



**PLANNING DEPARTMENT ADMINISTRATIVE PUBLIC HEARING
SUMMIT COUNTY, UTAH
August 21, 2025**

The Planning Department of Park City, Utah, will hold a Public Hearing in person at the Marsac Municipal Building, Planning Department Conference Room, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.

Zoom Link: <https://us02web.zoom.us/j/88167820277>

1. REGULAR AGENDA - 12:00PM

- 1.A. **7955 Red Tail Court – Administrative Conditional Use Permit** – The Applicant Proposes to Construct Three Retaining Walls Greater Than Six-Feet in Height From Final Grade in the Residential Development Zoning District and Sensitive Land Overlay. PL-24-06285
(A) Public Hearing; (B) Action
- 1.B. **1825 Three Kings Drive – Outdoor Dining Conditional Use Permit Modification** – The Applicant Proposes Modifying the 2009 Conditional Use Permit to Increase the Outdoor Dining Seating Capacity from 56 to 75 and allow a Temporary Improvement. PL-25-06628
(A) Public Hearing; (B) Action

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.**

Planning Department Staff Report



Subject: 7955 Red Tail Court
Application: PL-24-06284
Author: Jaron Ehlers, Planner I
Date: August 21, 2025
Type of Item: Administrative Conditional Use Permit

Recommendation

(I) Review the proposed Administrative Conditional Use Permit (ACUP) for three retaining walls, (II) conduct a public hearing, and (III) consider approving the ACUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Laurie Platek
Josh Arrington, Upwall Design, Applicant Representative

Location: 7955 Red Tail Court

Zoning District: Residential Development, Sensitive Land Overlay

Adjacent Land Uses: Residential, Ski Runs

Reason for Review: The Planning Director reviews and takes Final Action on ACUPs.¹

ACUP	Administrative Conditional Use Permit
LMC	Land Management Code
MPD	Master Planned Development
RD	Residential Development
SFD	Single-Family Dwelling
SLO	Sensitive Land Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

The Applicant proposes three retaining walls that exceed six feet in height associated with the construction of a Single-Family Dwelling (SFD) at 7955 Red Tail Court, which is Unit 44 of the Bald Eagle Club of Deer Valley. 7955 Red Tail Court is in the Residential Development (RD) Zoning District and Sensitive Land Overlay (SLO).

¹ LMC [§ 15-1-8\(E\)](#)



Figure 1: Aerial view of 7955 Red Tail Ct.

The property is adjacent to the Sunrise Deer Valley Ski Run. There is existing rock retaining walls onsite, and the Applicant proposes to build three new retaining walls on top of the existing walls.



Figure 2: Oblique view showing the topography along the northeast property boundary between the Sunrise Ski Run and 7955 Red Tail Ct. The existing rock retaining walls can be seen at the center right.

Two of the proposed retaining walls will be used to support the driveway of the SFD. The third retaining wall is to support the SFD's structure.

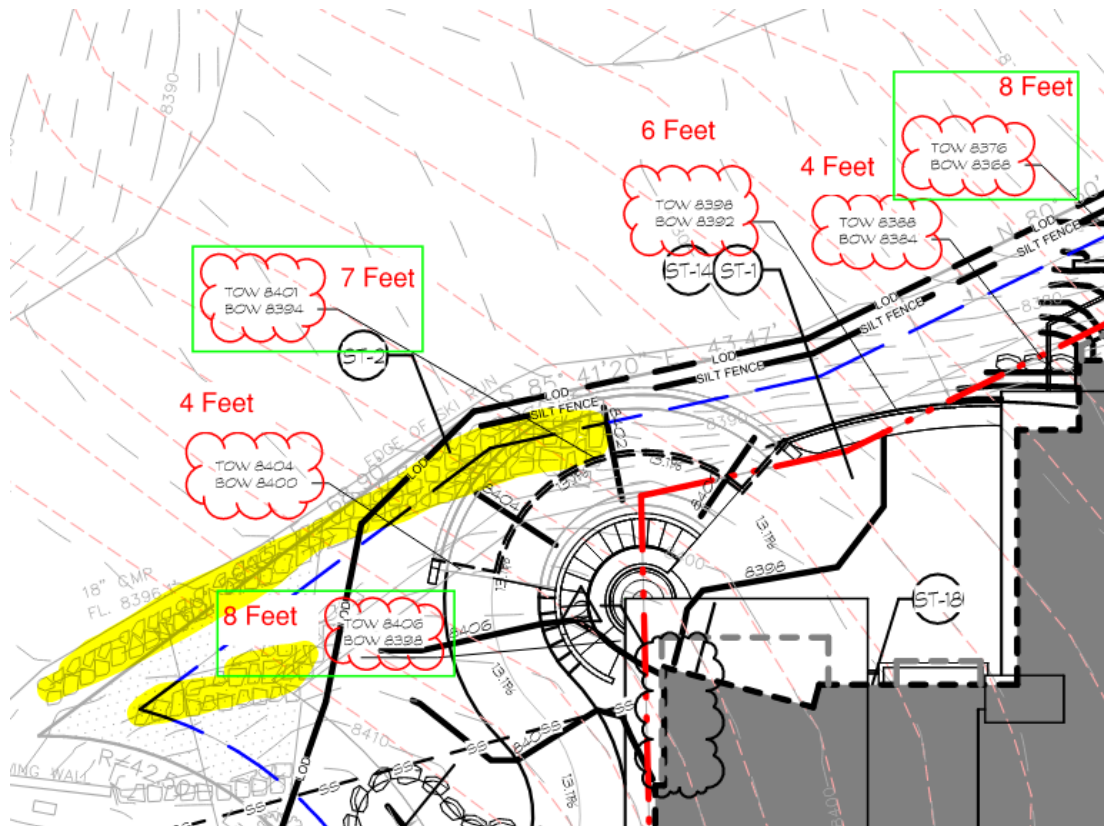


Figure 3: Site Plan (Attachment 1) showing the heights of retaining walls along the northeast property boundary. The green boxes show the three proposed retaining walls. The existing rock retaining walls are highlighted in yellow.

Background

See the background section of the May 28, 2025, Planning Commission Staff Report ([Agenda Packet Item VII. A](#)) for additional history of the property.

On September 19, 2024, the Applicant applied for an ACUP for three retaining walls.

On October 10, 2024, the Planning Director held a public hearing and continued the application to a date uncertain ([Continuation Report](#)).

On May 28, 2025, the Planning Commission held a public hearing and approved a Plat Amendment to shift the Building Envelope for 7955 Red Tail Court ([Agenda Packet Item VII. A](#) | [Minutes](#)).

On July 29, 2025, the Plat Amendment was recorded with Wasatch County (Entry No. 562488 (Exhibit B)).

Analysis

(I) The proposal to construct three retaining walls exceeding six feet in height complies with the Residential Development Zoning District requirements outlined in Land Management Code Chapter 15-2.13.

Retaining walls greater than six feet in height from Final Grade require an ACUP (LMC

[§ 15-2.13-2\(B\)\(40\)](#)). The Applicant proposes three retaining walls greater than six feet in height (Figure 3).

LMC [§ 15-2.13-3\(F\)](#) establishes a 12-foot Side Setback. All Retaining Walls are within the Building Envelope, which is 15 feet from the Lot Line.

LMC [§ 15-2.13-4](#) establishes the Zone Height of 27 feet from Existing Grade. The tallest proposed retaining wall is eight feet in height.

(II) The proposal to construct three retaining walls exceeding six feet in height complies with the Sensitive Land Overlay requirements outlined in Land Management Code Chapter 15-2.21.

The Bald Eagle Club of Deer Valley is part of the Deer Valley Master Planned Development (MPD). The [Twelfth Amended and Restated MPD Permit](#), Section E, states regarding SLO analysis:

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

LMC [§ 15-2.21-4](#) outlines development restrictions for Steep Slopes: No Development is allowed on or within 50 feet, map distance, of Very Steep Slopes. 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. Very Steep Slopes are defined as any slope greater than 40 percent.

Very Steep Slopes are present near where the retaining walls are proposed (see Figure 4). The Steep Slopes analysis was conducted during the Plat Amendment review and the Building Envelope shifted to minimize the overall impacts to Steep Slopes on the property. While the retaining walls were not specifically analyzed, the Building Envelope is the area where the Density, granted by the Deer Valley MPD, may be built, subject to the limitations of the SLO analysis imposed by the Deer Valley Large Scale MPD. The proposed retaining walls are located along the existing rock retaining walls and the ski run. They also sit by the area that has been flattened by the Footprint of the now demolished SFD. These retaining walls are a manipulation of an already substantially manipulated grade. Natural Steep Slopes will not be affected.

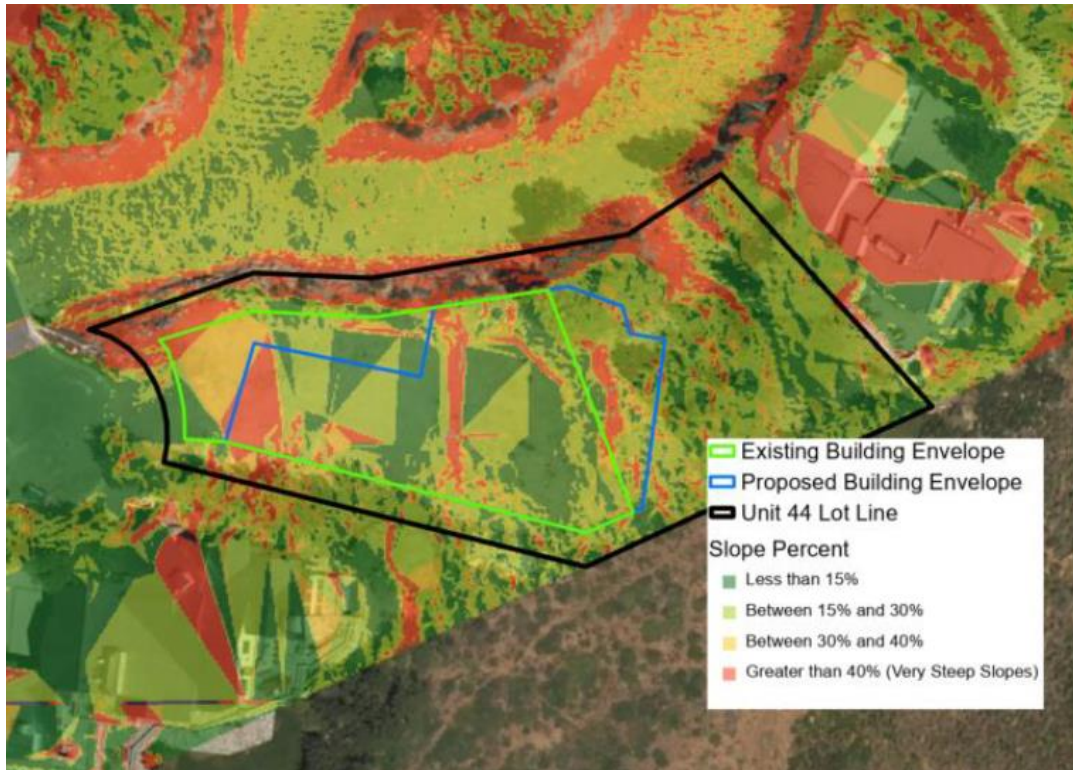


Figure 4: Steep Slope Map. From page 6 of the May 28, 2025, Staff Report.

(III) The proposal, as conditioned, to construct three retaining walls exceeding six feet in height complies with the Fences and Retaining Wall requirements in Land Management Code Section 15-4-2.

The proposed retaining walls are not in a Setback area.

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

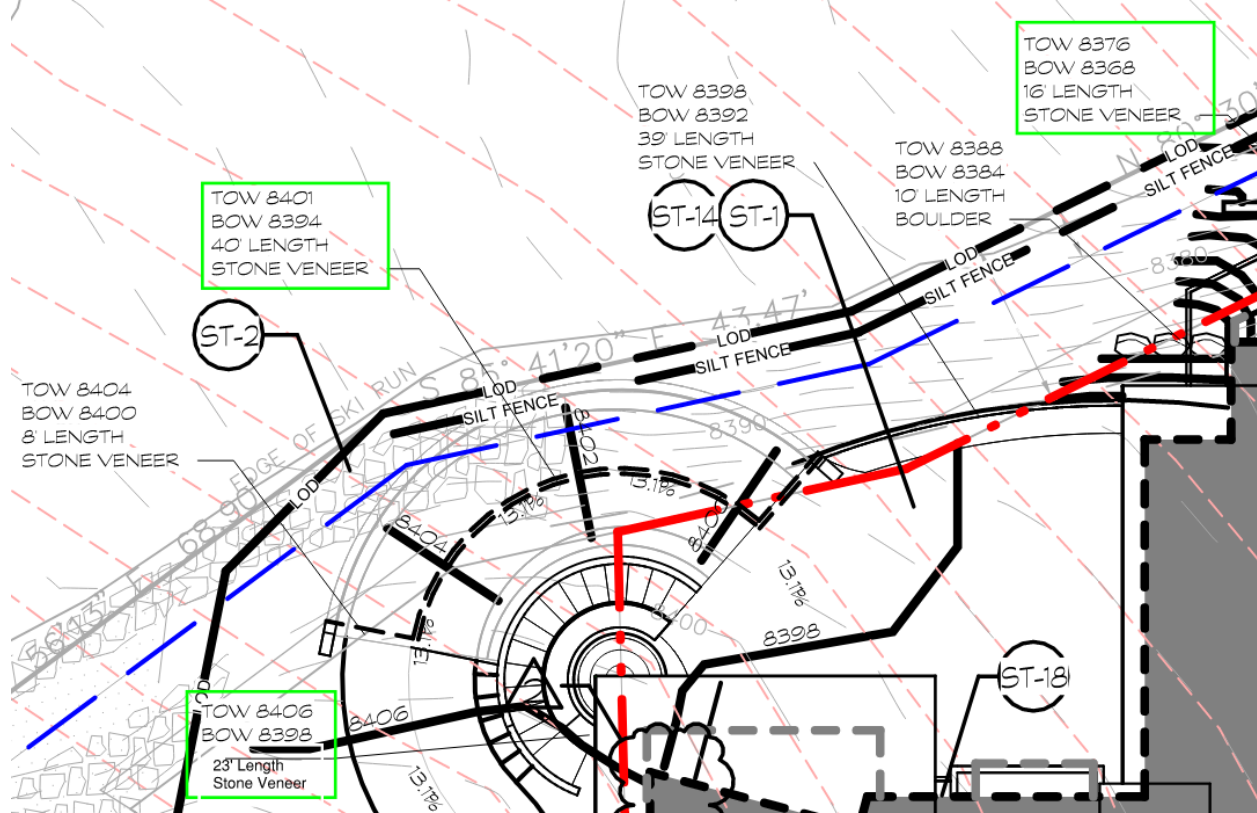
There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Director 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 Director may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards.²

1. Size and location of the Site: No unmitigated impacts

² LMC [§ 15-1-10](#)

The proposed retaining walls are on the northwest side of the Lot above the Sunrise Ski Run. The lengths of the retaining walls are shown below and included in Attachment 1:



2. Traffic considerations including capacity of the existing Streets in the Area: *No unmitigated impacts*

7955 Red Tail Court will serve as a private residence. The Park City [Transportation Impact Study Guidelines](#) require a transportation impact study when a proposed development or redevelopment will generate 25 or more net new vehicle trips during the weekday AM or PM peak hour. The proposed Use of the property as a SFD does not trigger a Transportation Impact Study.

3. Utility capacity, including Storm Water run-off: *No unmitigated impacts*

No utilities will be impacted by the proposed retaining walls.

4. Emergency vehicle Access: *No unmitigated impacts*

As there was a SFD at this location, and access will continue to be from the cul-de-sac, the methods of emergency vehicle access are unchanged. The Development Review Committee reviewed the proposal on October 1, 2024, and confirmed the proposal conforms to their requirements.

5. Location and amount of off-Street parking: *No unmitigated impacts*

LMC [§ 15-3-6](#) requires two Parking Spaces for SFDs. Two of the proposed retaining walls support the driveway and access to the garage, helping to meet the requirements for off-Street parking and internal vehicular circulation.

6. Internal vehicular and pedestrian circulation system: *No unmitigated impacts*

The proposed retaining walls will not impact the internal vehicular or pedestrian circulation system. Skiers using the Sunrise Ski Run will not be impacted.

7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses: *Condition of Approval recommended*

No fencing is proposed with this Application.

To mitigate the impacts to views from the ski run, staff recommends Condition of Approval 4 requiring vegetation to be planted to ensure that the proposed retaining walls are fully screened from the north in all seasons.

No other Landscaping is proposed with this application.

8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots: *No unmitigated impacts*

The proposed retaining walls will be of a large mass and bulk. However, they are sited on top of an already steep hill created by the ski run. Large retaining walls are common in Upper Deer Valley.

9. Usable Open Space: *No unmitigated impacts*

The retaining walls will be within the platted Building Envelope, with the rest of the site remaining as Open Space.

10. Signs and lighting: *No unmitigated impacts*

No signs or lighting are proposed with this application.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing: *No unmitigated impacts*

The proposed retaining walls are stone veneer, a material which is often used for the construction of retaining walls in the Upper Deer Valley area.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site: *No unmitigated impacts*

The Applicant must comply with the City's noise regulations in Municipal Code of Park City (MCPC) [Chapter 6-3](#).

13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas: *No unmitigated impacts*

The retaining walls will not impact trash and recycling pickup Areas.

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

7955 Red Tail Court is owned by Laurie Platek. It is planned to be used as an owner-occupied residence. The ownership of the property is not proposed to change.

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: *Condition of Approval recommended*

The property is not within the Park City Soils Ordinance Boundary and there are no known Physical Mine Hazards or Historic Mine Waste. While Steep Slopes may be impacted, that analysis was conducted as part of the Plat Amendment and many were created by the Ski Run and the now demolished house. While the retaining walls were not specifically analyzed, the Building Envelope is in the area where the Density, granted by the Deer Valley MPD, may be built, subject to the limitations of SLO analysis imposed by the Deer Valley MPD. The proposed retaining walls are located along the existing rock retaining walls and the grade change where the ski run is carved into. They also sit by the area that has been flattened by the Footprint of the now demolished SFD. These retaining walls are a manipulation of an already substantially manipulated grade. Natural Steep Slopes are not being affected. Conditions of Approval 4 requires screening of the retaining walls considering the visual impacts that may be caused to skiers on the ski run as well as the SFDs on the other side of the ski run.

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 9.5 of the General Plan addresses the aesthetic of Upper Deer Valley. Part of that aesthetic is "large retaining walls."³ The proposed retaining walls exceed six feet in height, large enough to be subject to additional review.

(IV) The Development Review Committee reviewed the proposal on October 1,

³ [2014 General Plan Volume 2, Detailed Strategies, Best Practices, Trends and Neighborhoods](#), pg. 255.

2024, and confirmed it meets their standards.⁴ Wasatch County had no comments when their review was requested.

Department Review

The Planning Department and Executive Department 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 August 11, 2025. Staff mailed courtesy notice to adjacent property owners on August 11, 2025.⁵

Public Input

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

Alternatives

The Planning Director may:

- Approve the ACUP for the retaining walls.
- Deny the ACUP for the retaining walls and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

Exhibits

A: Draft Final Action Letter

Attachment 1: Proposed Plans

B: Recorded Plat Amendment

⁴ 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).

⁵ LMC [§ 15-1-21](#)



Planning Department

August 21, 2025

Laurie Platek

CC: Josh Arrington, Applicant Representative

NOTICE OF PLANNING DEPARTMENT ACTION

Description

Address: 7955 Red Tail Court

Zoning District: Residential Development
Sensitive Land Overlay

Application: Administrative Conditional Use Permit

Project Number: PL-24-06284

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: August 21, 2025

Project Summary: The Applicant Proposes to Construct Three Retaining Walls Greater Than Six Feet in Height From Final Grade.

Action Taken

On August 21, 2025, the Planning Director conducted a public hearing and approved the Administrative Conditional Use Permit (ACUP) for the 7955 Red Tail Court retaining walls according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Applicant proposes three retaining walls that exceed six feet in height associated with the construction of a Single-Family Dwelling (SFD) at 7955 Red Tail Court, which is Unit 44 of the Bald Eagle Club of Deer Valley. 7955 Red Tail Court is in the Residential Development (RD) Zoning District and Sensitive Land Overlay (SLO).
2. The property is adjacent to the Sunrise Deer Valley Ski Run. There is existing rock retaining walls onsite, and the Applicant proposes to build three new retaining walls on top of the existing walls.



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3. Two of the proposed retaining walls will be used to support the driveway of the SFD. The third retaining wall is to support the SFD's structure.
4. On September 19, 2024, the Applicant applied for an ACUP for three retaining walls.
5. On October 10, 2024, the Planning Director held a public hearing and continued the application to a date uncertain.
6. On May 28, 2025, the Planning Commission held a public hearing and approved a Plat Amendment to shift the Building Envelope for 7955 Red Tail Court.
7. On July 29, 2025, the Plat Amendment was recorded with Wasatch County as Entry No. 562488.
8. The proposal to construct three retaining walls exceeding six feet in height complies with the Residential Development District requirements outlined in Land Management Code Chapter 15-2.13.
 - a. Retaining walls greater than six feet in height from Final Grade require an ACUP (LMC § 15-2.13-2(B)(40)). The Applicant proposes three retaining walls greater than six feet in height.
 - b. LMC § 15-2.13-3(F) establishes a 12-foot Side Setback. All Retaining Walls are within the Building Envelope, which is 15 feet from the Lot Line.
 - c. LMC § 15-2.13-4 establishes the Zone Height of 27 feet from Existing Grade. The tallest proposed retaining wall is eight feet in height.
9. The proposal to construct three retaining walls exceeding six feet in height complies with the Sensitive Land Overlay requirements outlined in Land Management Code Chapter 15-2.21.
 - a. The Bald Eagle Club of Deer Valley is part of the Deer Valley Master Planned Development (MPD).
 - b. LMC § 15-2.21-4 outlines development restrictions for Steep Slopes: No Development is allowed on or within 50 feet, map distance, of Very Steep Slopes. 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. Very Steep Slopes are defined as any slope greater than 40 percent.
 - c. Very Steep Slopes are present near where the retaining walls are proposed. The Steep Slopes analysis was conducted during the Plat Amendment review and the Building Envelope shifted to minimize the overall impacts to Steep Slopes on the property.



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- d. While the retaining walls were not specifically analyzed, the Building Envelope is the area where the Density, granted by the Deer Valley MPD, may be built, subject to the limitations of the SLO analysis imposed by the Deer Valley Large Scale MPD. The proposed retaining walls are located along the existing rock retaining walls and the ski run. They also sit by the area that has been flattened by the Footprint of the now demolished SFD. These retaining walls are a manipulation of an already substantially manipulated grade. Natural Steep Slopes will not be affected.
- 10. The proposal, as conditioned, to construct three retaining walls exceeding six feet in height complies with the Fences and Retaining Wall requirements in Land Management Code Section 15-4-2.
 - a. The proposed retaining walls are not in a Setback area.
- 11. 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.
 - i. The proposed retaining walls are on the northwest side of the Lot above the Sunrise Ski Run.
 - b. Traffic considerations including capacity of the existing Streets in the Area.
 - i. 7955 Red Tail Court will serve as a private residence. The Park City Transportation Impact Study Guidelines require a transportation impact study when a proposed development or redevelopment will generate 25 or more net new vehicle trips during the weekday AM or PM peak hour. The proposed Use of the property as a SFD does not trigger a Transportation Impact Study.
 - c. Utility capacity, including Storm Water run-off.
 - i. No utilities will be impacted by the proposed retaining walls.
 - d. Emergency vehicle Access.
 - i. As there was a SFD at this location, and access will continue to be from the cul-de-sac, the methods of emergency vehicle access are unchanged. The Development Review Committee reviewed the proposal on October 1, 2024, and confirmed the proposal conforms to their requirements.
 - e. Location and amount of off-Street parking.
 - i. LMC § 15-3-6 requires two Parking Spaces for SFDs. Two of the proposed retaining walls support the driveway and access to the



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garage, helping to meet the requirements for off-Street parking and internal vehicular circulation.

- f. Internal vehicular and pedestrian circulation system.
 - i. The proposed retaining walls will not impact the internal vehicular or pedestrian circulation system. Skiers using the Sunrise Ski Run will not be impacted.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses.
 - i. No fencing is proposed with this Application.
 - ii. To mitigate the impacts to views from the ski run, staff recommends a Condition of Approval requiring vegetation to be planted to ensure that the proposed retaining walls are fully screened from the north in all seasons.
 - iii. No other Landscaping is proposed with this application
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site.
 - i. The proposed retaining walls will be of a large mass and bulk. However, they are sited on top of an already steep hill created by the ski run. Large retaining walls are common in Upper Deer Valley.
- i. Usable Open Space.
 - i. The retaining walls will all be located within the platted Building Envelope, with the rest of the site remaining as Open Space.
- j. Signs and lighting.
 - i. No signs or lighting are proposed with this application.
- k. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.
 - i. The proposed retaining walls are stone veneer, a material which is often used for the construction of retaining walls in the Upper Deer Valley area.
- l. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.
 - i. 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.
 - i. The retaining walls will not impact trash and recycling pickup Areas.



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- 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.
 - i. 7955 Red Tail Court is owned by Laurie Platek. It is planned to be used as an owner-occupied residence. The ownership of the property is not proposed to change.
- 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 property is not within the Park City Soils Ordinance Boundary and there are no known Physical Mine Hazards or Historic Mine Waste.
 - ii. While Steep Slopes may be impacted, that analysis was conducted as part of the Plat Amendment and many were created by the Ski Run and the now demolished house.
 - iii. While the retaining walls were not specifically analyzed, the Building Envelope is in the area where the Density, granted by the Deer Valley MPD, may be built, subject to the limitations of SLO analysis imposed by the Deer Valley MPD. The proposed retaining walls are located along the existing rock retaining walls and the grade change where the ski run is carved into. They also sit by the area that has been flattened by the Footprint of the now demolished SFD. These retaining walls are a manipulation of an already substantially manipulated grade. Natural Steep Slopes are not being affected.
 - iv. Conditions of Approvals requires screening of the retaining walls considering the visual impacts that may be caused to skiers on the ski run as well as the SFDs on the other side of the ski run
- 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.
 - i. Goal 9.5 of the General Plan addresses the aesthetic of the Upper Deer Valley. Part of that aesthetic is "large retaining walls." The proposed retaining walls exceed six feet in height, large enough to be subject to additional review.



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12. The Development Review Committee reviewed the proposal on October 1, 2024, and confirmed it meets their standards. Wasatch County had no comments when their review was requested.
13. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on August 11, 2025. Staff mailed courtesy notice to adjacent property owners on August 11, 2025.

Conclusions of Law

1. The proposal complies with LMC Chapter 15-2.13 *Residential Development District*, Chapter 15-2.21 *Sensitive Land Overlay Zone*, Section 15-4-2 *Fences and Retaining Walls*, and Section 15-1-10(E) *Conditional Use Review Process*.
2. The Use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. 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. Vegetation complying with the City's waterwise landscaping and wildland-urban interface requirements must be planted by the Applicant to fully screen the proposed retaining walls from the northwest and the Sunrise Ski Run in all seasons.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5058 or email jaron.ehlers@parkcity.gov.

Sincerely,

Rebecca Ward, Planning Director



Planning Department

CC: Jaron Ehlers, Project Planner

Attachment 1: Approved Plans

DRAFT

GENERAL NOTE

THIS PLAN SET HAS BEEN DESIGNED TO COMPLY WITH IRC 2021 ENERGY REQUIREMENTS (WOOD FRAMED WALLS; R-13 CAVITY w/ R-10 G). DEVIATION FROM THE PRESCRIPTED INSULATION METHODS MUST BE APPROVED BY THE OWNER/ARCHITECT. GENERAL CONTRACTOR SHALL COMPLY TO ALL LOCAL BUILDING CODES AND ORDINANCES GOVERNING THIS WORK.

GENERAL CONTRACTOR SHALL FOLLOW ANY MANUFACTURES SPECIFICATIONS FOR INSTALLATION OF MATERIALS OR EQUIPMENT.

SITE GENERAL NOTES

- CONTRACTOR TO FIELD VERIFY LOCATION OF UTILITY LINES AS REQUIRED.
- CONTRACTOR TO FIELD VERIFY MIN. 3'-0" SEPARATION BETWEEN GAS AND ELECTRICAL LINES.
- REESTABLISH NATURAL GRADE AND NATURAL VEGETATION. PROVIDE TEMP. IRRIGATION TO ASSURE ESTABLISHED VEGETATION.
- SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE, BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FT. (IRC R401.3).
- RETAINING WALLS (4' OR SUPPORTING A SURCHARGE), SWIMMING POOLS, SOLAR AND/OR GEO-THERMAL HEATING SYSTEMS, AND PHOTO-VOLTAIC- AND/OR WIND-GENERATED ELECTRICAL SYSTEMS REQUIRE SEPARATE PERMITS. SEPARATE PLANS, SPECIFICATIONS AND APPLICATIONS ARE TO BE SUBMITTED AND REVIEWED PRIOR TO ISSUANCE OF THESE PERMITS.

KEYNOTES

NUMBER	DESCRIPTION
ST-1	CONTRACTOR TO ASSURE THAT ALL STRUCTURAL FILL IN DRIVEWAYS AND/OR AT STRUCTURE AS REQ. IS COMPACTED TO 95% OF MODIFIED PROCTOR & INSTALLED IN MAX 12' LIFTS.
ST-2	SPECIAL INSPECTION IS REQUIRED BY A LICENSED GEOTECHNICAL ENGINEER FOR ALL BOULDER RETAINING WALLS IN EXCESS OF 4'-0" IN HEIGHT.
ST-3	CONTRACTOR TO OBTAIN REQUIRED SOIL TESTING FROM A CERTIFIED TESTING AGENCY PRIOR TO PERFORMING CONCRETE FOOTING AND FOUNDATION WORK.
ST-5	ALL FOOTINGS TO BEAR ON UNDISTURBED SOIL OR ENGINEERED COMPACTED FILL (CERTIFIED 90 % BY A LICENSED CIVIL ENGINEER).
ST-7	LIMITS OF DISTURBANCE (L.O.D.) WILL BE FENCED WITH 4-FOOT ORANGE CONSTRUCTION FENCING AND WILL NOT BE CHANGED OR REMOVED UNTIL FINAL LANDSCAPING BEGINS. ANY TREES THAT ARE LOCATED WITHIN THE L.O.D. THAT ARE TO BE SAVED ARE TO BE PROTECTED.
ST-12	SIZE GAS SERVICE AS REQUIRED.
ST-13	WATER SERVICE TO BE MIN. 2" DIA. LINE.
ST-14	DRIVEWAY LOCATION TO BE DETERMINED IN FIELD TO MISS EXISTING TREES AND FLOW w/ EXISTING GRADE.
ST-15	ALL ROOF HEIGHTS SHOWN (ON SITE PLANS) ARE FOR BUILDING AND PLANNING DEPARTMENT USE ONLY, AND NOT FOR CONSTRUCTION BEARING HEIGHTS.
ST-18	CONTRACTOR TO ENSURE ALL EXTERIOR LIGHTING IS IN COMPLIANCE WITH JURISDICTIONAL CODES AND PROVIDE PROOF PRIOR TO INSTALL.
ST-23	PROVIDE GAS LINE FOR FIRE PIT. SIZE GAS LINE TO ACCOMMODATE SELECTED BURNER.
ST-26	SEWAGE PUMPS AND SEWAGE EJECTORS SHALL HAVE THE CAPACITY AND HEAD FOR THE APPLICATION REQUIREMENTS. PUMPS AND EJECTORS THAT RECEIVE THE DISCHARGE OF WATER CLOSETS SHALL BE CAPABLE OF HANDLING SPHERICAL SOLIDS WITH A DIAMETER OF UP TO AND INCLUDING 2 INCHES. OTHER PUMPS AND EJECTORS SHALL BE CAPABLE OF HANDLING SPHERICAL SOLIDS WITH A DIAMETER OF UP TO AND INCLUDING 1 INCH. THE MINIMUM CAPACITY OF A PUMP OR EJECTOR BASED ON THE DIAMETER OF THE DISCHARGE PIPE SHALL BE IN ACCORDANCE WITH IRC TABLE P3007.6. CONNECTION TO DRAINAGE SYSTEM SHALL BE AS PER IRC P3007.3.5.

Platted Building Envelope

FOOTPRINT AND HARDSCAPE SQUARE FOOTAGE 10,925

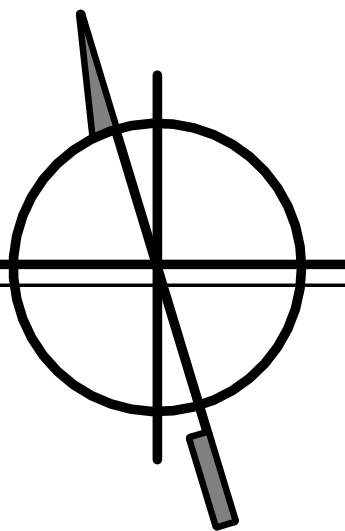
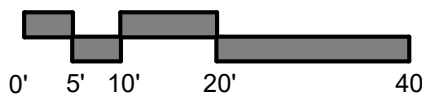
MECHANICAL EQUIPMENT

Project Floor Elevations

MASTER CLOSET	8408' - 6"
UPPER LEVEL	8406' - 6"
GARAGE LEVEL	8398' - 0"
MAIN LEVEL	8392' - 0"
LOWER LEVEL	8380' - 0"
SKIN LEVEL	8368' - 0"

OVERALL SITE PLAN

SCALE: 1" = 20'-0"



UP WALL
DE SIGN
1930 S. 1100 E. S.L.C. UT
84106
(801)485-0708

A1.1

OVERALL SITE PLAN

A NEW DESIGN FOR THE :

PLATEK RESIDENCE

LOT 44
BALD EAGLE
7955 RED TAIL CT
PARK CITY, UTAH 84090

02 AUGUST 2024

REVISIONS

- | | |
|---|------------|
| 1 | 2024-09-01 |
| 2 | 2025-03-10 |

THIS ARCHITECTURAL DRAWING AND SPECIFICATIONS ARE THE SOLE PROPERTY OF THE ARCHITECT. NO PART OF THIS DRAWING OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING OR SPECIFICATIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND ITS SYSTEMS. THE ARCHITECT DOES NOT WARRANT OR GUARANTEE THE ACCURACY OR COMPLETENESS OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING OR SPECIFICATIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND ITS SYSTEMS. THE ARCHITECT DOES NOT WARRANT OR GUARANTEE THE ACCURACY OR COMPLETENESS OF ANY INFORMATION PROVIDED BY OTHERS.

THIS PLAN SET HAS BEEN DESIGNED TO COMPLY WITH IRC 2021 ENERGY REQUIREMENTS (WOOD FRAMED WALLS; R-13 CAVITY w/ R-10 CI). DEVIATION FROM THE PRESCRIPTED INSULATION METHODS MUST BE APPROVED BY THE OWNER/ARCHITECT. GENERAL CONTRACTOR SHALL COMPLY TO ALL LOCAL BUILDING CODES AND ORDINANCES GOVERNING THIS WORK.

GENERAL CONTRACTOR SHALL FOLLOW ANY MANUFACTURES SPECIFICATIONS FOR INSTALLATION OF MATERIALS OR EQUIPMENT.

CONTRACTOR TO FIELD VERIFY LOCATION OF UTILITY LINES AS REQUIRED.

- | | |
|---|---|
| 1 | CONTRACTOR TO FIELD VERIFY LOCATION OF UTILITY LINES AS REQUIRED. |
| 2 | CONTRACTOR TO FIELD VERIFY MIN. 3'-0" SEPARATION BETWEEN GAS AND ELECTRICAL LINES. |
| 3 | REESTABLISH NATURAL GRADE AND NATURAL VEGETATION. PROVIDE TEMP. IRRIGATION TO ASSURE ESTABLISHED VEGETATION. |
| 4 | SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE, BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FT. (IRC R401.3). |
| 5 | RETAINING WALLS (4' OR SUPPORTING A SURCHARGE), SWIMMING POOLS, SOLAR AND/OR GEO-THERMAL HEATING SYSTEMS, AND PHOTO-VOLTAIC AND/OR WIND-GENERATED ELECTRICAL SYSTEMS REQUIRE SEPARATE PERMITS. SEPARATE PLANS, SPECIFICATIONS AND APPLICATIONS ARE TO BE SUBMITTED AND REVIEWED PRIOR TO ISSUANCE OF THESE PERMITS. |

NUMBER	DESCRIPTION
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NUMBER	DESCRIPTION
ST-1	CONTRACTOR TO ASSURE THAT ALL STRUCTURAL FILL IN DRIVEWAYS AND/OR AT STRUCTURE AS REQ. IS COMPACTED TO 95% OF MODIFIED PROCTOR & INSTALLED IN MAX 12' LIFTS.
ST-2	SPECIAL INSPECTION IS REQUIRED BY A LICENSED GEOTECHNICAL ENGINEER FOR ALL BOULDER RETAINING WALLS IN EXCESS OF 4'-0" IN HEIGHT.
ST-3	CONTRACTOR TO OBTAIN REQUIRED SOIL TESTING FROM A CERTIFIED TESTING AGENCY PRIOR TO PERFORMING CONCRETE FOOTING AND FOUNDATION WORK.
ST-5	ALL FOOTINGS TO BEAR ON UNDISTURBED SOIL OR ENGINEERED COMPACTED FILL (CERTIFIED 90 % BY A LICENSED CIVIL ENGINEER).
ST-7	LIMITS OF DISTURBANCE (L.O.D.) WILL BE FENCED WITH 4-FOOT ORANGE CONSTRUCTION FENCING AND WILL NOT BE CHANGED OR REMOVED UNTIL FINAL LANDSCAPING BEGINS, ANY TREES THAT ARE LOCATED WITHIN THE L.O.D. THAT ARE TO BE SAVED ARE TO BE PROTECTED.
ST-12	SIZE GAS SERVICE AS REQUIRED.
ST-13	WATER SERVICE TO BE MIN. 2' DIA. LINE.
ST-14	DRIVEWAY LOCATION TO BE DETERMINED IN FIELD TO MISS EXISTING TREES AND FLOW W/ EXISTING GRADE.
ST-15	ALL ROOF HEIGHTS SHOWN (ON SITE PLANS) ARE FOR BUILDING AND PLANNING DEPARTMENT USE ONLY, AND NOT FOR CONSTRUCTION BEARING HEIGHTS.
ST-18	CONTRACTOR TO ENSURE ALL EXTERIOR LIGHTING IS IN COMPLIANCE WITH JURISDICTIONAL CODES AND PROVIDE PROOF PRIOR TO INSTALL.
ST-23	PROVIDE GAS LINE FOR FIRE PIT. SIZE GAS LINE TO ACCOMMODATE SELECTED BURNER.
ST-26	SEWAGE PUMPS AND SEWAGE EJECTORS SHALL HAVE THE CAPACITY AND HEAD FOR THE APPLICATION REQUIREMENTS. PUMPS AND EJECTORS THAT RECEIVE THE DISCHARGE OF WATER CLOSETS SHALL BE CAPABLE OF HANDLING SPHERICAL SOLIDS WITH A DIAMETER OF UP TO AND INCLUDING 2 INCHES. OTHER PUMPS AND EJECTORS SHALL BE CAPABLE OF HANDLING SPHERICAL SOLIDS WITH A DIAMETER OF UP TO AND INCLUDING 1 INCH. THE MINIMUM CAPACITY OF A PUMP OR EJECTOR BASED ON THE DIAMETER OF THE DISCHARGE PIPE SHALL BE IN ACCORDANCE WITH IRC TABLE P3007.6. CONNECTION TO DRAINAGE SYSTEM SHALL BE AS PER IRC P3007.3.5.

REVISIONS

- 1 2024-09-0
- 2 2025-03-10

[illegible]

A NEW DESIGN FOR THE :

PLATEK RESIDENCE

7955 RED TAIL CT.
BARK CITY ILL 64060

LOT 44
BALD EAGLE

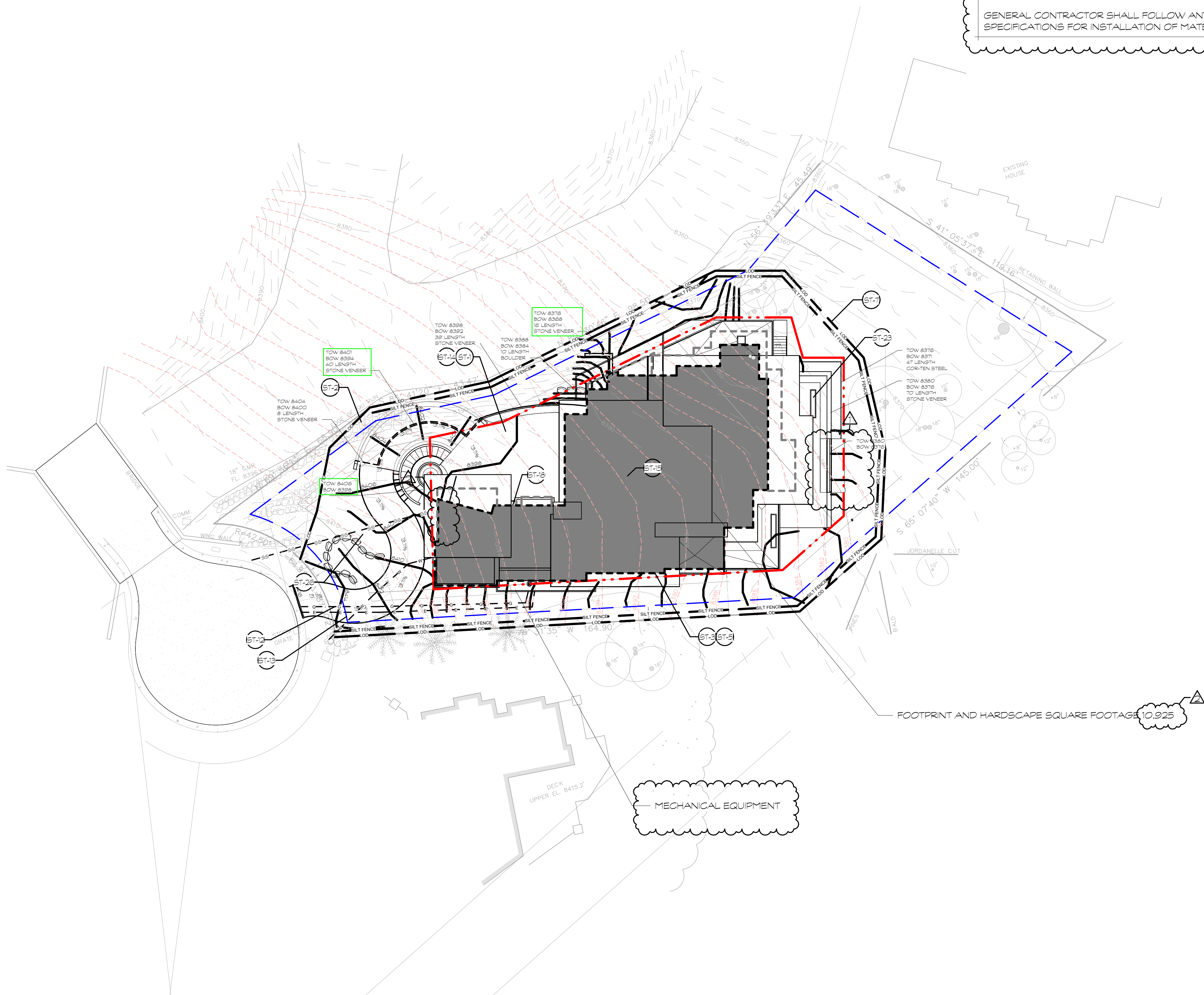
U P W A L L
D E S I G N
1930 S. 1100 E. S.L.C. UT
(801)485-0708

1930 S. 1100 E. S.L.C. UT
(801)485-0708

A1.1

OVERALL SITE PLAN

Page 19 of 20

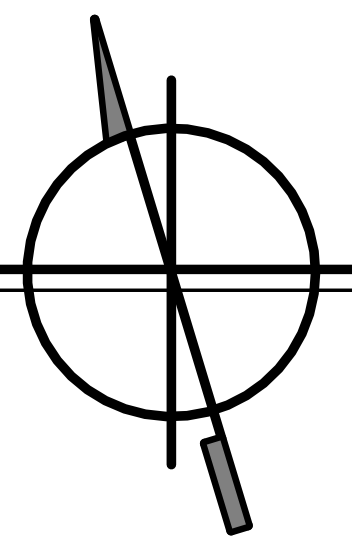
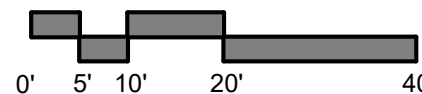


MASTER CLOSET	8408' - 6"
UPPER LEVEL	8406' - 6"
GARAGE LEVEL	8398' - 0"
MAIN LEVEL	8392' - 0"
LOWER LEVEL	8380' - 0"
SKIN LEVEL	8368' - 0"

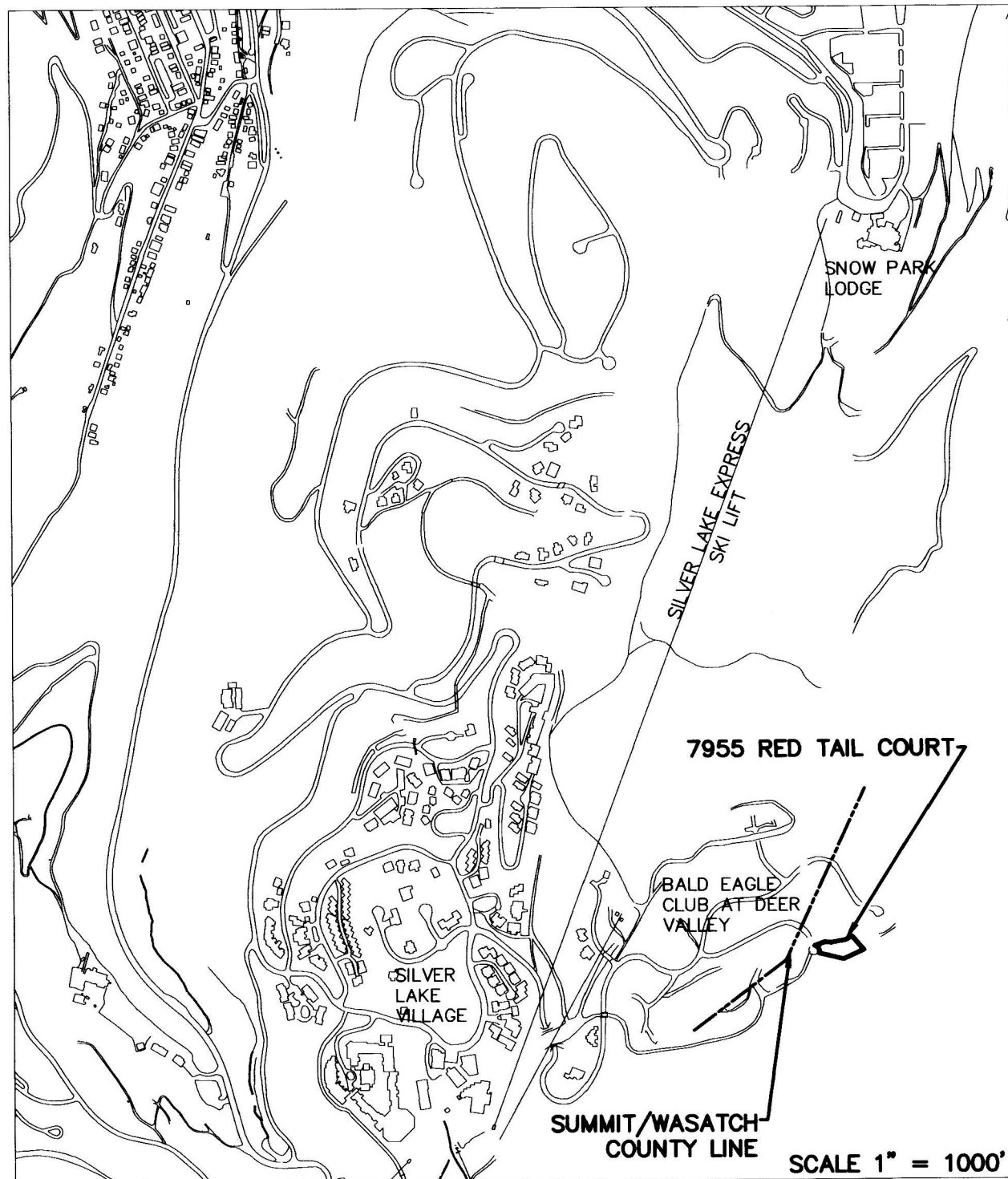
OVERALL SITE

PLAN

SCALE: 1" = 20'-0"



VICINITY MAP



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 plat amendment of the property described hereon, hereafter to be known as THE BALD EAGLE CLUB AT DEER VALLEY UNIT 44 AMENDED.

LEGAL DESCRIPTION

Unit 44, The Bald Eagle Club at Deer Valley, Amended, an expandable Utah condominium project, together with an undivided appurtenant ownership interest in and to the common areas and facilities of the project as the same are identified and established in the record of survey map recorded August 3, 1989 as Entry No. 311265 of the official records in the office of the Summit County Recorder, and recorded August 3, 1989 as Entry No. 149482 in Book 210 at Page 359 of the official records in the office of the Wasatch County Recorder; and the Declaration of Condominium for The Bald Eagle Club at Deer Valley recorded August 3, 1989 as Entry No. 311266 in the Book 530 at Page 295 of the official records in the office of the Summit County Recorder and recorded August 3, 1989 as Entry No. 149483 in Book 210 at Page 389 of the official records in the office of the Wasatch County Recorder; and the First Amendment to Record of Survey Map recorded April 18, 1990 as Entry No. 151947 in Book 217 at Page 479 of the official records in the office of the Wasatch County Recorder and recorded April 20, 1990 as Entry No. 323408 of the official records in the office of the Summit County Recorder and the First Amendment to Condominium Declaration Recorded April 18, 1990 as Entry No. 151948 in Book 217 at Page 499 of the official records in the office of the Wasatch County Recorder and recorded April 20, 1990 as Entry No. 323409 in Book 561 at Page 653 of the official records in the office of the Summit County Recorder and the First Amendment to Record of Survey Map for an expandable condominium project called The Bald Eagle Club at Deer Valley recorded August 21, 1990 as Entry No. 153081 in Book 221 at Page 230 of the official records in the office of the Wasatch County Recorder and recorded August 21, 1990 as Entry No. 328322 and the Second Amendment to Record of Survey Map recorded May 12, 1992 as Entry No. 358862 in Book 662 at Page 269 of the official records in the office of the Summit County Recorder.

OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, Laurie Platek, as Manager and on behalf of Red Tail Ct LLC, a Delaware limited liability company, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this condominium plat amendment.

Red Tail Ct LLC, a Delaware limited liability company

By: Laurie Platek
Laurie Platek, Manager

ACKNOWLEDGMENT

State of Utah

: ss

County of Summit

On this 18th day of June, 2025, Laurie Platek personally appeared before me, the undersigned Notary Public, in and for said County and State, being duly sworn, acknowledged to me that she is the Manager of Red Tail Ct, LLC, a Delaware limited liability company, and that she signed the above Consent to Record for and on behalf of Red Tail Ct LLC, a Delaware limited liability company, and that she acknowledged to me that she executed THE BALD EAGLE CLUB AT DEER VALLEY UNIT 44 AMENDED.

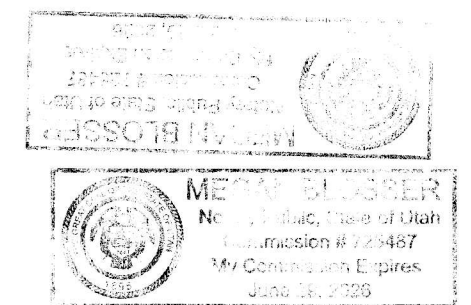
By: Megan Blosser
Notary Public

A Notary Public Commissioned in Summit County
Megan Blosser
Printed Name

Residing in: Weber County

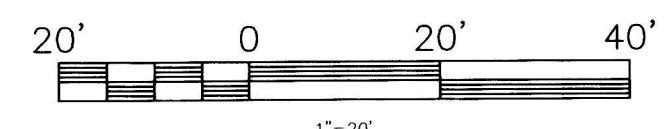
My commission expires: June 29, 2026

Commission No.: 725487



NOTES

- This plat amendment is subject to the Conditions of Approval in the Final Action Letter dated May 28, 2025, and on file with the Planning Department (PL-25-06422).
- All Conditions of Approval of The Bald Eagle Club at Deer Valley, recorded August 3, 1989, as Entry No. 311265 shall continue to apply and remain in full force and effect.
- See recorded survey S-861, filed May 24, 1999.
- This unit is located at an elevation where sanitary sewer service may only be available through the use of an approved individual pump system which is the sole responsibility of the owner.
- The purpose of this plat is to amend the building envelope of Unit 44 as shown hereon.



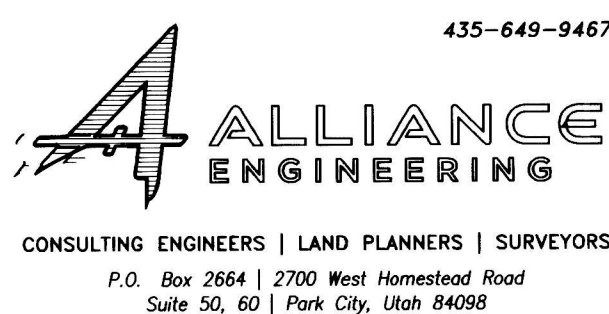
THE BALD EAGLE CLUB AT DEER VALLEY

UNIT 44 AMENDED

LOCATED IN THE NORTHEAST QUARTER OF SECTION 27
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT & WASATCH COUNTIES, UTAH

SHEET 1 OF 1

6/17/25 JOB NO.: 2-1-25 FILE: X:\BaldEagle\dwg\sr\plat2025\020125.dwg



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON THIS 23
DAY OF June, 2025

BY: Karen B. B.

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 28TH

DAY OF May, 2025
BY: [Signature]
CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 3
DAY OF July, 2025
BY: [Signature]
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 6
DAY OF July, 2025
BY: [Signature]
PARK CITY ATTORNEY

WASATCH COUNTY SURVEYOR

APPROVED [Signature]
AS TO FORM THIS 20th DAY
OF July, 2025
BY: [Signature]
WASATCH COUNTY SURVEYOR

RECORDED

STATE OF UTAH, COUNTY OF WASATCH, AND FILED
AT THE REQUEST OF MICHAEL DEMKOWICZ
\$52.00 MARCY M. MURRAY
FEE RECORDER
TIME 3:25 PM DATE JULY 17, 2025 ENTRY NO. 562488

BOOK: 1523 PG 1409

Planning Department Staff Report



Subject: 1825 Three Kings Drive
Application: PL-25-06628
Author: Elissa Martin, Planning Project Manager
Date: August 21, 2025
Type of Item: Modification to Outdoor Dining Conditional Use Permit

Recommendation

(I) Review the modification to the Outdoor Dining Conditional Use Permit to increase the outdoor dining seating capacity from 56 to 75 and allow a seasonal Temporary Structure for winter outdoor dining, (II) conduct a public hearing, and (III) consider approving the modification based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Silver Star Café
Applicant Representative: Jeff Ward

Location: 1825 Three Kings Drive

Zoning District: Residential Development (RD)

Adjacent Land Uses: Single-Family Residential and Condominiums

Reason for Review: A modification to an Administrative Conditional Use Permit requires Planning staff review and final action.¹

ACUP Administrative Conditional Use Permit
CUP Conditional Use Permit
LMC Land Management Code
MPD Master Planned Development
RD Residential Development (Zone)

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Background

On July 16, 2009, Planning staff approved an Outdoor Dining Conditional Use Permit (CUP) for 1825 Three Kings Drive, the Silver Star Café, located in the Silver Star Plaza, within the Spiro Master Planning Development (MPD). The Planning Commission approved the Spiro Tunnel MPD and CUP in 2004, for a mixed-use development consisting of 97 residential Unit Equivalents; an artist-in-residence campus with up to

¹ LMC [§ 15-1-8\(K\)](#)

14,500 square feet of artist studios; offices and gallery retail space; parking; support commercial uses and meeting spaces; and 15 Unit Equivalents of affordable housing. The Silver Star Café is a support commercial use allowed pursuant to the Spiro Tunnel MPD.

Three Administrative Conditional Use Permits (ACUP) for a 24-foot diameter Temporary Structure for winter outdoor dining at the Silver Star Café were approved by the Planning Department in 2021 (PL-21-05049), 2022 (PL-22-05464) and 2023 (PL-23-05953). A Condition of Approval of the Planning Department's December 16, 2022 Final Action Letter for the Temporary Structure ACUP requires the Applicant to amend the existing approval for year-round Outdoor Dining to include the Use of a Temporary Structure during winter months, not to exceed 180 days (Exhibit B).

Analysis

The applicant requests to modify the 2009 Administrative Conditional Use Permit for outdoor dining at 1825 Three Kings Drive, to increase the outdoor seating capacity from 56 seats to 75 seats and to allow the installation of a Temporary Improvement (Structure) for winter outdoor dining on a seasonal basis, not to exceed 180 days annually. The site is within the RD Zoning District, which permits outdoor dining and Temporary Improvements with an Administrative Conditional Use Permit.²

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

Pursuant to LMC § [§ 15-1-10](#), there are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

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

SEE ANALYSIS IN FINAL ACTION LETTER

(II) The Silver Star Café outdoor dining area and increased seating capacity meets the criteria outlined in LMC [§ 15-4-21\(B\)\(1\)](#) *Outdoor Dining Criteria*

SEE ANALYSIS IN FINAL ACTION LETTER

(III) The proposed Temporary Improvement meets the review criteria outlined in LMC [§ 15-4-16\(B\)](#) *Temporary Structures, Tents, and Vendors (Review Criteria)*, as conditioned.

SEE ANALYSIS IN FINAL ACTION LETTER

² LMC [§ 15-2.13.2 Uses](#)

Department Review

The Planning and Executive Departments reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on August 7, 2025. Staff mailed courtesy notice to adjacent property owners and posted notice to the property on August 11, 2025.³

Public Input

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

Alternatives

The Planning Director may:

- Approve the modification to the CUP.
- Deny the modification to the CUP and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

Exhibits

A: Draft Final Action Letter

Attachment 1: Site Plan

Attachment 2: HOA Approval Letter

B: 2022 Planning Department ACUP Final Action Letter

³ LMC [§ 15-1-21](#)



Planning Department

August 21, 2025

Silver Star Café
Jeff Ward

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address: 1825 Three Kings Drive

Zoning District: Residential Development

Application: Modification to an Outdoor Dining Conditional Use Permit

Project Number: PL-25-06628
PL-09-00719 (2009 CUP)

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: August 21, 2025

Project Summary: The Applicant proposes to modify the Outdoor Dining Conditional Use Permit (CUP) to increase the seating capacity from 56 to 75 and allow a seasonal Temporary Improvement for winter outdoor dining.

Action Taken

On August 21, 2025, the Planning Director conducted a public hearing and approved the Modification to an Outdoor Dining CUP, according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Silver Star Café outdoor dining is located in the Silver Star Plaza common owned space within the Spiro Master Planned Development (MPD).
2. The subject property is within the Residential Development (RD) Zoning District, which allows Outdoor Dining with an Administrative CUP pursuant to LMC [§ 15-2.13-2](#) Uses.



Planning Department

3. On July 16, 2009, the Planning Department approved the Outdoor Dining CUP for the Silver Star Café at 1825 Three Kings Drive, which allows a seating capacity of 56 within a 2,200-square-foot area.
4. Three Administrative Conditional Use Permits (ACUPs) for a 24-foot diameter Temporary Structure for winter outdoor dining have been approved by the Planning Department for the Silver Star Café in 2021 (PL-21-05049), 2022 (PL-22-05464) and 2023 (PL-23-05953).
5. A Condition of Approval of the Planning Department's December 16, 2022 Final Action Letter for the Temporary Structure ACUP requires the Applicant to amend the existing approval for year-round Outdoor Dining to include the Use of a Temporary Structure during winter months, not to exceed 180 days.
6. The Silver Star Café outdoor dining occurs year-round and is intended to be a gathering space for Silver Star owners, guests, and the general public.
7. The Applicant submitted a request to modify the CUP to increase the seating capacity to 75 within a reduced 1,400-square-foot area and to allow a seasonal Temporary Improvement for winter outdoor dining.
8. The "Common Area Exclusive Use Agreement" between the Silver Star Café and the Spiro Condominiums Owners Association, Inc, identifies the outdoor common areas allowed to be used for the Silver Star Café outdoor dining; the agreement also allows for the installation of a seasonal structure, pending approval of its location by the HOA.
9. As conditioned, the proposed CUP modification to increase the seating capacity by 19 seats and allow a seasonal Temporary Improvement, has no unmitigated impacts and meets the criteria outlined in Land Management Code (LMC) § 15-1-10 (E), CUP Review:

1) Size and location of the Site:

No unmitigated impacts.

The outdoor dining is in a 2,200-square-foot area within the Silver Star Café and Silver Star Plaza area combined. The 2009 CUP allows for 14 tables and 56 chairs in the outdoor dining area within the Silver Star Plaza.



Planning Department

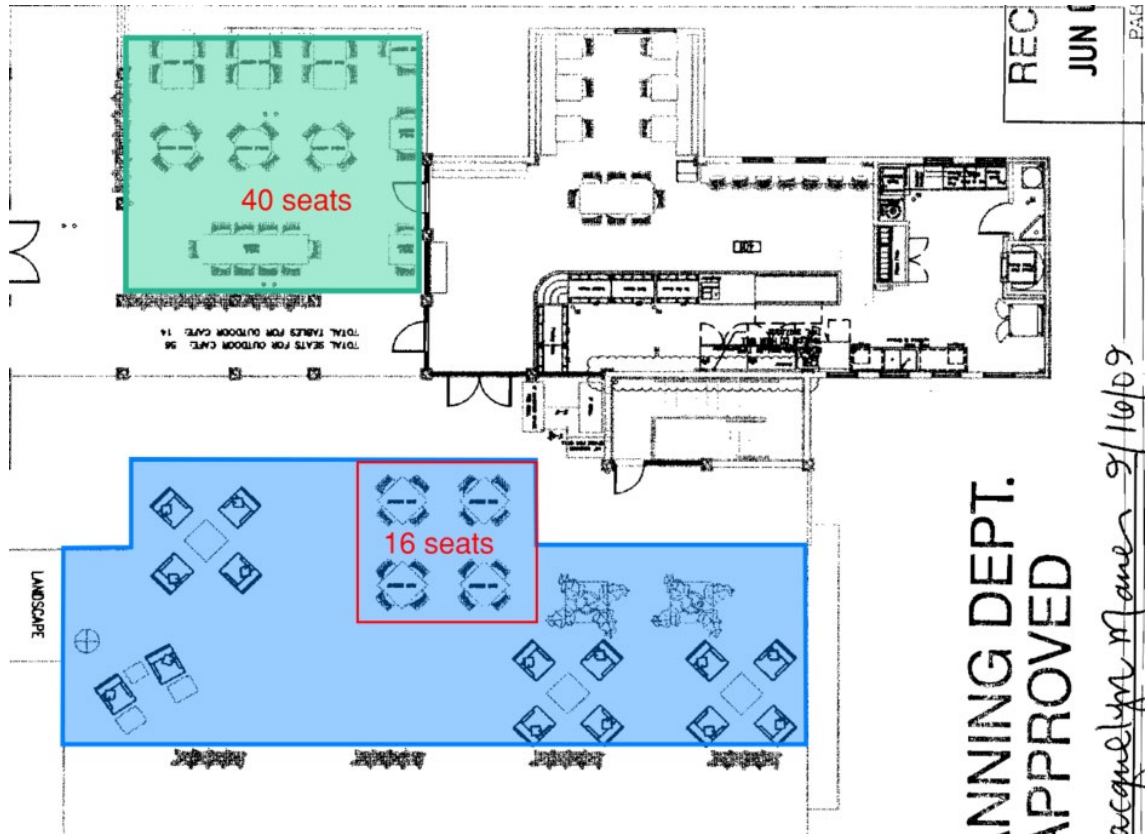


Figure 1: Excerpt from the 2009 Silver Star Café Outdoor Dining CUP Site Plan with staff's markup showing the two areas approved for outdoor dining.

The Applicant's proposal decreases the outdoor dining area shaded in green (Figure 1 and 2) from 40 to 33 seats and the seating in the plaza area (shaded in blue), owned by the Spiro Condominium Owners Association, is increased from 16 to 42 seats.



Planning Department

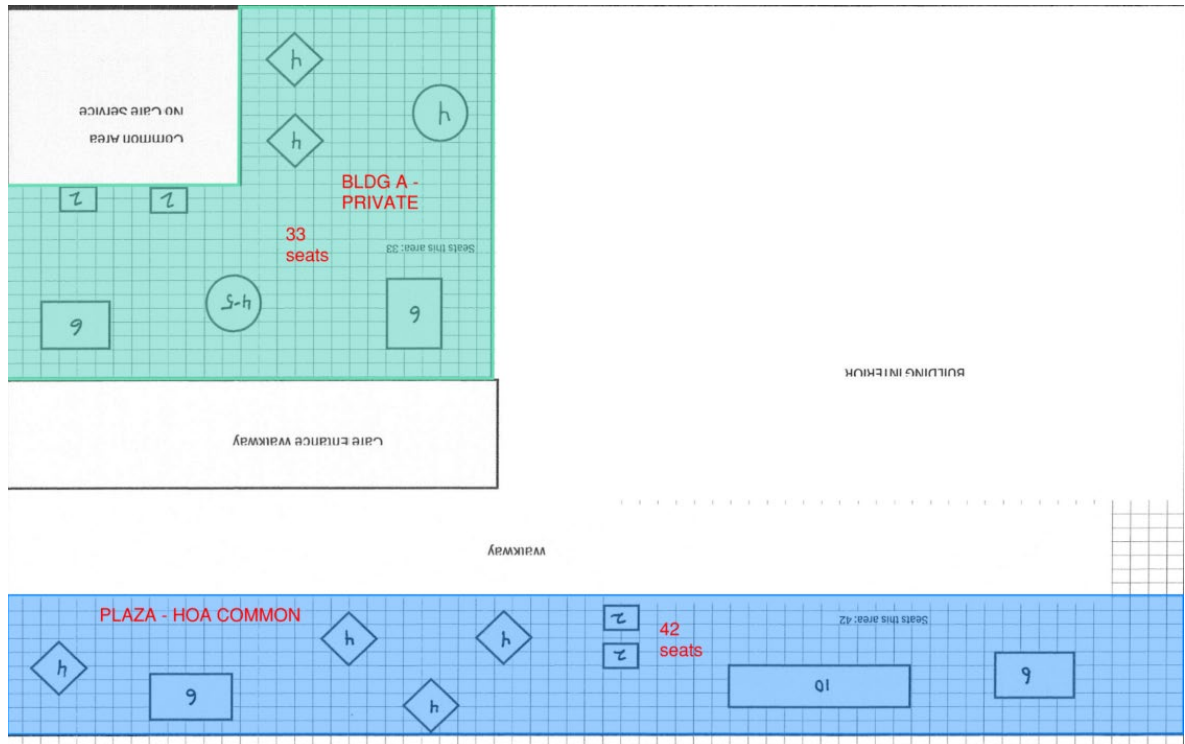


Figure 2: Proposed Site Plan showing an increase in seating capacity in the common plaza area (shaded blue).

The increase of seats in the plaza area would be achieved by re-arranging the tables and seating areas within the existing outdoor dining area footprint. Additionally, the footprint is proposed to be reduced to 1,400 square feet with a more efficient arrangement of tables.

The proposed Temporary Structure for winter outdoor dining is 24 feet in diameter, consistent with past ACUP approvals for a Temporary Structure. The location of the Temporary Structure will require approval by the HOA (see Condition of Approval 8)

2) Traffic considerations including capacity of the existing streets in the area:
No unmitigated impacts.

There will not be an impact to public spaces or public rights-of-way as a result of this proposal. Tables used in the indoor dining area will be moved to the outdoor dining area. The additional seating in the outdoor dining area will not create a net increase of customers to impact traffic in the area.

3) Utility capacity:
No unmitigated impacts.



Planning Department

There is no increase in utility capacity required for the increase in seating capacity for the Silver Star Café. The Applicant may be required to install additional restroom fixtures based on Building Department review of the proposed increase in occupancy load (see Condition of Approval 6)

4) Emergency vehicle access:

No unmitigated impacts.

Emergency Vehicle access is from Three Kings Drive. The proposed use will not interfere with existing access routes for emergency vehicles.

5) Location and amount of off-street parking:

No unmitigated impacts, as conditioned.

The Silver Star MPD was approved with 120 surface parking spaces and 154 underground spaces, which have been fully built out. The Silver Star Café serves Silver Star Owners and guests, who are within walking distance, as well as the general public. The site can be accessed via Public Transit and the Silver Star chairlift in the winter.

Condition of Approval 4 requires compliant bike parking be installed, pursuant to LMC § 15-3-9 *Bicycle Parking Requirements* and an incentive program be implemented to encourage staff and patrons to use alternative modes of transportation, including walking, biking, and transit.

6) Internal vehicular and pedestrian circulation system:

No unmitigated impacts.

The outdoor furniture will be situated in a way that leaves adequate room for pedestrian circulation. All areas designated as pedestrian walkway on the site plan must be at least 42 inches wide and remain free of any outdoor furniture or other obstruction (see Condition of Approval 2). The internal vehicular traffic of the area will not be impacted by the outdoor dining tables and chairs.

The location of the Temporary Improvement seasonal Structure for winter outdoor dining will be approved by the HOA. Condition of Approval 10 requires the Temporary Improvement shall not impede vehicular circulation, pedestrian circulation, emergency Access, or any other public safety measure.

7) Fencing, screening, and landscaping to separate the use from adjoining uses:

No unmitigated impacts.

The outdoor dining area will be located within the Spiro Master Plan Development. No screening is necessary.

8) Building mass, bulk, orientation, and the location of buildings on the site, including orientation to buildings on adjoining lots:



Planning Department

No unmitigated impacts.

There are no proposed additions or alterations of structures.

9) Usable open space:

No unmitigated impacts.

The Spiro Tunnel MPD includes both Natural and Landscaped Open Space at approximately 75% of the site. This is more than the MPD requirement of 60%. The Outdoor Dining application does not alter the designated Open Space.

10) Signs and lighting:

No unmitigated impacts.

There are no signs or lighting proposed with this outdoor dining application. Any new signs or lighting must be approved by the Planning Department prior to installation. Language or logos on outdoor dining umbrellas must be included on the site's Master Sign Plan and approved by the Planning Department. (See Condition of Approval 7).

11) Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing:

No unmitigated impacts.

The materials for the outdoor furniture are metal, wood, and cloth. They are compatible with the existing surrounding Structures. Temporary Improvement is a yurt, which is compatible with the mountain resort character.

12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site:

No unmitigated impacts.

No additional noise, vibration, odors, steam, or other mechanical factors will affect people and property off-site from the outdoor dining or Temporary Improvement.

13) Control of delivery and service vehicles, loading and unloading zones, and screening of trash pickup areas:

No unmitigated impacts.

Delivery and service vehicles, loading and unloading zones, and screening of trash pickup areas will not be altered by the outdoor dining or Temporary Improvement.

14) Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities:

No unmitigated impacts.

The portion of the outdoor dining area that will have an increase in seating



Planning Department

capacity is located on common area owned and maintained by the Silver Star Condominium Owners Association, Inc. and the Applicant submitted proof of the Agreement between the Silver Star Café and the HOA for use of the common area. See Attachment 2: HOA letter of support for this CUP modification.

15) Within and adjoining the site, impacts on environmentally sensitive lands, slope Retention, and appropriateness of the proposed structure to the topography of the site:

No unmitigated impacts.

The project is not located within the SLO. The proposed site is not a wetland, ridgeline, critical habitat, stream corridor, Very Steep Slope, sensitive hillside, or on the Entry Corridor.

10. The Silver Star Café outdoor dining area and increased seating capacity meets the criteria outlined in LMC § 15-4-21(B)(1) *Outdoor Dining Criteria*, as conditioned:

- a. The proposed increased seating Area is located on property owned and maintained by the Spiro Condominiums Owners Association and does not diminish parking or landscaping.
- b. The existing outdoor dining area and proposed increased seating capacity does not impede pedestrian circulation (see Condition of Approval 2).
- c. The proposed seating Area does not impede emergency Access or circulation.
- d. The materials for the outdoor dining furniture are metal, wood, and cloth and are Compatible with the Streetscape.
- e. The Silver Star Café operation hours ensure compliance with the City Noise Ordinance, Title 6.
- f. The outdoor dining area operates between 8:00am and 10:00 p.m.
- g. The proposed increase in seating capacity from 56 to 75 is mitigated by requiring additional measures to encourage staff and patrons of the Silver Star Café to use alternative modes of transportation to travel to and from the site.

11. The proposed Temporary Improvement meets the review criteria outlined in LMC § 15-4-16(B) *Temporary Structures, Tents, and Vendors (Review Criteria)*, as conditioned:



Planning Department

1. The Applicant has provided written notice of the Property Owner's permission (see Attachment 2).
2. The proposed Use does not diminish existing parking. There is no net loss of parking with the installation of the Temporary Improvement.
3. The proposed Use will not impede pedestrian circulation, emergency Access, or any other public safety measure (see Condition of Approval 10)
4. The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6
5. As conditioned, the Use complies with the LMC, signage will be permitted in accordance with the Sign Code, Title 12, and lighting will comply with Illumination Section 12-4-9.
6. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering (see Condition of Approval 11).
7. The Applicant is required to obtain the proper building permits and schedule the necessary inspections with the Building Department (see Condition of Approval 8).
8. The Applicant shall adhere to all applicable City and State licensing ordinances (see Condition of Approval 11).

Conclusions of Law

1. The proposed Use complies with the Residential Development Zoning District Requirements, pursuant to LMC Chapter 15-2.13
2. There are no unmitigated impacts of the Outdoor Dining area and Temporary Improvement; the modification to the Conditional Use Permit meets the criteria outlined in LMC § 15-1-10(E), *Conditional Use Permit Review*, as conditioned.
3. The proposed Outdoor Dining area and increased seating capacity meets the criteria outlined in LMC § 15-4-21(B)(1) *Outdoor Dining Criteria*.
4. The proposed Temporary Improvement meets the review criteria outlined in LMC § 15-4-16(B) *Temporary Structures, Tents, and Vendors (Review Criteria)*.

Conditions of Approval

1. Nothing herein shall allow any violation to the International Fire Code, International Building Code, or Park City Municipal Code, including any violation of the Municipal Noise Ordinance.
2. Tables and chairs must not encroach on areas that are shown on site plan as pedestrian walkways and access. Each walkway and pedestrian access must be at least 42 inches wide.



Planning Department

3. Use of the outdoor dining area is allowed from 8:00 am until 10:00 pm.
4. Compliant bike parking shall be installed pursuant to LMC § 15-3-9 *Bicycle Parking Requirements* and an incentive program shall be implemented to encourage staff and patrons to use alternative modes of transportation, including walking, biking, and transit.
5. If parking demand for the restaurant and outdoor dining area exceeds available parking on site, a modification to this ACUP may be required to reduce the number of permitted seats or to implement a parking management plan.
6. The Applicant shall submit existing occupant load and restroom fixtures and the new proposed occupant load to the Building Department for review; the Applicant may be required to install additional bathroom fixtures based on the Building Department determination or to reduce maximum occupancy based on bathroom fixtures available.
7. A separate permit is required for any signage or lighting; any language or logos on outdoor dining umbrellas must be included in a Master Sign plan approved by the Planning department.
8. The location of the Temporary Improvement shall be approved by the Spiro Condominiums Owners Association, and the Applicant shall obtain the proper building permits and schedule the necessary inspections with the Building Department.
9. The Temporary Improvement is allowed to be erected no more than 180 days each year for up to five years. The allowance of the Temporary Improvement may be revoked if impacts to the surrounding neighborhood are determined to be detrimental.
10. The Temporary Improvement shall not impede vehicular circulation, pedestrian circulation, emergency Access, or any other public safety measure.
11. The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering and shall adhere to all applicable City and State licensing ordinances.

If you have questions or concerns regarding this Final Action Letter, please call 435-699-7741 or email elissa.martin@parkcity.gov.

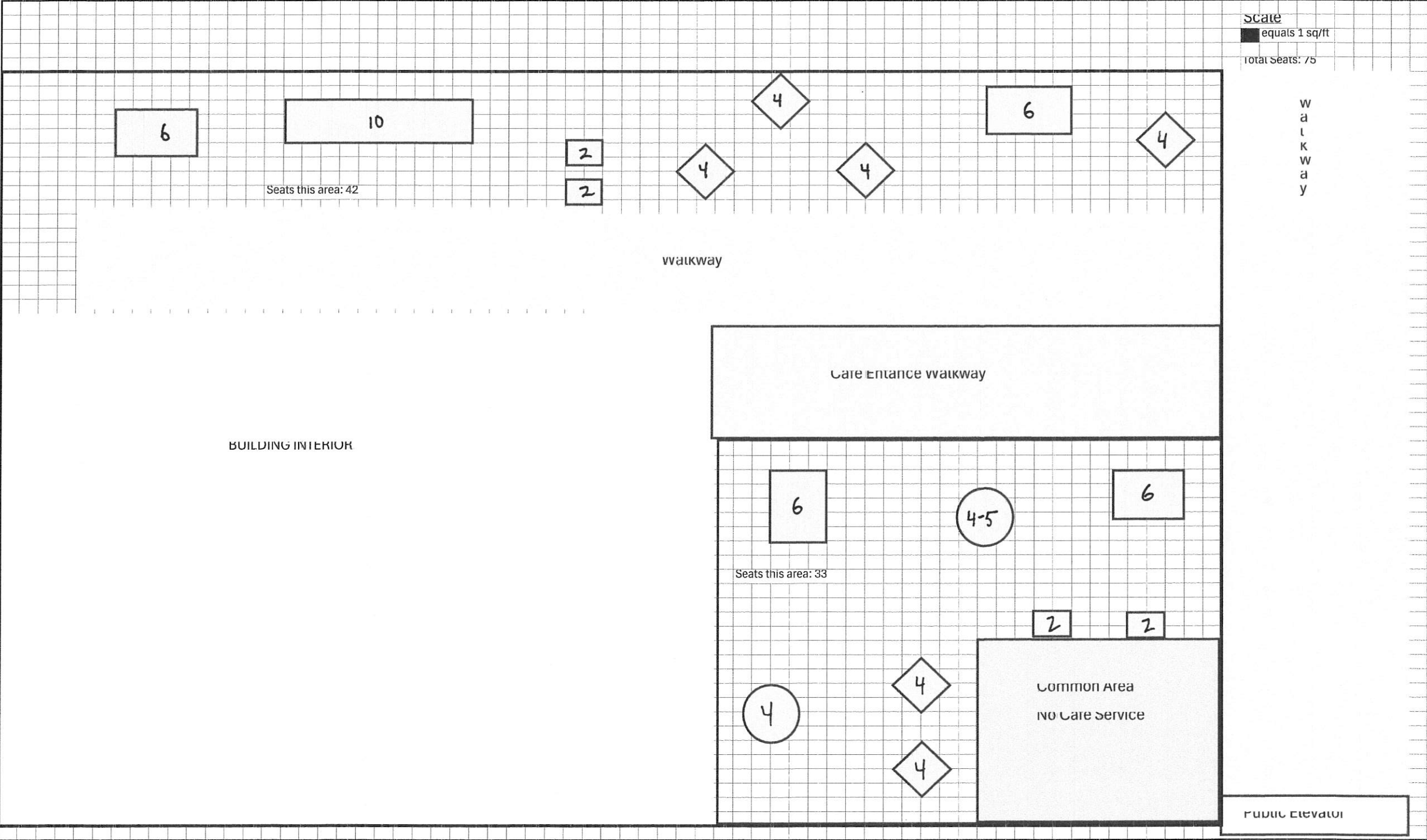
Sincerely,

Rebecca Ward, Planning Director



Planning Department

CC: Elissa Martin



Scale
■ equals 1 sq/ft
Total Seats: 75



July 20, 2025

Application to Modify Outdoor Dining CUP

To Whom it May Concern:

This letter is to inform you that the Silver Star Spiro Condominium Owners Association, Inc. has an agreement with the Silver Star Café (Spiro Unit #30) for continued use of a portion of patio common area as an outdoor seating area for their patrons.

We are supportive of modifying the seating capacity of the existing 2009 Outdoor Dining CUP to align with the designated use-areas and seating capacity of the current agreement.

Please let us know if you require any additional information.

Best regards,

Board of Directors

Dana Klein Burton Kloster Laurie Shapiro Tom Sullivan Steve Weiner



Planning Department

December 16, 2022

Silver Star Café
1825 Three Kings Drive
(435) 901-3318

CC: Jeff Ward

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address: 1825 Three Kings Drive

Zoning District: Residential Development

Application: Administrative Conditional Use Permit

Project Number: PL-22-05464

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: December 16, 2022

Project Summary: The Applicant requests to install a Temporary Structure from December 2022 through April 2023 for winter use of an approved Outdoor Dining area.

Action Taken

On December 16, 2022, the Planning Director conducted a public hearing and approved an Administrative Conditional Use Permit according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 1825 Three Kings Drive in the Residential Development (RD) Zoning District.
2. The Applicant proposes erecting a Temporary Structure from December 2022 through April 2023.
3. Temporary Structures are a Conditional Use in the RD Zoning District.
4. The existing outdoor Area is approximately 2,200 square feet.
5. The Temporary Structure is 24' in diameter (452 square feet) and approximately 13' tall.

6. The Planning Department approved a Conditional Use Permit for year-round Outdoor Dining at the Silver Star Café in July 2009.
7. The Planning Department approved a Conditional Use Permit for the Use of a Temporary Structure for Winter Outdoor Dining in December 2009.
8. In 2020, the Planning Department issued special approval for the Use of Temporary Structures in conjunction with Outdoor Dining to accommodate restrictions to COVID-19. The Applicant obtained special approval in 2020 for this same Temporary Structure.
9. The staff report analysis is incorporated herein.

Conclusions of Law

1. The Application, as permitted, is consistent with LMC § 15-1-10, *Conditional Use Review Process*, LMC Chapter 15-2.13, *Residential Development (RD) District*, and LMC § 15-4-16, *Temporary Structures, Tents, and Vendors*.
2. The proposed Use, as conditioned, will be compatible with the 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. The proposed project shall comply with all adopted codes and ordinances; including, but not limited to the Land Management Code, International Building Code, Fire Code, ADA Compliance, and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of Park City.
2. The Applicant shall adhere to all applicable City and State licensing ordinances.
3. The Use shall not impede vehicular circulation, pedestrian circulation, emergency Access, or any other public safety measure.
4. No signs or lighting are approved with this Permit.
5. The Use is limited to the hours of operation for the Silver Star Café.
6. The Applicant shall comply with any City, County, and State health licensing requirements. The Use shall not violate the Summit County Health Code or State Regulations on mass gatherings. The Applicant shall ensure adherence to all Fire Codes.
7. The Applicant shall obtain the proper building permits and schedule the necessary inspections with the Building Department.
8. All exterior lights must conform with the outdoor lighting code. Any additional signs must be reviewed by the Planning Department.
9. Outdoor Uses must comply with the Park City Noise Ordinance (Municipal Code 6-3), which prohibits amplified music, and restricts music from 5:00 PM to 8:30 PM. If the applicant receives a complaint regarding noise generated from the

Outdoor Use, the Applicant shall notify the Park City Planning Department. Upon three complaints the Planning Director will review approval of the Administrative CUP and reserves the right to modify the operations, add additional restrictions and/or Conditions of Approval, or revoke the Administrative CUP to mitigate impacts to the community.

10. This Permit expires on April 30, 2023. The Applicant shall remove all Temporary Structures by the date of expiration.
11. The Applicant shall amend the existing approval for year-round Outdoor Dining to include the Use of a Temporary Structure during winter months, not to exceed 180 days.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5065 or email spencer.cawley@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gretchen Milliken', with a long horizontal flourish extending to the right.

Gretchen Milliken
Planning Director

CC: Spencer Cawley, Project Planner

