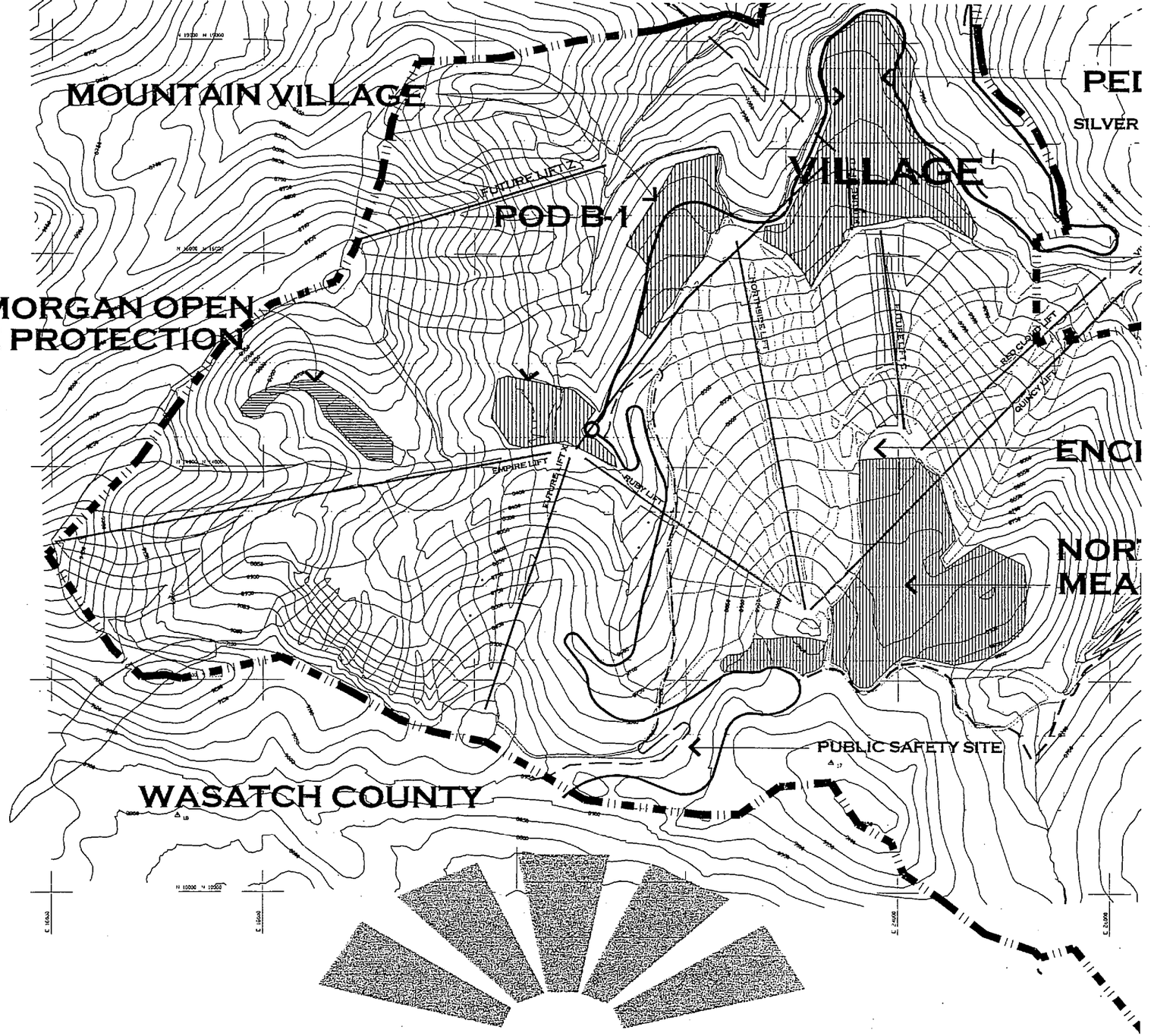
(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

REVISED:
9-1-98
4-13-99

STAFF:
S. DECKERT
D. CARDWELL

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
PROPOSED SEASONAL EMERGENCY ACCESS ROAD
FOR: UPCMC
JOB NO.: 5-2-94



FLAGSTAFF MOUNTAIN RESORT

SUMMIT COUNTY, UTAH

JUNE 1999

0 400 800 2000

PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1726
PARK CITY, UTAH 84969
(801) 647-7744

EXHIBIT J

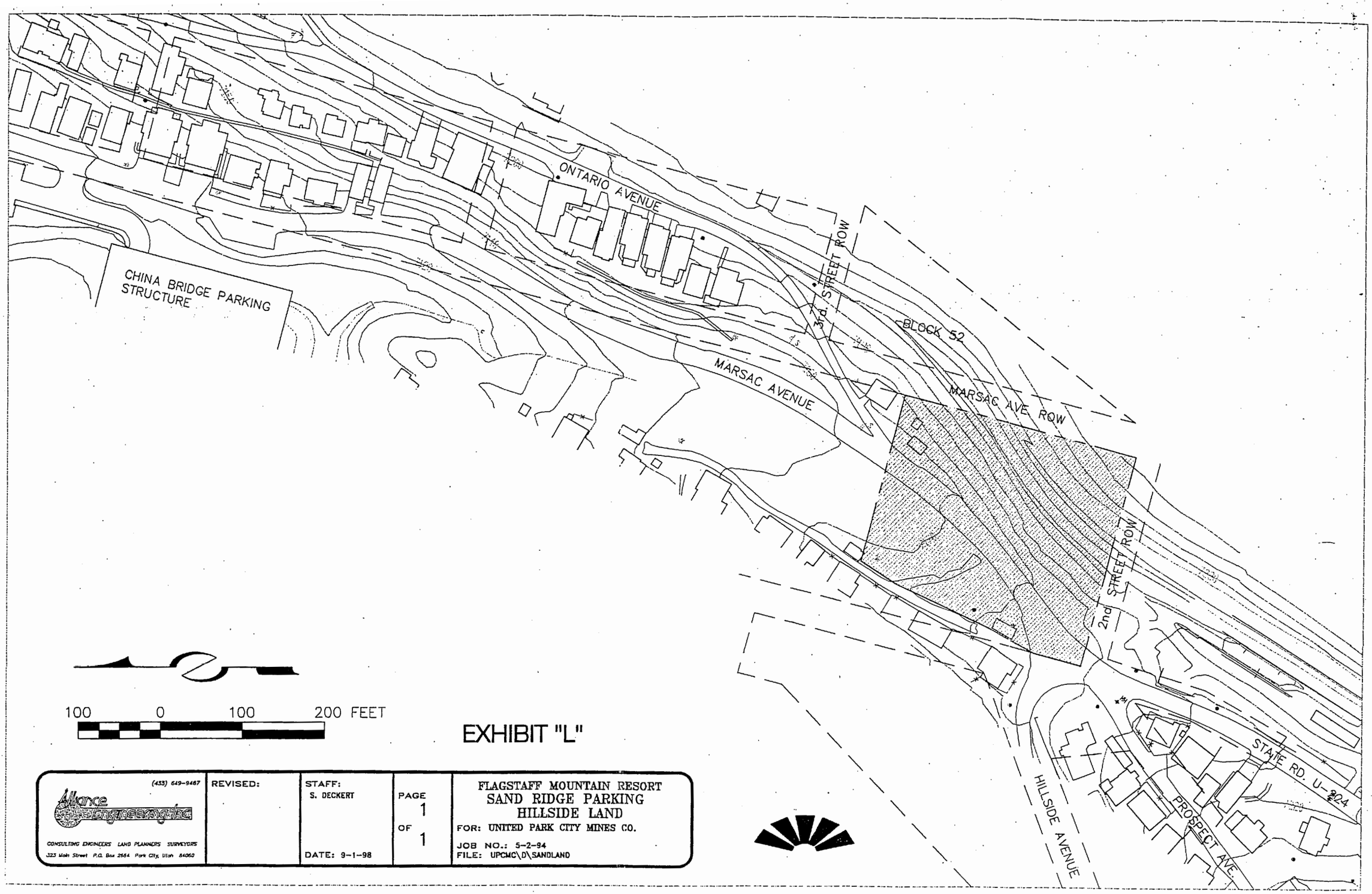


EXHIBIT "L"

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

REVISED:

STAFF: S. DECKERT

DATE: 9-1-98

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
SAND RIDGE PARKING
HILLSIDE LAND
FOR: UNITED PARK CITY MINES CO.
JOB NO.: 5-2-94
FILE: UPCMC\D\SANDLAND

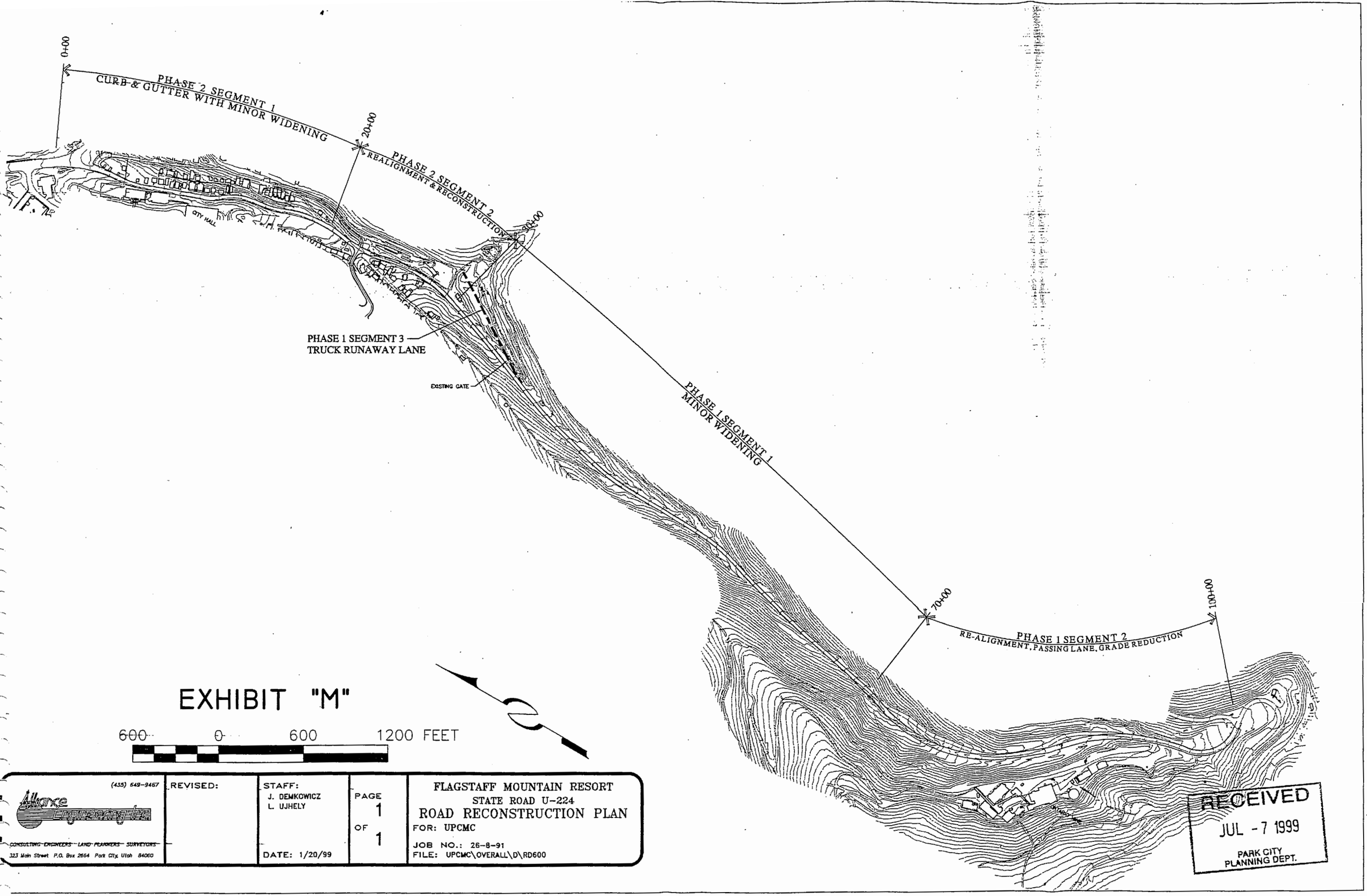


EXHIBIT "M"

600 0 600 1200 FEET

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

REVISED:

STAFF:
J. DEMKOWICZ
L. UJHELY

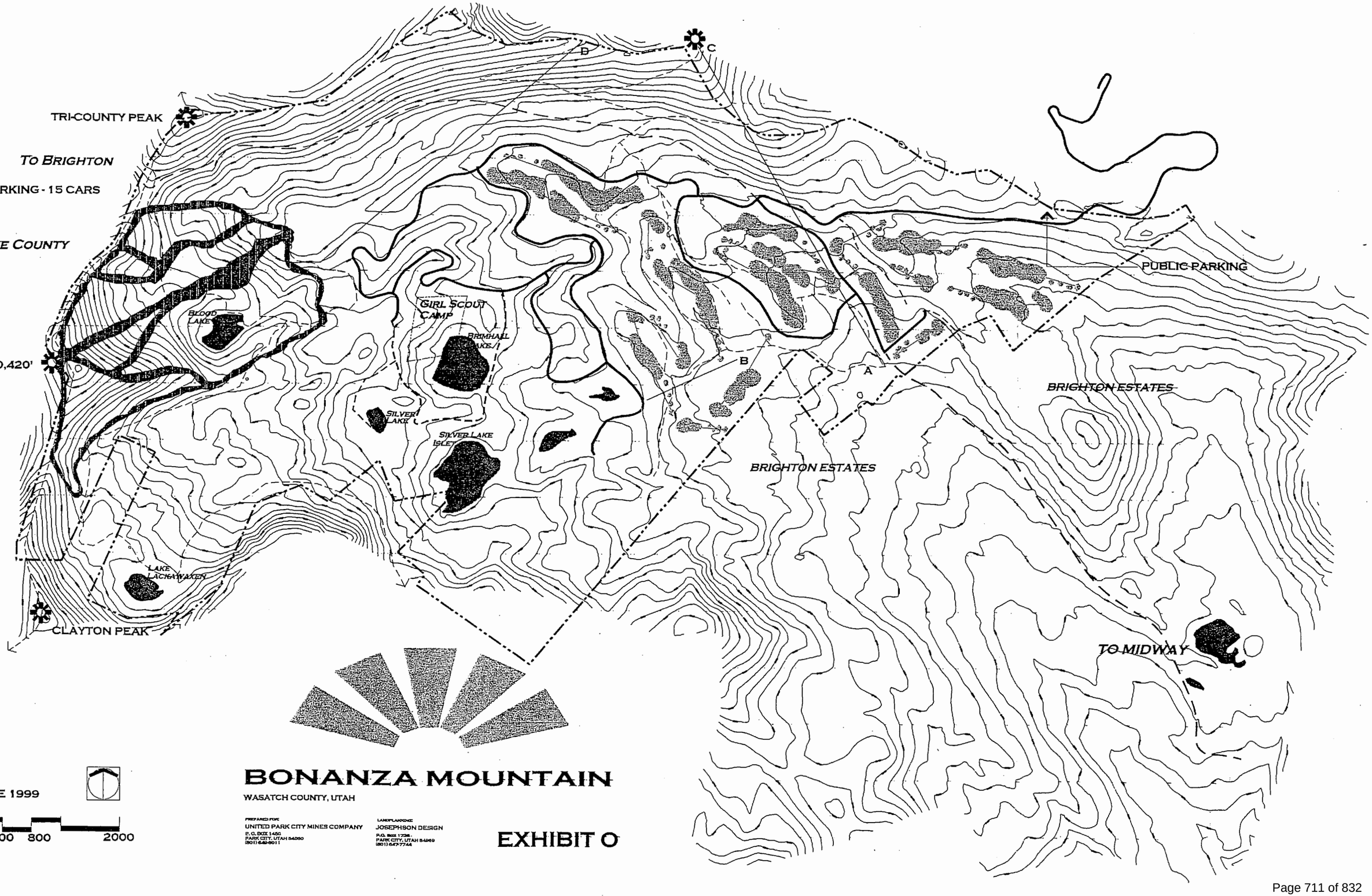
DATE: 1/20/99

PAGE 1 OF 1

FLAGSTAFF MOUNTAIN RESORT
STATE ROAD U-224
ROAD RECONSTRUCTION PLAN
FOR: UPCMC

JOB NO.: 26-8-91
FILE: UPCMC\OVERALL\D\RD600

RECEIVED
JUL - 7 1999
PARK CITY
PLANNING DEPT.



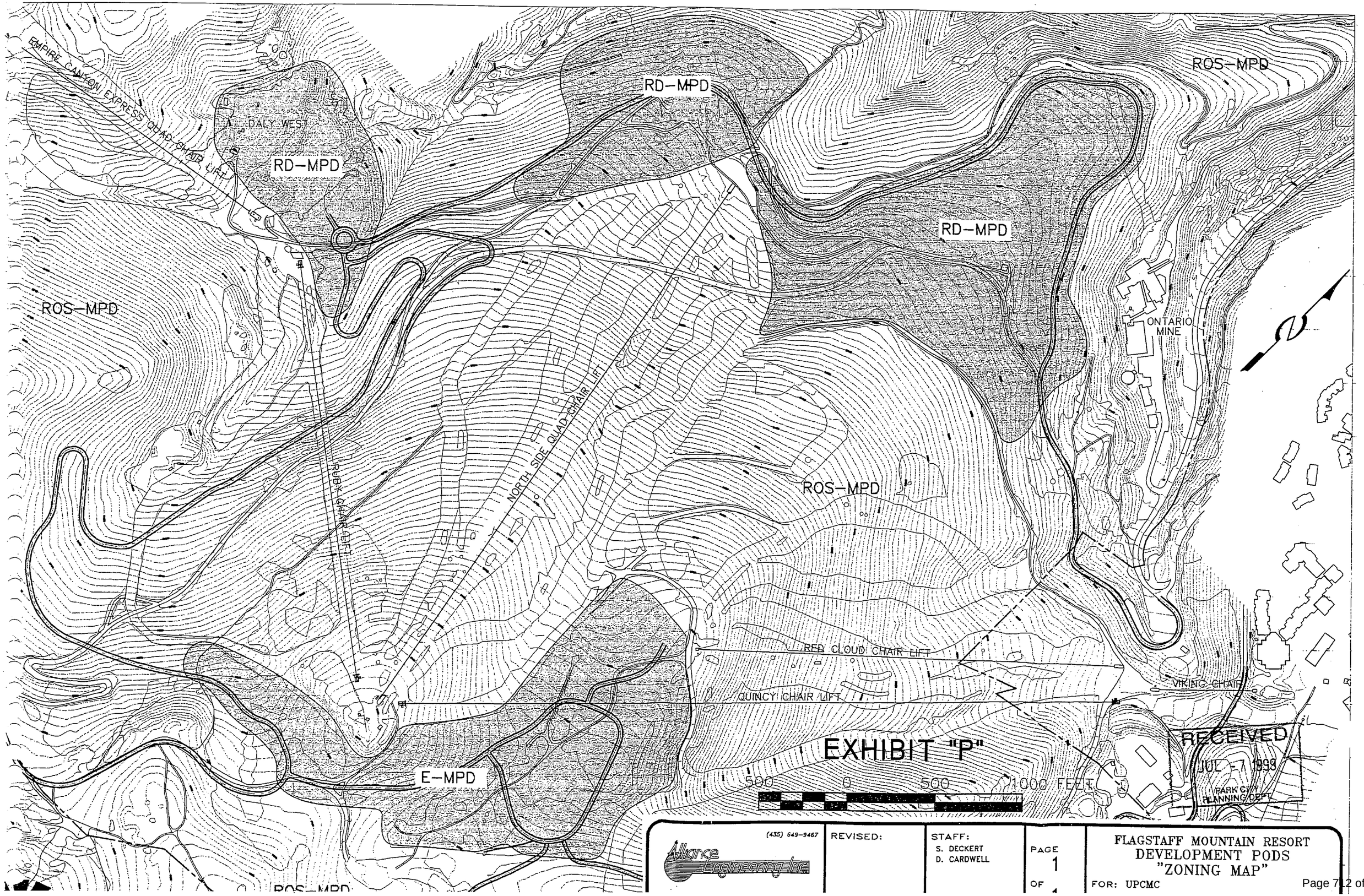
BONANZA MOUNTAIN

WASATCH COUNTY, UTAH

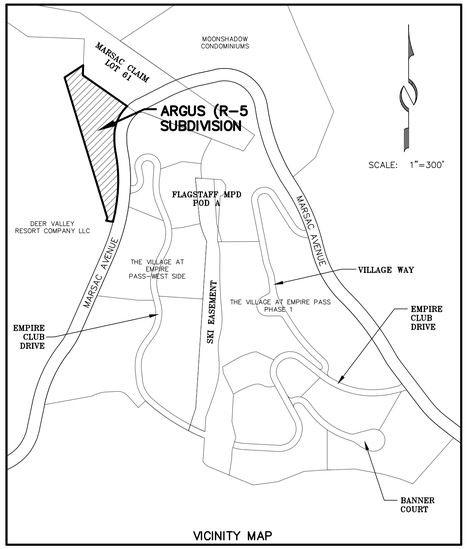
PREPARED FOR:
UNITED PARK CITY MINES COMPANY
P. O. BOX 1450
PARK CITY, UTAH 84060
(801) 649-8011

LANDPLANNING:
JOSEPHSON DESIGN
P.O. Box 1738
PARK CITY, UTAH 84060
(801) 647-7744

EXHIBIT O



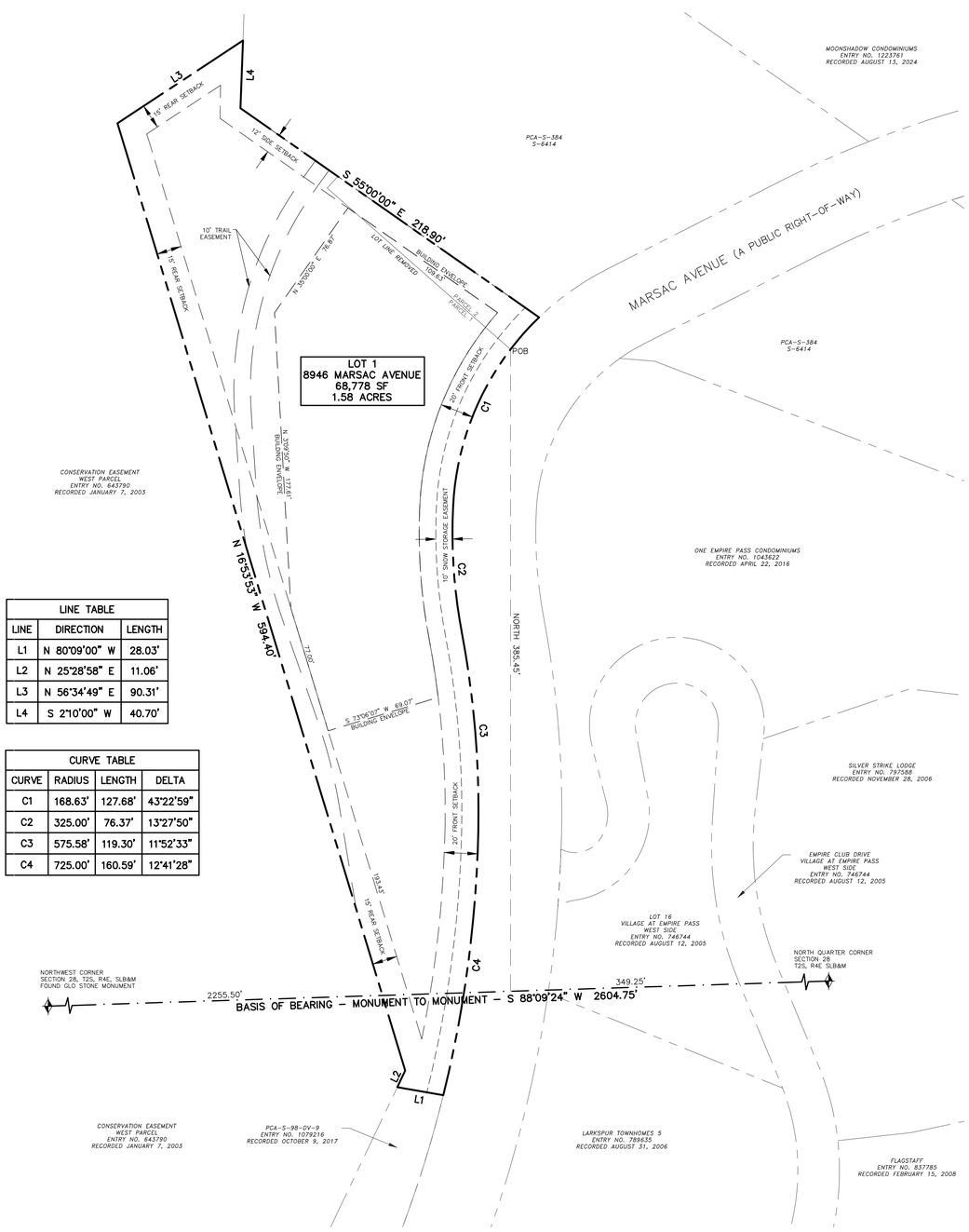
(435) 649-9467 Alliance Engineering Inc	REVISED:	STAFF: S. DECKERT D. CARDWELL	PAGE 1 OF 1	FLAGSTAFF MOUNTAIN RESORT DEVELOPMENT PODS "ZONING MAP" FOR: UPCMC



VICINITY MAP

NOTES

1. This Plat is subject to the Conditions of Approval in the Final Action Letter dated_____, and on file with the Planning Department (PL-25-_____).
2. See Record of Survey S-11309, filed August 2, 2023 in the Summit County Recorders Office.
3. A wastewater ejector pump is required for Lot 1.
4. There shall be a maximum of four dwelling units.
5. There is a maximum permitted density of 12 UEs.
6. The maximum ridgeline elevation is USGS 8062'.
7. Development is subject to the Determination of Natural Grade issued by PCMC Director of Planning on _____, 2025.
8. Perimeter of building to be within the Building Envelope shown. Decks, patios, driveways and landscape improvements may extend beyond subject to compliance with LMC rules for setbacks and Empire Pass Design Review Board approval.
9. Conditions of approval of the Village at Empire Pass Master Planned Development, approved July 28, 2004, shall continue to apply.
10. Conditions of approval of the Amendment to the Empire Pass MPD approved _____, 2025, shall continue to apply.
11. Lot 1 is subject to the Declaration of Development Covenants, recorded November 3, 2003, as Entry No. 1211927 in official records of the Summit County Recorder.
12. In-lieu affordable housing fee shall be paid prior to issuance of building permit as per First Amendment.
13. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel and Iron Mountain recorded at Summit County on March 2, 2007, as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"), and associated technical reports and agreements, continue to apply.
14. All applicable conditions, regulations, requirements and stipulations of the First Amendment to the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel and Iron Mountain ("First Amendment") recorded _____, as Entry No. _____ in Book _____, Page _____ continue to apply.
15. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lot.
16. Fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit.
17. Prior to building permit issuance, documentation from UDOT showing approval of any curb cuts or modifications to existing curb cuts onto Marsac Avenue, a state highway, is required.
18. A conditional use permit approval is required prior to issuance of a building permit for any residential building proposed on Lot 1. A construction mitigation plan shall be submitted with the conditional use permit application and in advance of issuing building permits.
19. A declaration of condominium and a record of condominium plat are required prior to the sale of individual units within the development.
20. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
21. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
22. The Empire Pass Master Owners Association, Inc. (the "Master Association"), together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass (as amended the "Master Declaration") requires the membership of each lot or unit owner. Members are subject to the terms of the Master Association's articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
23. Per that certain Acknowledgement and Waiver [Marsac 100] dated November 30, 2017 by Park City Municipal Corporation, a political subdivision of the State of Utah ("PCMC") and that certain Acknowledgement and Waiver [Mine Bench] dated November 30, 2017 by PCMC, obligations under the Development Agreement for off-site affordable housing and gondola payments have been deemed satisfied, terminated, and fulfilled.



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 80°09'00" W	28.03'
L2	N 25°28'58" E	11.06'
L3	N 56°34'49" E	90.31'
L4	S 2°10'00" W	40.70'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	168.63'	127.68'	43°22'59"
C2	325.00'	76.37'	13°27'50"
C3	575.58'	119.30'	11°52'33"
C4	725.00'	160.59'	12°41'28"

ARGUS (R-5) SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21 AND THE NORTHWEST QUARTER OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

PROFESSIONAL LAND SURVEYOR
No. 4857264
MICHAEL DEMKOWICZ
STATE OF UTAH

SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed or directly supervised a survey of the hereon described property and have referenced a record of survey map of the existing property boundaries in accordance with Section 17-23-17 and have verified the boundary locations and have placed monuments as represented on the plat. I do further certify that by authority of the owners, I have prepared the following amended plat, containing one lot, hereafter to be known as ARGUS (R-5) SUBDIVISION.

LEGAL DESCRIPTION

Parcel 1:

A parcel of land located in the southwest quarter of Section 21 and the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is South 88°09'24" West 349.25 feet coincident with the section line and North 385.45 feet from the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the westerly boundary of Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Summit County Recorder and on a curve to the left having a radius of 168.63 feet, of which the radius point bears South 52°36'24" East; and running thence coincident with the westerly boundary of said Marsac Avenue the following four (4) courses: 1) southerly along the arc of said curve 101.89 feet through a central angle of 34°37'05" to a point of compound curve to the left having a radius of 325.00 feet, of which the radius point bears South 87°13'28" East; thence 2) southerly along the arc of said curve 76.37 feet through a central angle of 13°27'50" to a point of reverse curve to the right having a radius of 575.58 feet, of which the radius point bears South 79°18'42" West; thence 3) southerly along the arc of said curve 119.30 feet through a central angle of 11°52'33" to a point of compound curve to the right having a radius of 725.00 feet, of which the radius point bears North 88°48'45" West; thence 4) southerly along the arc of said curve 160.59 feet through a central angle of 12°41'28"; thence North 80°09'00" West 26.03 feet to a point on the boundary of the Conservation Easement West Parcel, recorded January 7, 2003, as Entry No. 643790; thence coincident with said Conservation Easement West Parcel the following three (3) courses: 1) North 25°28'58" East 11.06 feet; thence 2) North 16°53'53" West 594.40 feet; thence 3) North 56°34'49" East 90.31 feet to the south boundary of Lot 61, Marsac Mining Claim, recorded survey number S-6414; thence coincident with said south boundary the following two (2) courses: 1) South 02°10'00" West 40.70 feet; thence 2) South 55°00'00" East 71.40 feet to a point on the north boundary of said Tract E of that certain Sheriff's Deed, recorded December 30, 2015, as Entry No. 1035997; thence coincident with the boundary of said Tract E the following two (2) courses: 1) South 42°52'33" West 9.49 feet; thence 2) South 48°39'41" East 146.66 feet to the point of beginning.

Parcel 2:

A parcel of land located in the South half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 2255.50 feet along section line and North 385.45 feet from the northwest corner of section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the northerly line of the Marsac Ave right of way, according to the official plat thereof on file and of record in the office of the recorder Summit County Utah; and running thence North 48°39'41" West 146.66 feet; thence North 42°52'33" East 226.98 feet; thence North 77°20'25" East 168.54 feet; thence North 67°04'29" East 217.09 feet; thence South 80°27'35" East 106.33 feet; thence South 36°22'10" East 230.71 feet; thence South 27°16'00" East 272.20 feet; thence South 70°23'37" West 169.25 feet to a point on the northerly line of the Marsac Avenue right of way and on 725.00 feet radius curve to the right; thence along the northerly line of the Marsac Avenue Right of Way the following (6) courses: 1) Northerly along the arc of side curve 141.56 feet (chord bears North 13°13'54" West 141.33 feet) to a point on a 175.00 foot radius reverse curve to the left of which the radius point bears South 82°21'42" West; thence 2) Northwesterly along the arc of said curve 290.23 feet through a central angle of 95°01'25"; thence 3) South 77°20'18" West 65.40 feet to a point on a 625.00 foot radius curve to the left of which the radius point bears South 12°39'42" East; thence 4) Westerly along the arc of said curve 155.41 feet though a central angle of 14°14'48; thence 5) South 63°05'30" West 116.81 feet to a point on a 168.63 foot radius curve to the left of which the radius point bears South 26°54'30" East; thence 6) Southwesterly along the arc of said curve 75.63 feet through a central angle of 25°41'54" to the point of beginning. Less and Excepting any portion lying within the Marsac Lode Mining Claim, Lot 61. Also, Less and Excepting Moonshadow Condominiums First Amended and Restated recorded August 13, 2024, as Entry No. 1223761 in the Office of the Recorder, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, to be hereafter known as ARGUS (R-5) SUBDIVISION and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2025.

Redus Park City LLC,
a Delaware limited liability company

By: Redus Properties, Inc.
a Delaware corporation, its Manager

By: _____
David Ash, Sr. Vice President

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2025, _____ personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of Redus Park City, LLC, a Florida limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the ARGUS (R-5) SUBDIVISION.

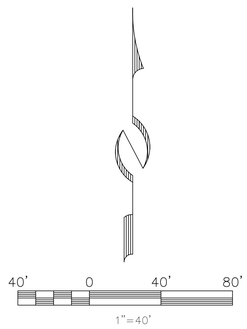
By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____



DRAFT FOR REVIEW

SHEET 1 OF 1

4/28/25 JOB NO.: 12-2-16 FILE: \\server\X\Empire\dwg\srv\plat2016\120216-sd-5.dwg

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2025
BY _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2025
BY _____
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2025
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 2025
BY _____
PARK CITY ATTORNEY

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS _____ DAY OF _____, 2025
BY _____
SUMMIT COUNTY GIS COORDINATOR

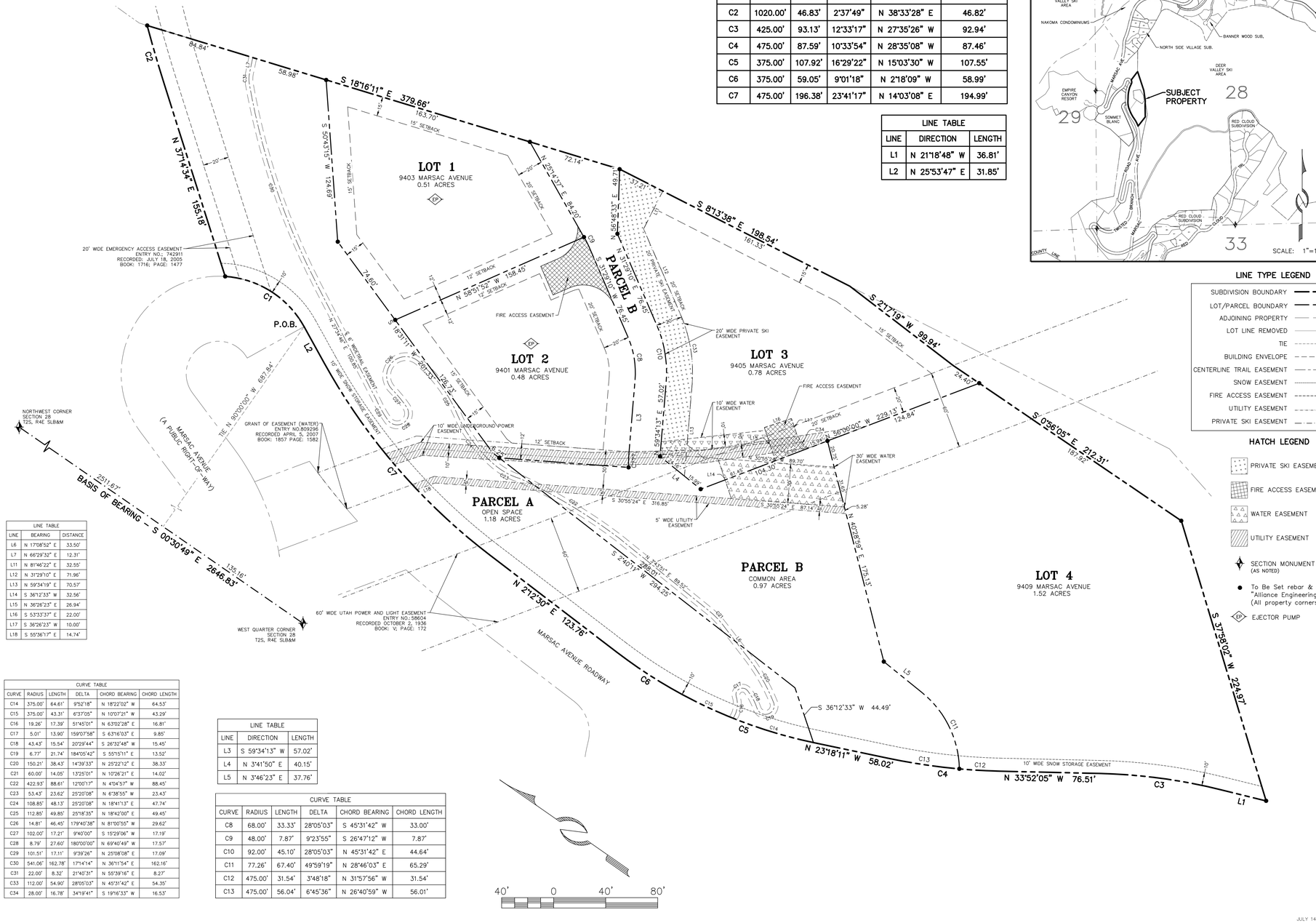
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
_____ FEE _____ RECORDER
TIME _____ DATE _____ ENTRY NO. _____

GUARDSMAN SUBDIVISION

LOCATED IN THE WEST HALF OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2024-_____.
2. See Record of Survey S-_____, filed _____ _____, 202_ in the Summit County Recorders Office.
3. The gross floor area is 8,000 square feet per lot.
4. Homes may not include any floors below the basement level.
5. The improvement envelope is limited to 8,000 square feet excluding driveways and auto courts but including hard surface patio areas. Locatio of improvement envelope to be approved by EPMOA DRB.
6. The trail easement through Common Area is 6' on either side of the constructed trail.
7. Private Ski Easements: a non-exclusive easement are for the use, benefit, and enjoyment of the designated lot owners and/or members of the association as provided in the project declaration and these easements are noted on this plat.


LOT 1
9403 MARSAC AVENUE
0.51 ACRES
LOT 2
9401 MARSAC AVENUE
0.48 ACRES
LOT 3
9405 MARSAC AVENUE
0.78 ACRES
LOT 4
9409 MARSAC AVENUE
1.52 ACRES
PARCEL A
OPEN SPACE
1.18 ACRES
PARCEL B
COMMON AREA
0.97 ACRES
P.O.B.
N 37°14'34" E 155.18'
S 18°16'11" E 379.66'
S 81°13'38" E 198.54'
S 21°19" W 99.94'
S 0°56'05" E 212.31'
S 37°58'02" W 224.97'
N 21°18'48" W 36.81'
N 25°53'47" E 31.85'
N 21°30'50" W 124.69'
N 25°14'37" E 84.20'
N 56°48'37" E 49.37'
N 3°46'23" E 37.76'
S 59°34'13" W 57.02'
N 23°18'11" W 58.02'
N 33°52'05" W 76.51'
N 40°28'59" E 175.13'
N 21°30'50" W 124.69'
N 21°2'30" E 123.76'
S 36°12'33" W 44.49'
S 30°55'24" E 316.85'
S 24°01'08" W 294.25'
S 3°46'23" E 37.76'
S 59°34'13" W 57.02'
N 56°48'37" E 49.37'
S 25°14'37" W 84.20'
S 0°43'15" W 124.69'
N 58°51'52" W 158.45'
S 18°16'11" W 126.21'
N 30°55'24" W 89.70'
S 30°55'24" E 87.14'
N 59°34'13" E 89.39

May 28, 2025

Rebecca Ward, Planning Director, PCMC
CC: Alec Barton, Senior Planner, PCMC
445 Marsac Ave
Park City, UT 84060

SUBJECT: Argus Plat (Empire Drive and Marsac Ave.) Third Party Review

Dear Rebecca:

At the request of the city, Horrocks performer a third-party review of the preliminary plat and natural grade exhibits for parcel PCA-S-98-SD-5 as prepared by Alliance Engineering on behalf of Redus LLC.

Our understanding for the city's request is that determination of the natural grade of the site was critical to the approval/denial of the development application due to maximum slope limitations outlined in the city's development code. The site currently has slopes which exceed the maximum allowable by city code for development, however, natural grade prior to any development may have been flatter and thus meet the city's code for development under a steep slope conditional use permit.

Once the exhibits were received, Horrocks completed an desktop review of the provided materials (natural grade exhibit, 2024 survey, historic maps) as well as a review of aerial imagery and street view for the area. In our initial review of the materials we found nothing that would indicate errant data.

Upon completion of the desktop survey, Horrocks arranged an on-site meeting to review the site and take natural grade survey shots to compare with the exhibits provided by the developer. Members of the site visit included myself (Horrocks Community Infrastructure Planning Manager), Kade Olson (Horrocks Survey Technician), a representative from Redus LLC, and Alec Barton (PCMC Senior Planner). Our findings from the site visit are outlined below and highlighted on the attached exhibit.

1. In general, we agree with the natural grade exhibit prepared by Alliance engineering on behalf of Redus LLC. Because disturbances on the property date back to the early 1900s and erosion has also occurred over the last 100 years, pinpointing the exact natural grade would be nearly impossible.

2. Areas that we think could be modified are redlined on the natural grade exhibit attached. The edits are very minor and are unlikely to change any determination of suitability for development as relates to natural grade.

3. The proposed easement location for the trail is located on what appears to be a 2:1 to 3:1 slope. This will make initial construction and maintenance of the trail difficult (but not impossible). We recommend that if possible, the city request a typical section of how a trail would be constructed on this steep slope be provided as a condition of the approval.

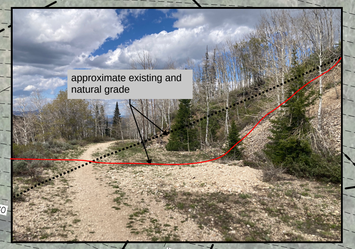
Please lets us know if you have any questions or concerns regarding our findings.

Sincerely,

Zach Scott, PLA
Community Infrastructure Planning Manager, Horrocks
P: 435-659-4771 | E: zach.scott@horrocks.com







The slope where the trail is proposed varies from 2:1 (50%) to 3:1 (33%). Trail construction is not impossible but will be difficult and should be considered by the city when approving the final design of the trail.

Approximate location of proposed trail relocation easement.

"Natural Grade" would assume that this wall never existed. The contours as shown may not be fully representative of this.

Horrocks Survey Test Location. Verified Alliance 2024 Topo accurate, and agree with Natural Grade Determination.

Horrocks Survey Test Location. Verified Alliance 2024 Topo accurate, and agree with Natural Grade Determination.

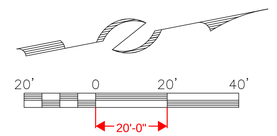
Horrocks Survey Test Location. Verified Alliance 2024 Topo accurate, and agree with Natural Grade Determination.

Horrocks Survey Test Location. Verified Alliance 2024 Topo accurate, and agree with Natural Grade Determination.



"NATURAL GRADE", AS DEFINED BY CITY CODE, WOULD'VE SHOWN CONDITIONS PRIOR TO ANY DEVELOPMENT. AS SUCH, THE CUT AND FILL FOR THE ROADWAY HERE WOULD NOT BE PRESENT. WHILE MOST OF THIS IS OUTSIDE OF THE PARCEL IN QUESTION, THERE ARE CLEAR FILL SLOPES FROM THE ROAD THAT EXTEND INTO THE PARCEL, MAKING THE UPPER PORTION OF THE PARCEL APPEAR STEEPER THAN IT ORIGINALLY WOULD'VE BEEN.





*NOTES ON THIS EXHIBIT ARE FOR THE PURPOSES OF CONVEYING FINDINGS FROM A SITE VISIT PERFORMED BY HORROCKS ON 5-20-2025. NOTES AND REDLINES ARE SUPPLEMENTAL AND FOR INFORMATIONAL PURPOSES ONLY AND DO NOT MODIFY, CHANGE, OVERRIDE, OR UPDATE ANYTHING PREVIOUSLY PREPARE BY ALLIANCE ENGINEERING.

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

STAFF:
CONNOR FRASER
THOMAS VAUGHN

DATE: 11/4/24

NATURAL GRADE WITH AERIAL
TAX PARCEL PCA-S-98-SD-5

FOR: REDUS, LLC
JOB NO.: 12-2-16
FILE: x\Empire\dwg\srv\topo2016\120216-SD-5 Site\120216.dwg

SHEET 3 OF 3

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 80°09'00" W	28.03' (26.03')
L2	N 25°28'58" E	11.06'
L3	S 2°10'00" W	40.70'
L4	S 55°00'00" E	71.40'
L5	S 42°52'33" W	9.49'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	168.63'	101.89'	34°37'05"
C2	325.00'	76.37'	13°27'50"
C3	575.58'	119.30'	11°52'33"
C4	725.00'	160.59'	12°41'28"



435-649-9467

ALLIANCE ENGINEERING

CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS

P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

STAFF:
CONNOR FRASER
THOMAS VAUGHN

DATE: 06/24/25

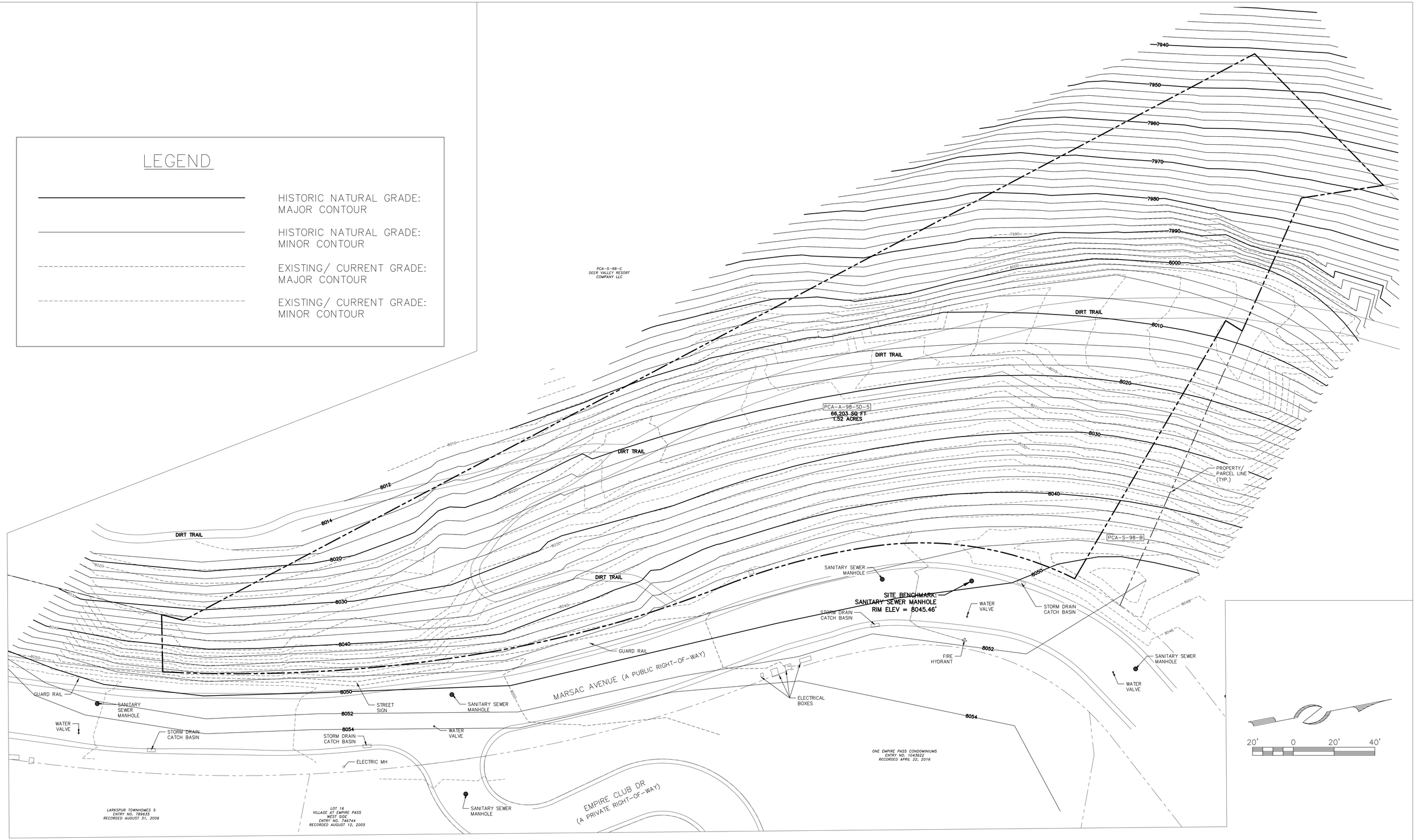
HISTORICAL NATURAL GRADE
TAX PARCEL PCA-S-98-SD-5

FOR: REDUS, LLC
JOB NO.: 12-2-16
FILE: x\Empire\dwg\srv\topo2016\120216-SD-5 Site\120216.dwg

SHEET 1 OF 2

LEGEND

- HISTORIC NATURAL GRADE: MAJOR CONTOUR
- HISTORIC NATURAL GRADE: MINOR CONTOUR
- EXISTING/ CURRENT GRADE: MAJOR CONTOUR
- EXISTING/ CURRENT GRADE: MINOR CONTOUR



435-649-9467

ALLIANCE ENGINEERING

CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS

P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

STAFF:
CONNOR FRASER
THOMAS VAUGHN

DATE: 06/24/25

HISTORICAL GRADE VS. EXISTING GRADE
TAX PARCEL PCA-S-98-SD-5

FOR: REDUS, LLC
JOB NO.: 12-2-16
FILE: x\Empire\dwg\srv\topo2016\120216-SD-5 Site\120216.dwg

SHEET 2 OF 2

Empire Pass R-5

Residential Program Fit Test

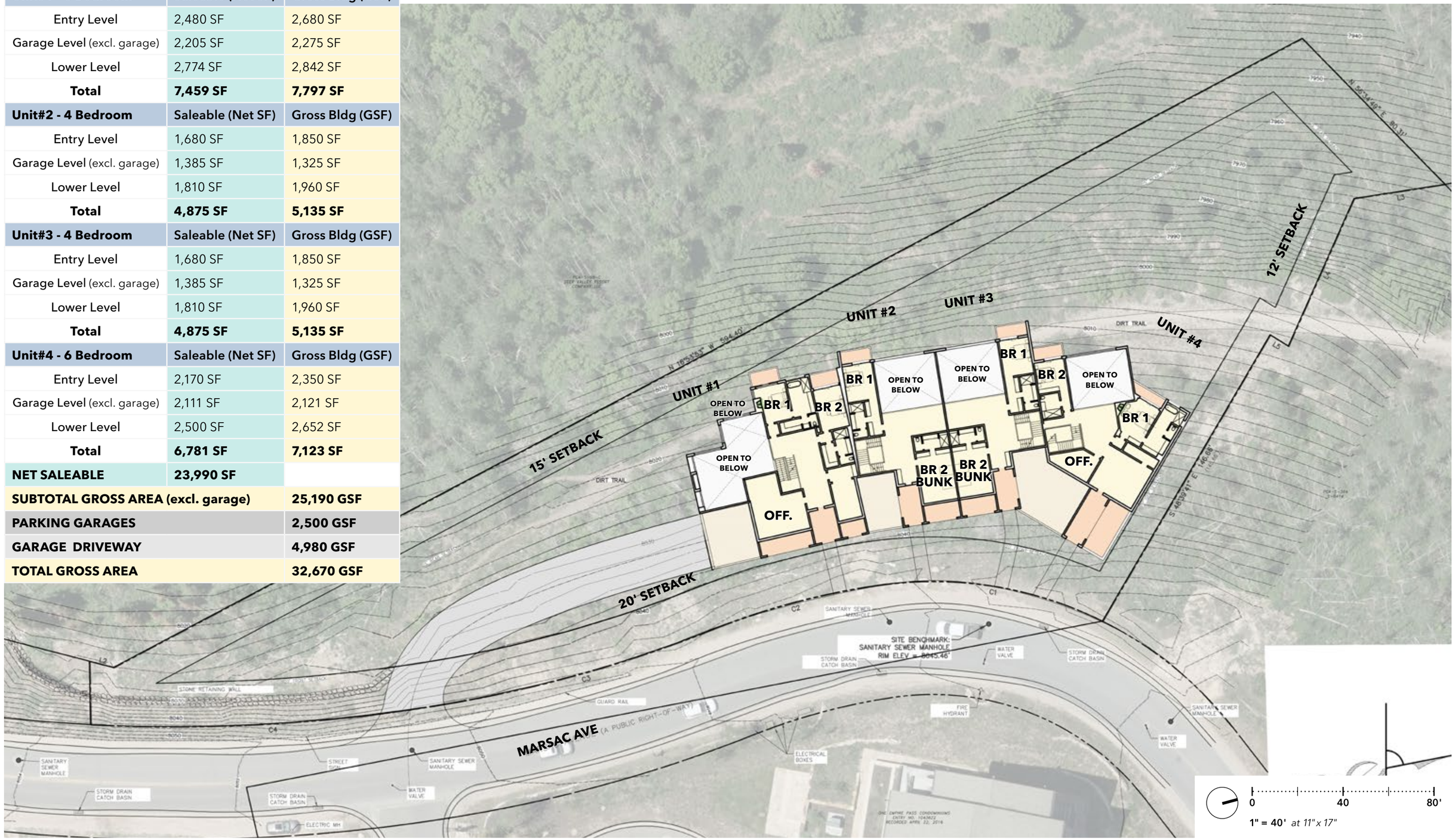
APRIL 24, 2025

HART HOWERTON

NEW YORK · SAN FRANCISCO

Preliminary Area Tabulation (Conditioned)

Unit#1 - 6 Bedroom	**Saleable (Net SF)**	**Gross Bldg (GSF)**
Entry Level	2,480 SF	2,680 SF
Garage Level (excl. garage)	2,205 SF	2,275 SF
Lower Level	2,774 SF	2,842 SF
Total	**7,459 SF**	**7,797 SF**
Unit#2 - 4 Bedroom	**Saleable (Net SF)**	**Gross Bldg (GSF)**
Entry Level	1,680 SF	1,850 SF
Garage Level (excl. garage)	1,385 SF	1,325 SF
Lower Level	1,810 SF	1,960 SF
Total	**4,875 SF**	**5,135 SF**
Unit#3 - 4 Bedroom	**Saleable (Net SF)**	**Gross Bldg (GSF)**
Entry Level	1,680 SF	1,850 SF
Garage Level (excl. garage)	1,385 SF	1,325 SF
Lower Level	1,810 SF	1,960 SF
Total	**4,875 SF**	**5,135 SF**
Unit#4 - 6 Bedroom	**Saleable (Net SF)**	**Gross Bldg (GSF)**
Entry Level	2,170 SF	2,350 SF
Garage Level (excl. garage)	2,111 SF	2,121 SF
Lower Level	2,500 SF	2,652 SF
Total	**6,781 SF**	**7,123 SF**
NET SALEABLE	**23,990 SF**	
SUBTOTAL GROSS AREA (excl. garage)		**25,190 GSF**
PARKING GARAGES		**2,500 GSF**
GARAGE DRIVEWAY		**4,980 GSF**
TOTAL GROSS AREA		**32,670 GSF**

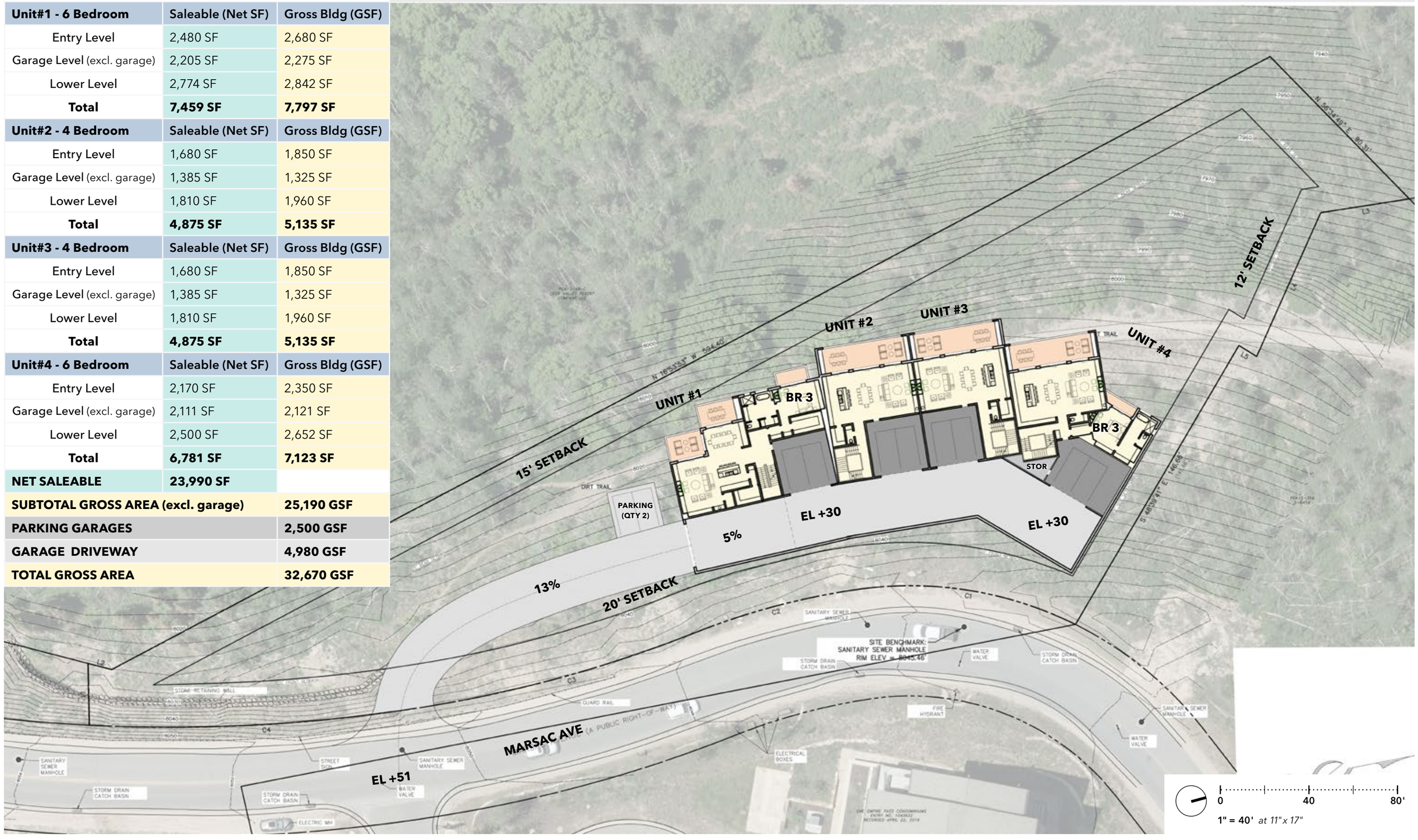


Empire Pass R-5 | Entry Level EL +42.0

Empire Pass, Deer Valley UT April 24, 2025

Preliminary Area Tabulation (Conditioned)

Unit#1 - 6 Bedroom	**Saleable (Net SF)**	**Gross Bldg (GSF)**
Entry Level	2,480 SF	2,680 SF
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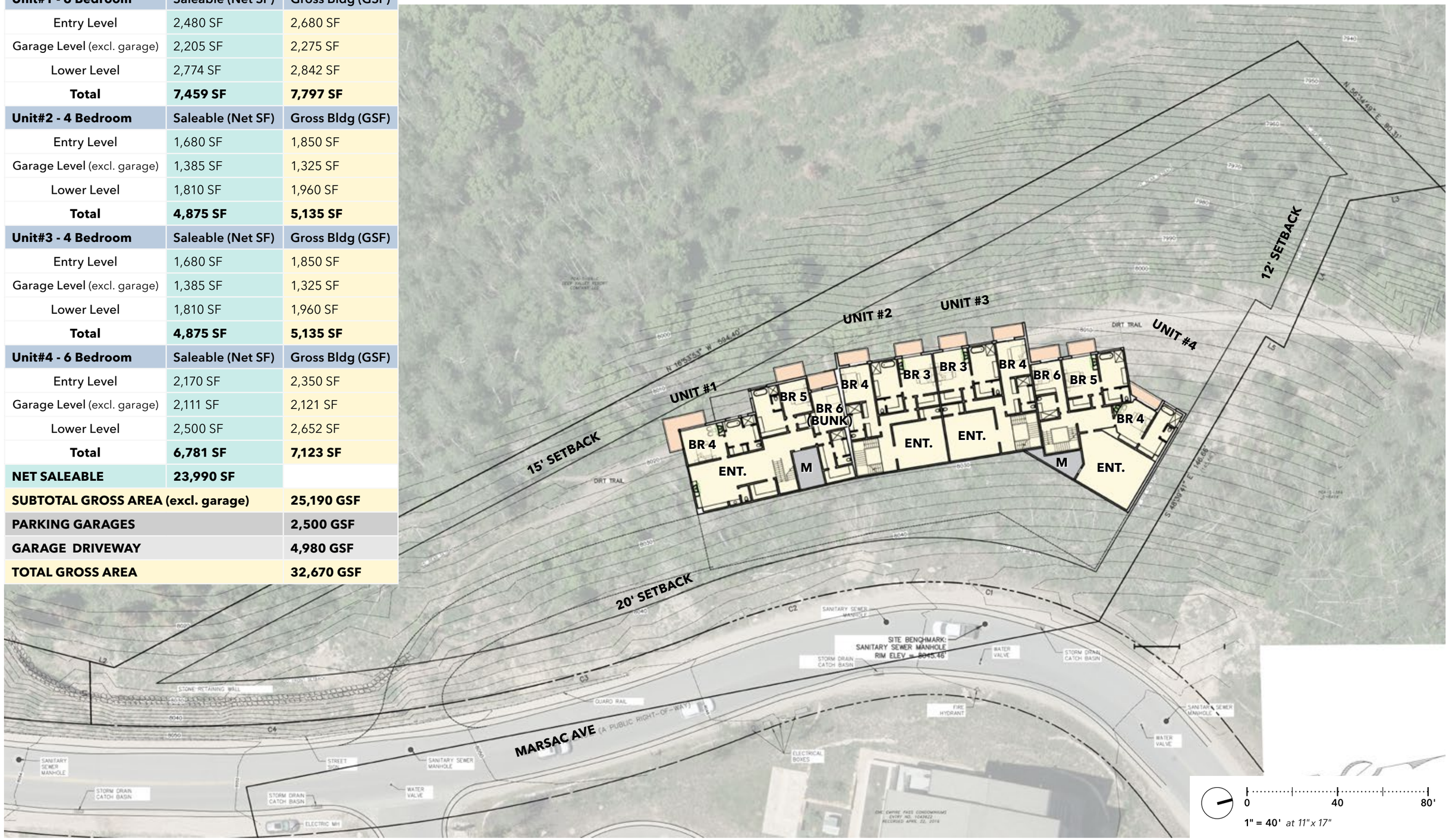


Empire Pass R-5 | Garage Level EL +30.0

Empire Pass, Deer Valley UT April 24, 2025

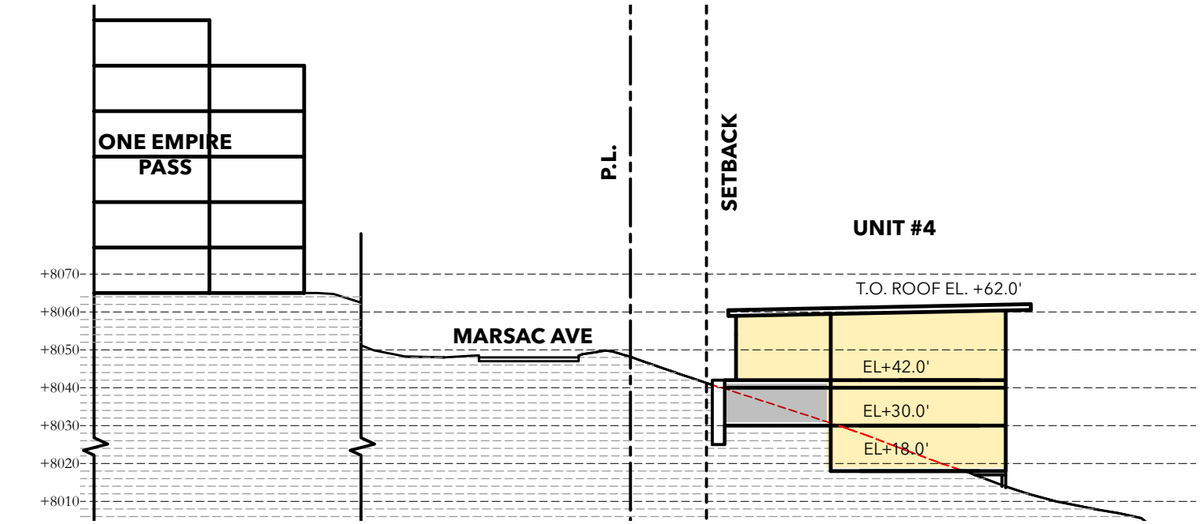
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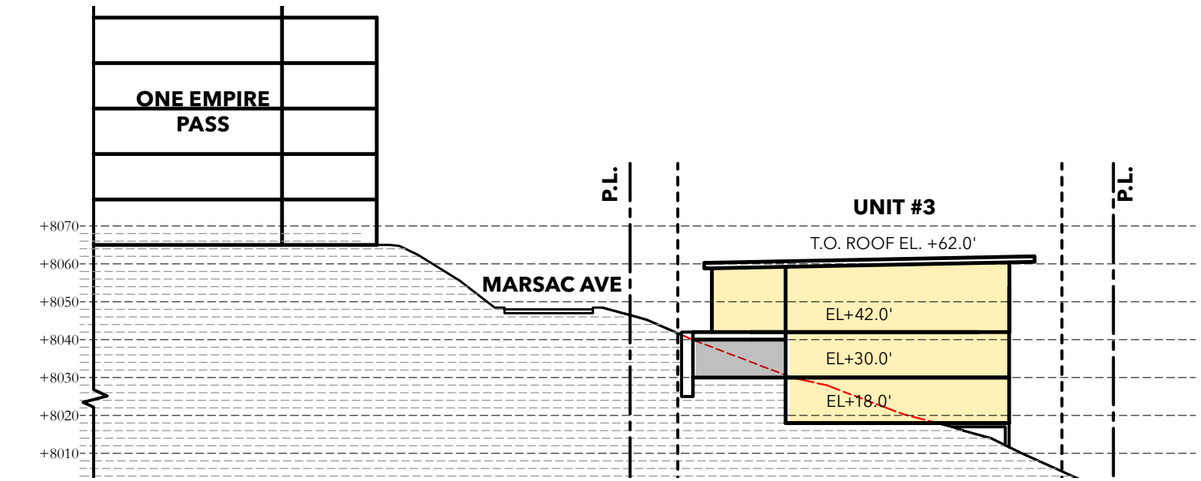


Empire Pass R-5 | Lower Level EL +18.0

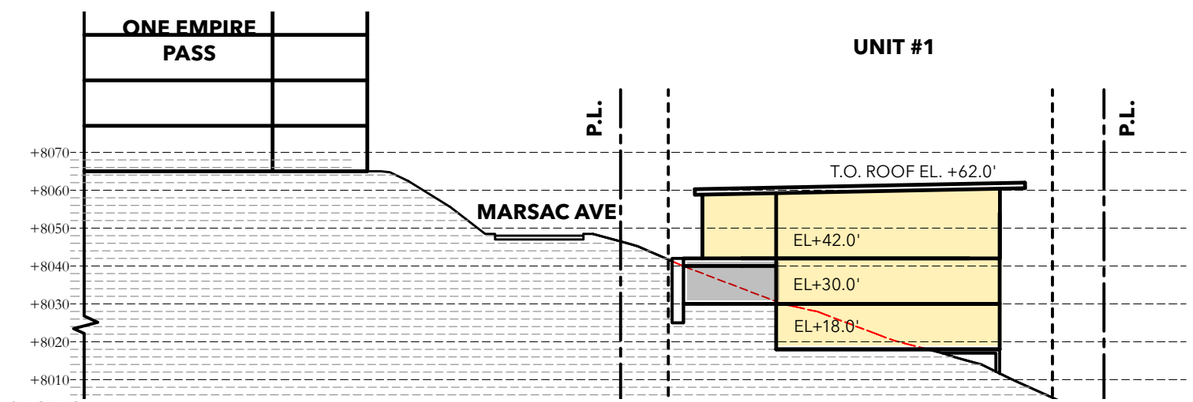
Empire Pass, Deer Valley UT April 24, 2025



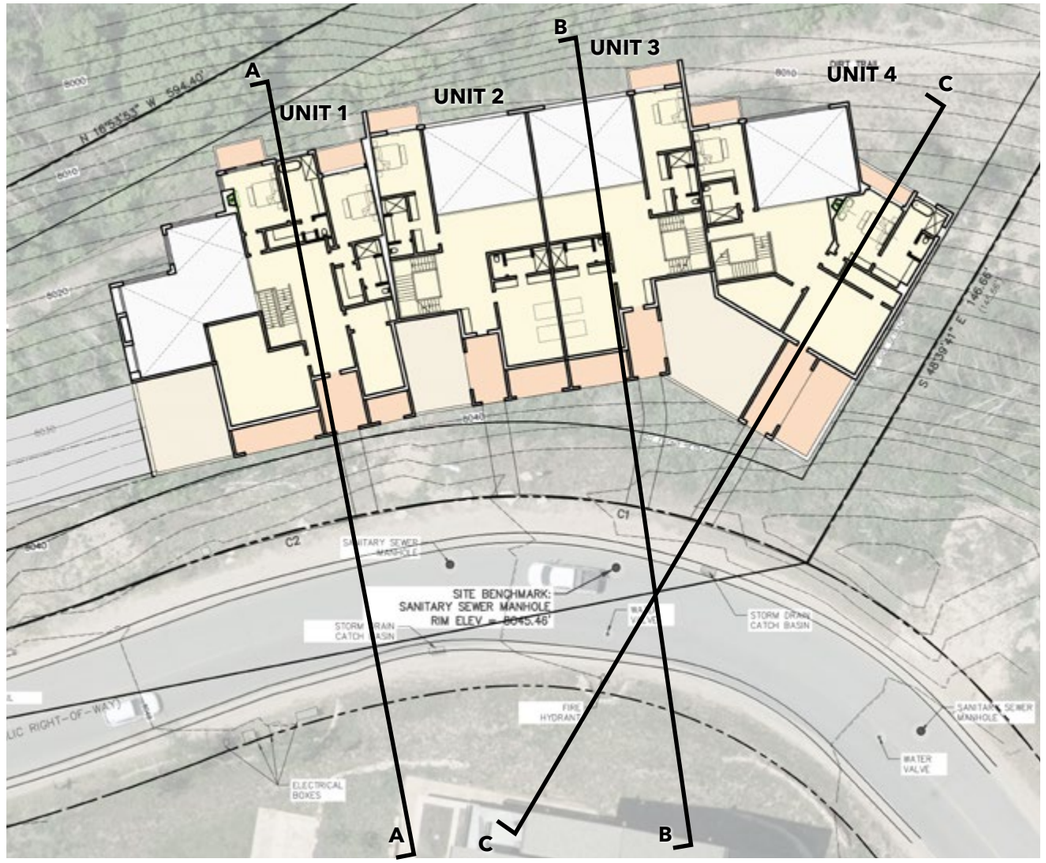
SECTION C



SECTION B



SECTION A



SECTION KEY PLAN

0 40 80'

1" = 40' *at 11"x 17"*

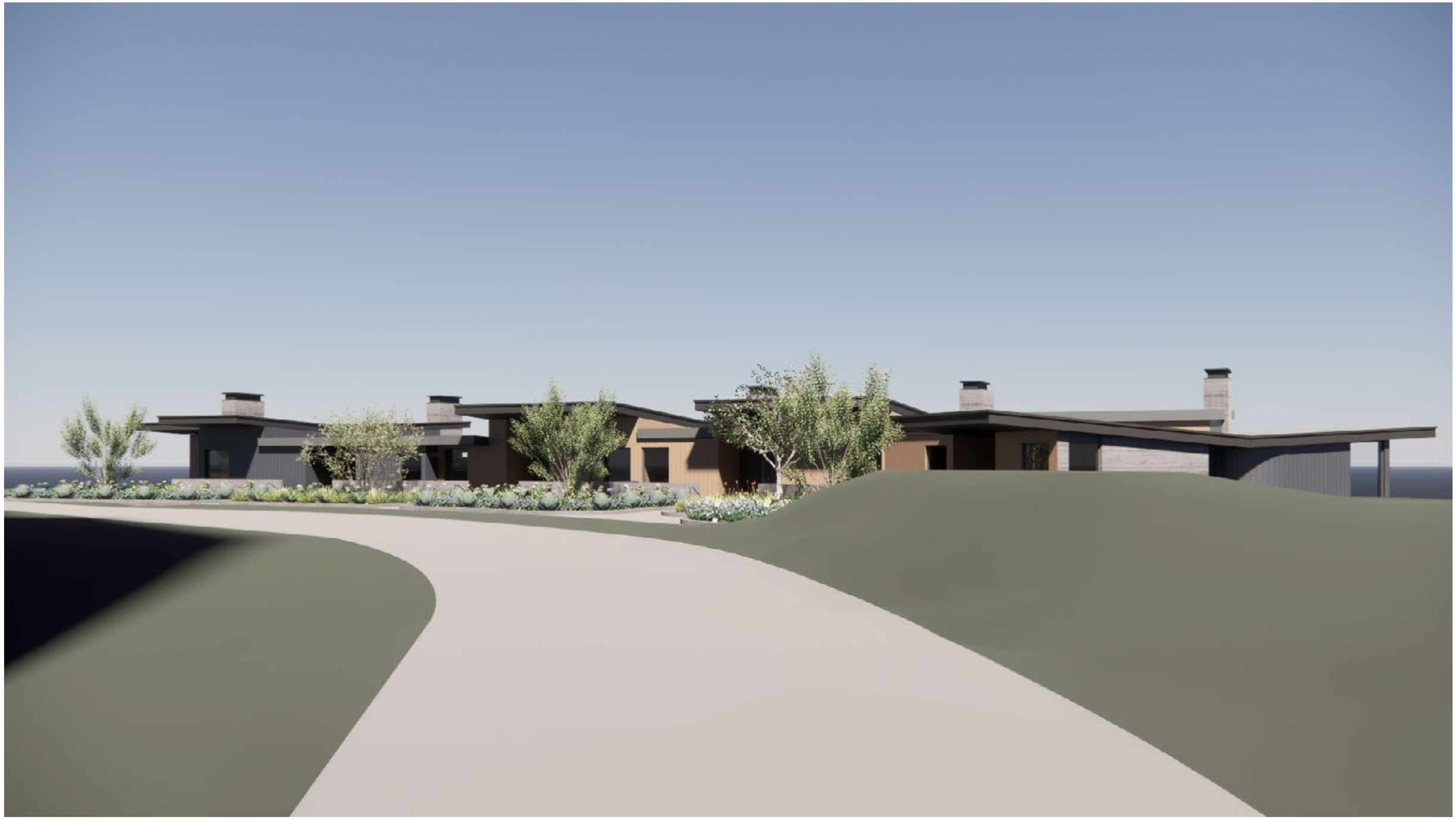
Empire Pass R-5 | Diagrammatic Site Section

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - View from Marsac Ave. toward North

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - View from Marsac Ave. toward Southwest

Empire Pass, Deer Valley UT April 24, 2025

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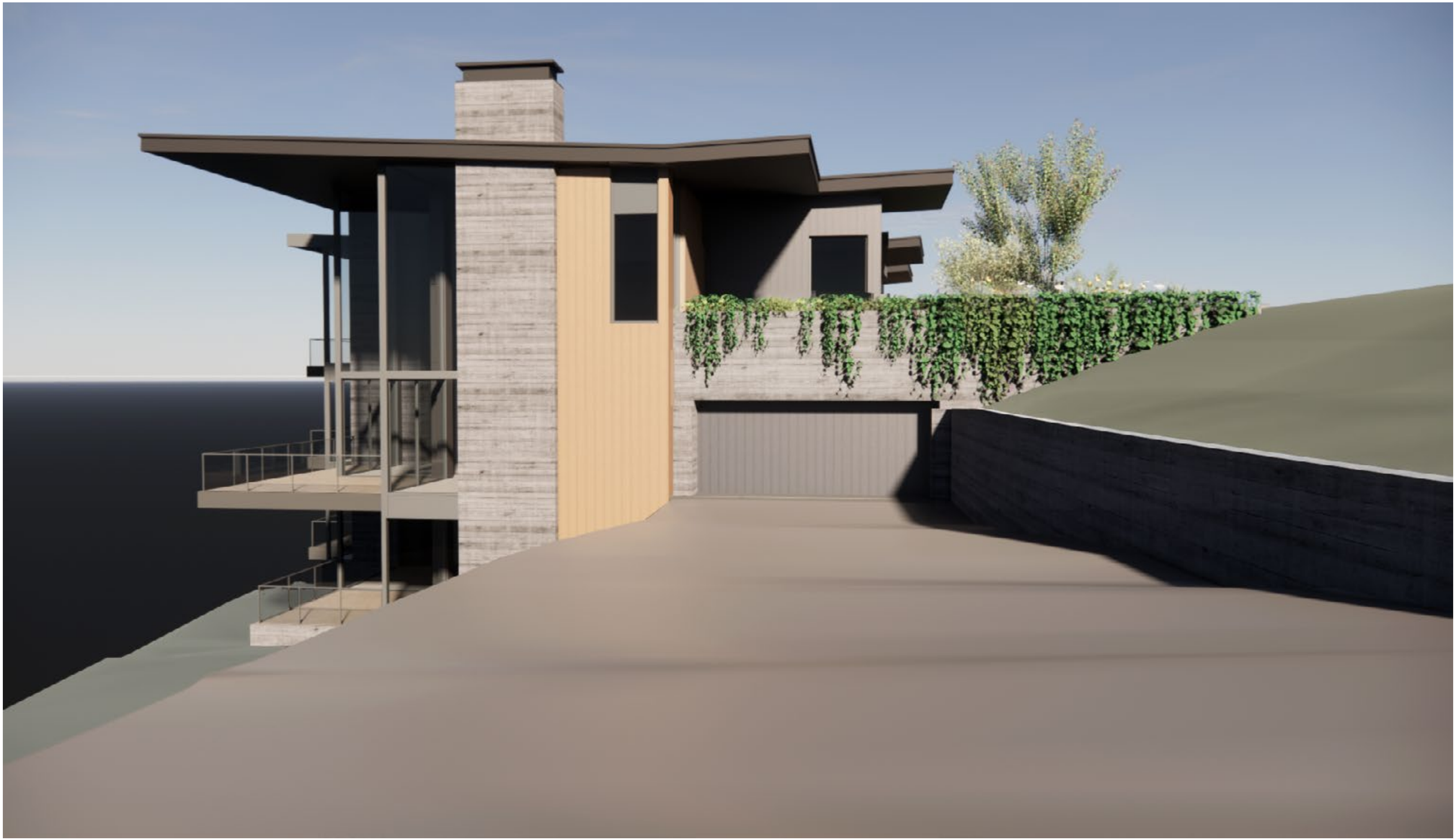
Empire Pass R-5 | 3D Model View - Aerial View toward Northeast

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - Aerial View toward Southwest

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - View toward Garage Entry

Empire Pass, Deer Valley UT April 24, 2025

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Empire Pass R-5 | 3D Model View - View toward North

Empire Pass, Deer Valley UT April 24, 2025

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Empire Pass R-5 | 3D Model View - View toward West

Empire Pass, Deer Valley UT April 24, 2025

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Empire Pass R-5 | 3D Model View - View toward East

Empire Pass, Deer Valley UT April 24, 2025

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Empire Pass R-5 | 3D Model View - View toward South

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - View toward South

Empire Pass, Deer Valley UT April 24, 2025

HART HOWERTON

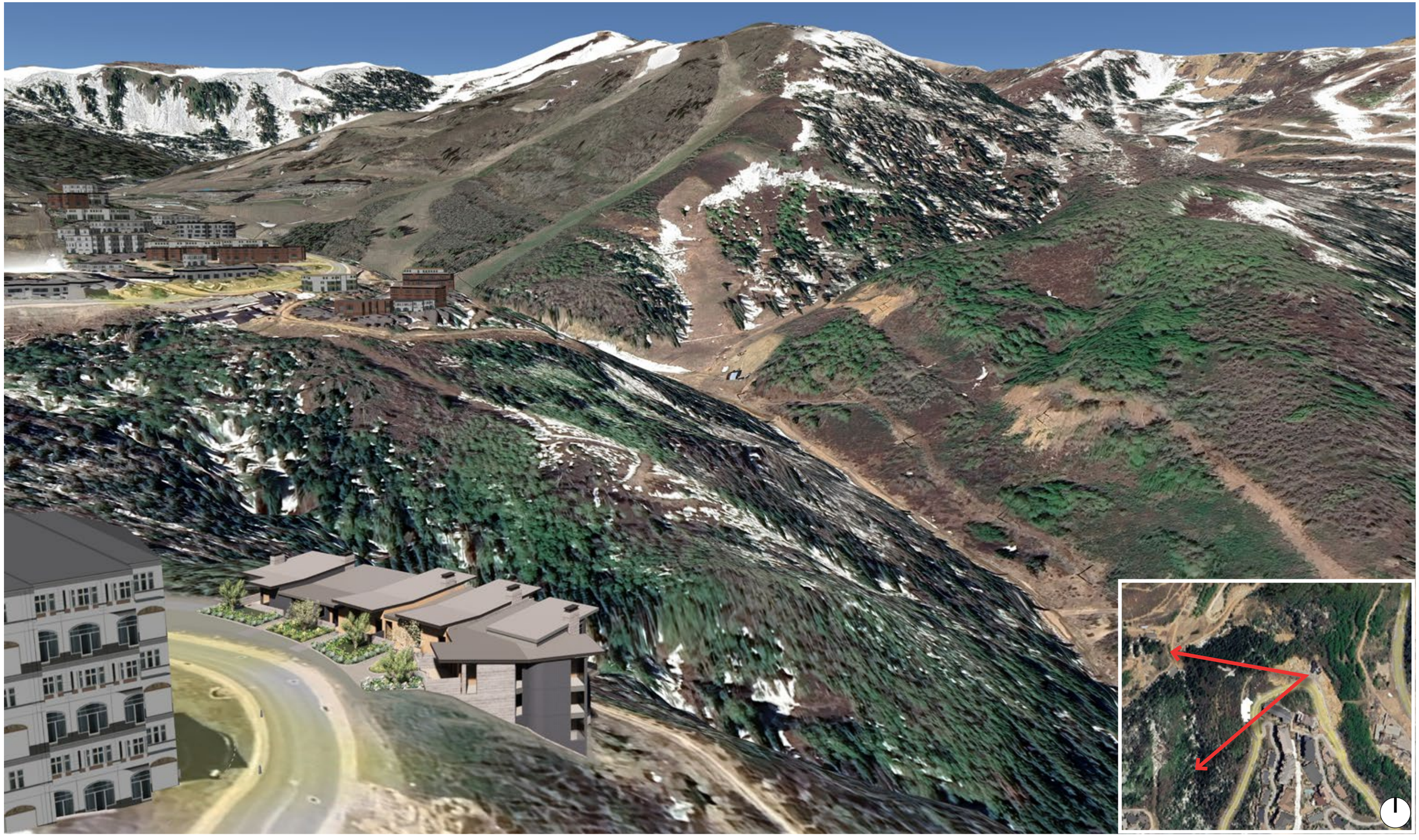
Empire Pass R-5 | 3D Model View - View from Marsac Ave. toward Northwest

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - View from Marsac Ave. toward North

Empire Pass, Deer Valley UT April 24, 2025



Empire Pass R-5 | 3D Model View - View toward Mountains

Empire Pass, Deer Valley UT April 24, 2025

Argus (R-5) Development Site (Empire Pass Pod A)

Amendment to Approved MPD and Plat Approval of Development Site
Project Narrative

April 29, 2025

R-5 is the development site immediately west of One Empire Lodge on the low side of Marsac Avenue. It is part of the Flagstaff Annexation Area with development entitlements governed by the Flagstaff Development Agreement as amended on 4/24/2025. The property is owned by REDUS Park City LLC ("REDUS"), the current Declarant under the Flagstaff Development Agreement.

R5 is bounded to the west by Deer Valley Resort's West Conservation Parcel. To the north is the Marsac Claim which is zoned ROS. Marsac Avenue abuts the property to the to the east.

In July 2004, City Council approved the MPD for Empire Pass Pod A, establishing volumetric guidelines for each development site in Pod A, also known as Empire Pass Village. The 2004 approval satisfied the Flagstaff DA requirements for a Small Scale MPD. While the R-5 site is zoned RD, in 2004 no development was contemplated on the site. The 2025 Flagstaff DA Amendment granted entitlement for 4 dwelling units with a maximum 12 Unit Equivalents (UEs) on the site. This application proposes to amend the Pod A approved volumetrics by establishing volumetric guidelines for the R-5 site.

Proposed Volumetrics - MPD Amendment

This application is for an amendment to the approved volumetrics for Pod A (Empire Pass Village) establishing R-5 as a development site in accordance with the 2025 Flagstaff DA Amendment.

The proposed site plan for R5 is a single condominium building with a low pitch roof of varying heights. Parking for the project would be inside the building and a varied roofline would provide architectural interest. Access to the project is by a driveway starting opposite Village Way with a UDOT approved Conditional Access Permit.

The Applicant proposes setting a maximum ridgeline elevation of USGS 8062' on the site. Marsac Avenue adjacent the site is at USGS 8045 - 8048', so the proposed ridgeline elevation is at maximum 14' above Marsac Avenue. The lowest residential floor in the One Empire Lodge across from the site is at USGS 8072', or 10' above the proposed ridgeline elevation. The ridgeline of One Empire is at USGS 8169', over 100' above the proposed R5 development.

The Empire Pass Design Guidelines provide additional regulation regarding site planning, building massing and architecture. Detailed building design will be reviewed by the Empire Pass Design Review Board and by the Park City Planning Commission as part of the Conditional Use Permit approval process.

The proposed volumetric will be shown as plat notes establishing a maximum ridgeline elevation and noting the permitted building pad location.

Rationale for Approval of Amended Volumetrics

The Land Management Code grants the Planning Commission the authority to allow additional building height based upon a site-specific analysis and determination that the following findings can be made:

1) *The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for façade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building Volume is from the transfer of Development Credits;*

   In discussions with Park City Municipal Corporation regarding the Exchange Agreement transferring over 300 acres of land to the City, the Applicant originally contemplated development on four separate sites. At the request of the City, the Applicant amended its proposal to increase the density and height on the R-5 site and drop two of the other proposed sites. The proposed density is as approved in the 2025 Flagstaff DA Amendment.

   Variation in facades and architecture is accomplished through the Empire Pass Design Guidelines and will be further reviewed at CUP approval.

2) *Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site Specific analysis and approved by the Planning Commission;*

   The nearest developed property is the One Empire Pass project to the east. The closest corner of One Empire is approximately 100' away. The proposed ridgeline is 10' below the lowest residential floor in One Empire, the R-5 project so there is no solar impact..

The property to the west is covered by a conservation easement and the property to the north is zoned ROS. Further to the NE is Lot H in the Moonshadow development approximately 200' away on the other side of the ROS site.

3) *There is adequate landscaping and buffering from adjacent Properties and Uses.*

   Marsac Avenue serves as a buffer between the R-5 project and One Empire Pass. The Applicant proposes to landscape the front setback adjacent Marsac Avenue. Landscaping details will be reviewed at time of CUP approval.

4) *Increased Setbacks and separations from adjacent properties are being proposed;*

   With Marsac Avenue serving as a buffer between the R-5 project and One Empire there is approximately 100' of separation between buildings. With a single story facade facing Marsac Avenue, a 20' setback is appropriate. No development is permitted on the ROS zoned Marsac Claim to the north, so a 12' side setback is also appropriate.

5) *The additional Building Height has resulted in more than the minimum open space required and has resulted in the open space being more usable and included Publicly Accessible Open Space;*

   The Flagstaff Large Scale MPD approval clustered the majority of the Project density in the Mountain Village, which resulted in open space on the order of 88%. The vast majority of this open space provides passive recreation, trails, ski terrain, wildlife habitat and viewsheds.

6) *The additional Building Height shall be designed in a manner that provides a transition in roof elements in compliance with Chapter 5 Architectural Guidelines or the Design Guidelines for Park City's Historic Districts if within the Historic District;*

   The proposed roof elements in the conceptual renderings for the project show steps and other variations in the roofline. The rooflines will be reviewed in greater detail at time of CUP approval.

The proposed amendment to the Pod A volumetrics will result in a project that has a single story facade adjacent Marsac Avenue. The adjacent and nearby Empire Pass Village properties are not materially impacted by the proposed building massing.

Plat Application

Applicant proposes to plat the R-5 site as a lot of record with plat notes codifying maximum permitted development parameters for site. As per the 2025 Amendment to Flagstaff DA, the site is entitled for a maximum four (4) dwelling units in a single condominium building using a maximum of 12 UEs, or 24,000 of saleable condominium space.

Volumetrics

Plat notes will also call out a maximum ridgeline elevation and include a Building Envelope. Conceptual architectural plans have been prepared to show what the entitled development could look like on the site within proposed volumetric guidelines.

Slopes

An old mining road constructed over 100 years ago runs the length of the site. At the north end of the site is a small quarry or borrow pit excavated during mining days. The cut slopes from the mine road and quarry are over 40%. The Applicant has submitted a request for Determination of Natural Grade.

Setbacks

Since the R5 site is narrow, the Applicant is proposing a Building Envelope that extends to the 15' rear setback. While the slope adjacent the rear setback exceeds 40%, the geotechnical report states that safety factors are appropriate for constructing within the proposed Building Envelope.

Trails

The *Empire Link* mountain bike trail crosses the site. The proposed plat would include an easement for the trail that will need to be shifted to a new alignment to accommodate development.

Conditional Access Permit

UDOT previously approved a CAP for the driveway to the site.

Utilities

Sewer, water, gas and telecomm are all available within the Marsac Avenue ROW.

Transit

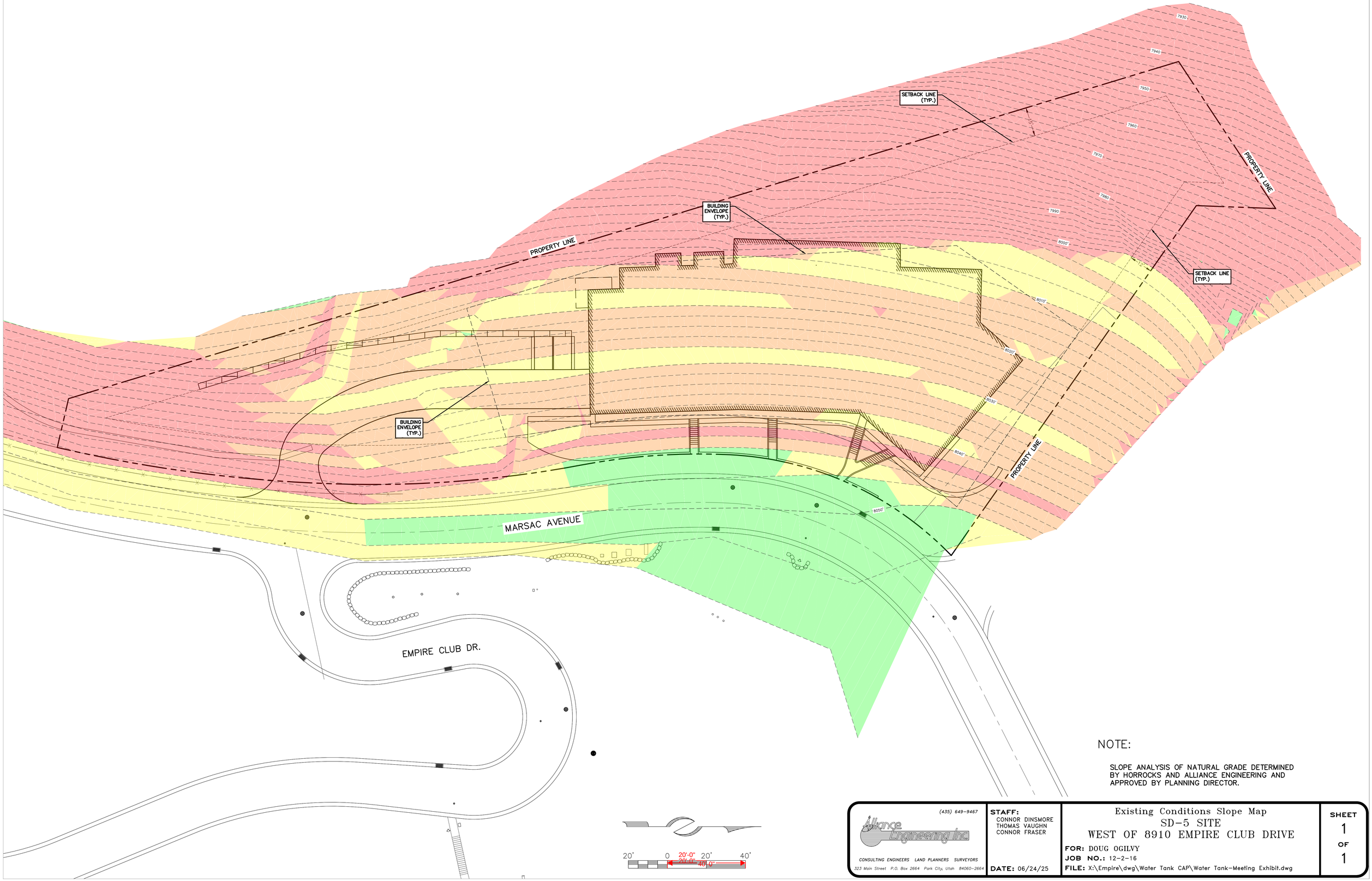
The site been annexed into the Empire Pass MOA which is very well served by the Empire Express on-demand shuttle service. There is also a bus stop for the Purple Bus directly opposite the project driveway.

Arborist

The dominant vegetation on the site is a mixed deciduous forest of aspens and mountain maples much of which is dead or in poor health.

Design Review

The design of the future condominium project will be subject to review by the Empire Pass Design Review Board and will require a Conditional Use Permit subject to Planning Commission review.



NOTE:

SLOPE ANALYSIS OF NATURAL GRADE DETERMINED BY HORROCKS AND ALLIANCE ENGINEERING AND APPROVED BY PLANNING DIRECTOR.

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

STAFF:
CONNOR DINSMORE
THOMAS VAUGHN
CONNOR FRASER

DATE: 06/24/25

Existing Conditions Slope Map
SD-5 SITE
WEST OF 8910 EMPIRE CLUB DRIVE

FOR: DOUG OGILVY
JOB NO.: 12-2-16
FILE: X:\Empire\dwg\Water Tank CAP\Water Tank-Meeting Exhibit.dwg

SHEET 1 **OF** 1

Applied GeoTech

GEOTECHNICAL INVESTIGATION

EMPIRE PASS PARCEL R-5

APPROXIMATELY 8900 MARSAC AVENUE

PARK CITY, UTAH

PREPARED FOR:

REDUS PARK CITY, LLC

ATTENTION: DOUG OGILVY
EMAIL: DOUGLAS.OGILVY@GMAIL.COM

PROJECT NO. 1240993

JANUARY 2, 2025

TABLE OF CONTENTS

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EXECUTIVE SUMMARY

1. Empire Pass Parcel R-5 encompasses an area of approximately 1.52 acres and is located on the downhill side of Marsac Avenue. A condominium building is planned to be constructed on the property. The proposed condo building is planned to consist of a three-story structure and include four units.

   We have assumed that building loads for the structure will consist of wall loads up to 5 kips per lineal foot and column loads up to 100 kips.

2. Three test pits were excavated at the site to investigate subsurface conditions. Approximately 1 foot of topsoil was encountered overlying poorly-graded gravel with clay and sand. The gravel extends to a depth of approximately 7 feet in Test Pit TP-1 and the full depth of Test Pits TP-2 and TP-3, approximately 8 and 12 feet, respectively. Quartzite bedrock was encountered below the gravel in Test Pit TP-1. Practical excavation refusal was encountered in the bedrock at a depth of approximately 10 feet.

3. No subsurface water was encountered in the test pits during the field investigation. We anticipate that areas of perched water may develop in the spring or early summer as snow melt occurs.

4. Footings bearing on the natural undisturbed gravel, bedrock or on compacted structural fill extending down to the undisturbed natural gravel or bedrock may be designed using a net allowable bearing pressure of 4,000 pounds per square foot.

   If a footing would bear partially on bedrock and partially on the natural soil or compacted structural fill, the footing should be extended down to bear entirely on bedrock or at least 2 feet of compacted structural fill should be placed below the footing.

5. We anticipate that excavation in the natural gravel can be accomplished with heavy-duty excavation equipment. Difficult excavation conditions should be expected when excavating in the bedrock. Rock excavation methods such as jack-hammering or other methods will likely be needed. Additional difficulty should be expected in confined excavations, such as utility trenches.

Executive Summary (continued)

6. Shoring may be needed if there is insufficient horizontal distance between the proposed building and property lines. Recommendations for shoring design are included in the report.

7. We previously evaluated a landslide near the property. Subsurface investigation performed in the area encountered clayey sand and clayey gravel overlying quartzite bedrock. Bedrock was encountered at a relatively shallow depth near the property. Results of slope stability analysis indicate potential slope movement is limited by the depth to the bedrock. Results of slope stability performed for the proposed condo building indicate safety factors of at least 1.5 and 1.0 under static and seismic conditions, respectively.

8. Geotechnical information related to foundations, subgrade preparation, compaction and materials is included in the report.

SCOPE

This report presents the results of a geotechnical investigation for the proposed condominium building to be constructed on Parcel R-5 in the Empire Pass development. The property is located at approximately 8900 Marsac Avenue in Park City, Utah. The report presents the subsurface conditions encountered, laboratory test results and recommendations for the proposed building foundation. The study was conducted in accordance with our agreement December 11, 2024.

We previously evaluated a landslide near the property and presented our findings and recommendations in a letter dated November 6, 2000. Subsurface conditions described in the letter were included in our analysis.

This report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the subsurface conditions encountered. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

SITE CONDITIONS

The property encompasses an area of approximately 1.52 acres and consists of undeveloped mountain terrain. There were no buildings or pavement on the property at the time of our site visit. An unpaved trail extends through the central portion of the property. There was approximately 1 foot of snow on the ground surface at the time of our site visit.

The ground surface in much of the property slopes down to the west at approximately 2 to 2½ horizontal to 1 vertical. A localized area near the north side of the property slopes down to the northeast at 1¼ to 2 horizontal to 1 vertical. Vegetation on the property consists of oak brush and grass.

There is undeveloped mountain terrain to the south and west of the property. Moonshadow, a residential development, is northeast of the property. There is a landslide north and downslope from Moonshadow, approximately 600 feet northeast of the property. Marsac Avenue, an asphalt-paved road, extends along the east side of the property. Farther east are multi-story condominium buildings.

FIELD STUDY

Three test pits were excavated at the site on December 12, 2024. The test pits were excavated at the approximate locations shown on Figure 1. The test pits were logged and samples of the soil and bedrock were obtained by an engineer from AGEC. Logs of the subsurface conditions encountered in the test pits are graphically shown on Figure 2.

SUBSURFACE CONDITIONS

Approximately 1 foot of topsoil was encountered overlying poorly-graded gravel with clay and sand. The gravel extends to a depth of approximately 7 feet in Test Pit TP-1 and the full depth of Test Pits TP-2 and TP-3, approximately 8 and 12 feet, respectively. Quartzite bedrock was encountered below the gravel in Test Pit TP-1. Practical excavation refusal was encountered in the bedrock at a depth of approximately 10 feet.

Approximately 5 feet of clayey gravel was encountered overlying quartzite bedrock in a boring drilled approximately 150 feet northeast of the property. The bedrock extended the full depth of the boring, approximately 70 feet.

A description of the various soil and bedrock encountered in the borings and test pits follows:

Topsoil - The topsoil consists of sandy lean clay. The topsoil is moist, dark brown and contains roots.

Poorly-graded Gravel with Clay and Sand - The gravel contains frequent cobbles and occasional boulders up to 1½ feet in size. The gravel is dense to very dense, slightly moist and brown to yellowish brown.

Moisture contents ranging from 1 to 4 percent were measured for samples of gravel tested in the laboratory. Results of gradation tests performed on samples of the gravel are presented on Figure 3 and 4.

Quartzite Bedrock - The bedrock is fractured, hard to very hard, slightly moist and light gray.

A summary of the laboratory test results is presented on Table I and on the logs of the test pits, Figure 2.

SUBSURFACE WATER

No subsurface water was encountered in the test pits at the time of excavating. We anticipate that areas of perched water may develop in the spring or early summer as snow melt occurs.

PROPOSED CONSTRUCTION

Empire Pass Parcel R-5 encompasses an area of approximately 1.52 acres and is located on the downhill side of Marsac Avenue. A condominium building is planned to be constructed on the property. The proposed condo building is planned to consist of a three-story structure and include four units.

We have assumed that building loads for the structure will consist of wall loads up to 5 kips per lineal foot and column loads up to 100 kips.

If the proposed construction or building loads is significantly different from what is described above, we should be notified so that we can reevaluate our recommendations.

SLOPE STABILITY

The ground surface west (downhill) of the proposed building slopes down to the west at a slope as steep as approximately 1½ horizontal to 1 vertical. Slope stability analysis was performed on a slope cross section that extends through the proposed building area and down the slope.

We have assumed subsurface conditions consist of up to 10 feet of clayey gravel overlying quartzite bedrock. Based on previous slope stability analysis in the area, it appears that potential slope movement is limited by the bedrock. Based on previous lab testing we have assumed the clayey gravel will have a total unit weight of 130 pounds per cubic foot, a friction angle of at least 34 degrees and a cohesion of at least 400 pounds per square foot.

A seismic coefficient of 0.16g was used to evaluate the slope stability under seismic conditions. The seismic coefficient is about one-half of a peak ground acceleration that has a 2 percent probability of exceedance in a 50-year period.

Results of slope stability analysis indicate safety factors of approximately 1.5 and 1.1 under static and seismic conditions, respectively. The results are similar to previous slope stability analysis of the slope in the above-referenced landslide evaluation.

RECOMMENDATIONS

Based on the subsurface conditions encountered, laboratory test results, our understanding of the proposed construction and our experience in the area, the following recommendations are given:

A. Site Grading

Based on the provided site grading plan, we estimate excavations for the proposed building will require a cut of up to approximately 20 feet. We anticipate that fill placed around the buildings will raise the grade less than 5 feet above original grade.

1. Mine Features

There are several mine features in the vicinity of the property including discovery pits (shallow mine excavations) and mine shafts. No mine features are known to be on the property, however there is a risk of the presence of mine features due to the location of the property.

2. Slopes

Temporary unretained excavation slopes up to 30 feet in height in the natural soil and bedrock may be constructed at 1 horizontal to 1 vertical or flatter. Steeper slopes may be possible in the bedrock and could be evaluated at the time of construction. The orientation of joints and fractures in the bedrock and the presence of subsurface water may result in the need for flatter excavation slopes.

Permanent unretained cut and fill slopes may be constructed at 2 horizontal to 1 vertical or flatter.

3. Shoring

If there is not sufficient horizontal distance to construct temporary excavation slopes, shoring may be needed. We anticipate shoring would likely consist of soil nails with a shotcrete face, or soldier piles with lagging and tie-back anchors.

Shoring should be designed to retain the load of the soil, along with any surcharge and other loading conditions located above and adjacent to the excavation. The amount of lateral movement of the shoring and its potential impact on adjacent structures and utilities should be considered in the design.

Lateral loads used in design of the shoring should be increased due to sloping excavations above the top of the wall. This load will be dependent on the steepness of the slope and height of material above the wall.

Details and calculations of proposed shoring and excavation should be submitted to the geotechnical engineer for review prior to commencement of the excavation.

4. Subgrade Preparation

Prior to placing grading fill, the topsoil, organic material and other deleterious materials should be removed.

5. Excavation

We anticipate that excavation at the site can be accomplished with heavy-duty excavation equipment. Difficult excavation conditions should be expected when excavating in the bedrock. Rock excavation methods such as jack-hammering, blasting or other methods will likely be needed. Additional difficulty should be expected in confined excavations, such as utility trenches. Care should be taken not to disturb the natural soil and bedrock to remain below proposed building areas.

6. Materials

Materials used as fill for the project are anticipated to consist of imported fill, the natural soil and bedrock. Recommendations for these materials are shown below.

a. Imported Fill

Listed below are materials recommended for imported structural fill.

Fill Location	Recommendation
Below Footings	Non-expansive granular soil Passing No. 200 Sieve <35% Liquid Limit < 30% Maximum size 4 inches
Below Floor Slabs (Upper 4 inches)	Sand and/or Gravel Passing No. 200 Sieve <5% Maximum size 2 inches
Below Floor Slabs (Deeper than 4 inches)	Non-expansive granular soil Passing No. 200 Sieve <50% Liquid Limit <30% Maximum size 6 inches

b. On-Site Materials

The clayey gravel and bedrock may be considered for use as structural fill in the proposed building areas. Material larger than 6 inches in size should be removed from the clayey gravel and bedrock or the over-sized particles may be crushed.

The clayey gravel and bedrock may also be considered for use as utility trench backfill, foundation wall backfill and grading fill in areas of concrete flatwork and landscape areas.

Topsoil, organic material, oversize particles and other deleterious material should be removed from the materials described above that will be used as structural fill, utility trench backfill and below concrete flatwork.

c. Moisture Conditioning

Depending on the moisture content of the soil at the time of construction, the soil may require wetting or drying prior to use as fill. Drying of the soil may not be practical during cold or wet times of the year.

7. Compaction

Compaction of materials placed at the site should equal or exceed the minimum densities as indicated below when compared to the maximum dry density as determined by ASTM D 1557.

Fill Location	Compaction
Below Foundations	≥ 95%
Below Concrete Flatwork	≥ 90%
Foundation Wall Backfill	≥ 90%
Utility Trench Backfill (Outside building area)	≥ 90%
Pavement - Subgrade Fill	≥ 90%
Pavement - Base Course	≥ 95%
Landscaping	≥ 85%

To facilitate the compaction process, the fill should be compacted at a moisture content within 2 percent of the optimum moisture content.

Fill should be placed in lifts thin enough to be properly compacted with the compaction equipment used.

Fill placed for the project should be frequently tested for compaction.

8. Drainage

The ground surface surrounding the proposed building should be sloped to drain away from the building in all directions. Roof downspouts and drains should discharge beyond the limits of backfill.

The collection and diversion of drainage away from the pavement surface is important to the satisfactory performance of the pavement section. Proper drainage should be provided.

B. Foundations

1. Bearing Material

With the proposed construction and the subsurface conditions encountered, the proposed building may be supported on spread footings bearing on the natural undisturbed clayey gravel, the undisturbed bedrock or compacted granular structural fill extending down to the undisturbed natural gravel or bedrock.

Structural fill placed below foundations should extend out away from the edge of the footings a distance at least equal to the depth of fill beneath the footings.

Topsoil, debris or other deleterious material should be removed from below the proposed foundation areas.

If a footing would bear partially on bedrock and partially on the natural soil or compacted structural fill, the footing should be extended down to bear entirely on bedrock or at least 2 feet of compacted structural fill should be placed below the footing.

2. Bearing Pressure

Footings bearing on the natural clayey gravel, bedrock or on compacted granular structural fill extending down to the natural soil or bedrock may be designed using a net allowable bearing pressure of 4,000 pounds per square foot.

3. Settlement

We estimate that total and differential settlement will be less than ½ inch for footings designed as indicated above.

Disturbance of the soil or bedrock below foundations can result in greater settlement. Care should be taken to minimize the disturbance of natural soil and bedrock to remain below footings so that settlement can be maintained within tolerable limits.

4. Temporary Loading Conditions

The allowable bearing pressure may be increased by one-half for temporary loading conditions such as wind or seismic loads.

5. Minimum Footing Width and Embedment

Footings should have a width of at least 1½ feet and a depth of embedment of at least 1 foot.

6. Frost Depth

Exterior footings and footings beneath unheated areas should be placed at least 40 inches below grade for frost protection.

7. Foundation Base

The base of foundation excavations should be cleared of loose or deleterious material prior to fill or concrete placement.

8. Construction Observation

A representative of the geotechnical engineer should observe footing excavations prior to structural fill or concrete placement.

C. Concrete Slab-on-Grade

1. Slab Support

Concrete slabs may be supported on the undisturbed natural soil, bedrock, or on compacted granular structural fill extending down to the undisturbed natural soil or bedrock.

The topsoil, organics, debris and other deleterious material should be removed from below proposed floor slab areas.

2. Underslab Sand and/or Gravel

A 4-inch layer of free-draining sand and/or gravel (less than 5 percent passing the No. 200 sieve) should be placed below the floor slab for ease of construction and to promote even curing of the floor slab concrete.

3. Vapor Barrier

A vapor barrier should be placed under the concrete floor, if the floor will receive an impermeable floor covering. The vapor barrier will reduce the amount of water vapor passing from below the slab to the floor covering.

D. Lateral Earth Pressures

1. Lateral Resistance for Footings

Lateral resistance for spread footings placed on the natural soil or on compacted structural fill is controlled by sliding resistance between the footing and the foundation soils. A friction value of 0.45 may be used in design for ultimate lateral resistance where foundations are supported on the clayey gravel, bedrock or compacted granular structural fill which extends down to the natural soil or bedrock.

2. Foundation Walls and Retaining Structures

The following equivalent fluid weights are given for design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil and the at-rest condition is where the wall does not move. The values listed assume a horizontal surface adjacent each side of the wall.

Soil Type	Active	At-Rest	Passive
Sand, Gravel and Bedrock	40 pcf	55 pcf	300 pcf
Clay Fill, Clay and Silt	50 pcf	65 pcf	250 pcf

Equivalent fluid pressure values would be higher if the ground surface slopes down toward the wall. These values can be provided, if requested.

3. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be increased by 19 pcf for the active condition, increased by 4 pcf for the at-rest condition and

decreased by 19 pcf for the passive condition. This assumes a horizontal ground acceleration of 0.31g which represents a 2 percent probability of exceedance in a 50-year period.

4. Safety Factors

The values recommended above for active and passive pressures assume mobilization of the soil to achieve the assumed soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

E. Seismic Design Considerations

1. Building Code Parameters

Listed below is a summary of the site parameters that may be used with the 2018 International Building Code:

Description	Value
Site Class	C[1]
S_s - MCE_R ground motion (period=0.2s)	0.59g
S_1 - MCE_R ground motion (period=1.0s)	0.21g
F_a - Site amplification factor at 0.2s	1.26
F_v - Site amplification factor at 1.0s	1.5
PGA - MCE_G peak ground acceleration	0.26g
PGA_M - Site modified peak ground acceleration	0.31g

[1]Site Class C was selected based on our experience in the area and published geologic literature. Site Class B may be representative of the site, but would need to be determined by measuring the shear wave velocity of the soil and bedrock to a depth of 100 feet.

2. Faulting

No active faults are mapped as being located on the property. The nearest mapped active fault is the Salt Lake City segment of the Wasatch fault located approximately 15 miles west of the site (Utah Geological Survey, 2024).

3. Liquefaction

Based on our experience in the area and the subsurface conditions encountered, liquefaction is not a potential hazard at the site.

F. Water Soluble Sulfates

Based on published literature and previous experience in the area, the natural soil and bedrock possess negligible sulfate attack potential on concrete. No special cement type is required for concrete placed in contact with the soil or bedrock. Other conditions may dictate the type of cement to be used for the project.

G. Subsurface Drains

With the potential for perched water conditions to develop during the wet times of the year, we recommend that a subsurface drain be provided around the below grade portion of the proposed building. The subsurface drain system should consist of at least the following items:

a. The subsurface drain should consist of a perforated pipe installed in a gravel filled trench around the perimeter of the subgrade floor portion of the building. A geotextile drain could be considered as an alternative. The drain should extend up foundation walls high enough to intercept potential subsurface water.

b. The flow line of the pipe should be placed at or below the base of the building footings and be at least 14 inches below the finished floor level. The pipe should slope to a sump or outlet where water can be removed by pumping or by gravity flow.

c. If placing the gravel and drain pipe requires excavation below the bearing level of the footing, the excavation for the drain pipe and gravel should have a slope no steeper than 1:1 (horizontal to vertical) so as not to disturb the soil below the building.

d. A filter fabric should be placed between the natural soil and the drain gravel. This will help reduce the potential for fine grained material filling in the void spaces of the gravel.

e. Consideration may be given to installing cleanouts to allow access into the drain should cleaning of the pipe be required in the future. The need for cleanouts may be greatly reduced if care is taken during construction of the drain to protect the drain pipe.

H. Additional Services

It is important that AGEC be involved during design and construction of the building. There are several items where we can provide value, help the design of the geotechnical aspects of the project be more efficient and help reduce the risk to the design team and the owner.

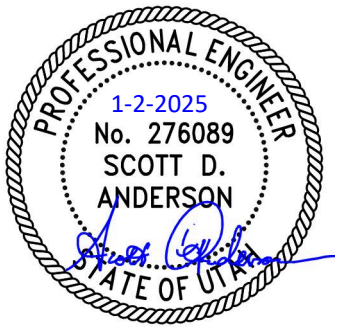
We recommend that at least the following additional services be provided:

1. Attend design meetings.
2. Review construction plans for the project to determine whether recommendations in this report have been incorporated into the design.
3. Observe the foundation excavations for the proposed building.
4. Review designs for temporary and permanent shoring.
5. Provide construction observation and materials testing during construction.

LIMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the information obtained from the test pits excavated at the approximate locations indicated on the site plan, the data obtained from laboratory testing and previous experience in the area. Variations in the subsurface conditions may not become evident until additional exploration or excavation is conducted. If the subsurface conditions or groundwater level is found to be significantly different from that described above, we should be notified to reevaluate our recommendations.

APPLIED GEOTECH



Scott D. Anderson, P.E.

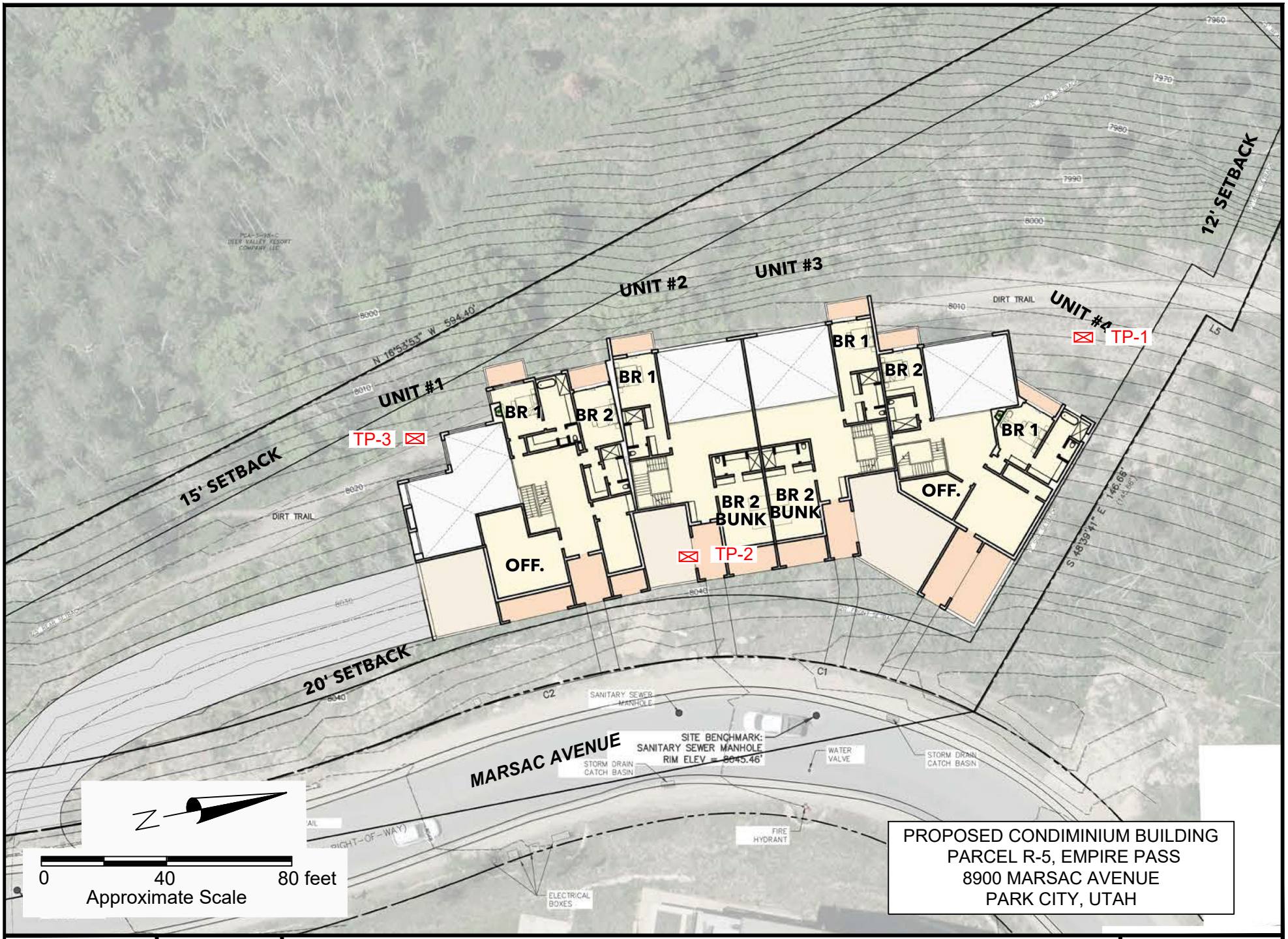
Reviewed by Douglas R. Hawkes, P.E., P.G.

SDA/rs

REFERENCES

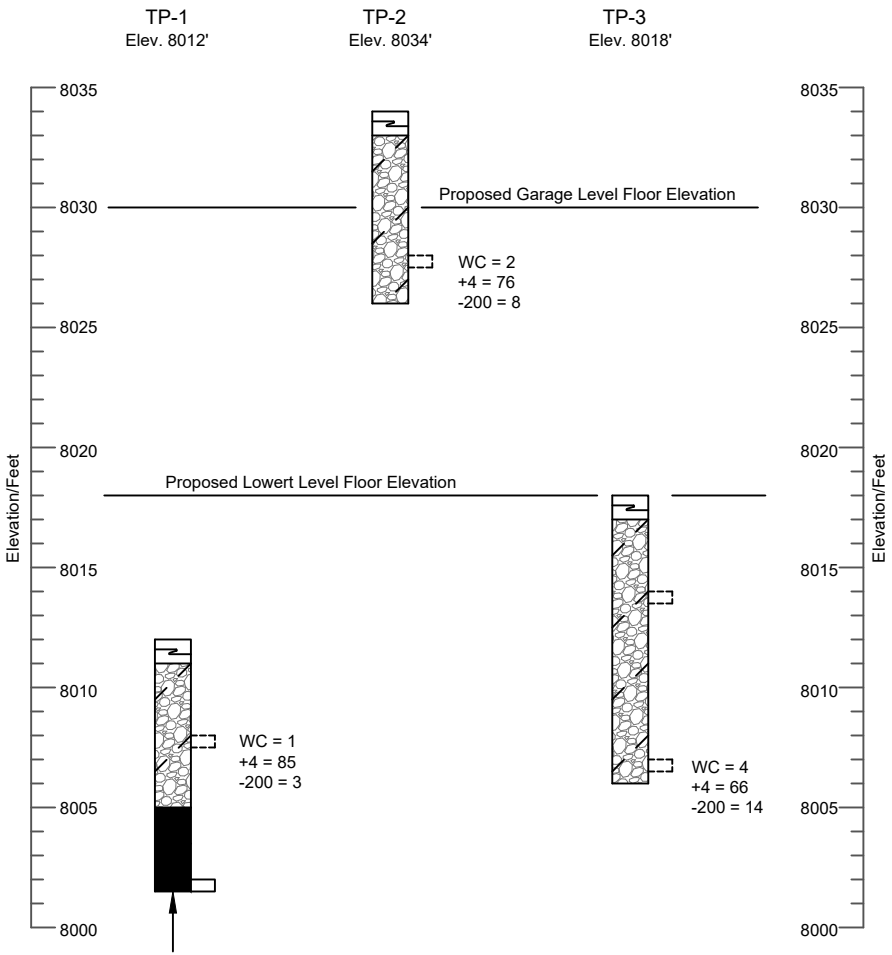
International Code Council 2020, 2021 International Building Code, Falls Church, Virginia.

Utah Geological Survey, 2024; Utah Quaternary Fault and Fold Database, http://geology.utah.gov/resources/data-databases/qfaults/ accessed December 28, 2024.



PROPOSED CONDIMINIUM BUILDING
PARCEL R-5, EMPIRE PASS
8900 MARSAC AVENUE
PARK CITY, UTAH

1240993	AGEC	Test Pit Locations	Figure 1



LEGEND:

Topsoil; sandy lean clay, moist, dark brown, roots.

Poorly Graded Gravel with Clay and Sand (GP-GC); contains frequent cobbles and occasional boulders up to 1½ feet in size, dense to very dense, slightly moist, brown to yellowish brown.

Quartzite Bedrock; hard to very hard, slightly moist, light gray.

Indicates disturbed sample taken.

Indicates practical excavation refusal.

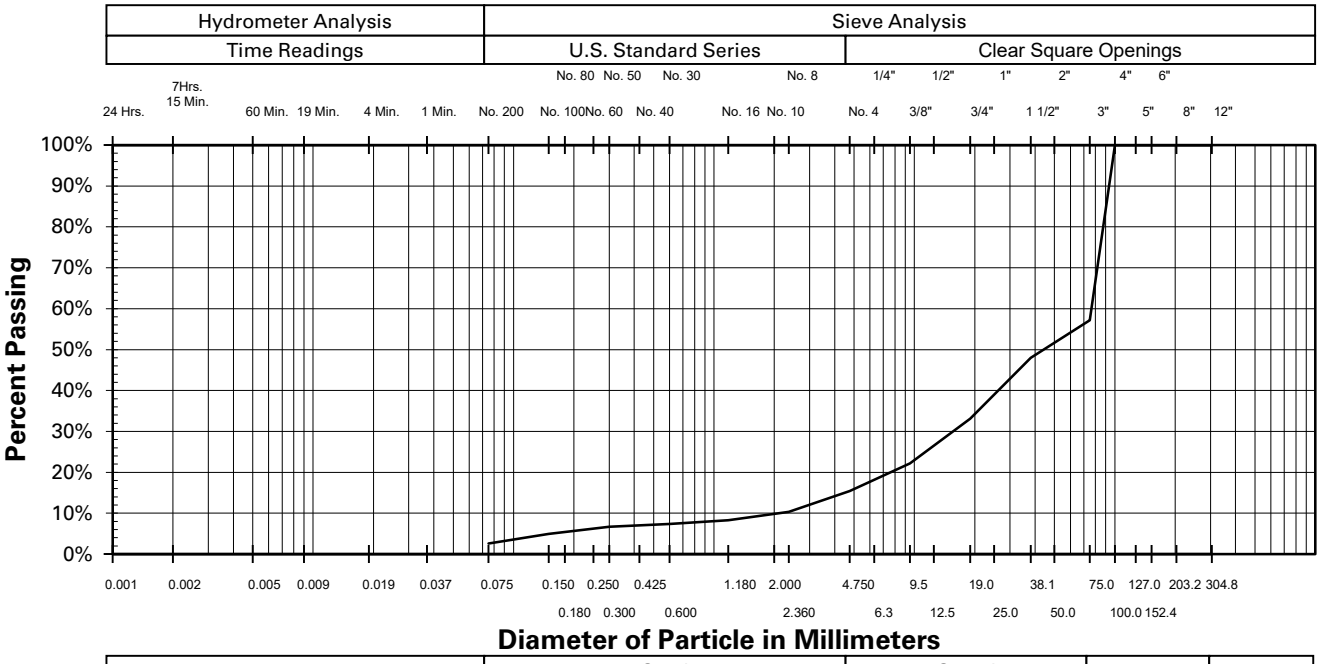
NOTES :

1. The test pits were excavated on December 12, 2024 with a trackhoe.
2. The locations of the test pits were measured by pacing from features shown on the site plan provided.
3. The elevations of the test pits were determined by interpolating between contours shown on the site plan provided.
4. The test pit locations and elevations should be considered accurate only to the degree implied by the method used.
5. The lines between materials shown on the test pit logs represent the approximate boundaries between materials and the transitions may be gradual.
6. No free water was encountered in the test pits at the time of excavation.
7. WC = Water Content (%);
   DD = Dry Density (pcf);
   +4 = Percent Retained on the No. 4 Sieve;
   -200 = Percent Passing the No. 200 Sieve.

Approximate Vertical Scale 1"=8'

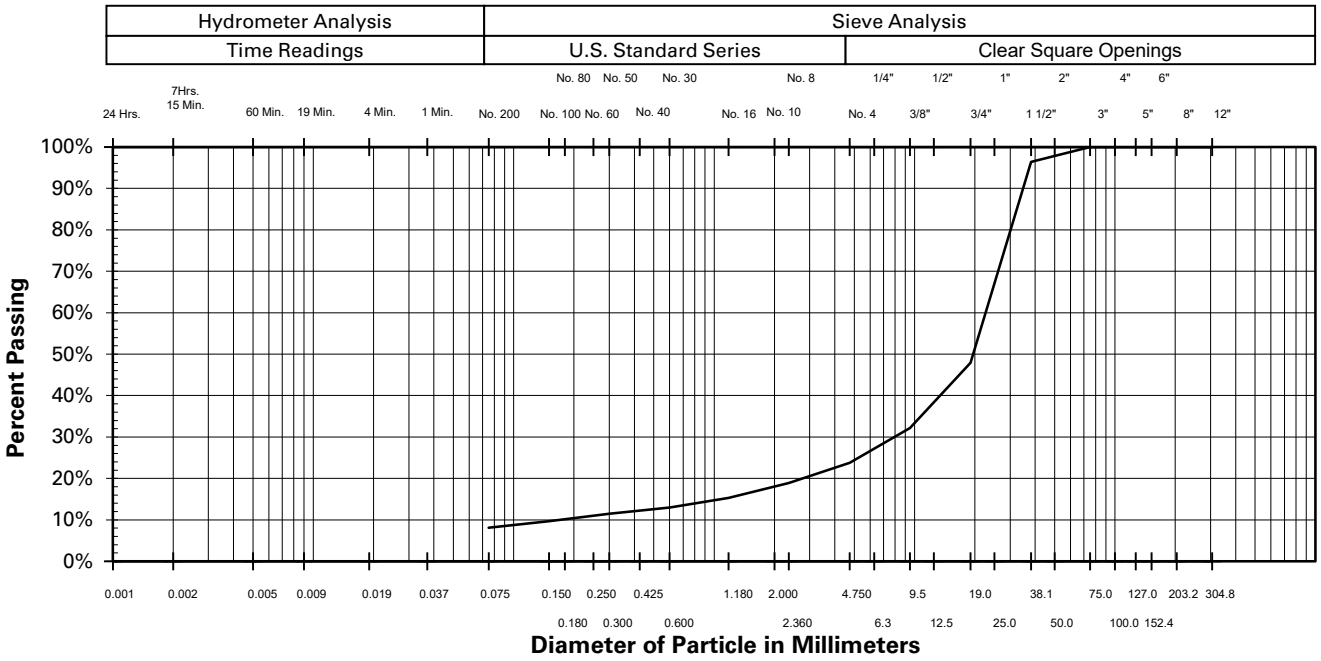
1240993	AGEC	Test Pit Logs, Legend and Notes	Figure 2

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Clay to Silt	Sand			Gravel		Cobbles	Boulders
	Fine	Medium	Coarse	Fine	Coarse		

Gravel	85%	Liquid Limit	-
Sand	12%	Plasticity Index	-
Silt and Clay	3%	Sample Location	TP-1 @ 4 feet
Sample Description	Well-graded Gravel (GW)		

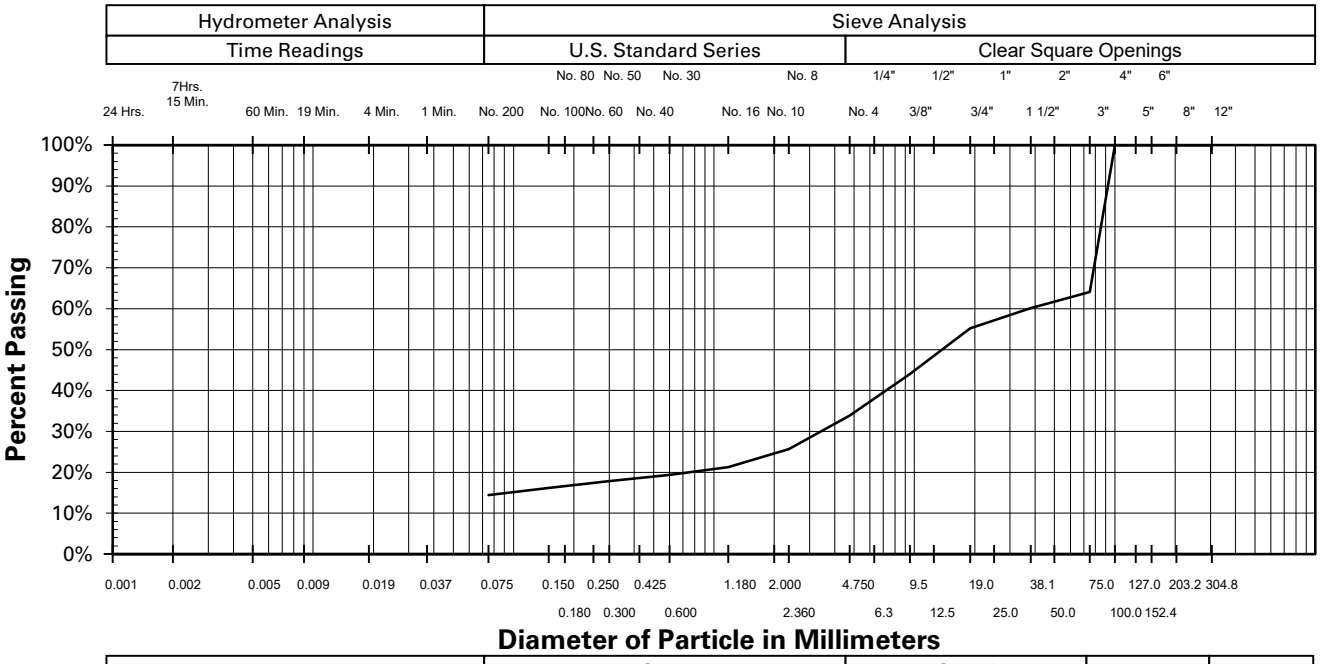


Clay to Silt	Sand			Gravel		Cobbles	Boulders
	Fine	Medium	Coarse	Fine	Coarse		

Gravel	76%	Liquid Limit	-
Sand	16%	Plasticity Index	-
Silt and Clay	8%	Sample Location	TP-2 @ 6 feet
Sample Description	Poorly Graded Gravel with Clay and Sand (GP-GC)		

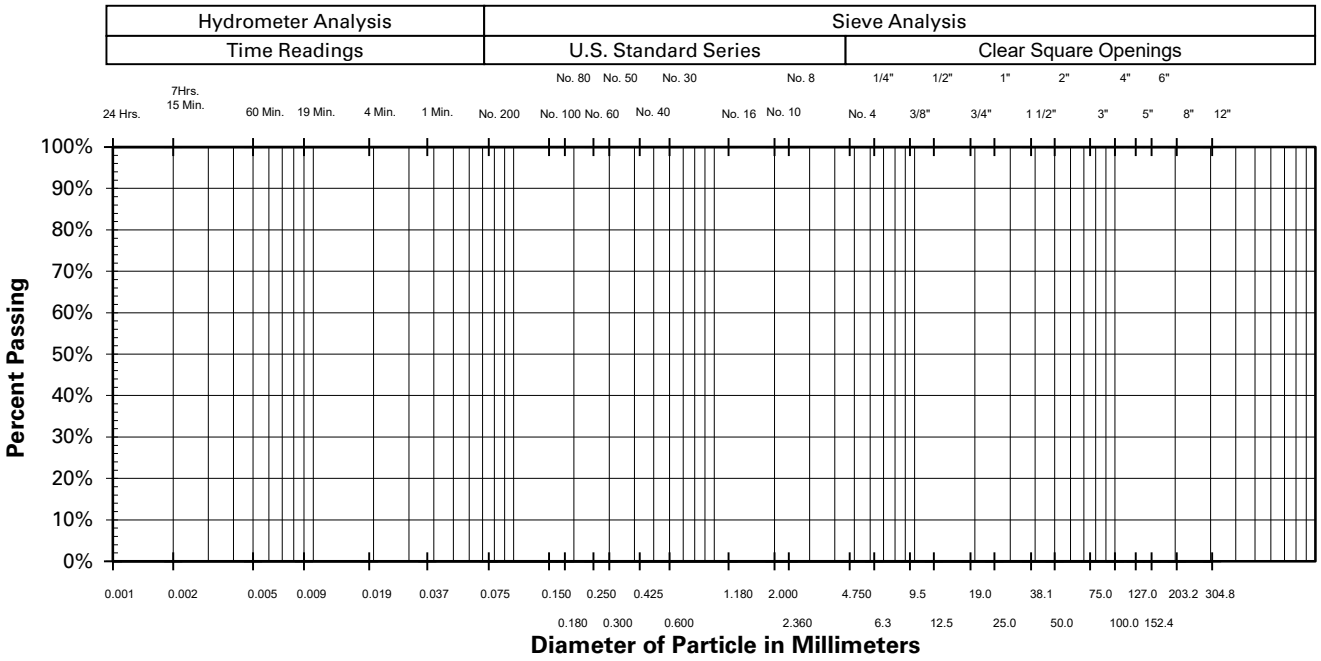
Project No. 1240993 **GRADATION TEST RESULTS** Figure 3

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Clay to Silt	Sand			Gravel		Cobbles	Boulders
	Fine	Medium	Coarse	Fine	Coarse		

Gravel	66%	Liquid Limit	-
Sand	20%	Plasticity Index	-
Silt and Clay	14%	Sample Location	TP-3 @ 11 feet
Sample Description	Clayey Gravel with Sand (GC)		



Clay to Silt	Sand			Gravel		Cobbles	Boulders
	Fine	Medium	Coarse	Fine	Coarse		

Gravel	-	Liquid Limit	-
Sand	-	Plasticity Index	-
Silt and Clay	-	Sample Location	
Sample Description			

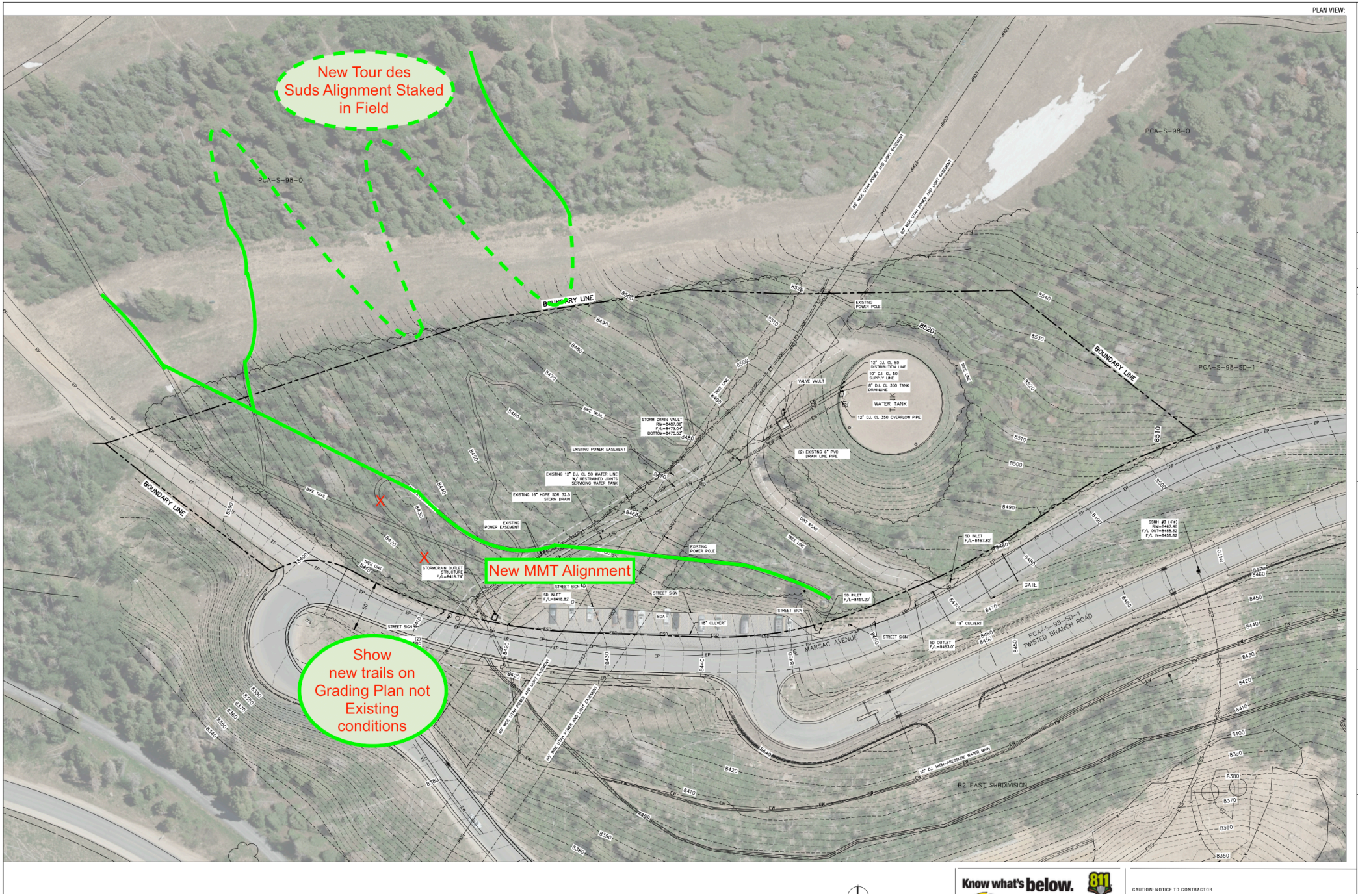
Project No. 1240993 **GRADATION TEST RESULTS** Figure 4

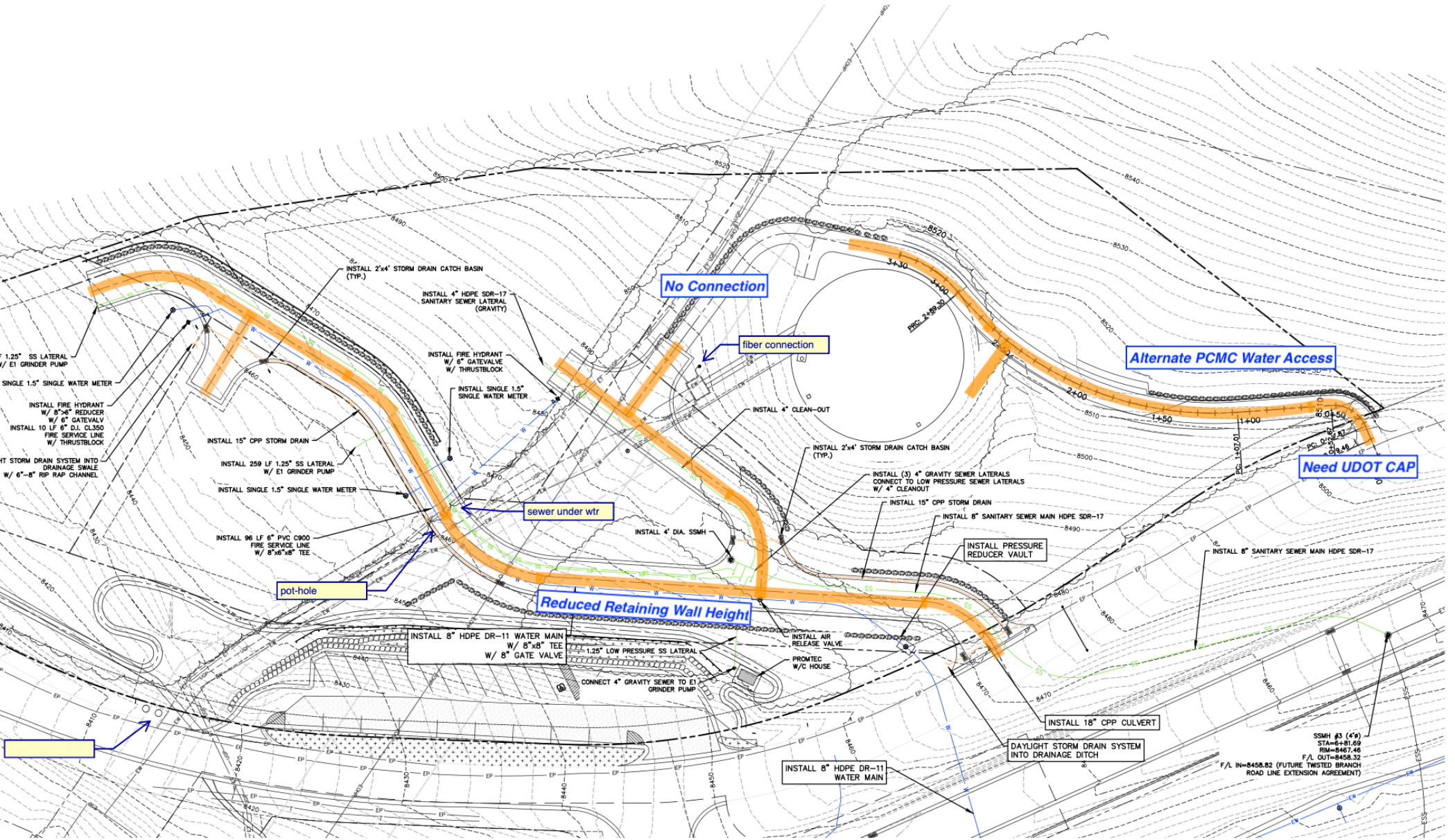
APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.

TABLE I
SUMMARY OF LABORATORY TEST RESULTS

PROJECT NUMBER: 1240993

SAMPLE LOCATION		NATURAL MOISTURE CONTENT (%)	NATURAL DRY DENSITY (PCF)	GRADATION			ATTERBERG LIMITS		UNCONFINED COMPRESSIVE STRENGTH (PSF)	WATER SOLUBLE SULFATE (%)	SAMPLE CLASSIFICATION
TEST PIT	DEPTH (FEET)			GRAVEL (%)	SAND (%)	SILT/ CLAY (%)	LIQUID LIMIT (%)	PLASTICITY INDEX			
TP-1	4	1		85	12	3					Well-graded Gravel (GW)
TP-2	6	2		76	14	8					Poorly Graded Gravel with Clay and Sand (GP-GC)
TP-3	11	4		66	20	14					Clayey Gravel with Sand (GC)


PLAN VIEW:
New Tour des Suds Alignment Staked in Field
New MMT Alignment
Show new trails on Grading Plan not Existing conditions
PCA-S-98-0
PCA-S-98-SD-1
BOUNDARY LINE
MARSAC AVENUE
TWISTED BRANCH ROAD
B2 EAST SUBDIVISION
WATER TANK
VALVE VAULT
EXISTING POWER POLE
EXISTING POWER EASEMENT
BIKE TRAIL
DIRT ROAD
TREE LINE
STREET SIGN
GATE
18" CULVERT
STORM DRAIN VAULT
STORMDRAIN OUTLET STRUCTURE
SD INLET
SD OUTLET
Know what's below.
811
CAUTION: NOTICE TO CONTRACTOR


No Connection
fiber connection
Alternate PCMC Water Access
Need UDOT CAP
sewer under wtr
pot-hole
Reduced Retaining Wall Height
INSTALL 2'x4' STORM DRAIN CATCH BASIN (TYP.)
INSTALL 4" HDPE SDR-17 SANITARY SEWER LATERAL (GRAVITY)
INSTALL FIRE HYDRANT W/ 6" GATEVALVE W/ THRUSTBLOCK
INSTALL SINGLE 1.5" SINGLE WATER METER
INSTALL 4" CLEAN-OUT
INSTALL 15" CPP STORM DRAIN
INSTALL 259 LF 1.25" SS LATERAL W/ E1 GRINDER PUMP
INSTALL (3) 4" GRAVITY SEWER LATERALS CONNECT TO LOW PRESSURE SEWER LATERALS W/ 4" CLEANOUT
INSTALL 8" SANITARY SEWER MAIN HDPE SDR-17
INSTALL 4' DIA. SSMH
INSTALL PRESSURE REDUCER VAULT
INSTALL 96 LF 6" PVC C900 FIRE SERVICE LINE W/ 8"x6"x8" TEE
INSTALL 8" HDPE DR-11 WATER MAIN W/ 8"x8" TEE W/ 8" GATE VALVE
1.25" LOW PRESSURE SS LATERAL
INSTALL AIR RELEASE VALVE
PROMTEC W/C HOUSE
CONNECT 4" GRAVITY SEWER TO E1 GRINDER PUMP
INSTALL 18" CPP CULVERT
DAYLIGHT STORM DRAIN SYSTEM INTO DRAINAGE DITCH
INSTALL 8" HDPE DR-11 WATER MAIN
SSMH #3 (4'ø)
STA=6+81.69
RIM=8467.46
F/L OUT=8458.32
F/L IN=8458.82 (FUTURE TWISTED BRANCH ROAD LINE EXTENSION AGREEMENT)

Planning Commission
Staff Report

Subject: 301 Marsac Ave
Application: PL-23-05946
Author: Elissa Martin, Planning Project Manager
Date: July 23, 2025
Type of Item: Steep Slope Conditional Use Permit

Recommendation

The Planning Commission conducted an initial June 24, 2025 work session to provide the Applicant input on required Steep Slope Conditional Use Permit (SSCUP) mitigation for the proposed construction on Very Steep Slopes. The Applicant submitted updates to the house plans on July 7, 2025 to begin incorporating requirements to comply with the HR-1 Zoning District, SSCUP criteria, and Historic District Design Review (HDDR) standards. However, there are still several elements that require updates prior to Planning Commission Final Action. Staff requests the Planning Commission provide input to the Applicant regarding the SSCUP criteria:

> (I) Review the proposed 4,103-square-foot Single-Family Dwelling at 301 Marsac Avenue on Very Steep Slopes in the Historic Residential-1 Zoning District,
> (II) provide feedback to the Applicant regarding additional modifications to the house plans needed to comply with the HR-1 Zoning District, Steep Slope Conditional Use (SSCUP), and Historic District Design Requirements,
> (III) open a public hearing, and
> (IV) consider continuing the SSCUP application to the August 13, 2025 Planning Commission meeting for Final Action.

Description

Applicant:	Silver Stream Advisors, LLC Representative: Jodi Hoffman, Park City Legal
Location:	301 Marsac Ave (PC-441)
Zoning District:	Historic Residential - 1
Adjacent Land Uses:	Single Family and Multi-Family Residential
Reason for Review:	Steep Slope Conditional Use Permits require Planning Commission Final Action.[1]

[1] LMC § 15-1-8(G)

DRC	Development Review Committee
HR-1	Historic Residential – 1
HDDR	Historic District Design Review
LMC	Land Management Code
ROW	Right-of-Way
SFD	Single-Family Dwelling
SSCUP	Steep Slope Conditional Use Permit

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

Summary

The Applicant proposes to construct a 4,103-square-foot Single-Family Dwelling (SFD) in the Historic Residential-1 (HR-1) Zoning District at 301 Marsac Avenue, a vacant 0.11-acre property located on the east side of Marsac Avenue (SR 224) with Very Steep Slopes between 90% - 100%.



Figure 1: Vicinity of 301 Marsac Avenue

LMC § 15-2.2-6 requires a SSCUP for construction of any Structure with a Building Footprint in excess of 200 square feet if located on or projecting over an existing Slope of 30% or greater in the HR-1 Zoning District. The SFD is proposed on Very Steep Slopes, which the LMC defines as Slopes greater than forty percent (40%)[2].

[2] LMC § 15-15-1

Background

A Historic District Design Review (HDDR) application (PL-23-05944) and plat amendment to create a 3,750-square-foot Lot for construction of the SFD are being processed concurrently. The Duplex at 301 and 303 Ontario Avenue, which shares a common rear Lot line to the east, encroaches onto 301 Marsac Avenue. An encroachment agreement was recorded on June 3, 2022 (Recorder Entry No. 1190328, Exhibit C). The proposed plat amendment would establish a 431-square-foot portion of 301 Marsac Avenue, which contains the encroachments, as a no-build area.

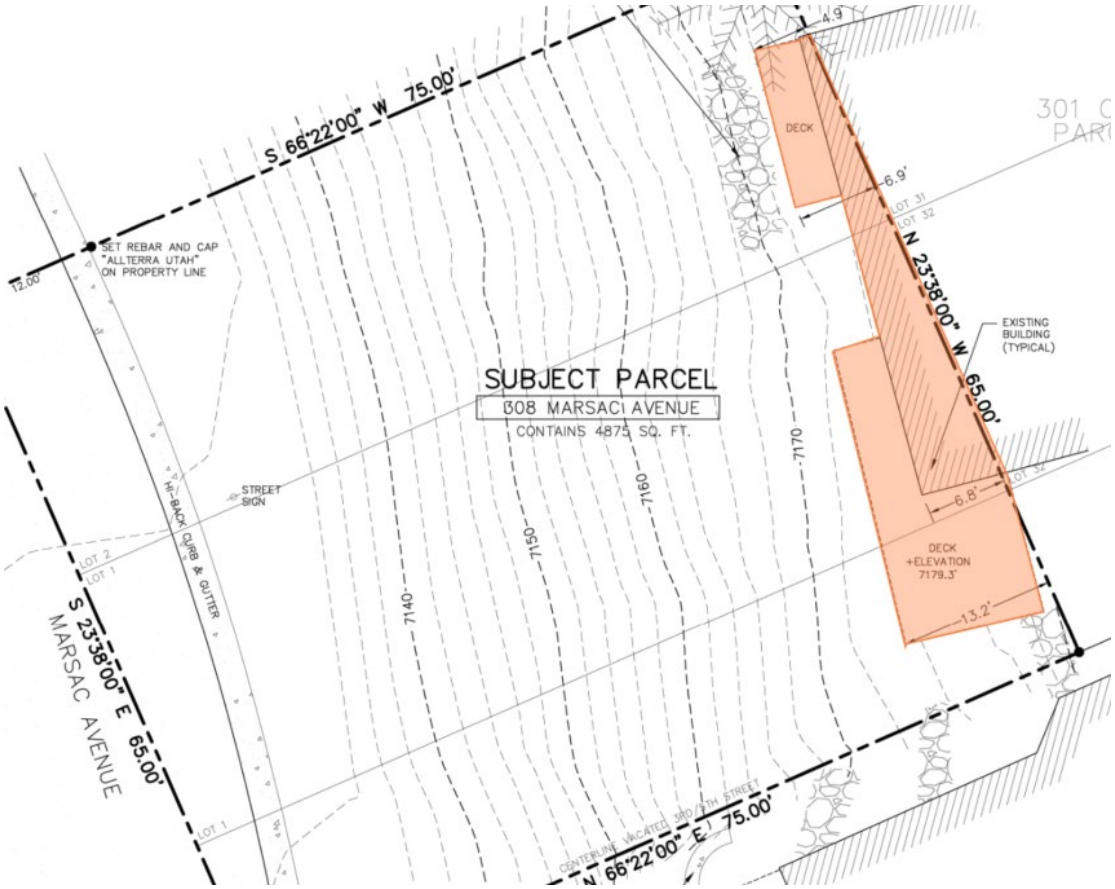


Figure 2: Existing Conditions Survey showing encroachments of 301 and 303 Ontario Avenue onto 301 Marsac Avenue (staff shaded in orange).



Figure 3:The Duplex at 301 and 303 Ontario Avenue—the grey structure—that encroaches onto 301 Marsac Avenue visible from Google Maps.

The Planning Commission reviewed the SSCUP and Plat Amendment applications at a June 25, 2025 work session (Planning Commission Packet, Item 4A; Meeting Video). The full history of applications submitted for development of 301 Marsac Avenue is provided in the June 25, 2025 Work Session Staff Report.

In response to the Planning Commission work session, the Applicant submitted revised plans on July 7, 2025, including revisions to the roof forms, terraced retaining walls, removal of the Accessory Building (which exceeded the maximum Building Footprint), reduced glazing, reduced volume of the roof deck, and removed/reduced some of the decks and balconies on the front façade. There remain several outstanding items with the plans that must be addressed for the proposal to meet the Zoning, SSCUP, and HDDR standards.

The 3D rendering of the proposed SFD reviewed at the June 25, 2025 Planning Commission meeting and the revised design are below for comparison:

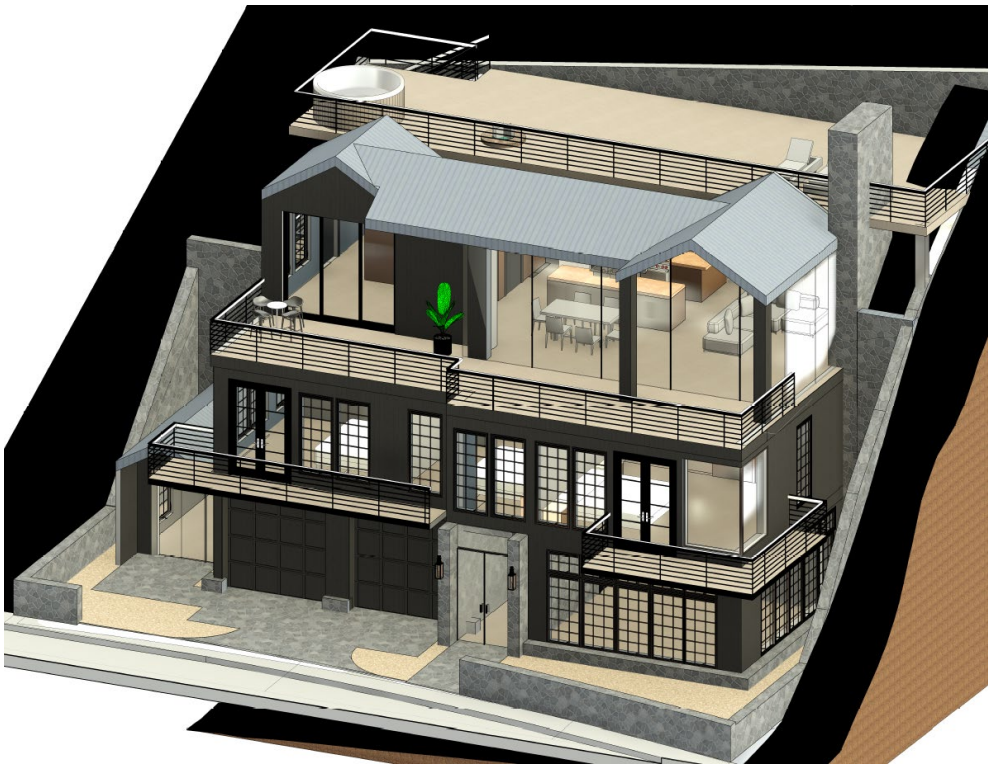


Figure 4: Plans reviewed at the June 25, 2025 Planning Commission work session.

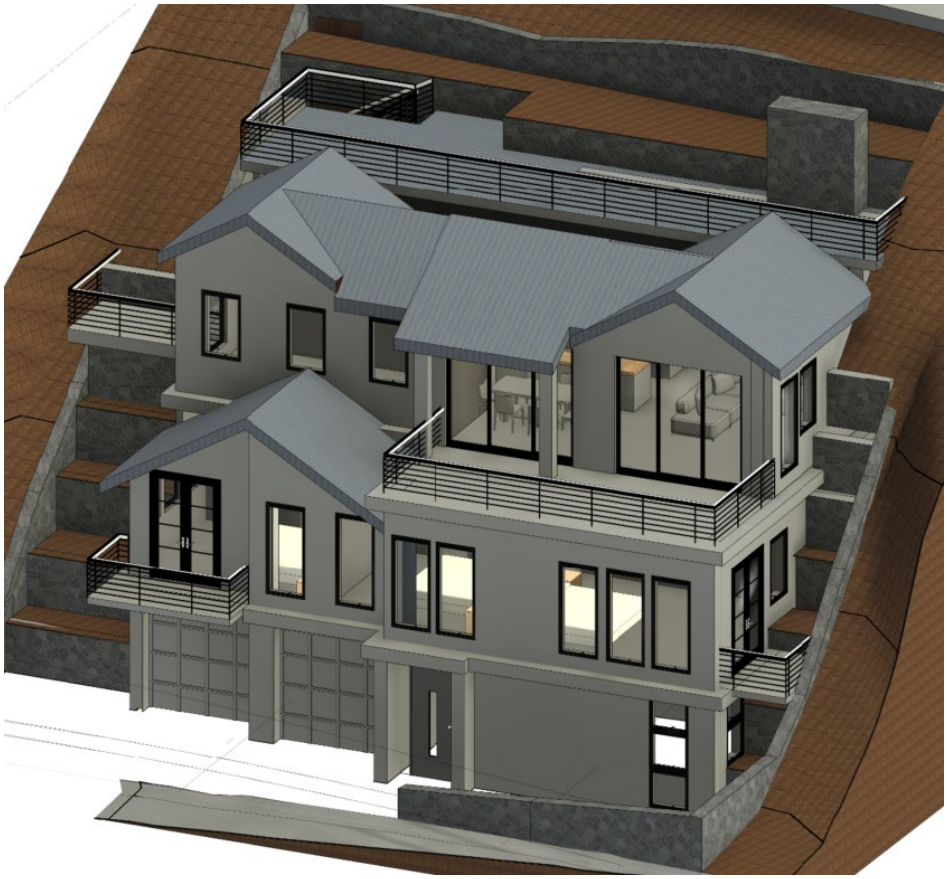


Figure 5: Revised plans submitted June 30, 2025

Analysis

(I) The revised house design requires updates to meet the Side Setback Exceptions in the Historic Residential – 1 Zoning District outlined in LMC § 15-2.2-3(J).

Pursuant to LMC § 15-2.2-3(J) *Lot and Site Requirements, Side Setback Exceptions*, patios, decks, pathways, steps, or similar Structures may not be more than thirty inches (30") in height above Final Grade, not including any required handrails.

The decks on either side of the dwelling, on the secondary façade encroach into the Side Setbacks and are more than 30 inches above Final Grade. The secondary facade decks must therefore be removed.

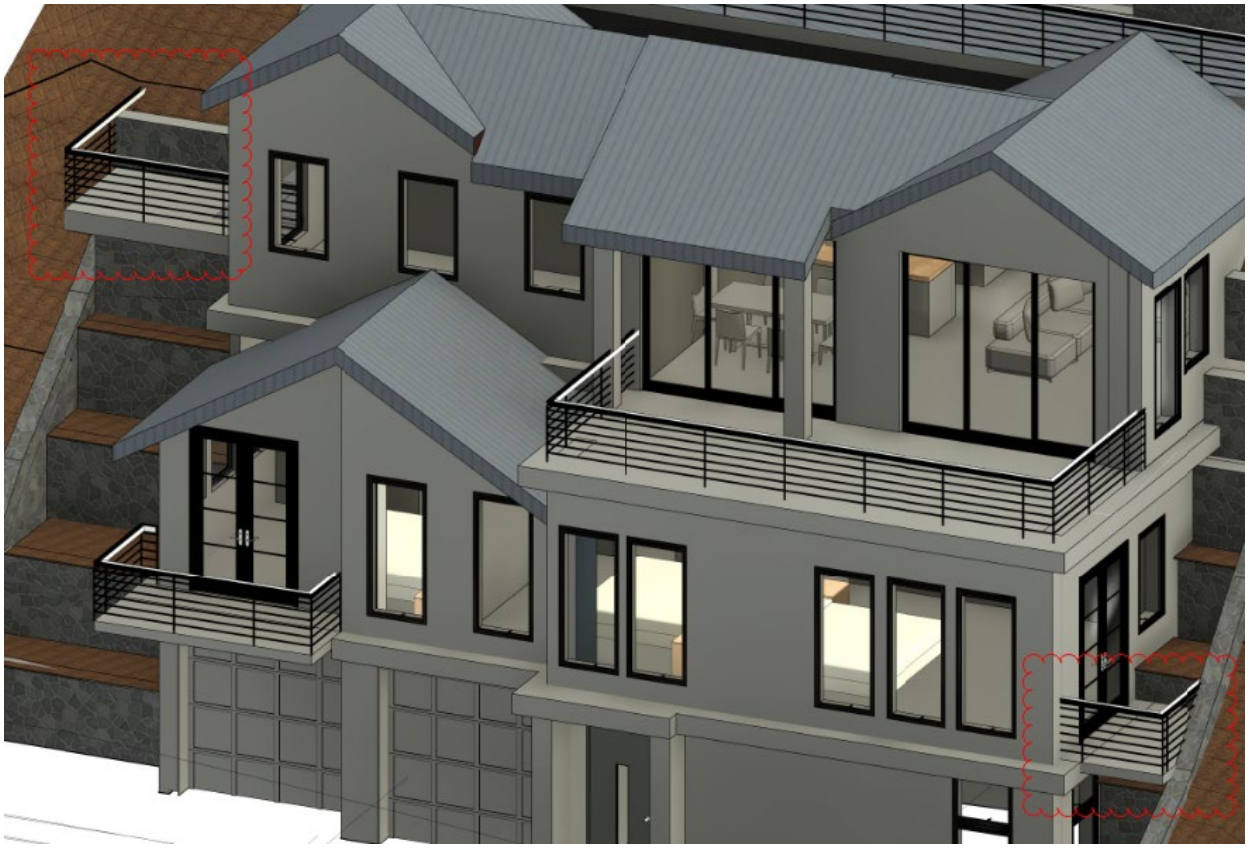


Figure 6: Decks proposed on Secondary Facades are over 30 inches above Final Grade.

(II) Updates are required to meet the criteria outlined in LMC § 15-2.2-6 Development on Steep Slopes in the Historic Residential - 1 Zoning District, including several Historic District Design Standards pursuant to LMC § 15-13-8.

LMC § 15-2.2-6 *Development on Steep Slopes* states, “Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Historic Districts and Historic Sites Chapter 15-13.”

In the updated house plans, the Applicant partially addressed inconsistencies with

several of the standards outlined in LMC § 15-13-8 *Regulations For New Residential Infill Construction (and Non-Historic Residential Sites) In Historic Districts*. Updates to the house plans are required to comply with the SSCUP and HDDR standards.

Window Glazing. *Windows must have a solid-to-void ratio that is compatible with surrounding historic buildings. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically.*[3]

The plans reviewed at the June 25, 2025 work session included floor to ceiling glazing, and large glass surfaces on all three levels. The revised plans, dated July 7, 2025, reduced the amount of glazing to be more in line with a solid to void ratio compatible with historic buildings. However, the large glass surfaces on the third-level front façade are incompatible with the Historic Districts and must be divided into smaller windows that are in scale with those seen historically.

To meet the Historic District Design Standards of LMC § 15-13-8(B)(2)(d), staff recommends reducing the sliding glass doors on the third-level front façade to one sliding glass door as opposed to two and replacing one side with windows that are consistent with a solid-to-void ratio seen on historic buildings.

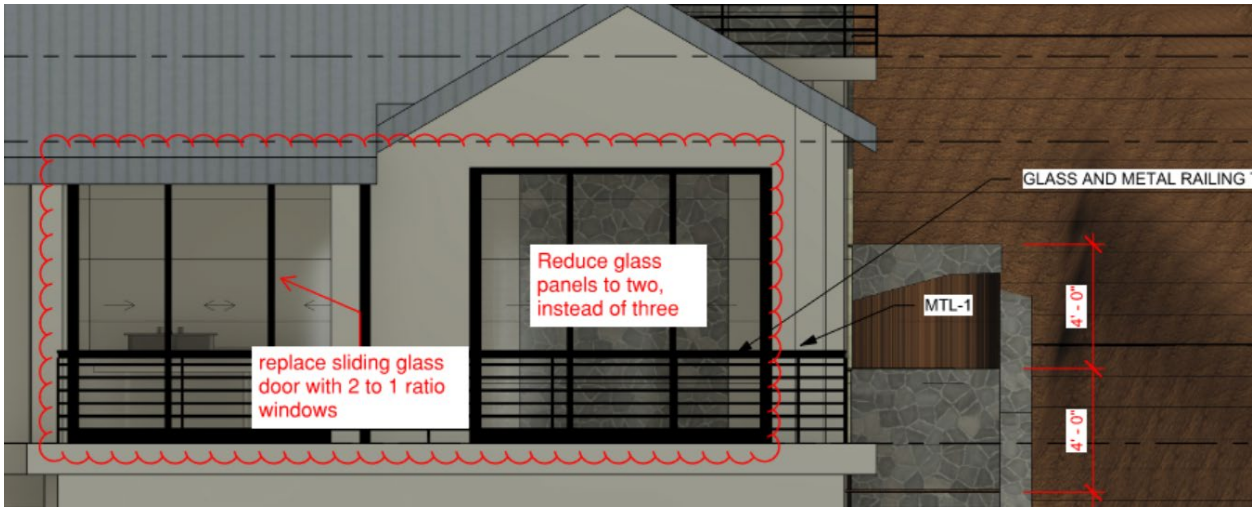


Figure 7: Third-level front facade with two glass sliding doors and floor to ceiling glazing

Decks. Pursuant to LMC § 15-13-8(B)(7), *[D]decks shall be constructed in inconspicuous areas where visually minimized from the primary public right-of-way, usually on the tertiary façade. When built on a secondary façade of a new structure, a deck should be screened from the primary public right-of-way with fencing and/or appropriate native landscaping*.

The visual impact of a deck should be minimized by limiting its size and scale.[4]

Balconies and Roof Decks. *New balconies and roof decks shall be visually subordinate to the new building and shall be minimally visible from the primary public right-of-way. A*

[3] LMC § 15-13-8(B)(2)(d)
[4] LMC § 15-13-8(B)(7)

new balcony shall be simple in design and compatible with the character of the Historic District. [5]

The previous SFD iteration included large wrap-around decks and balconies on the front façade, as well as a large roof deck that extends beyond the width of the dwelling on either side and is visible from the primary public ROW.

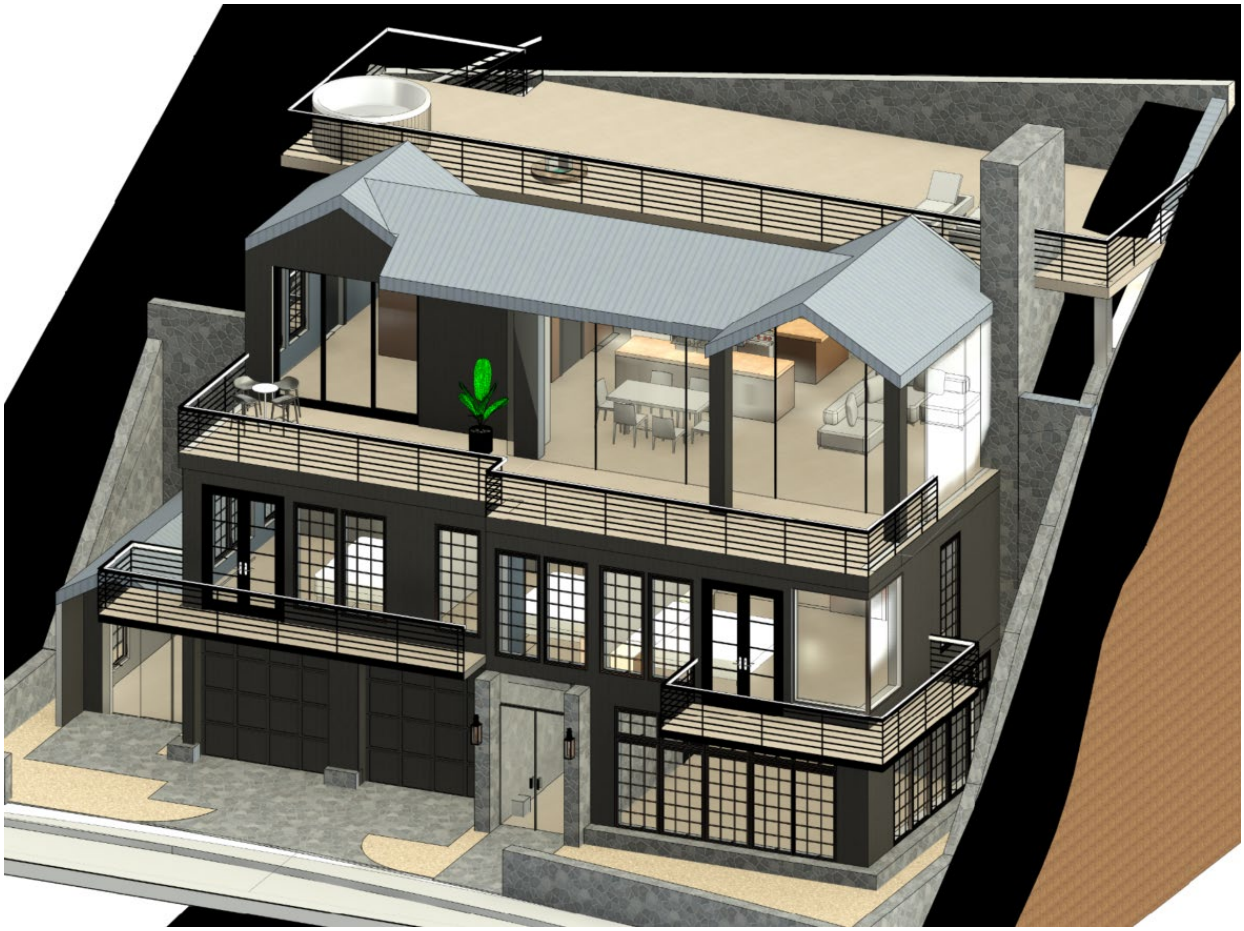


Figure 8: Previous plans reviewed at June 25, 2025 Planning Commission work session

[5] LMC § 15-13-8(B)(8)

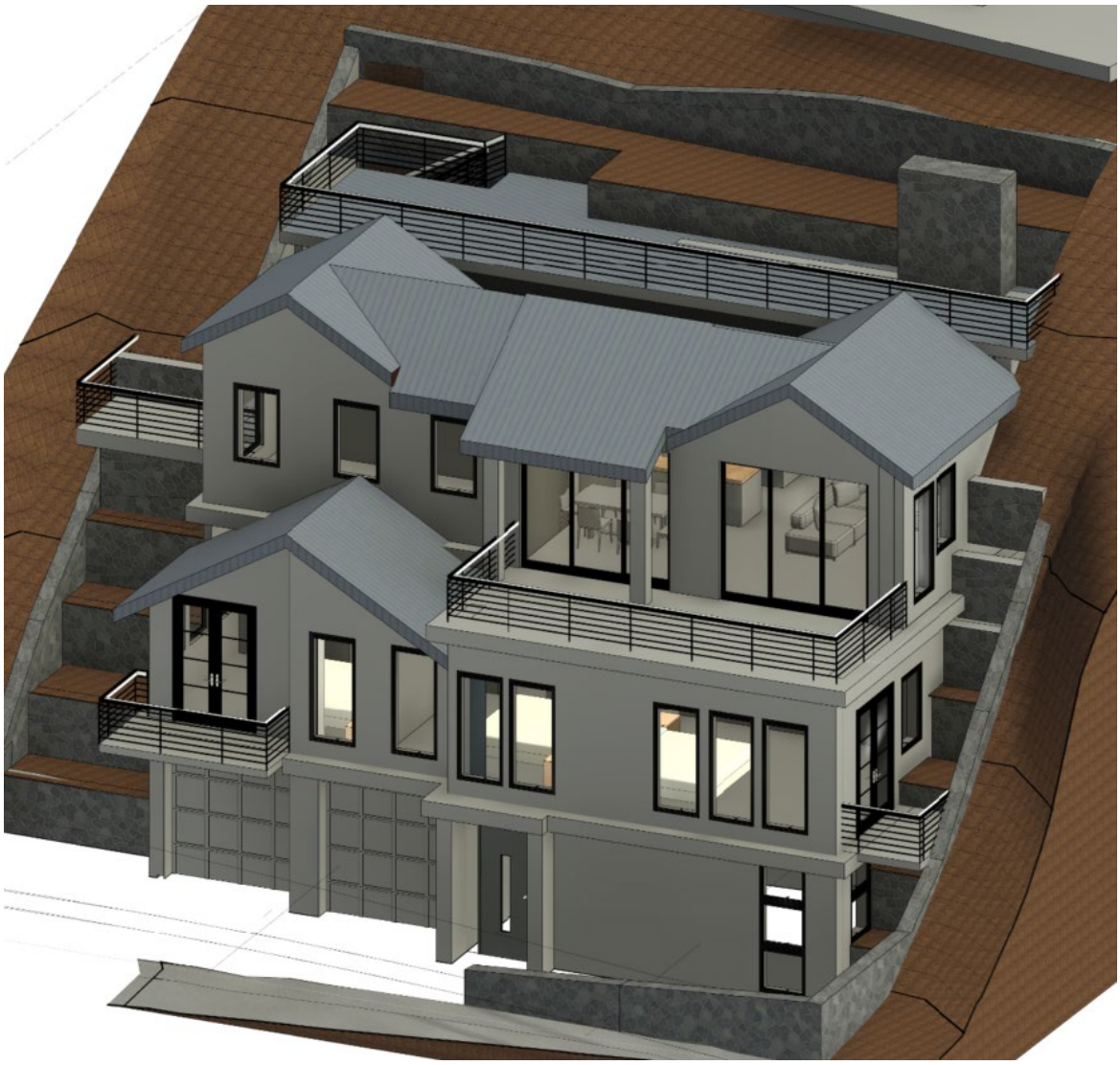


Figure 9: Updated Plans submitted July 7, 2025

While the revised plans show a reduction in the front façade decks, the width of the third-level deck and the width and depth of the second-level balcony must be further reduced to be visually subordinate to the new building and to minimize visibility from the primary public ROW.

To meet the above standard, staff recommends the third-level deck be reduced by adding a shed roof on one-half of the terraced step-back and replacing the glass and metal railing on the third-level deck with a solid wood railing.



Figure 10: Planning staff recommendation to reduce the width of the third-level deck by adding a shed roof and modifying the railing.

(III) The Planning Commission may require mitigation measures to reduce the impact of development on Steep Slopes pursuant to LMC § 15-2.2-6 *Development on Steep Slopes in the Historic Residential – 1 Zoning District.*

At the June 25, 2025 work session, the Planning Commission recommended the house plans be modified to meet the SSCUP Criteria and HDDR standards. Specifically, the Commission recommended to either remove the roof deck or reduce its volume to minimize the SFD's visual mass on the Very Steep Slope and to meet the Historic District standards outlined in LMC § 15-13-8(B)(8)(a), which require balconies and roof decks be visually subordinate to the new building and be minimally visible from the primary public ROW.

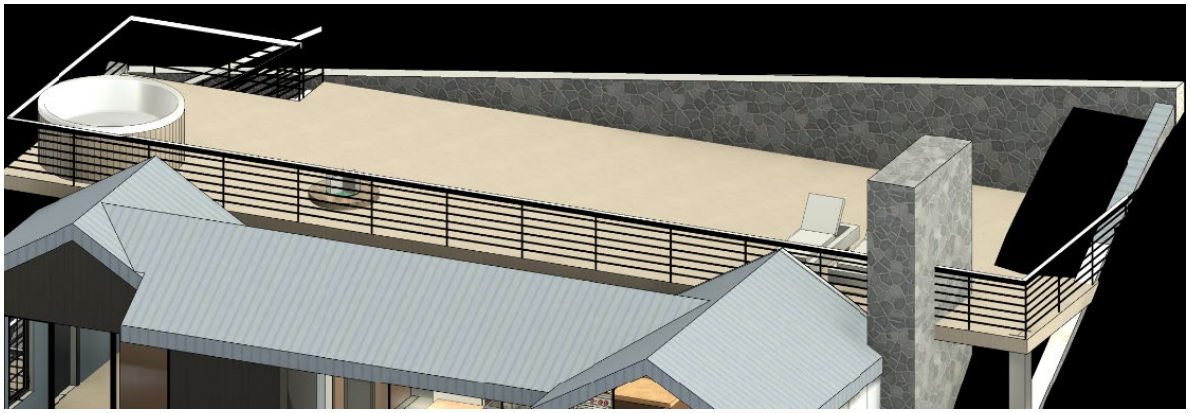


Figure 11: Previous plans with large roof deck

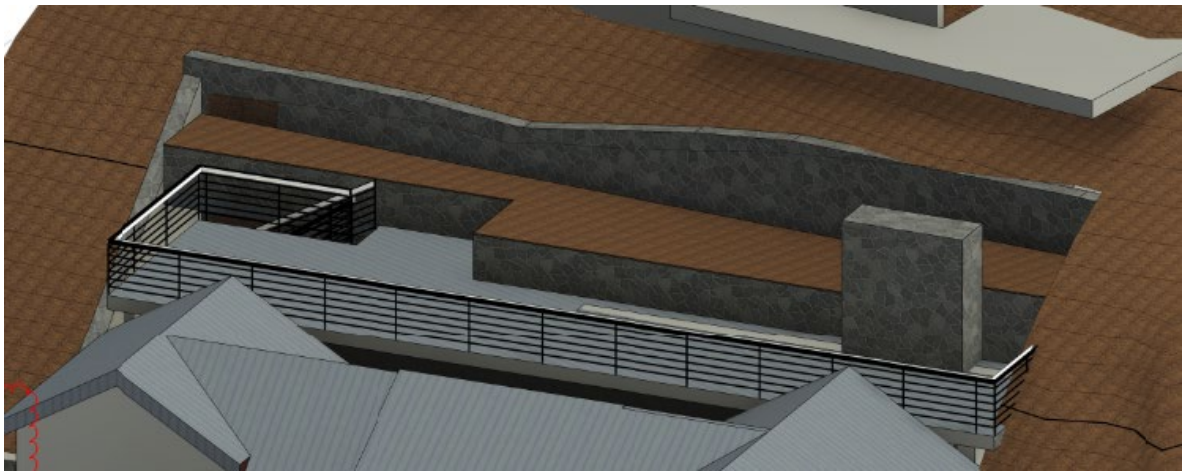


Figure 12: Updated roof deck with terraced landscape area for screening the rear retaining wall and reducing the depth of the deck overall.

The Applicant's revised plans show a reduction in the depth of the roof deck, by creating a landscaped terrace that steps up the slope and provides vegetative screening for the retaining wall at the rear of the Structure. The revised plans also show a slight reduction in the width of the roof deck that extends beyond the dwelling's roof form on either side.



Figure 13: Plans reviewed at the June 25, 2025 work session

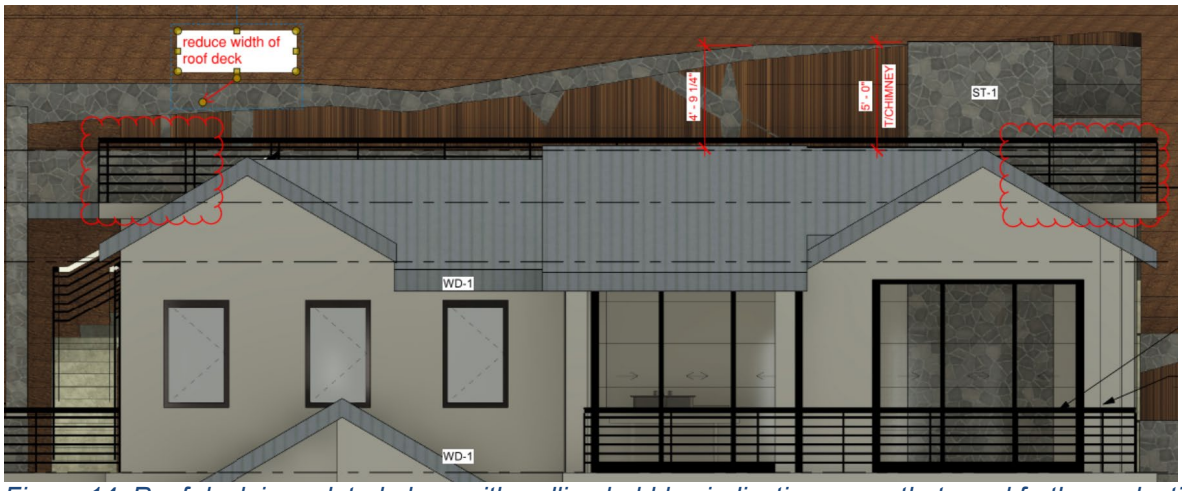


Figure 14: Roof deck in updated plans with redline bubbles indicating areas that need further reduction.

The width of the roof deck must be reduced further, such that it does not extend beyond the SFD roof form, to minimize the visual mass on the Very Steep Slope and to meet the HDDR standards.

Historic Residential-1 Zoning District SSCUP Criteria No. 4, Terracing. *The project may include terraced retaining Structures if necessary to retain Natural Grade.* [6]

Additionally, the HDDR requires the visual impact of retaining walls be minimized by creating gradual steps or tiers by using perennial plant material.[7]

Historic Residential-1 Zoning District SSCUP Criteria No. 1 Visual Analysis, Screening. *Identify potential for Screening to mitigate impacts of the Building Mass and design*[8]*.*

At the June 25, 2025 Work Session, the Planning Commission provided feedback to the Applicant regarding the need for terracing the retaining walls to step with the Steep Slope. The Commission was concerned with the exposed retaining wall behind the roof deck and directed the Applicant to provide terracing and landscaping to screen all retaining walls.

The SFD will require significant cuts to the 90% -100% grade. The Applicant's previous iteration of the house plans did not include stepped retaining walls or vegetative screening. The updated plans show retaining walls on either side of the Structure that step with the Grade.

[6] LMC § 15-2.2-6(C)
[7] LMC § 15-13-8(B)(1)(d)
[8] LMC § 15-2.2-6(C)



Figure 16: Applicant's rendering of the proposed SFD and retaining walls

The Visual Analysis submitted by the Applicant indicates that the proposed retaining walls surrounding the SFD are visible from cross-canyon Vantage Points. The Applicant's updated plans show landscaping in the terraced retaining walls and the retaining wall at the rear of the property has been reduced in scale and will be screened with a landscaped terrace that steps up the slope from the roof deck.



Figure 15: Birds-eye-view of proposed 301 Marsac Avenue SFD

A Condition of Approval will require vegetative screening of the retaining walls in the terraced areas and any areas disturbed during construction surrounding the proposed work shall be brought back to their original state.

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 9, 2025. Staff mailed courtesy notice to property owners within 300 feet on July 8, 2025. The *Park Record* published notice on July 9, 2025.[9]

Public Input

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

Exhibits

A: Proposed Plans dated 7.7.2025
B: Geotechnical Report
C: Recorded Encroachment Agreement

[9] LMC § 15-1-21

PROPOSED NEW PRIVATE DEVELOPMENT:

PARK CITY DUPLEX LOT 1 & 2

311 Marsac Avenue
Park city, Utah



PROJECT INFORMATION

GENERAL PARCEL INFORMATION:
APN:
Property Owner:
Owner Address:
Site Address:
Recorded Size (Assessor Database):
Computed Size (GIS):

PLANNING AND DEVELOPMENT INFORMATION:
General Plan:
Zoning: HR-1

SPECIAL AREA POLICIES AND INFORMATION:
Fire Responsibility Area:
Cal Fire SRA Hazard Class:
Wildland Urban Interface:
Fire Protection District:
Geohazard:
Historic Parcel:
FEMA Flood Zone:
Sanitary District:
Watershed:

2022 International Building Code (IBC)
2022 International Residential Code (IRC)
2022 International Electrical Code (IEC)
2022 International Mechanical Code (IMC)
2022 International Plumbing Code (IPC)
2022 International Fire Code (IFC)
2022 City of Park City/County of Summit amendments

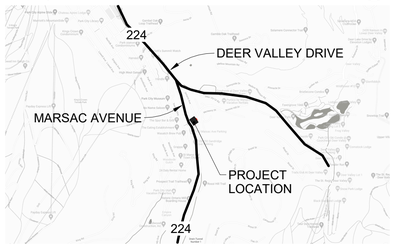
LEGAL DESCRIPTION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH

LOTS 1 & 2, TOGETHER WITH THE NORTHERLY 1/2 OF THE VACATED STREET ADJOINING SAID LOT 1 ON THE SOUTH, BLOCK 54, AMENDED PLAT OF THE PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

VICINITY MAP

308 Marsac Avenue
Park city, Utah



PROJECT DESCRIPTION

NEW CONSTRUCTION HOME ON AN EXISTING LOT LOCATED IN PARK CITY'S OLD TOWN HISTORIC DISTRICT. DESIGNED IN COMPLIANCE WITH THE 15-2.2-2.B CONDITIONAL USES AND THE 1-13-8 HR-1 DESIGN GUIDELINES. THE HOME SITS ON A STEEP SLOPE AND IS DESIGNED TO COMPLY WITH THE STEEP SLOPE CONDITIONS AND PROVIDES MINIMALIST NATIVE LANDSCAPING WHERE GROUNDCOVER REMAINS ON THE LOT.THE EXTERIOR MATERIALS USED SHALL REFLECT THE NATURE OF THE HISTORIC DISTRICT AND NEIGHBORS. THE BUILDING FEATURES THREE LEVELS, STARTING WITH THE GROUND FLOOR ENTRY, GARAGE, AND BONUS ROOM, DESIGNED IN SUCH A WAY TO MINIMIZE THE VISUAL IMPACT OF THE GARAGE. THE FIRST FLOOR IS THREE BEDROOMS AND BATHS. THE SECOND AND TOP FLOOR IS THE DINING, LIVINING, AND KITCHEN AREAS WITH A PARTIALLY UNCOVERED TERRACE. THERE IS A ROOF DECK AT THE REAR OF THE PROPERTY DESIGNED TO BE HIDDEN FROM THE FRONT FACADE AND TO MINIMIZE VISUAL IMPACT FOR THE NEIGHBORS ABOVE.

SHEET INDEX

G0.0 PROJECT INFORMATION

SURVEY/REVISED PLAT

GEOTECHNICAL REPORT

G0.1 PHOTOS LOCATIONS - FROM PROJECT SITE
G0.2 PHOTOS LOCATIONS - TO PROJECT SITE
G0.3 AERIAL RENDERINGS
G0.4 AERIAL RENDERINGS
G0.5 AERIAL RENDERINGS

A1.0 PROPOSED SITE PLAN
A1.1 FLOOR PLAN - GROUND FLOOR
A1.2 FLOOR PLAN - FIRST FLOOR
A1.3 FLOOR PLAN - SECOND FLOOR
A1.4 FLOOR PLAN - ROOF DECK
A1.5 ROOF OVER TOPO EXHIBIT
A2.1 BUILDING ELEVATION - EAST & WEST
A2.2 BUILDING ELEVATION - SOUTH
A2.3 BUILDING ELEVATION - NORTH
A2.4 BUILDING SECTION
A5.0 3D VIEW

	11.08.2023 Planning Submission
REV 1	04.08.2024 Planning Re-Submission
REV 5	04.25.2025 Planning Re-Submission
REV 5.4	07.07.2025 Planning Re-Submission

DATE STAMP

DATE STAMP

DRAWN BY:	
CHECKED BY:	
APPROVED BY:	NL
PROJECT NUMBER:	
STATUS:	
	JULY 7, 2025

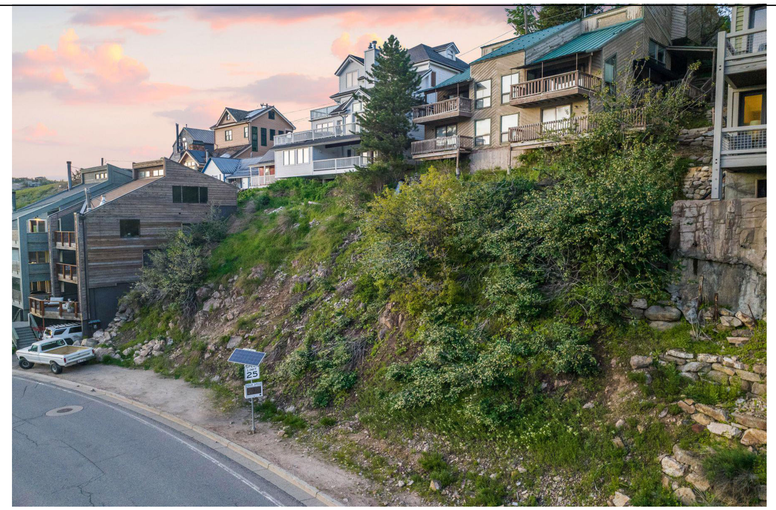
PROJECT INFORMATION

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03 - View from site towards Northwest



04 - View north towards project site



02 - View from site towards West



05 - View East towards project site



01 - View from site towards Southwest



06 - View South towards project site

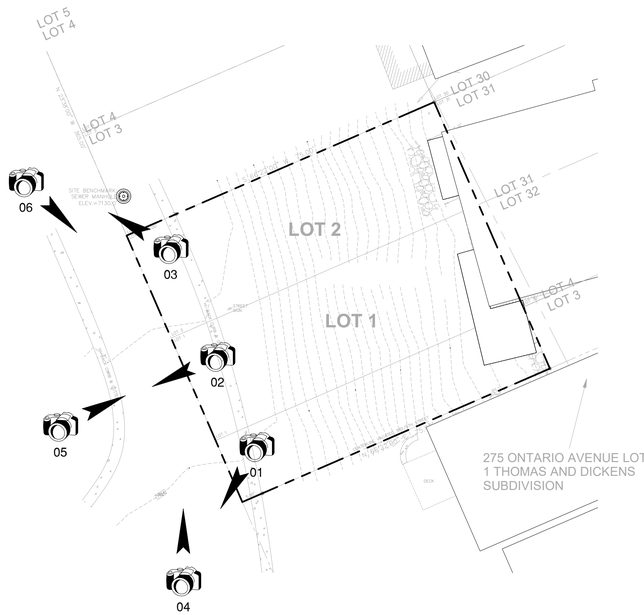
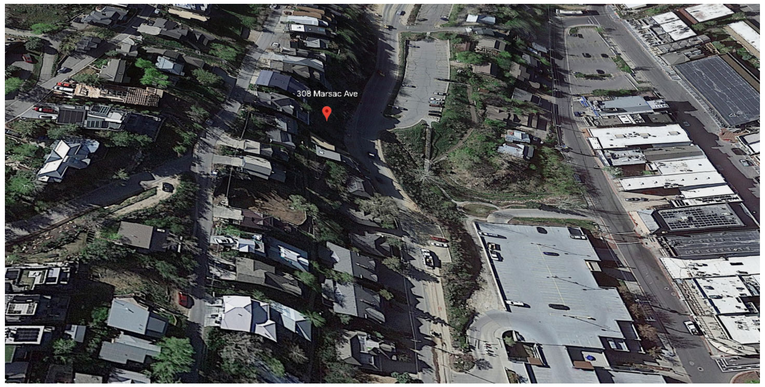


PHOTO LOCATIONS - VIEWS FROM SITE

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N - View towards project site from North



W - View towards project site from West

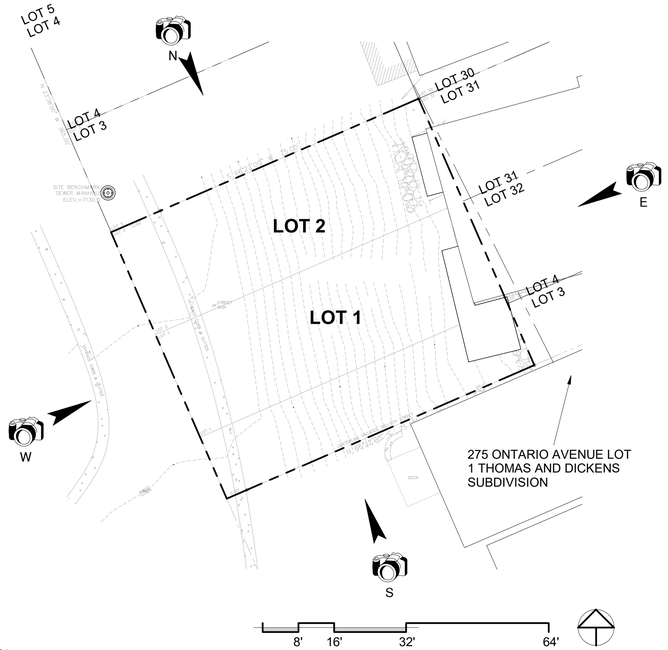
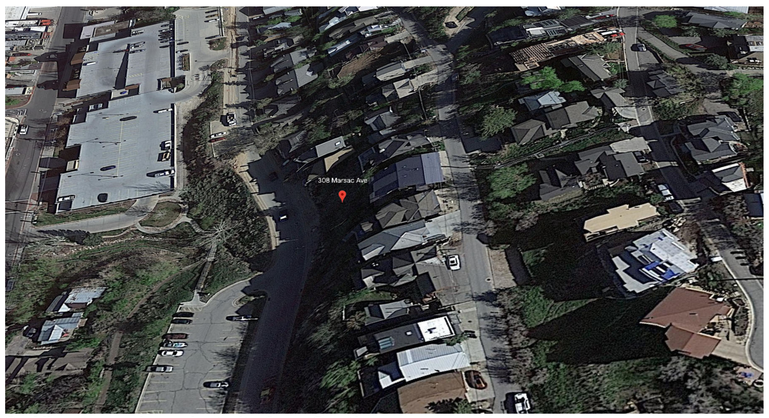


PHOTO LOCATIONS - VIEWS TO PROJECT SITE



E - View towards project site from East



S - View towards project site from South

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SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

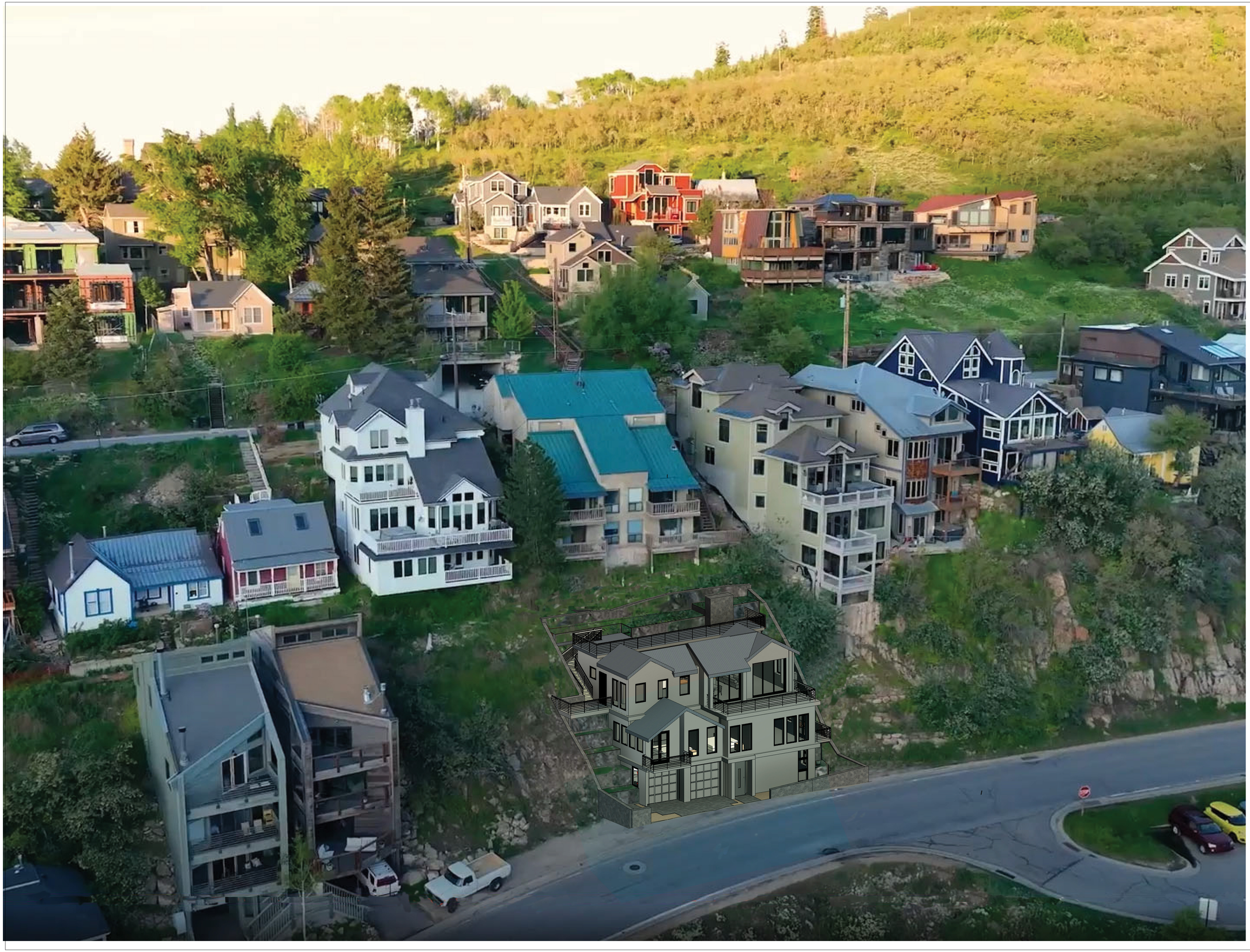
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
	Planning Submission	11.08.2023
REV 1	Planning Re-Submission	04.08.2024
REV 2	Planning Re-Submission	10.16.2024
REV 4	Planning Re-Submission	01.06.2025
REV 5	Planning Re-Submission	04.25.2025
REV 5.1	Planning Re-Submission	06.02.2025
REV 5.4	Planning Re-Submission	07.10.2025

AERIAL RENDERINGS

Project number	
Date	07/10/2025
Drawn by	AG
Checked by	AG

G0.3



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
REV 5.1	Planning Re-Submission	06.02.2025
REV 5.4	Planning Re-Submission	07.10.2025

AERIAL RENDERINGS

Project number	
Date	07/10/2025
Drawn by	AG
Checked by	AG

G0.4



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOODWOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
REV 5.1	Planning Re-Submission	06.02.2025
REV 5.4	Planning Re-Submission	07.10.2025

AERIAL RENDERINGS

Project number	
Date	07/10/2025
Drawn by	AG
Checked by	AG

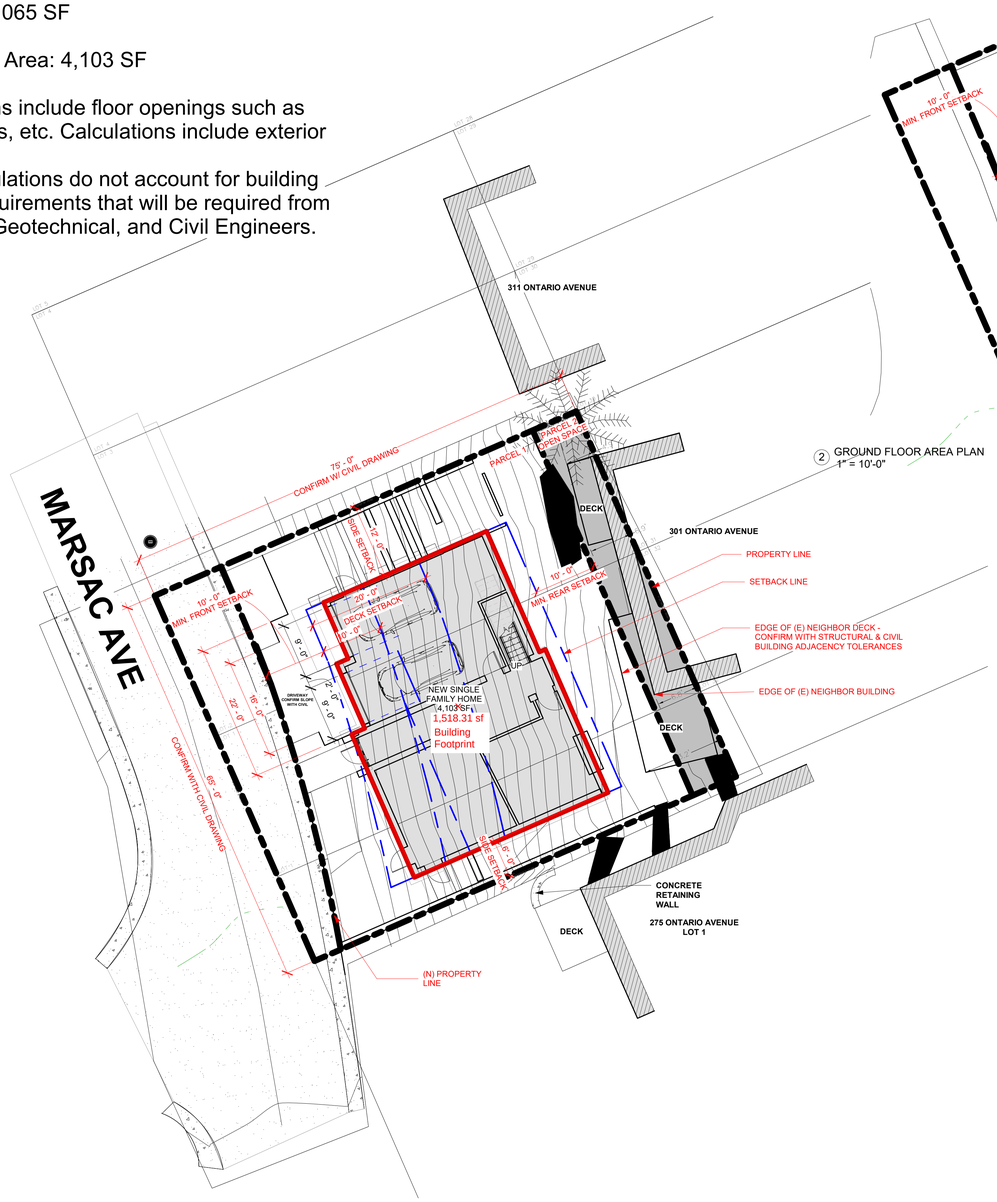
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Gross Area Calculations
GROUND LEVEL (including garage): 1,519 SF
LEVEL 1: 1,519 SF
LEVEL 2: 1,065 SF

Total Gross Area: 4,103 SF

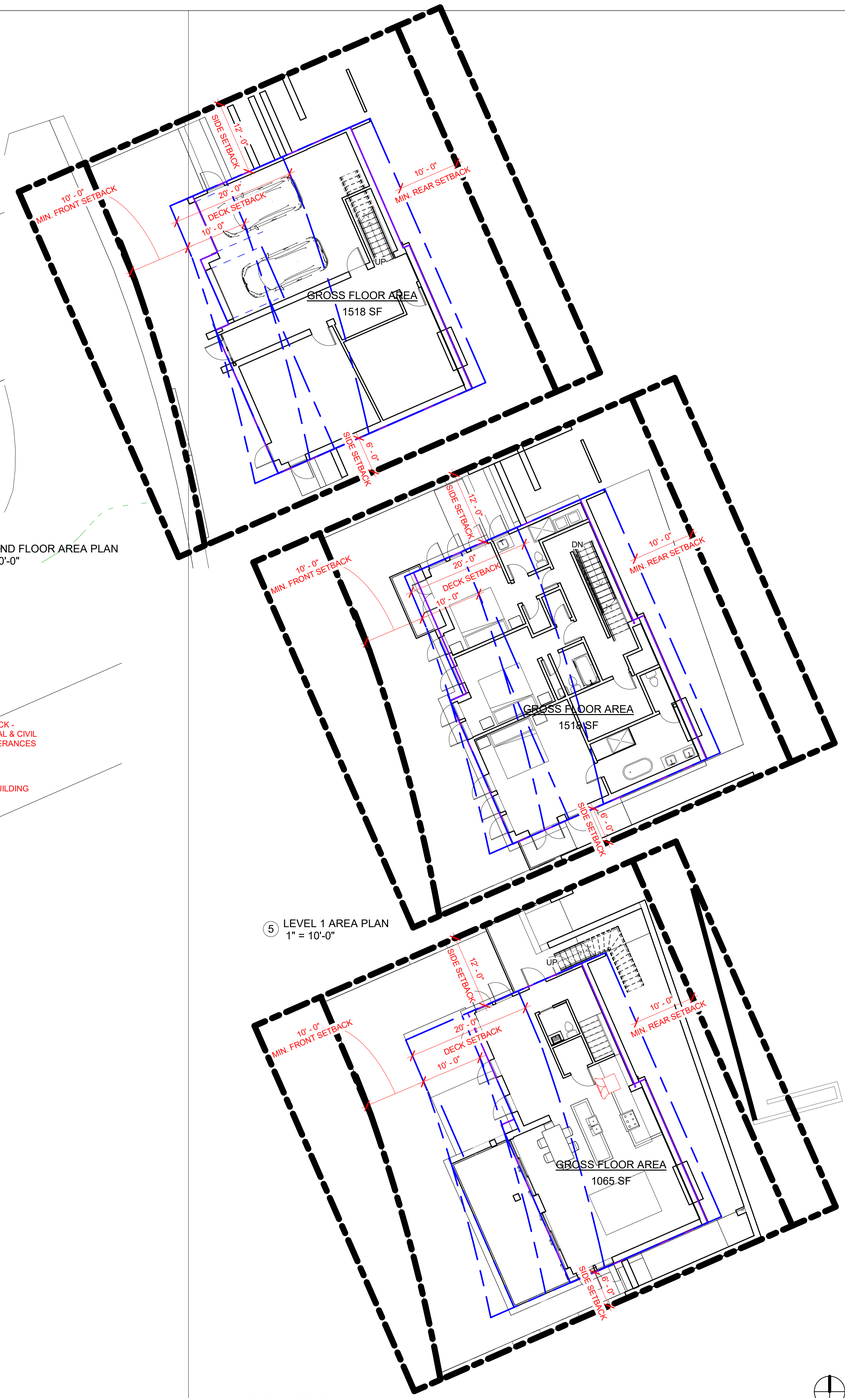
*Calculations include floor openings such as stairs, shafts, etc. Calculations include exterior walls.
*Note Calculations do not account for building setback requirements that will be required from Structural, Geotechnical, and Civil Engineers.

Building Footprint:
Maxiumum FP=1,519 SF



1 SITE PLAN
1" = 10'-0"

2 GROUND FLOOR AREA PLAN
1" = 10'-0"



5 LEVEL 1 AREA PLAN
1" = 10'-0"

6 LEVEL 2 AREA PLAN
1" = 10'-0"

SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

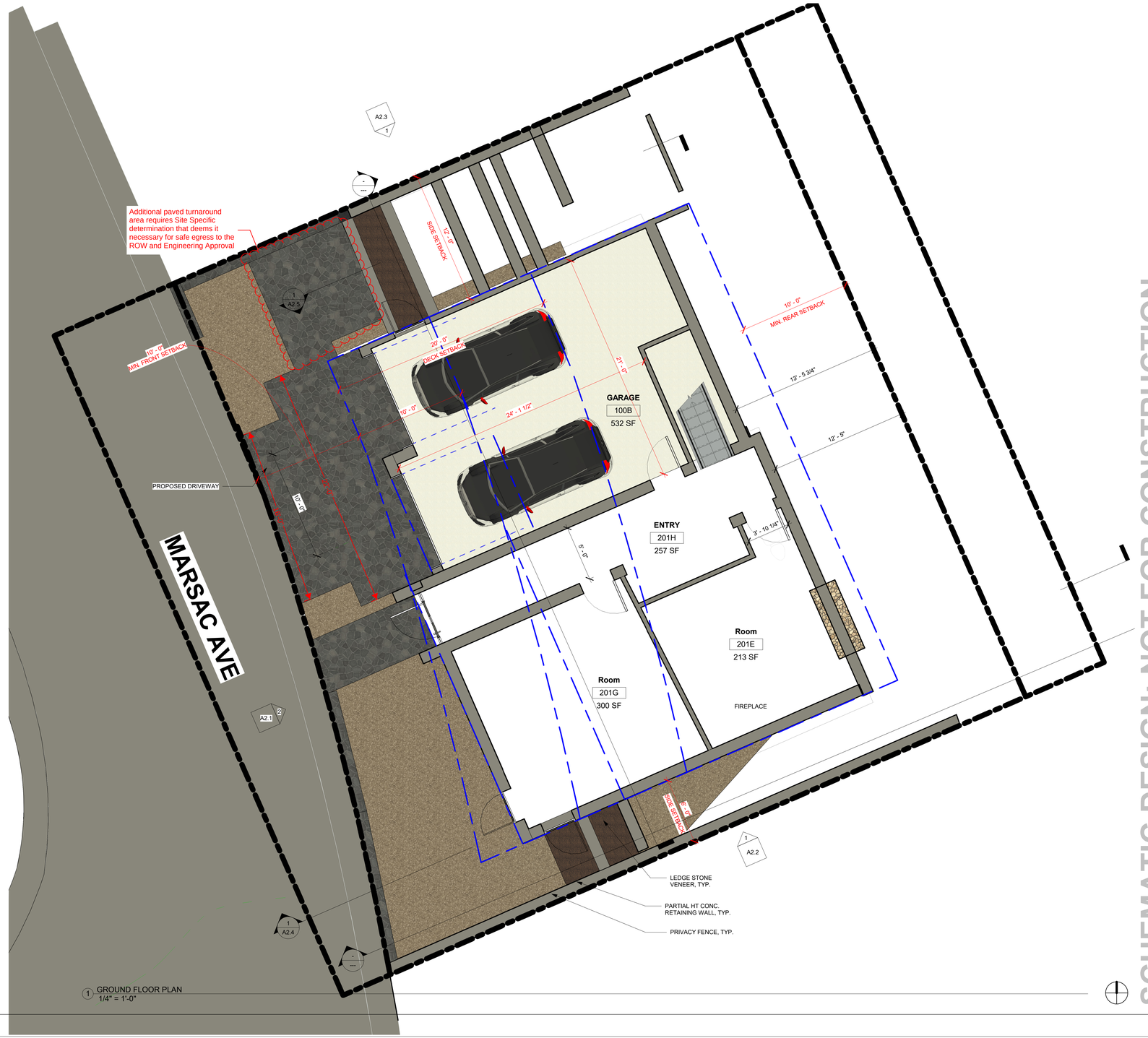
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
	Planning Submission	11.08.2023
REV.1	Planning Re-Submission	04.08.2024
REV.2	Planning Re-Submission	10.16.2024
REV.4	Planning Re-Submission	01.06.2025
REV.5	Planning Re-Submission	04.25.2025
REV.5.1	Planning Re-Submission	06.02.2025
REV.5.3	Planning Re-Submission	06.30.2025
REV.5.4	Planning Re-Submission	07.07.2025

PROPOSED SITE PLAN

Project number	
Date	06/02/2025
Drawn by	AG
Checked by	AG

A1.0



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

FLOOR PLAN - GROUND FLOOR

Project number	
Date	04/25/2025
Drawn by	MK
Checked by	AB

A1.1



1 FIRST FLOOR PLAN
1/4" = 1'-0"

SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

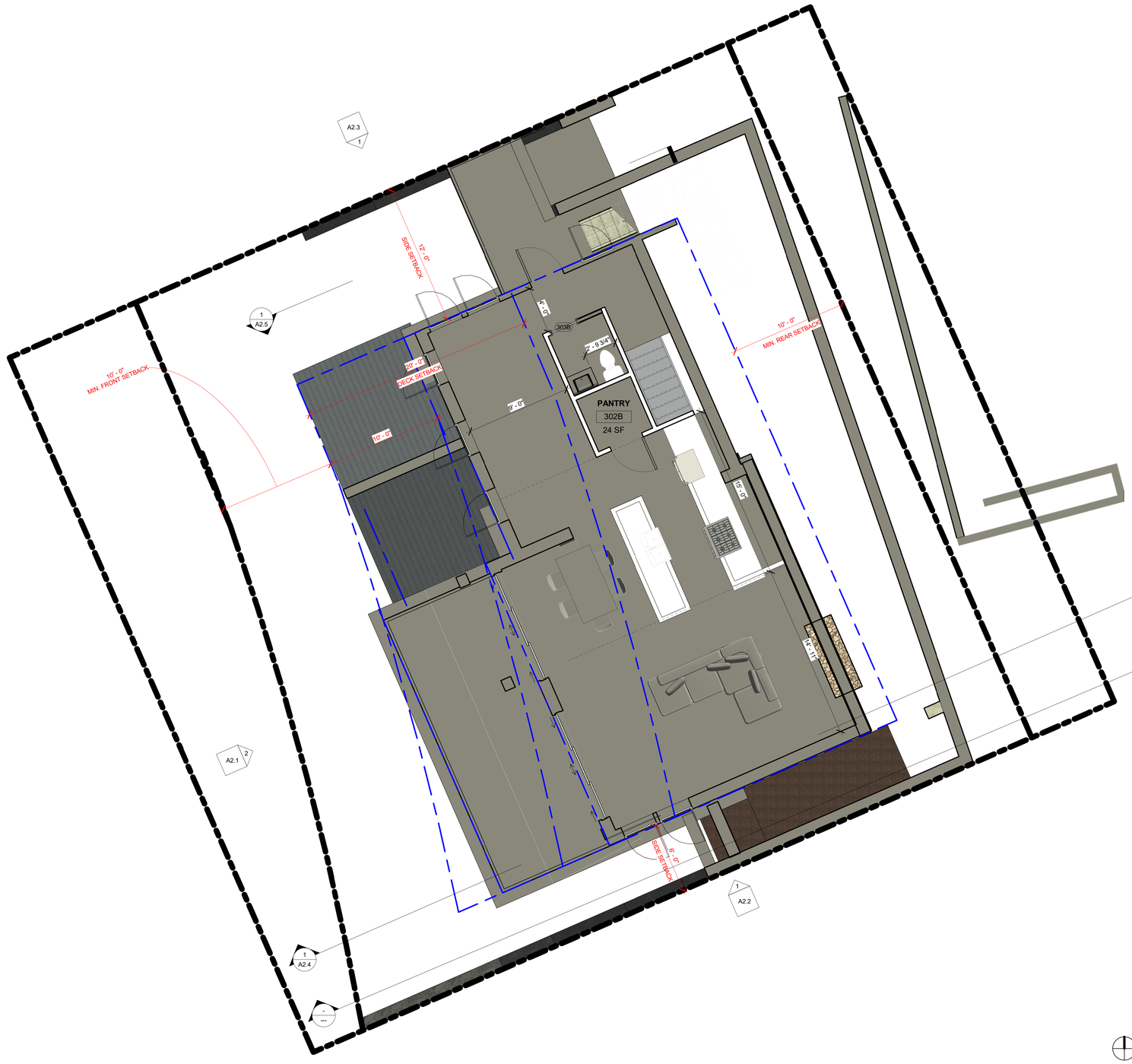
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

FLOOR PLAN - FIRST FLOOR

Project number	
Date	04/25/2025
Drawn by	MK
Checked by	AB

A1.2



1 SECOND FLOOR PLAN
1/4" = 1'-0"

SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

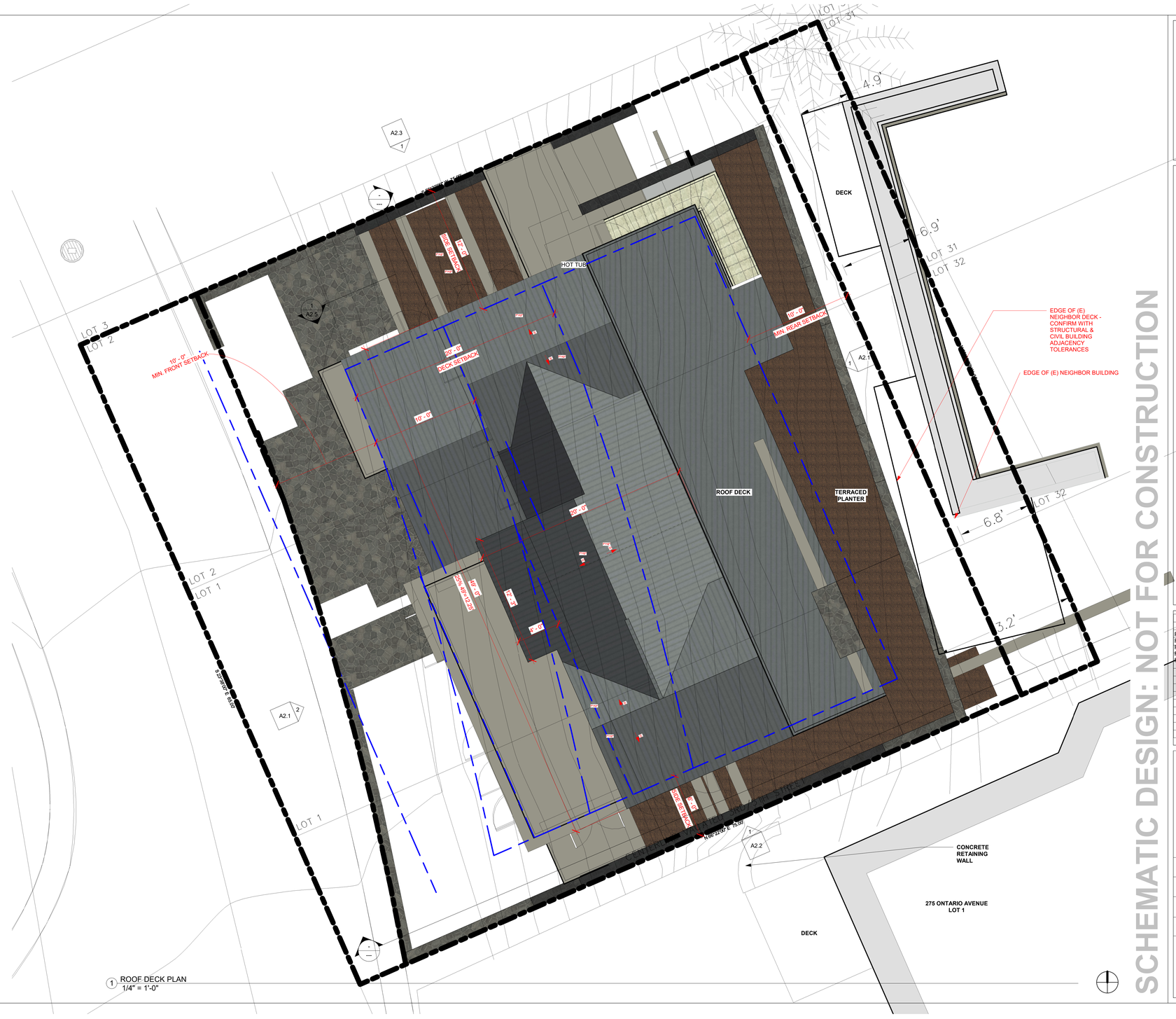
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

FLOOR PLAN - SECOND FLOOR

Project number	
Date	04/25/2025
Drawn by	MK
Checked by	AB

A1.3



1 ROOF DECK PLAN
1/4" = 1'-0"

SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

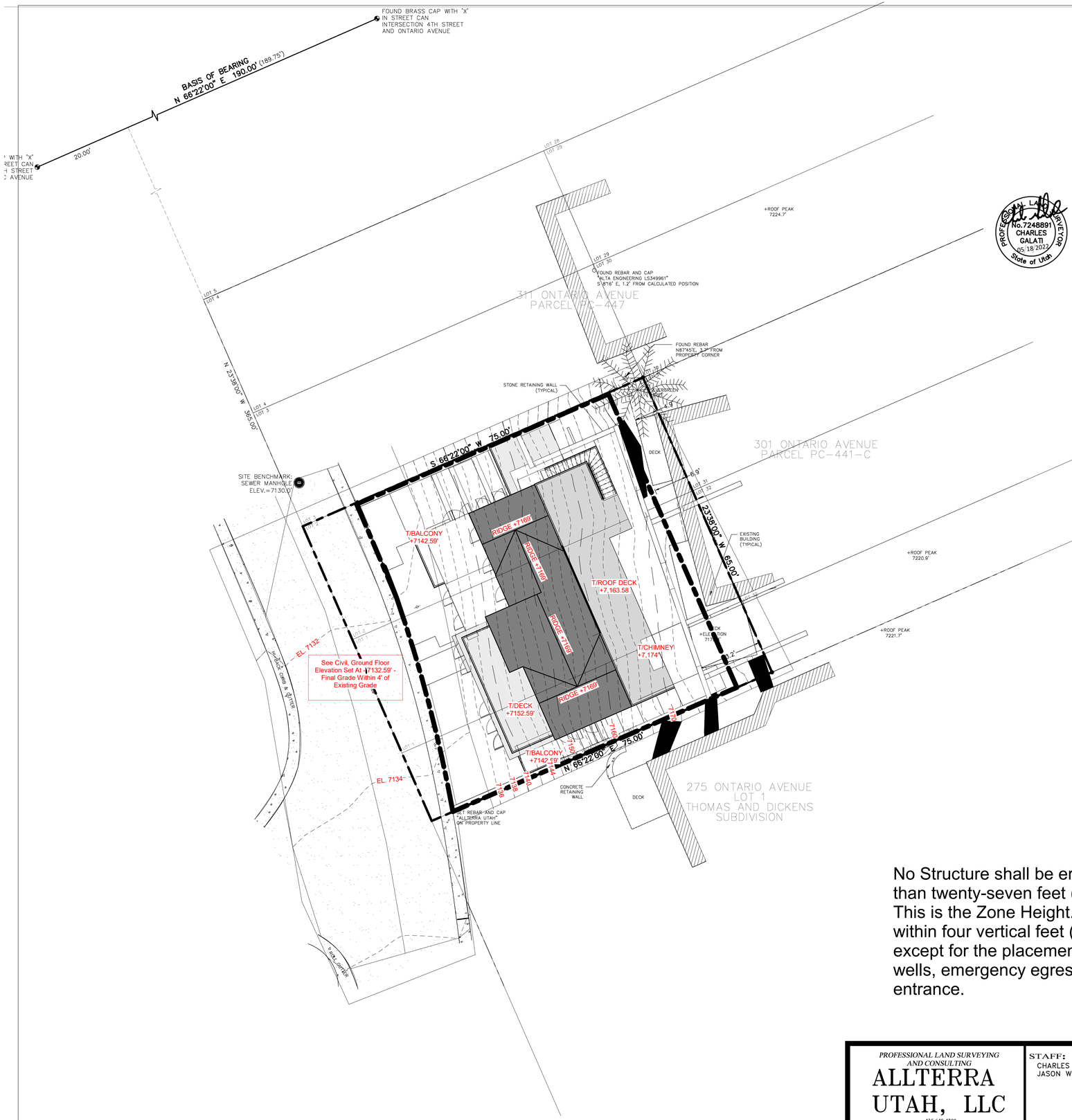
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
	Planning Submission	11.08.2023
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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

FLOOR PLAN - ROOF DECK

Project number	
Date	04/04/2024
Drawn by	MK
Checked by	AB

A1.4



LOTS 1 & 2, BLOCK 54
PARK CITY SURVEY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN RECORD OF SURVEY SUMMIT COUNTY, UTAH

PROFESSIONAL LAND SURVEYOR No.7248891 CHARLES GALATI 05.18.2022 State of Utah

SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

LOTS 1 & 2, TOGETHER WITH THE NORTHERLY 1/2 OF THE VACATED STREET ADJOINING SAID LOT 1 ON THE SOUTH BLOCK 54, AMENDED PLAT OF THE PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

NARRATIVE/NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was performed May 11, 2022 and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform a Boundary, Existing Conditions and Topography survey as part of the due diligence process in advance of the potential sale of the property.
4. A Title Report was not provided to the surveyor and no easements were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, Amended Plat of Park City, Thomas and Dickens Subdivision plat Entry No. 475080, Records of Survey, Nos s-1871, s-2180, and s-6919 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were all considered when determining the boundary as shown on this plat.
6. Site Benchmark: Sewer manhole, Elevation= 7130.0' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corner monuments were found and/or set as shown.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade, except for the placement of approved window wells, emergency egress, and a garage entrance.

LEGEND
- ● Set 5/8" rebar w/cap "ALLTERRA UTAH" (Unless noted otherwise)
- ○ Found Monument (As-Noted)
- ⚽ Found Street Monument (As-Noted)

10' 0 10' 20'

PROFESSIONAL LAND SURVEYING AND CONSULTING
ALLTERRA UTAH, LLC
435-640-4200
463 SCENIC HEIGHTS ROAD, FRANCIS, UTAH 84036

STAFF: CHARLES GALATI JASON WYNNE

DATE: 5/18/22

EXISTING CONDITIONS & TOPOGRAPHIC MAP
308 MARSAC AVENUE, PARK CITY, UTAH
PARCEL NO. PC-441

CLIENT: STEPHEN PROWS
PROJECT.: 22049
C:\Users\Charlie\Desktop\ALLTERRA\AU JOBS\22049-308 Marsac Ave\22049 JW.dwg

SHEET 1 OF 11

SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
	Planning Submission	11.08.2023
REV 1	Planning Re-Submission	04.08.2024
REV 2	Planning Re-Submission	10.16.2024
REV 3	Planning Re-Submission	11.14.2024
REV 5	Planning Re-Submission	04.25.2025
~~REV 5.1~~	~~Planning Re-Submission~~	~~06.02.2025~~
REV 5.2	Planning Re-Submission	06.10.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

ROOF OVER TOPO EXHIBIT

Project number	
Date	6/10/2025
Drawn by	AG
Checked by	AG

A1.5



ST-1 STONE CLADDING



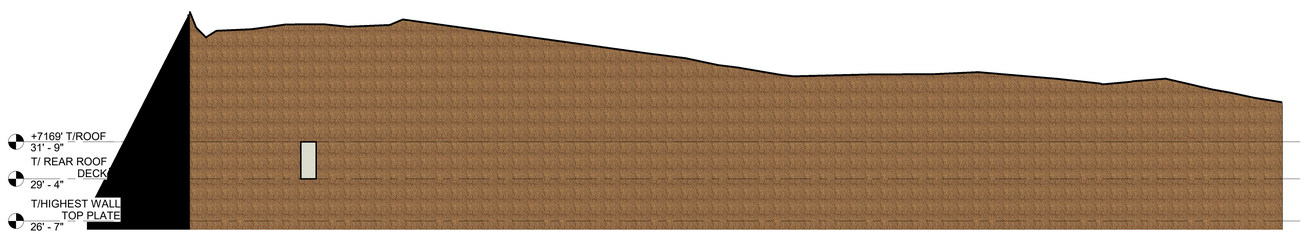
WD-1 PTD WOOD CLADDING - THERMORY OR SIMILAR



MTL-1 METAL FOR WINDOW FRAMES AND MISC. METALS



② WEST
1/4" = 1'-0"



① EAST
1/4" = 1'-0"

SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

BUILDING ELEVATION - EAST & WEST

Project number	
Date	04/25/2025
Drawn by	AG
Checked by	AG

A2.1



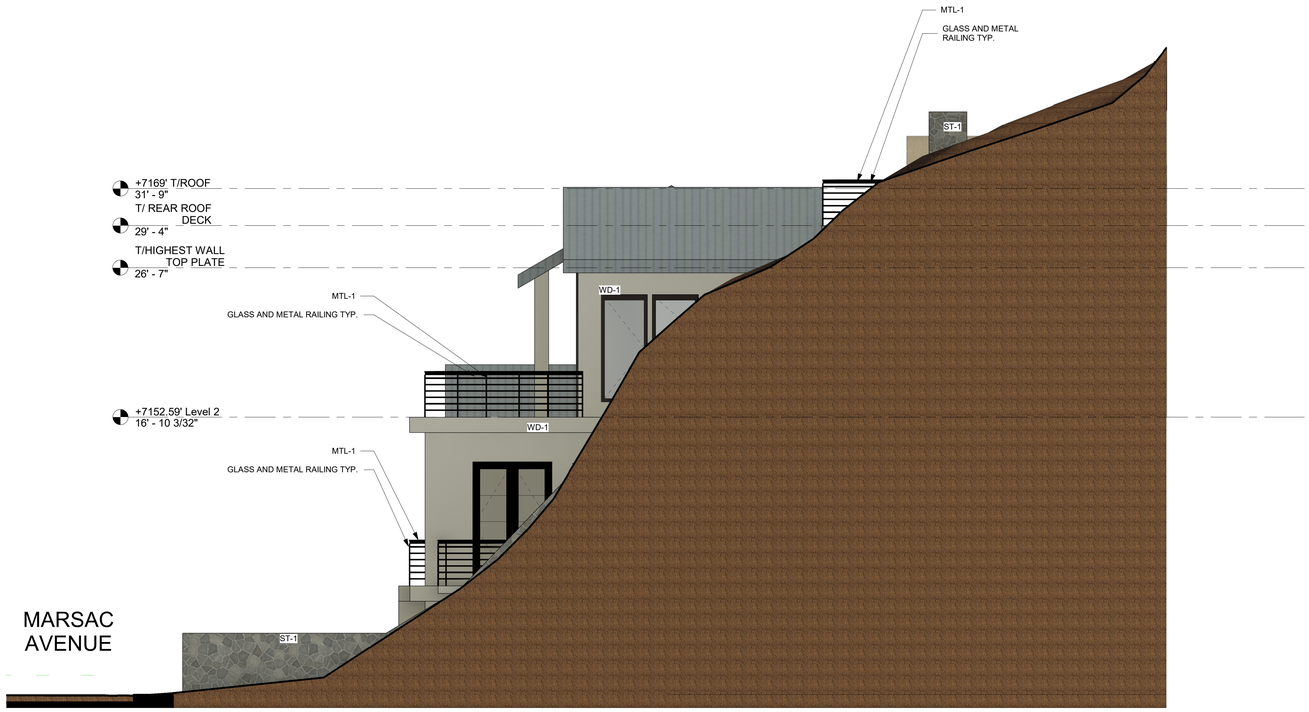
ST-1 STONE CLADDING



WD-1 PTD WOOD CLADDING - THERMORY OR SIMILAR



MTL-1 METAL FOR WINDOW FRAMES AND MISC. METALS



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
	Planning Submission	11.08.2023
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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

BUILDING ELEVATION - SOUTH

Project number	
Date	04/25/2025
Drawn by	AG
Checked by	AG

A2.2



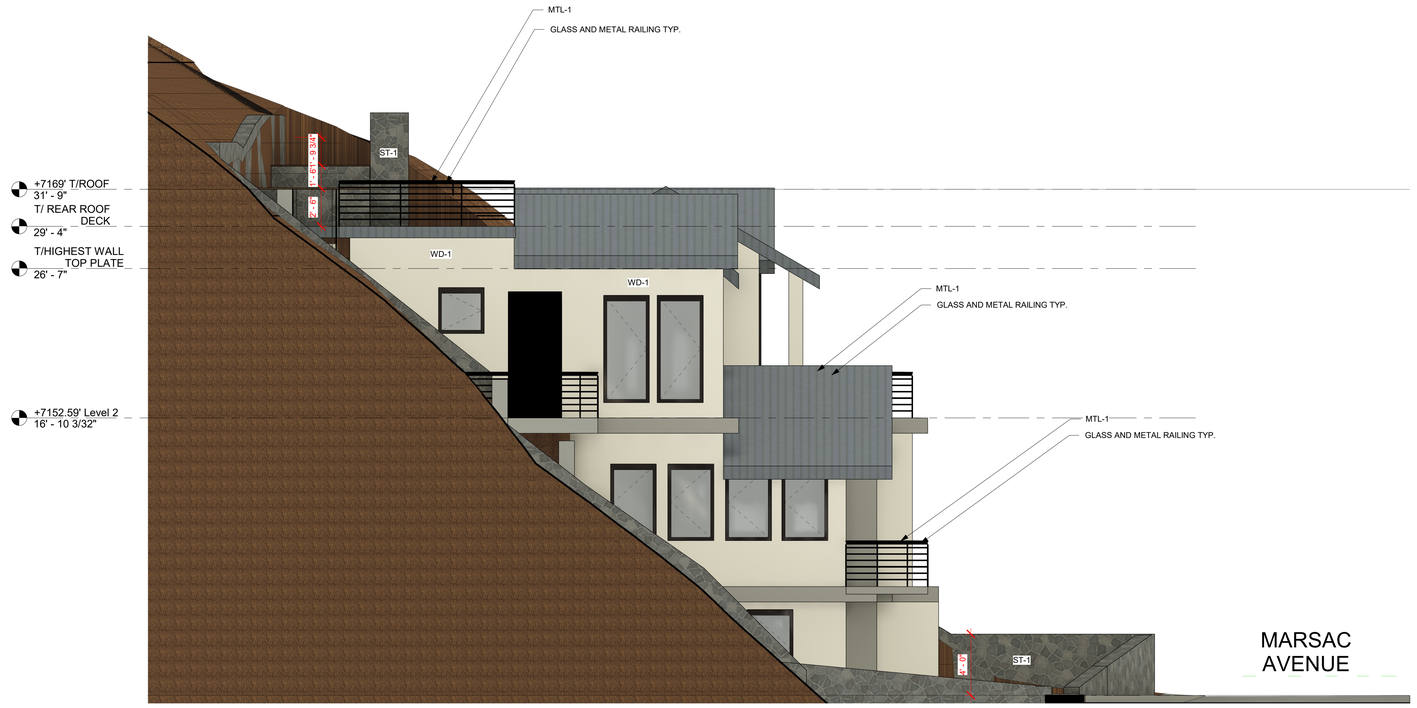
ST-1 STONE CLADDING



WD-1 PTD WOOD CLADDING - THERMORY OR SIMILAR



MTL-1 METAL FOR WINDOW FRAMES AND MISC. METALS



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

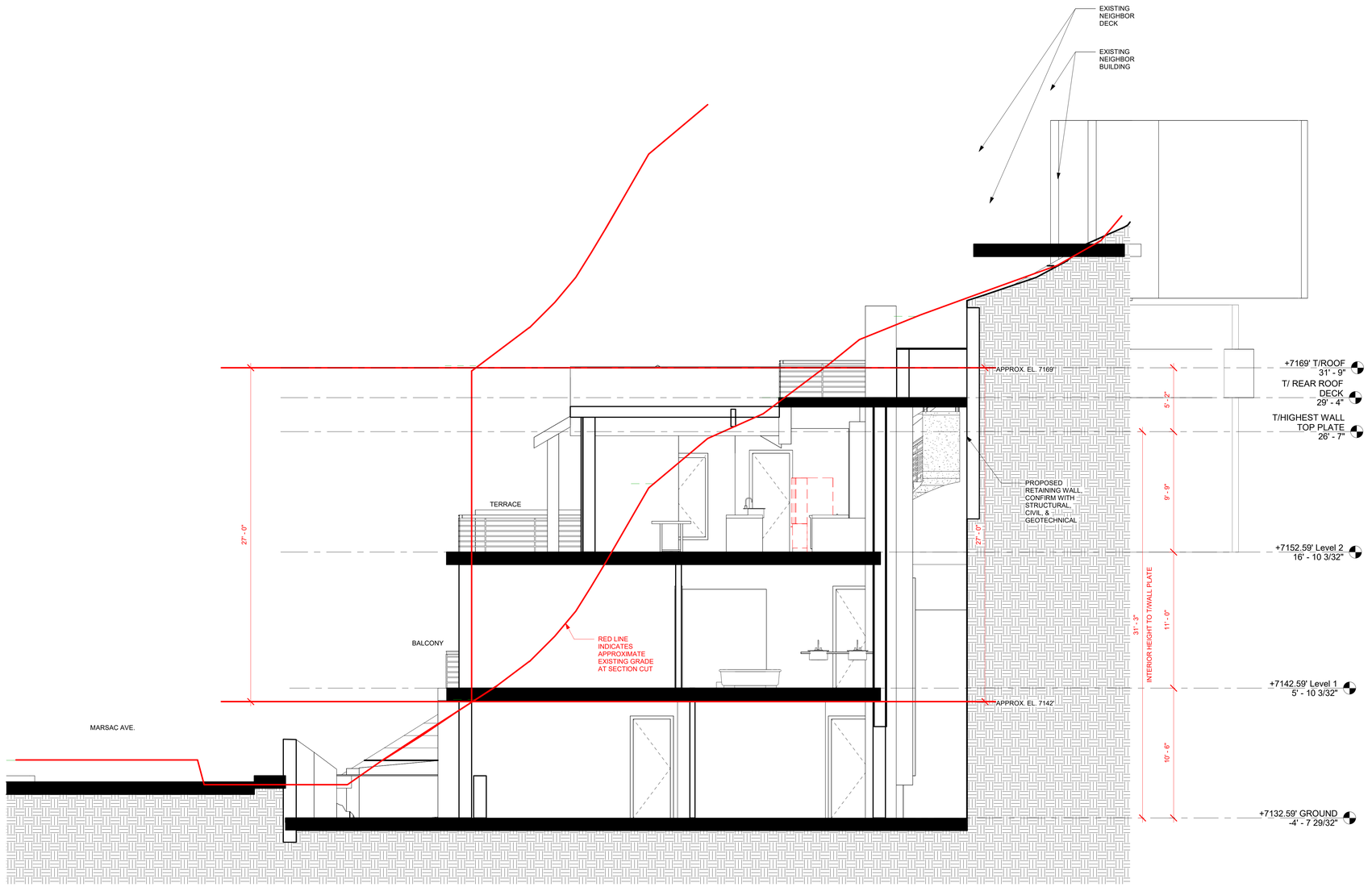
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

BUILDING ELEVATION - NORTH

Project number	
Date	04/25/2025
Drawn by	AG
Checked by	AG

A2.3



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

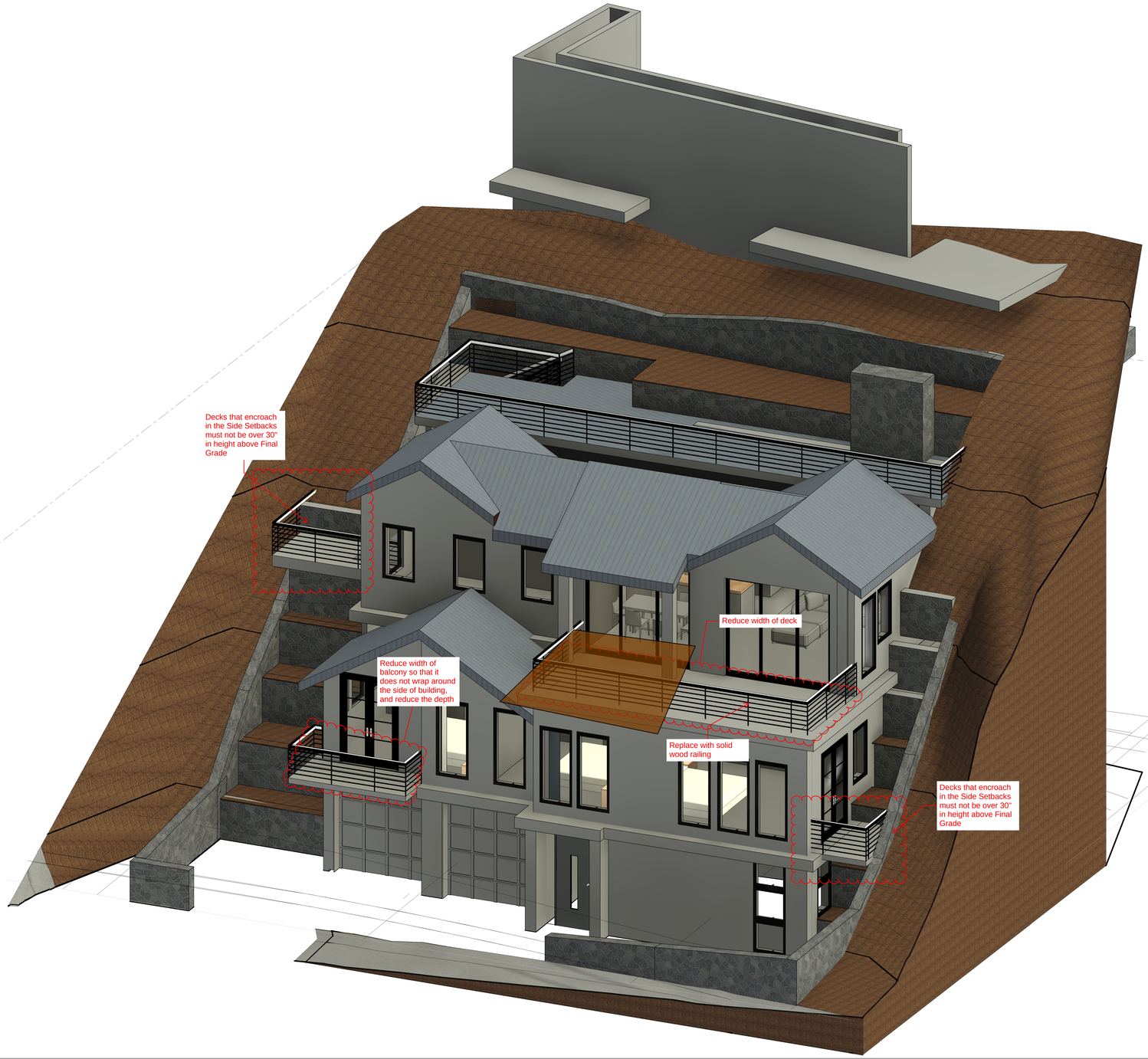
GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
	Planning Submission	11.08.2023
REV 1	Planning Re-Submission	04.08.2024
REV 2	Planning Re-Submission	10.16.2024
REV 3	Planning Re-Submission	04.25.2025
REV 4	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

BUILDING SECTION

Project number	
Date	04/25/2025
Drawn by	AG
Checked by	AG

A2.4



SCHEMATIC DESIGN: NOT FOR CONSTRUCTION

311 MARSAC AVE

PARK CITY, UTAH 84060

GREGORY WOOD, SILVER STREAM ADVISORS, LLC
4351 W CANTERBURY RD, HURRICANE, UT 84737

No.	Description	Date
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REV 5	Planning Re-Submission	04.25.2025
REV 5.3	Planning Re-Submission	06.30.2025
REV 5.4	Planning Re-Submission	07.07.2025

3D VIEW - EXTERIOR AERIAL

Project number	
Date	04/25/2025
Drawn by	AG
Checked by	AG

A5.0

SUMMIT GEOTECH

PRELIMINARY GEOTECHNICAL INVESTIGATION

PARK CITY DUPLEX

311 MARSAC AVENUE
PARK CITY, UTAH

PREPARED FOR:

SILVER STREAM ADVISORS, LLC
4351 WEST CANTERBURY ROAD
HURRICANE, UTAH 84737

ATTENTION: ANDRE BRILEY
EMAIL: ANDRE@DEVELOPBESPOKE.COM

PROJECT NO. 25021 **MAY 23, 2025**

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FIGURE

SITE PLAN . . . . . FIGURE 1

EXECUTIVE SUMMARY

1. The Park City Duplex is planned to be constructed at 311 Marsac Avenue in Park City, Utah. The building is planned to consist of a three-level structure. The building is planned to extend below the ground surface on the uphill (east) side of the property. Levels 0, 1, and 2 are planned to be constructed at elevations of 7,130, 7,140, and 7,150 feet, respectively.

   We have assumed that structural loads for the building will consist of wall loads less than 5 kips per lineal foot and column loads less than 80 kips.

2. It is difficult to access the property due to the steep slope and surrounding residences. A geologist from Summit Geotech visited the property on May 19, 2025. Several bedrock outcrops were observed in the face of the slope. Based on our experience in the area, bedrock has been encountered at shallow depths. We have assumed that the subsurface material will consist of quartzite bedrock.

   An engineer from Summit Geotech should observe the foundation excavation at the time of construction to determine whether the subsurface conditions encountered are similar to what has been assumed.

3. Based on previous experience in the area, there is a potential for subsurface water to flow through more permeable layers of the subsurface materials in a perched condition. A subsurface drain should be constructed around the below-grade portion of the building.

4. The proposed building may be supported on spread footings bearing on the undisturbed bedrock or structural fill extending down to the undisturbed bedrock.

   Footings bearing on the undisturbed bedrock may be designed using a net allowable bearing pressure of 5,000 pounds per square foot (psf). Footings bearing on compacted structural fill that extends down to the bedrock may be designed using a net allowable bearing pressure of 4,000 psf.

   If a footing would bear partially on bedrock and partially on compacted structural fill, at least 2 feet of structural fill should be provided below the footing or the footing extended down to bear entirely on the bedrock.

Executive Summary (continued)

5. Excavation in the bedrock will be difficult and likely require jack-hammering or other rock excavation methods.

6. With the steep slope on the property and nearby residences, we anticipate it will be necessary to construct shoring. Recommendations for shoring design and construction are presented in the report.

7. Geotechnical information related to foundations, subgrade preparation, and materials is included in the report.

SCOPE

This report presents the results of a geotechnical investigation for the Park City Duplex to be constructed at 311 Marsac Avenue in Park City, Utah. The report presents the conditions observed at the time of our site visit and provides preliminary recommendations.

Subsurface conditions have been assumed based on previous experience in the area and our observations during a visit to the site. The assumed subsurface conditions were used for our engineering analysis and to develop recommendations for the proposed building foundation. Summit Geotech should be requested to visit the site during construction to determine whether the observed subsurface conditions are similar to what has been assumed.

This report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the assumed subsurface conditions. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

SITE CONDITIONS

A geologist from Summit Geotech visited the property on May 19, 2025. The property consists of two vacant residential building lots with a combined size of approximately 0.11 acres. There were no buildings on the property at the time of our site visit. The ground surface for most of the property slopes down to the west at approximately 1 to 1.4 horizontal to 1 vertical. An area along the west side of the property is relatively flat. Vegetation on the property consists of grass and oak brush.

Bedrock outcrops were observed in some areas on the face of the slope. The bedrock consists of quartzite and is hard to very hard, slightly moist, and light gray to light brown. The bedrock is very fractured. Fractures in the bedrock dip down at approximately 28 degrees to the northwest.

Marsac Avenue, an asphalt-paved road, extends along the west side of the property. There are residences to the north, south and east of the property. Residences consist of multi-story buildings.

ANTICIPATED SUBSURFACE CONDITIONS

Based on our observations at the site and previous experience in the area we have assumed the subsurface conditions at the property will consist of quartzite bedrock.

SUBSURFACE WATER

Based on our experience in the area, subsurface water may occur in a perched condition during the spring and early summer as snow melts.

PROPOSED CONSTRUCTION

The Park City Duplex is planned to be constructed at 311 Marsac Avenue in Park City, Utah. The building is planned to consist of a three-level structure. The building is planned to extend below the ground surface on the uphill (east) side of the property. Levels 0, 1, and 2 are planned to be

constructed at elevations of 7,130, 7,140, and 7,150 feet, respectively.

We have assumed that structural loads for the building will consist of wall loads less than 5 kips per lineal foot and column loads less than 80 kips.

If the proposed construction or building loads are significantly different from those described above, we should be notified so that we can reevaluate the recommendations given.

RECOMMENDATIONS

Assuming the subsurface conditions consist of quartzite bedrock and the proposed construction is as described above, the following recommendations are given:

A. Site Grading

Construction plans indicate a cut of up to 40 feet will be needed to accommodate the proposed construction.

1. Subgrade Preparation

   Prior to placing grading fill, the topsoil, unsuitable fill, organic material, and other deleterious materials should be removed.

   Care should be taken to not disturb the bedrock to remain below the proposed building, concrete flatwork, and other structures.

2. Temporary Excavation Slopes

Temporary unretained excavation slopes up to 40 feet in height in the undisturbed bedrcock may be constructed at ½ horizontal to 1 vertical or flatter. Flatter excavation slopes in bedrock may be needed, depending on weathering and orientation of fractures.

The excavator is responsible to provide safe working conditions around temporary excavation slopes.

3. Long-term Slopes

Long-term unretained slopes may be constructed at 2 horizontal to 1 vertical or flatter. Fill placed on slopes steeper than 5 horizontal to 1 vertical should be keyed into the slope with a key for every 4 feet of vertical rise. Prior to placement of fill, the subgrade should be prepared by removing the topsoil, unsuitable fill, debris, and other deleterious materials.

Slopes should be protected from erosion by revegetation, erosion control mats, or other methods.

4. Shoring

Based on the proposed construction, we anticipate it will be necessary to construct shoring. We anticipate shoring would likely consist of soil nails with a shotcrete face.

Shoring should be designed to retain the load of the soil and bedrock, along with any surcharge and other loading conditions located above and adjacent to the

excavation. The amount of lateral movement of the shoring and its potential impact on adjacent structures and utilities should be considered in the design.

Lateral loads used in design of the shoring should be increased due to sloping excavations above the top of the wall. This load will be dependent on the steepness of the slope and height of material above the wall.

Details and calculations of proposed shoring and excavation should be submitted to the geotechnical engineer for review prior to commencement of the excavation.

5. Excavation

We anticipate excavation in the bedrock can be accomplished using heavy-duty excavation equipment. Jack-hammering and other rock excavation methods will likely be needed. Additional difficulty should be expected in confined excavations, such as utility trenches.

6. Materials

Materials used as fill for the project are anticipated to consist of imported fill and bedrock. Recommendations for these materials are shown below.

a. Imported Fill

Listed below are materials recommended for imported structural fill.

(See table on following page)

Fill Location	Recommendation
Below Footings	Non-expansive granular soil Passing No. 200 Sieve <35% Liquid Limit < 30% Maximum size 3 inches
Below Floor Slabs (Upper 4 inches)	Sand and/or Gravel Passing No. 200 Sieve <5% Maximum size 2 inches
Below Floor Slabs (Deeper than 4 inches)	Non-expansive granular soil Passing No. 200 Sieve <50% Liquid Limit <30% Maximum size 3 inches

b. On-Site Materials

The broken down bedrock may be considered for use as structural fill below the proposed building if it meets the criteria presented above for imported structural fill. The bedrock may also be used as grading fill around the building and below proposed concrete flatwork.

Topsoil, oversize material, and other deleterious material should be removed from the materials described above that will be used as fill.

c. Moisture Conditioning

Depending on the moisture content of the soil and bedrock at the time of construction, the soil and bedrock may require wetting or drying prior to use as fill. Drying of the soil and bedrock may not be practical during cold or wet times of the year.

7. Compaction

Compaction of materials placed at the site should equal or exceed the minimum densities as indicated below when compared to the maximum dry density as determined by ASTM D 1557.

Fill Location	Compaction
Below Foundations	≥ 95%
Below Concrete Flatwork	≥ 90%
Foundation Wall Backfill	≥ 90%
Utility Trench Backfill (Outside building area)	≥ 90%
Landscaping	≥ 85%

To facilitate the compaction process, the fill should be compacted at a moisture content within 2 percent of the optimum moisture content.

Fill placed for the project should be frequently tested for compaction.

8. Drainage

The ground surface surrounding the proposed building should be sloped to drain away from the building in all directions. Roof downspouts and drains should discharge beyond the limits of backfill.

B. Foundations

1. Bearing Material

The proposed building may be supported on spread footings bearing on the undisturbed bedrock or structural fill extending down to the undisturbed bedrock.

If a footing would bear partially on bedrock and partially on compacted structural fill, at least 2 feet of structural fill should be provided below the footing or the footing extended down to bear entirely on the bedrock.

The topsoil, organics, debris, and other deleterious materials should be removed from below proposed foundations.

2. Bearing Pressure

Footings bearing on the undisturbed bedrock may be designed using a net allowable bearing pressure of 5,000 pounds per square foot.

Footings bearing on compacted structural fill that extends down to the undisturbed bedrock may be designed using a net allowable bearing pressure of 4,000 psf.

3. Temporary Loading Conditions

The allowable bearing pressure may be increased by one-half for temporary loading conditions such as wind or seismic loads.

4. Minimum Footing Width and Embedment

Footings should have a width of at least 1½ feet and a depth of embedment of at least 1 foot.

5. Settlement

We estimate total and differential settlement will be less than ½ inch for footings bearing on the compacted structural fill or bedrock as described above.

Care should be taken to not disturb the bedrock at the base of footing excavations so that settlement can be maintained within tolerable limits.

6. Frost Depth

Exterior footings and footings beneath unheated areas should be placed at least 40 inches below grade for frost protection.

7. Foundation Base

The base of excavations should be cleared of loose or deleterious material prior to fill or concrete placement. Loose bedrock in the base of the excavation should be removed or be compacted.

8. Construction Observation

A geotechnical engineer from Summit Geotech should observe footing excavations for the building prior to structural fill or concrete placement.

C. Concrete Slab-on-Grade

1. Slab Support

Concrete slabs may be supported on the undisturbed natural soil, bedrock or on compacted structural fill extending down to the undisturbed natural soil or bedrock.

Unsuitable fill, topsoil, organics or other deleterious materials should be removed from below the proposed slabs.

2. Underslab Sand and/or Gravel

A 4-inch layer of free draining sand and/or gravel (less than 5 percent passing the No. 200 sieve) should be placed below the concrete slabs for ease of construction and to promote even curing of the slab concrete.

D. Lateral Earth Pressures

1. Lateral Resistance for Footings

Lateral resistance for footings is controlled by sliding resistance between the footing and the foundation soil or bedrock. A friction value of 0.45 may be used in design for ultimate lateral resistance for footings. The passive resistance of the soil adjacent footings may also be considered in design for lateral resistance of footings.

2. Subgrade Walls and Retaining Structures

The following equivalent fluid weights are given for the design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil and the at-rest

condition is where the wall does not move. The values listed below assume a horizontal surface adjacent the wall.

Material Type	Active	At-Rest	Passive
Bedrock or Granular Fill	40 pcf	55 pcf	300 pcf

3. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be increased by 19 pcf for the active condition, increased by 4 pcf for the at-rest condition and decreased by 19 pcf for the passive condition. This assumes a horizontal ground acceleration of 0.31g which represents a 2 percent probability of exceedance in a 50-year period.

4. Safety Factors

The values recommended above assume mobilization of the soil to achieve ultimate soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

E. Seismic Design Considerations

1. Building Code Parameters

Listed below are site-specific parameters that may be used with the 2021 International Building Code:

(See table on following page)

Description	Value
Site Class	C[1]
S_s - MCE_R ground motion (period=0.2s)	0.58g
S_1 - MCE_R ground motion (period=1.0s)	0.21g
F_a - Site amplification factor at 0.2s	1.27
F_v - Site amplification factor at 1.0s	1.5
PGA - MCE_G peak ground acceleration	0.26g
PGA_M - Site modified peak ground acceleration	0.31g

[1]Site Class C was selected based on the subsurface conditions encountered and our understanding of the geology in the area.

2. Faulting

No active faults are mapped as being located on the property. The nearest mapped active fault is the Salt Lake City segment of the Wasatch fault located approximately 16 miles west of the site (Utah Geological Survey, 2025).

3. Liquefaction

Based on our experience in the area and the subsurface conditions encountered, liquefaction is not a potential hazard at the site.

F. Water Soluble Sulfates

Based on published literature and previous experience in the area, the natural soil and bedrock possess negligible sulfate attack potential on concrete. No special cement type is required for concrete placed in contact with the natural soil and bedrock. Other conditions may dictate the type of cement to be used in concrete for the project.

G. Subsurface Drain

With the potential for perched water conditions to develop during the wet times of the year, we recommend that a subsurface drain be provided around the below-grade portion of the building, including crawlspace areas. The subsurface drain system should consist of at least the following items.

1. The subsurface drain system should consist of a perforated pipe installed in a gravel filled trench around the perimeter of the subgrade floor portion of the building. A geosynthetic drain could be used as an alternative. The drain should extend up the foundation walls high enough (to within approximately 3 feet of the ground surface) to intercept potential subsurface water.

2. At least 6 inches of free-draining gravel should be placed below the floor slab of the building. The gravel should connect the perimeter drainage pipe.

3. The flow line of the pipe should be placed at least 14 inches below the finished floor level and should slope to a sump or outlet where water can be removed by pumping or by gravity flow.

4. If placing the gravel and drain pipe requires excavation below the bearing level of the footing, the excavation for the drain pipe and gravel should have a slope no steeper than 1:1 (horizontal to vertical) so as not to disturb the soil below the building.

5. A filter fabric should be placed between the natural soil and the drain gravel. This will help reduce the potential for fine grained material filling in the void spaces of the gravel.

6. Consideration may be given to installing cleanouts to allow access into the perimeter drain should cleaning of the pipe be required in the future.

7. If requested, we could observe the subsurface drain construction.

H. Additional Services

It is important that Summit Geotech be involved during design and construction of the building. There are several items where we can provide value, help the design of the geotechnical aspects of the project be more efficient and help reduce the risk to the design team and the owner.

We recommend that at least the following additional services be provided:

1. Observe the foundation excavation for the building.
2. Review construction plans for the project to determine whether recommendations in this report have been incorporated into the design.
3. Observe fill placement and compaction during construction. This is especially important in the area of the proposed building and concrete flatwork, including the driveway.
4. Provide other testing and inspections that may be required by the building code or local jurisdiction.

LIMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the information obtained from a visit to the site and our experience in the area. Variations in the subsurface conditions will not become evident until exploration or excavation is conducted. If the subsurface conditions or groundwater level is found to be significantly different from what is described above, we should be notified to reevaluate the recommendations given.

SUMMIT GEOTECH



Scott D. Anderson, P.E.

Reviewed by Derek A. Wolfe, P.E.

REFERENCES

International Code Council 2020, 2021 International Building Code, Falls Church, Virginia.

Utah Geological Survey, 2025; Utah Quaternary Fault and Fold Database, https://geology.utah.gov/apps/hazards/ accessed May 23, 2025.

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Page 1 of 9
Rhonda Francis Summit County Recorder
06/03/2022 04:05:42 PM Fee $40.00
By FNT WEST JORDAN FNTIC - 9071 S 1300 WEST STE 215
Electronically Recorded

WHEN RECORDED RETURN TO:

Matthew B. Hutchinson
HOGGAN LEE HUTCHINSON
1225 Deer Valley Drive, Suite 201
Park City, Utah 84060

PARCEL PC-441 & PC-441-C

ENCROACHMENT AGREEMENT

This ENCROACHMENT AGREEMENT (this "**Agreement**") is dated and made effective this 31st day of May, 2022, (the "**Effective Date**"), and is entered into by and between JAMIE L. KELLY and KIM WELLING, Trustees of the Jamie L. Kelly Irrevocable DAP Trust dated September 15, 2014 ("**Kelly**") and SILVER STREAM ADVISORS, LLC, a Utah limited liability company ("**Silver Stream**"). Kelly and Silver Stream may be referred to herein each individually as a "**Party**" or collectively as the "**Parties.**"

RECITALS

A. WHEREAS, Kelly is the current record owner of that certain parcel of real property located in Summit County commonly known as 301 Ontario Avenue, Park City, Utah, Tax Parcel No. PC-441-C and more particularly described in **Exhibit A** hereto (the "**Kelly Parcel**");

B. WHEREAS, Silver Stream is the current record owner of that certain parcel of real property located in Park City, Summit County, Utah without an assigned street address but taxed by Summit County under Parcel No.: PC-441 and more particularly described in **Exhibit B** hereto (the "**Silver Stream Parcel**");

A. WHEREAS, the Kelly Parcel and the Silver Stream Parcel share a common boundary;

D. WHEREAS, a portion of the residence and other improvements situated on the Kelly Parcel encroaches upon the Silver Stream Parcel as is more particularly depicted in the May 18, 2022 Existing Conditions and Topographic Map prepared by Allterra Utah, LLC attached hereto as **Exhibit C** (the "**Encroaching Improvements**"); and

E. WHEREAS, by this Agreement, Kelly and Silver Stream wish to formally delineate the location of the Encroaching Improvements, describe the Parties' obligations regarding the Encroaching Improvements, apportion the Parties' liabilities for any damage or loss caused by the Encroaching Improvements to any part of the Kelly Parcel or Silver Stream Parcel and provide further terms and conditions related to the Encroaching Improvements.

NOW THEREFORE and in consideration of the mutual promises, terms, conditions, and covenants set forth in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Parties agree as provided below and Kelly and Silver Stream agree as follows:

Unofficial Copy

AGREEMENT

1. **Silver Stream Acknowledgment**. Silver Stream acknowledges that the Encroaching Improvements encroaches upon the Silver Stream Parcel and that Exhibit C accurately depicts the location of the Encroaching Improvements. Silver Stream further acknowledges that while it owns fee title to all of the Silver Stream Parcel, it does not have any other right to or interest in the Encroaching Improvements themselves except to the extent specifically set forth herein.

2. **Grant of Temporary Easement for Encroaching Improvements**. Silver Stream, as owner of the Silver Stream Parcel, hereby grants to Kelly, as the owner of the Kelly Parcel and the Encroaching Improvement, an easement (the "**Easement**") for the benefit of the Kelly Parcel, to permit the Encroaching Improvements to remain on the Silver Stream Parcel in the precise locations (and only in such locations) depicted on Exhibit C, and allowing Kelly to use, operate, maintain and repair the Encroaching Improvements. Provided, however, Kelly stays in compliance with the provisions of this agreement relating to the Encroaching Improvements. Kelly shall promptly repair any damage to the Silver Stream Parcel and/or any improvements constructed thereon caused by, through, or under Kelly, or by the failure of any of the Encroaching Improvements, in a good, workmanlike and lien-free manner and at no expense to Silver Stream should Kelly violate the Encroachment Agreement.

3. **Termination of Easement**. The Easement shall expire and terminate automatically with respect to any Encroaching Improvement that is demolished, removed, or replaced; provided, however, that in the event any Encroaching Improvement is damaged or destroyed by casualty, Kelly shall have the right to promptly restore the same to its configuration prior to such casualty, in which event the Easement shall remain in full force and effect.

4. **Maintenance; Indemnity**. Kelly shall use, maintain, and repair the Encroaching Improvements in order to keep them in good condition and repair at no cost to Silver Stream. Kelly hereby indemnifies, holds harmless and agrees to defend Silver Stream from and against all claims, actions, liabilities and expenses in connection with loss of life, bodily injury and/or damage to property arising from or out or in connection with any use of the Encroaching Improvements by any person or entity.

5. **Covenants Run with the Land; Duration**. The Easement shall be a burden upon the Silver Stream Parcel, shall be an equitable servitude on the Silver Stream Parcel, shall be appurtenant to and for the benefit of the Kelly Parcel, shall run with the land in accordance with applicable laws, and shall be binding upon and inure to the benefit of the respective successors and assigns of the Parties.

6. **Governing Law; Enforcement**. This Agreement shall be governed by and construed in accordance with the law of the state of Utah. Any action to enforce this agreement or any rights or obligations under this agreement shall be brought in the Third Judicial District Court for Summit County, Utah.

Unofficial Copy

7. **Attorney Fees**. In the event either party incurs attorney fees or court costs in order to enforce this Agreement, with or without judicial intervention, the prevailing party in such adjudication shall be awarded their reasonable costs and attorney fees, including any such costs or fees incurred on appeal.

8. **Preamble, Recitals, and Exhibits**. The Parties agree that the preamble, Recitals, and Exhibits to this Agreement are accurate and are incorporated by reference into the Agreement, as if fully set forth herein.

9. **Entire Agreement; Modifications**. This Agreement constitutes the entire understanding and agreement by and among the Parties, and supersedes all prior agreements, representations or understandings by or among them, whether written or oral, pertaining to the subject matter hereof. The provisions of this Agreement shall create no rights nor obligations of use, access, or permit beyond that expressly stated, and which are reasonably necessary to accomplish the purposes and intent hereof. This Agreement may be amended or modified only by written agreement properly executed by the Parties. No verbal instructions, understandings, etc., nor letters or documents signed by one of the Parties shall be permitted to operate as an amendment to this Agreement.

10. **Binding on Successors**. Except as otherwise provided, all provisions of the Agreement shall be binding upon and shall inure to the benefit of the Parties, their legal representatives, heirs, successors, and assigns.

11. **Counterparts**. This Agreement may be executed in one or more counterparts, each of which in the aggregate shall constitute one and the same instrument.

12. **Authority**. The undersigned hereby represent and warrant that they have the authority to enter into this agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the first date written above.

JAMIE L. KELLY IRREVOCABLE DAP
TRUST DATED SEPTEMBER 15, 2014

Jamie Kelly
Jamie L. Kelly, Trustee

Kim Welling
Kim Welling, Trustee

Acknowledgement

STATE OF UTAH)
: ss.
COUNTY OF Salt Lake)

On this 31 day of May, 2022, personally appeared before me Jamie L. Kelly, personally known to me or proved to me on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he executed the foregoing instrument as the Trustee of the Jamie L. Kelly Irrevocable DAP Trust dated September 15, 2014, for its stated purpose.

DUSTIN FENN
Notary Public - State of Utah
Comm. No. 713793
My Commission Expires on
Aug 28, 2024

NOTARY PUBLIC

STATE OF UTAH)
: ss.
COUNTY OF Salt Lake)

On this 31 day of May, 2022, personally appeared before me Kim Welling, personally known to me or proved to me on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he executed the foregoing instrument as the Trustee of the Jamie L. Kelly Irrevocable DAP Trust dated September 15, 2014, for its stated purpose.

DUSTIN FENN
Notary Public - State of Utah
Comm. No. 713793
My Commission Expires on
Aug 28, 2024

NOTARY PUBLIC

SILVER STREAM ~~ADVISORS~~, LLC, a Utah limited liability company

By: Gregory D. Wood
Its: Manager

Acknowledgement

STATE OF UTAH)
: ss.
COUNTY OF Washington)

On this 2 day of June, 2022, personally appeared before me Gregory D. Wood, personally known to me or proved to me on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he/she executed the foregoing instrument in his/her capacity as the Manager of Silver Stream Advisors, LLC, a Utah limited liability company for its stated purpose.

TAYLOR S. WHITING
Notary Public
State Of Utah
My Commission Expires 04-15-2023
COMMISSION NO. 705218

NOTARY PUBLIC

EXHIBIT A

[Legal Description of Kelly Parcel]

LOTS 31 & 32, BLOCK 54, AMENDED PLAT OF PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE, TOGETHER WITH THE NORTHERLY ½ OF THE VACATED STREET ADJOINING LOT 32 ON THE SOUTH

Parcel No.: PC-441-C

Unofficial Copy

EXHIBIT B

[Legal Description of Silver Stream Parcel]

LOTS 1 & 2 TOGETHER WITH THE NORTHERLY 1/2 OF THE VACATED STREET ADJOINING SAID LOT 1 ON THE SOUTH, BLOCK 54, AMENDED PLAT OF THE PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT RECORDER'S OFFICE.

Surveyed as:

A parcel of land located in the Southeast corner of Section 16 Township 2 West, Range 4 South, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is South 23°22'00" Ease a distance of 22.00 feet from the Street Monument located at the intersection of Fourth Street and Marsac Ave. and running thence;

North 23°38'00" West a distance of 65.00 feet; thence North 66°22'00" East a distance of 75.00 feet; thence 23°38'00" East a distance of 65.00 feet; thence South 66°22'00" West a distance of 75.00 feet to the point of beginning.

Tax Parcel No.: PC-441

Unofficial Copy

EXHIBIT C

[Encroaching Improvements]

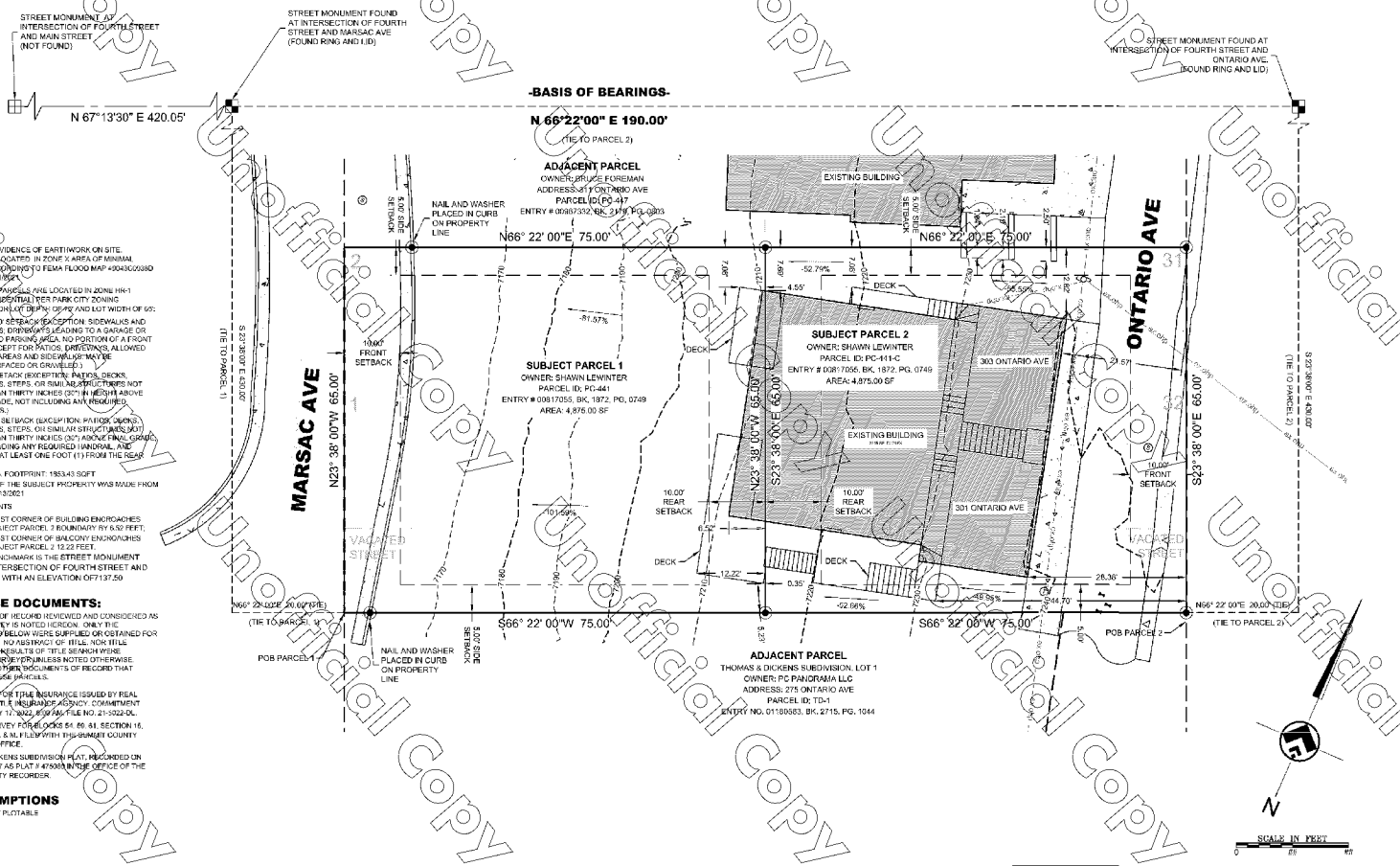
(*Insert survey)

Unofficial Copy

ALTA / ASCM LAND TITLE SURVEY

301 & 303 ONTARIO AVE

LOCATED IN THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



NOTES:

1. THERE IS NO EVIDENCE OF EARTHWORK ON SITE. PROPERTY IS LOCATED IN ZONE X AREA OF MINIMAL FLOODING ACCORDING TO FEMA FLOOD MAP #49043C0338D EFFECTIVE 1/21/2021.
2. THE SUBJECT PARCELS ARE LOCATED IN ZONE HR-1 (HISTORIC RESIDENTIAL) PER PARK CITY ZONING ORDINANCE. FOR LOT DEPTH, SETBACKS AND LOT WIDTH OF 50:
   - 2.1. FRONT - 10' SETBACK (EXCEPTION: SIDEWALKS AND PATHWAYS; DRIVEWAYS LEADING TO A GARAGE OR APPROVED PARKING AREA. NO PORTION OF A FRONT YARD, EXCEPT FOR PATIOS, DRIVEWAYS ALLOWED PARKING AREAS AND SIDEWALKS MAY BE HARD-SURFACED OR GRAVELED.)
   - 2.2. SIDE - 5' SETBACK (EXCEPTION: PATIOS, DECKS, PATHWAYS, STEPS, OR SIMILAR STRUCTURES NOT MORE THAN THIRTY INCHES (30") IN HEIGHT ABOVE FINAL GRADE, NOT INCLUDING ANY REQUIRED HANDRAILS.)
   - 2.3. REAR - 10' SETBACK (EXCEPTION: PATIOS, DECKS, PATHWAYS, STEPS, OR SIMILAR STRUCTURES NOT MORE THAN THIRTY INCHES (30") ABOVE FINAL GRADE, NOT INCLUDING ANY REQUIRED HANDRAIL, AND LOCATED AT LEAST ONE FOOT (1') FROM THE REAR LOT LINE.)
   - 2.4. MAX BLDG. FOOTPRINT: 1953.45 SQFT
3. THE SURVEY OF THE SUBJECT PROPERTY WAS MADE FROM 03/11/2021 - 03/13/2021
4. ENCROACHMENTS
   - 4.1. SOUTHWEST CORNER OF BUILDING ENCROACHES OVER SUBJECT PARCEL 2 BOUNDARY BY 6.52 FEET;
   - 4.2. SOUTHWEST CORNER OF BALCONY ENCROACHES OVER SUBJECT PARCEL 2 12.22 FEET.
5. ELEVATION BENCHMARK IS THE STREET MONUMENT FOUND AT INTERSECTION OF FOURTH STREET AND MAIN STREET WITH AN ELEVATION OF7137.50

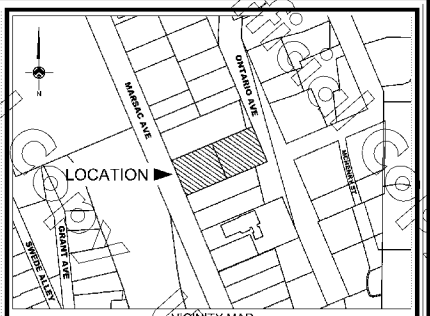
REFERENCE DOCUMENTS:

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED BELOW WERE SUPPLIED OR OBTAINED FOR BY THE SURVEYOR. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT WAS RESULTS OF TITLE SEARCH WERE FURNISHED TO THE SURVEYOR UNLESS NOTED OTHERWISE. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THESE PARCELS.

1. COMMITMENT FOR TITLE INSURANCE ISSUED BY REAL ADVANTAGE TITLE INSURANCE AGENCY. COMMITMENT DATE: JANUARY 17, 2021, 8:00 AM, FILE NO. 21-3022-DL.
2. PARK CITY SURVEY FOUND DOCS 84, 85, 91, SECTION 16, T2S, R4E, S.L.B. & M., FILED WITH THE SUMMIT COUNTY SURVEYOR'S OFFICE.
3. THOMAS & DICKENS SUBDIVISION PLAT, RECORDED ON MARCH 19, 1997 AS PLAT # 47508 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

TITLE EXEMPTIONS

1 THROUGH 21: NOT PLOTABLE



VICINITY MAP

GENERAL NOTES

SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED BEING A REGISTERED SURVEYOR OF THE STATE OF UTAH CERTIFIES TO (I) THISTLE CREEK LP, (II) MATT KELLY, (III) SHAWN LEWINTER (IV) SEAL ADVANTAGE TITLE INSURANCE AGENCY AS FOLLOWS:

THIS IS TO CERTIFY THAT THIS MAP OR PLATT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ASPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7B, 8, 9, 11(A), 13, 16 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 03/13/2021.

02/28/2021
DATE

PROFESSIONAL LAND SURVEYOR
DAVID B. JOHNSON
No. 5338699
STATE OF UTAH

NARRATIVE:

THE BOUNDARIES OF THESE PARCELS WERE DETERMINED BY LOTS 1 & 2 AND LOTS 31 & 32 OF BLOCK 54 AND THE NORTH HALF OF THE VACATED THIRD WEST STREET OF THE PARK CITY SUBDIVISION PLAT, BLOCKS 54, 69, AND 61, FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

THE BASIS OF BEARING IS THE STREET CENTER LINE BETWEEN THE STREET MONUMENTS FOUND AT THE INTERSECTION OF FOURTH STREET AND ONTARIO AVE. AND THE INTERSECTION OF FOURTH STREET AND MARSAC AVENUE, THE BASIS OF BEARING HAS A BEARING OF NORTH 66°22'00" EAST AND A DISTANCE OF 190.00 FEET.

LEGAL DESCRIPTIONS (PER DEED)

SEE WARRANTY DEED ENTRY #00817055, BK. 1872, PG. 0749, AND TITLE COMMITMENT (SEE LIST OF REFERENCE DOCUMENTS)

PARCEL 1:

TAX PARCEL #: PC-441

LOTS 1 & 2, TOGETHER WITH THE NORTHERLY ½ OF THE VACATED STREET ADJOINING SAID LOT 1 ON THE SOUTH, BLOCK 54, AMENDED PLAT OF THE PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND RECORDED IN THE SUMMIT RECORDER'S OFFICE.

PARCEL 2:

TAX PARCEL #: PC-441-C

LOTS 31 & 32, BLOCK 54, AMENDED PLAT OF PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT RECORDER'S OFFICE, TOGETHER WITH THE NORTHERLY ½ OF THE VACATED STREET ADJOINING LOT 32 ON THE SOUTH.

MAP NOTES AND LEGEND

STREET MONUMENT	SECTION LINE
POWER POLE	STREET CENTER LINE
WATER VALVE	TIE LINE
SANITARY SEWER MANHOLE	BOUNDARY LINE
TELECOMMUNICATIONS MANHOLE	ADJACENT BOUNDARY LINE
PROPERTY CORNER FOUND	SETBACK LINE
PROPERTY CORNER PLACED (MARKED "JOHNSON 5338699")	PARK CITY SUBDIVISION BLOCK 54 LOT LINES
PROPERTY CORNER CALCULATED	exohp OVERHEAD POWER

LEGAL DESCRIPTIONS (PER SURVEY)

PARCEL 1:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST CORNER OF SECTION 16 TOWNSHIP 2 WEST, RANGE 4 SOUTH, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 23°38'00" EAST A DISTANCE OF 430.00 FEET; THENCE NORTH 66°22'00" EAST A DISTANCE OF 22.00 FEET FROM THE STREET MONUMENT LOCATED AT THE INTERSECTION OF FOURTH STREET AND MARSAC AVE. AND RUNNING THENCE:

NORTH 23°38'00" WEST A DISTANCE OF 65.00 FEET; THENCE NORTH 66°22'00" EAST A DISTANCE OF 75.00 FEET; THENCE SOUTH 23°38'00" EAST A DISTANCE OF 65.00 FEET; THENCE SOUTH 66°22'00" WEST A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4875 SQUARE FEET OR 0.1119 ACRES MORE OR LESS.

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST CORNER OF SECTION 16 TOWNSHIP 2 WEST, RANGE 4 SOUTH, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 66°22'00"EAST A DISTANCE OF 190.00 FEET; THENCE SOUTH 23°38'00" EAST A DISTANCE OF 430.00 FEET; THENCE SOUTH 66°22'00" WEST A DISTANCE OF 22.00 FEET FROM THE STREET MONUMENT LOCATED AT THE INTERSECTION OF FOURTH STREET AND MARSAC AVE. AND RUNNING THENCE:

SOUTH 66°22'00" WEST A DISTANCE OF 75.00 FEET; THENCE NORTH 23°38'00" WEST A DISTANCE OF 65.00 FEET; THENCE NORTH 66°22'00" EAST A DISTANCE OF 75.00 FEET; THENCE SOUTH 23°38'00" EAST A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4875 SQUARE FEET OR 0.1119 ACRES MORE OR LESS.

CLIENT / OWNER INFORMATION:

STEVE WELLING
301/311 ONTARIO AVE.
PARK CITY, UTAH

ENGINEER / SURVEYOR INFORMATION:

JOHNSON ENGINEERING
4435 SOUTH 1025 EAST • SALT LAKE CITY, UTAH 84124
PHONE: (801)-787-4569
www.johnsonengineeringinc.com

COUNTY SURVEYOR INFORMATION:

DRAWN BY:	CHECKED BY:	APPROVED BY:	SHEET:
RC	DBJ	DBJ	V-100 01 OF 01

PROJECT NO: 21-010
DATE: 2/28/2021
SCALE: 1":10'

NO	REVISION	DATE
1	ALTA	2/28/21
#	#	#

XA-drive Projects\21010 Ontario Survey\04 Drawing\Working\Plan Sheets\VP-Survey\ALTA Survey Ontario.dwg

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011903328 Page 9 of 9 Summit County