

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 11, 2004

Council questions/comments

Jim Hier attended the Snyderville Basin Planning Commission meeting where they reviewed proposed revisions to the planning code and code map. He felt it dovetailed nicely with Park City's overall plans.

Mr. Hier also reported that he and Marianne Cone attended the Planning Commission meeting where the Bransford at Union Square project was approved. He had copies of the report made for all Council members because it was a significant project and they needed to be cognizant of what was approved. Planner Brooks Robinson explained that the applicants must still submit an application for a plat amendment to consolidate the separate lots.

Candace Erickson had e-mailed updates to all Council members. She noted the next water conservation meeting would be held in March and requested input on additional objectives for the group to consider next year.

Joe Kernan reported the solid waste committee was discussing funding for future needs. He stated he would support discussing the Union Square project if Council was interested calling it up.

Marianne Cone reported that the Library Board was informed about the formation of Utah Library Advocacy Network, who will work with the legislature this year. She noted the Art Advisory Board was working on a request for proposal for art in bus shelters. She felt they were experts and advised staff to forward ideas for art projects to them rather than going ahead and doing them.

Mayor Williams reported that the Park City Education Foundation Week had been a success, aside from the ski day being delayed. The film sold out, and he had a wonderful experiencing reading to a large group of young children. He asked Ken Fisher to relay thanks to Shontai Domichel for her efforts in obtaining child care certification for the Racquet Club. He relayed comments from Chuck Ballard, a citizen involved in recent police interviews, who complimented Kim Leier and Chief Evans for the professionalism exhibited during the process. He stated he slept better at night knowing who was protecting him and who was running the City.

Mayor Williams also reported on his meeting regarding the town plaza with Mountain Town Stages and thanked Randy Barton for his input. He also thanked Marianne Cone for the information she distributed on assisting living and suggested a liaison relationship for her on that subject.

Quarterly goal update

Manager Tom Bakaly commented that assisted living had been added to the quarterly goals report and indicated they could discuss the liaison relationship if Council would like. He noted that new items had been proposed for Council's consideration.

Council members felt it would be appropriate to forecast new target dates for items that had been delayed, or missed their target dates. They reviewed the report, noting revised dates as well as the completion of some significant projects. They briefly discussed new items that had been added to the report.

Manager Bakaly indicated Staff would schedule a review of the Olympic Plaza at Snow Creek in December.

Candace Erickson felt the medians in the Park Meadows neighborhood were effective and asked whether signs should be installed at the pedestrian/bicycle crossings. Jerry Gibbs, Public Works Director, explained they had considered the installation of signs at pedestrian/bicycle crossings, but had not come to a conclusion because the presence of signs can create a false sense of safety.

Alison Butz explained that the Art Advisory Board had been allocated one-time funding in the amount of \$200,000 to purchase public art, and they have been asked to develop ideas to create additional funding. One suggestion was to have 1% of capital project budgets (buildings only) be put towards incorporating public art.

Craig Sanchez explained that an Events Programming Group had been formed, consisting of City staff, Chamber Members, and representatives from the three resorts, to evaluate current events and consider new events for the City. The group will present their goals and objectives to Council in the future.

Manager Bakaly indicated that conservation easements for open space other than open space purchased with bonds would be discussed in the future.

Matt Twombly explained that RAP tax funds had been used for the Farm Parking lot, McLeod Creek Trail and Round Valley Trails. Single-track trails were being installed in Round Valley this fall and cross-country skiing trails would be installed in the spring.

Regarding historic preservation and alternative methods for the sale of city-owned properties, Mayor Williams suggested a review of models from other cities. Candace Erickson requested discussion at the January workshop, as well as a briefing about the Edge Cities Conference. She remarked that Doug Stephens had been an incredible resource for the Historical Society and has provided the group with information regarding upcoming renovation projects. Manager Bakaly advised Council the 801 Park

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City Council Work Session
November 11, 2004

Avenue developers had submitted an application for a demolition permit, despite continued discussions to develop an MPD to restore the building.

Mayor Williams asked that the proposed Citizen Award be "ongoing" and stated he would prepare award criteria for the Council.

Marianne Cone was added as a liaison for Affordable Housing. She expressed a desire for senior housing to be included with other affordable housing. Council felt discussion during their workshop was appropriate.

Joe Kernan declared an interest in being involved in the taxi regulation discussions. He expressed appreciation for the listing of items that have been completed, or are planned, relating to traffic. He felt it showed that the City was responding to citizen requests.

Prepared by Sharon Bauman

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 11, 2004**

I ROLL CALL

All Council members were present except Kay Calvert, who was excused.

II COMMUNICATIONS FROM COUNCIL AND STAFF

Mayor Dana Williams requested a moment of silence to honor those who were or are currently serving our Country.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

Joe Tesch, Jim Tozer, and Tom Fey requested that the Council call up the Planning Commission approval of the Union Square Project. They felt it would take on the patina of adversarial review if affected citizens appealed it. They felt it was a policy decision that could change future development on historic Main Street.

Jim Tozer emphasized he would have been present regardless of his ownership of the Gateway Center, but because he had a long-term perspective on what makes Old Town Old Town.

Jim Hier suggested that Council put off a call-up until December 18 so all Council members have an opportunity review the report and ask questions of the Planning Commission with regard to Codes and policies. Council and Staff determined that it could be placed on the November 18, 2004 agenda for consideration

IV RESIGNATIONS AND APPOINTMENTS

Appointment of Mayor Dana Williams and Pace Erickson, Public Works Operations Manager, to serve on the North Summit Mosquito Abatement District Board

MOTION: Marianne Cone moved to appoint Mayor Dana Williams and Pace Erickson, Public Works Operations Manager, to serve on the North Summit Mosquito Abatement District Board. Jim Hier seconded the motion, which was unanimously approved.

V PUBLIC HEARINGS

1. Ordinance approving a Record of Survey Plat for Building C of The Chateaux at Silver Lake Condominiums, located at 7815 Royal Street East, described as Lot 23 of the Amended Deer Valley Club Estates, Park City, Utah

Planner Kirsten Whetstone reviewed staff report. She explained the request encompassed two issues: an amendment to the Chateaux at Silver Lake Amended Plat,

the original plat; and, an amendment to the 2nd Supplemental Condominium Plat which was previously recorded to condominiumize Building C. The Planning Commission forwarded a positive recommendation to Council at their hearing on October 27, 2004. Staff recommended that Council hold a public hearing, consider public input, and consider approval of the plats subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Planner Whetstone explained that the plats were not related to the private residence club, which was approved administratively by the Planning Staff. She noted that Council had approved a Land Management Code amendment to add a definition for a private residence club subject to an administrative conditional use permit.

Planner Whetstone read into the record a letter from Steven W. Dougherty that addressed the administrative Conditional Use permit granted by the Planning Staff on November 4, 2004.

"Pat, Please read into the record of the November 11, 2004 City Council Meeting the following, and thank you for offering to do so. I'm sorry it is long, but I hope it is helpful to the Council and Mark. A.pdf of my May 27, 2004 letter to you referenced below is attached. Please print it out to deliver to the Council for inclusion in the record.

I, Steven W. Dougherty of the law firm of Anderson & Karrenberg, represent certain owners of condominium units in the Chateaux at Silver Lake, Building A. These unit owners purchased their units from the developer, Silver Lake Associates, under representations that the entire Chateaux project would be developed, sold and operated as a whole-ownership condominium development with all unit owners having rights in common areas in the entire project. These unit owners bought their units in Building A and other unit owners purchased units in Buildings A and B of the project with the understanding and expectations, based on the representations of Silver Lake Associates, that Building C, when built, would contain whole ownership units and common areas as in Buildings A & B with shared common areas, including a lobby and front desk area with a spa facility. Given the reputation in the market of fractional interests, and statements from local realtors that such would adversely impact the value of units in the project, my clients are concerned about the developers plan to mix whole and fractional units in the same project, indeed in the same buildings.

More recently, the developer has indicated that because of financial and marketing concerns, it intended to abandon its original representations and marketing strategy, and instead develop and market a shared, fractional or timeshare ownership type of unit in Building C, under the supposed upscale name of a Residence Club. Despite long-standing protestations from whole ownership unit owners, the developer, claiming voting control of the unit owners association, claimed it would do so regardless. Given the

developer's indifference to those who bought units to date under expectations described above, my clients asked that I research the matter and requirements for governmental approvals so that at the appropriate time they could present their case to the appropriate governmental authority. I determined after research and discussions with Planning Staff, Kirsten Whetstone, in May of this year that the developer had no pending application or plans for a timeshare use of Building C, and that no timeshare or fractional interest use in Building C would be permitted under current zoning ordinances without further City approval upon application and with notice and public hearing. I asked her who such notice would go to at the Chateaux and was advised it would go to the Owners Association. I advised her that the developer controlled the Owners Association and would most likely not pass on the notice to the actual owners. Because of the developer's conflict of interest in this respect, I requested of her that I receive special notice on behalf of my clients. Ms. Whetstone suggested I write the Planning Department making such request and that my request would be placed in the file to ensure I and my clients received notice of any applications with respect to Building C. I did so and present with this statement a copy of that letter.

My clients, who do not reside at the project, only recently happened to visit and noted construction on the site and contacted me. I called Mr. Putt today to discover that on November 4, a conditional use permit was granted for a Private Residence Club in Building C, but neither I nor apparently my clients received any notice of the application for such a permit. Notice to property owners within 300 feet was a condition of the issuance of that approval. My clients' units are clearly within 300 feet of Building C. It seems in that respect that my early request did not achieve its purpose. Today I also discovered tonight's Council meeting agenda with the developer's requested amendment to the Chateaux plat to accomplish the Residence Club conversion. Supposedly this plat amendment was approved by 2/3rds of the unit's owners in the project. I have been given a copy of minutes of resolutions of a March 2004 owners meeting, which I did not attend. I have not been able to reach my clients this afternoon to confirm the information in those meeting minutes. However, in the past the developer has taken the position that the as yet unbuilt units in Building C count toward voting percentages in the Owner's Association. Further, the minutes of that meeting do not make clear who actually voted. Accordingly, the Council and Staff should be aware that non-developer unit owners in the Chateaux who may constitute greater than 1/3rd of the existing units may not have approved the amendment now before the Council, nor the conditional use permit granted for conversion of Building C to timeshare units. And moreover, it is apparent from the proposed CC&R amendments that not only will the Building C units be so converted, but also any units in Buildings A & B now owned or subsequently acquired by the developer. Yet the developer has consistently refused to allow any unit owners in Buildings A & B to convert their units to timeshare, although it is doubtful that any unit owners would want to.

Because I have not been able to reach my clients late this afternoon after learning of these developments, I do not presently have authority to appeal the November 4 CUP approval, although I expect to make that determination in time to appeal. Based on prior discussions, I suspect my clients will want me to appeal on the basis that they were not given adequate notice and an opportunity to object, particularly in light of the failure to give notice in response to the specific request for it. I have no reason to believe that the notice failure was anything other than an honest mistake by Staff, but my clients should still have the opportunity to be heard, and Staff should have the opportunity to hear their views on the subject, and not just the developer's.

I thank Mr. Putt for volunteering to read this statement into the record. Because I office in Salt Lake City and only learned of this meeting late this afternoon, I cannot personally attend. However, I request that the Council table this matter without action pending a determination on an appeal, if there is one, of the conditional use permit approval, and to allow my clients to respond to the survey plat amendment request. This should not take an extended period of time. Thank you. Steven W. Dougherty"

City Attorney Mark Harrington stated that Condition 1 enabled the recordation of the CC&Rs, as modified to incorporate the ability to go to residency club, with the Record of Survey. He emphasized the CC&Rs were contractual matters between homeowners.

Joe Kernan asked if this was part of a sequence of events that would not have occurred had these owners been present at previous hearings. Attorney Harrington could not speculate what comment may, or may not, have occurred as it related to this particular application.

Mayor Williams clarified that these owners expected to receive notice because they had submitted a written request to be noticed, at Staff's direction, and they were saying they did not receive notice. Attorney Harrington stated the written, courtesy notice had been provided to the owners' association, not to individual owners. However, there may be a good faith argument because they relied on an affirmative representation by the City to give them notice and that apparently may not have been done.

Candace Erickson clarified that the owners could take action regarding the private residence club against the homeowners association. She expressed concern that the CC&Rs being part of the approval condoned what had allegedly taken place.

Jim Hier emphasized the notification issue pertained to the Administrative Conditional Use Permit that allowed the residence club and the appeal process was to the Planning Commission.

The Mayor opened the public hearing.

Robert Dillon, counsel for Silver Lake Associates, stated he had received the letter just before the meeting. In 2002, a declaration amendment and supplemental plat created all units in Building C, the subject of the plat amendment under consideration tonight. That declaration referenced the private residence club. At the 2004 annual meeting, a resolution authorizing this plat amendment received a vote in excess of the 66 2/3% requirement. The owners represented by Mr. Dougherty have had over two years to air their objections and he felt it was an egregious attempt to end-run the public process. He asked Council to approve the requests before them and stated his clients had made a substantial investment and it would burden them enormously if the process were stopped.

The Mayor closed public hearing.

Council members and staff discussed the ramifications of approving the plats with the possibility of an appeal being submitted since the plat amendments may, or may not, be related to the conversion to a residence club.

Jim Hier noted there had not been any objections to this action at the Planning Commission level and he favored moving forward on the action. Mr. Kernan was willing to delay the item in order to send the message that the process works for everyone, even minority owners. Mr. Hier commented that homeowner association notification had proven to be the most effective way of noticing a project, in his experience.

Mr. Dillon noted that control of the association had passed from the developer to the owners several years ago and reiterated that the vote in favor had been overwhelming.

Council discussed the issue and determined they would retain the item on the Consent Agenda for discussion and possible action.

2. Ordinance approving the final plat for the Red Cloud Subdivision, Park City, Utah

Planner Brooks Robinson reviewed the Staff Report and reported that an objection/appeal of the Planning Commission action had been received, however, it was not ripe for appeal. He reported that the subdivision had been reviewed by Planning Commission and was found to be consistent with the MPD. It will create 30 single family lots at the top of the Northside Lift and will be accessed through a private road. Building pads are indicated in general locations, and plat notes govern development on the lots. Plat notes reference phasing and construction plans regarding vertical construction in Pod D and he stated they anticipate the completion of those amenities prior to 2006. Planner Robinson stated the Staff had provided Findings of Fact, Conclusions of Law and Conditions of Approval for review.

Joe Kernan disclosed that one of his businesses has a small contract with the applicant.

Jim Hier requested clarification of plat notes regarding Lots 20 & 21 in the Enchanted Forest area. Planner Brooks Robinson identified the locations of the public ski easements, conservation easements, setbacks and building pad areas on Lots 20 & 21.

Planner Robinson clarified for Marianne Cone that the emergency access road would not be plowed unless the Chief Fire Marshall or Chief of Police required that it be plowed for emergency access. He also explained there would be a detachable high-speed quad serving this area, rather than the pulse gondola, which was originally planned.

The Mayor opened the public hearing. There was no input and the Mayor closed the hearing.

3. Ordinance approving the Larkspur Townhomes 3, Units 6 – 9 Condominium Record of Survey Plat, Park City, Utah

Planner Brooks Robinson reviewed the Staff Report for the condominium conversion of two duplexes on Lot 6, Village at Empire Pass, Phase I. Staff provided Findings of Fact, Conclusions of Law, and Conditions of Approval for consideration.

The Mayor opened the public hearing. There no public input and the Mayor closed the hearing.

4. Ordinance approving the Larkspur Townhomes 2, Units 10 -15 Condominium Record of Survey Plat, Park City, Utah

Planner Brooks Robinson reviewed the Staff Report for two triplexes also located in Village at Empire Pass Phase I, Lots 3 & 4. Staff provided Findings of Fact, Conclusions of Law and Conditions of Approval for consideration.

The Mayor opened the public hearing. There was no public input and the hearing was closed.

VI CONSENT AGENDA

MOTION: Joe Kernan moved to APPROVE Consent Agenda Items 2, 3, 4 as presented. Candace Erickson seconded the motion which was unanimously approved.

MOTION: Jim Hier moved to APPROVE Consent Agenda Item 1 as presented. Candace Erickson seconded the motion. Marianne Cone, Jim Hier and Candace

Erickson voted in favor of the motion. Joe Kernan opposed the motion. The motion passed with three in favor and one opposed.

1. Ordinance approving a Record of Survey Plat for Building C of The Chateaux at Silver Lake Condominiums, located at 7815 Royal Street East, described as Lot 23 of the Amended Deer Valley Club Estates, Park City, Utah

2. Ordinance approving the final plat for the Red Cloud Subdivision, Park City, Utah

3. Ordinance approving the Larkspur Townhomes 3, Units 6 – 9 Condominium Record of Survey Plat, Park City, Utah

4. Ordinance approving the Larkspur Townhomes 2, Units 10 -15 Condominium Record of Survey Plat, Park City, Utah

VII ADJOURNMENT

With no further business, the regular meeting of the City Council adjourned at 7:00 P.M.

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

Prepared by Sharon Bauman

Sharon Bauman
Sharon Bauman



MEMO



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To: City Council
From: Tom Bakaly, City Manager
Subject: 2004 Council Goals Update
Date: November 11, 2004

On November 11, 2004 we have scheduled an hour in work session (5:00pm – 6:00pm) to go over City Council goals and action items.

Attached is the latest quarterly summary of action on Council goals for the period of July 2004 – September 2004. Consistent with Council direction received in August, we have noted instances where status dates changed. We have tentatively added (in bold) new action items to your goal status report based upon individual input from Council members, the Mayor and staff. It would be helpful to get confirmation from the Council on November 11, 2004 that you would like these items officially added to your goal status report.

We have also attached quarterly summary reports relating to traffic calming and neighborhood service requests. The work session on November 11, 2004 will provide a good opportunity for departments to provide operational updates on Council goals if requested.

2004 Park City Goals and Targets for Action QUARTERLY STATUS REPORT July 2004 – Sept. 2004

TOP PRIORITY						
Goal 1 Quality Water (Erickson, Williams) Develop and Prioritize New Water Options						
Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status	
1. Pipeline/Preferred Project Agreements Determine a preferred project with Weber Basin and Bureau of Reclamation	Williams/ Gibbs	1. Two Party Cooperation Agreement 2. Complete Feasibility/Preferred Project Study by Bureau of Reclamation 3. BWCD Water Supply Agreement 4. Decision point – Park City/County may opt out 5. BWCD Water Sales/Petition Agreement 6. Decision point – Park City and/or County may opt out	03/04 04/04 04/04 03/05 04/05 05/06		Complete Ongoing Complete Pending Pending Pending	
2. Water Conservation Strategy and Actions Develop Outreach Education/Task Force Plan	Erickson/ Gibbs	1. Water Conservation Task Force 2. Conservation and Drought Plans 3. Water Conservation education program 4. Irrigation Conservation LMC recommended changes 5. Impact fee review 2004 Complete	Monthly Annual Monthly 05/04 05/04		Ongoing Ongoing Ongoing Complete Complete	

2. Water Conservation (Cont)		2005 Comprehensive Review 6. User rates review 2004 Complete 2005 Comprehensive review	01/05 05/04 01/05	02/05	Pending Complete Complete
3. Water Treatment Plants	Erickson/ Gibbs	1. <u>Spiro</u> : Phase 1 Construction of Arsenic & Chlorination 2. <u>Spiro</u> : Phase 2 Design and Construction of Wet Well Expansion 1. <u>Judge</u> : NEPA Process 2. <u>Judge</u> : Plant Design 3. <u>Judge</u> : Plant Construction	04/04 04/05 03/04 08/04 04/06	 06/05 07/06	Complete Pending Complete Pending Pending
4. Other Water Solutions -- Supply Options	Erickson/ Gibbs	1. Summit Cooperation Discussions 2. Utah Water Discussions 3. JSSD Water Discussions 4. Water Strategic Planning and Infrastructure -- engineering and develop funding strategy - Fee Review	Annual Annual Annual 09/04	 01/05	Ongoing On Hold Ongoing Ongoing
5. Water Funding Strategy	Williams/ Erickson/ Bakaly/ Gibbs	1. Judge/Spiro Appropriations FY 03 \$432,000 FY 04 \$900,000 FY 05 \$400,000 Total: \$1,732,000 2. Importation Appropriations FY 02 \$100,000 FY 03 \$500,000 FY 04 \$500,000 FY 05 \$500,000 Total: \$1,600,000 3. Pursue future appropriations and authorizations	09/04 09/04 09/04	10/04 10/04 10/04	Complete Complete Pending Complete Complete Complete Pending Ongoing

Goal 2 Preservation of Park City Character (Cone, Hier)					
Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Old Town Improvements	Hier/ Hilton	1. Public Input, Budget Approvals and Council Direction to Proceed	06/04		Complete
		2. Review of Opportunities for Business Enhancement	08/04	10/04	Pending
		3. Construction of Upper Park Avenue with underground utility pathways	10/04		Pending
		4. Design of Downtown projects – Parking, Police, City Hall & Plaza	01/05		Ongoing
		5. SID Plan Finalized for Upper Park Avenue Utility Relocation	02/05	04/05	Pending
		6. Begin Construction of Downtown Projects	04/05		Pending
2. Olympic Experience Legacy	Calvert/ Rademan/ Hilton	1. New Legacy Projects - Council selection of entryway project	02/04		Complete
		2. Mini-towers – Main Street	10/04	05/05	Pending
		3. Olympic Legacy Project – Installation of Entry Corridor Sculpture nearing completion	01/05		In Progress
		4. Review Olympic Plaza – Snow Creek	12/04		Pending
3. Dog Owner Responsibility	Williams/ Cone/ Twombly	1. Recommendations for "Leash Free" trails	08/04	11/04	Complete
		2. Coordinate with SBSRD re: trails	08/04	11/04	Complete
		3. Poop Pick-up PR	08/04	11/04	Ongoing
		4. Friends of Trails looking at Round Valley as "Leash Free" area - Communication/Marketing	10/04		Ongoing
		5. Coordinate with Summit County Animal Control		05/05	Ongoing

4. Neighborhood Parks/ City Park	Erickson/ Twombly/ Fisher	1. RAB Sub-Committee. Priorities: Criteria Creation & Public Input/recommend 2. City Park Playground Equipment Installed 3. Park Meadows Neighborhood Survey 4. RFP for Design & Construction of 3 neighborhood parks 5. Old Town Neighborhood Park Survey 6. Prospector Neighborhood Parks Improvements Complete 7. Design Contract for Skatepark 8. North End of City Park and Sullivan Road - Survey - Design - Construction	04/04	09/04	Complete
			05/04		Complete
			05/04		Complete
			09/04	11/04	Pending
			11/04		Pending
			07/05		In Progress
			09/04	11/04	Pending
					Ongoing Pending Pending

Goal 3 Effective Transportation and Parking System (Kernan, Hier)					
Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Traffic Calming	Hier/ Evans/ Kingery	1. Develop Traffic Calming Status Report (attached – Exhibit A)	03/04		Complete
		2. Median Design & Installation for Holiday Ranch Road	08/04	10/04	Complete
		3. Lower Park Ave./Woodside Study Area Phase II	08/04		Ongoing
		4. Marsac Study Area	08/04		Ongoing
		5. Lucky John Study Area	09/04		Ongoing
		6. Meadows Drive & SR 224 – Signal Warrant - UDOT	02/05		Pending
2. Regional Transportation	Hier/Cashel	1. Enhance Transit Marketing	Annual		Ongoing
		2. Year-round Bus Service to Kimball and Canyons operating through 12/31/04	Annual		Ongoing
		3. Assist County with Expanded Bus Service in Snyderville Basin	09/04		Complete
		4. Pursue federal funding for buses, site, and expanded bus facility	09/04	04/05	Pending
3. Old Town Improvements		5. Explore SLC/PC service See Goal #2	12/04		Pending

Goal 4 World Class, Multi-Seasonal/Sustainable/Quality of Life/Resort Community (Hier, Calvert)					
Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Ice Rink	Erickson/ Hilton	1. Site at Lower Canyons Village donated to City/Basin from Summit County or other site located in City/Basin – plan changed 2. Selection of Owners Rep, RFP Process for Design 3. Interlocal agreement with SBSRD for construction and operation of ice facility 4. Quinn's Ice Complex Design Process Begins 5. Design Approved 6. Ice Construction Begins	05/04 06/04 08/04 08/04 04/05	 09/04 01/05	N/A Complete Complete Pending Pending Pending
2. Economic Development	Hier/ Calvert/ Kernan/ Rademan Hilton & Weiden- hamer	1. Economic Development Initiatives Reviewed with Council 2. Resort Economy Update 3. Receive Input from Business Community 4. Processing of Annexation Requests 5. Refinement of "Strategy" & "Project" prioritization summary 6. Implementation of Economic Development Initiatives	01/04 04/04 04/04 09/04 09/04 10/04	 03/05 03/05	Complete Complete Ongoing Ongoing Ongoing Ongoing
3. Support for Arts: Direction	Cone/ Butz	1. Arts Council formation of Public Art Panel with Council approval 2. Arts Vending Ordinance Revised 3. Art in Public Places - Plan Approved - Implementation	05/04 07/04	 10/04 03/05	Complete Complete Ongoing

4. Community Amenities and Events: Evaluation, Future Direction	Hier/Butz	1. Sign Code - Sign Code Amendments Complete 2. Special Events Retention & Attraction - Economic Development Plan 3. Santy Chairs Refurnished 4. Library Expansion construction complete 5. Road Cycling Nationals 8/15-22/2004 6. Triple Crown Contract 7. Imperial Hotel Sold or Traded 8. Recommendations regarding Seismic Upgrade of City Hall 9. Creation of Events Programming Group 10. Monitor Museum Expansion 11. Strategic Plan for Farm	01/04	Complete
			Ongoing	Ongoing
6. Recreation and Racquet Club: Next Steps	Erickson/ Kernan, Alt/ Fisher	1. Skateboard Park Expansion – public input 2. BMX Skills Course – public input 3. BMX – Temporary Park & Skills Course 4. RFP for Design & Construction for expansion of Skateboard Park 5. Racquet Club Recreation Vision 6. Skateboard Park Expansion Construction Complete	06/04	Complete
			08/04	Complete
7. Outdoor Recreation Complex	Calvert/ Hier Hilton	1. Task Force Meetings & Recommendations 2. City Council review of Task Force Recommendations 3. Wetlands Study/Infrastructure Assessment 4. Public Input/Open House 5. Budget Recommendations Approved 6. Design Process Begins 7. Design Approved 8 Construction Begins	08/04	Pending
			01/05	Pending
			03/05	Pending
			11/04	Ongoing
			03/05	Pending
			04/04	Complete
			05/04	Complete
			03/05	Pending
			09/04	In Progress
			04/05	Pending
			09/04	Pending
			05/05	Pending
			01/04	Complete
			02/04	Complete
			05/04	Complete
			05/04	Complete
			06/04	Complete
			08/04	Pending
			03/05	Pending
			04/05	Pending

HIGH PRIORITY

Goal 5 *More Open Space and Usable Trails* (Hier, Erickson)

Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Ongoing Open Space Acquisition	Hier/ Rademan	1. Flagstaff - Distribution of open space contribution 2. Alice Lode 3. Gambel Oak - Legislation 4. Red Maple 5. Hope Parcel	03/04 06/04 10/04 10/04	 03/05 03/05 11/04	Ongoing Dropped Ongoing Ongoing In Progress
2. Conservation Easements	Erickson/ Harrington	1. Work Session – Conservation Easements 2. Additional Flagstaff Easements 3. Easements on open space purchased with bond money 4. Easements on other open space	05/04 09/04 09/04	 11/04 03/05	Pending Pending Complete Pending
3. Trail Development Plan	Erickson/ Twombly	1. Farm Trail Parking Complete 2. Trailhead Parking Phase II a. Cove b. Round Valley - Quinn's Rec Complex c. Other sites as available 3. Round Valley Trails – Friends of Trails Phase I - Single Track Trails	08/04 09/04 12/04	04/05 06/05	In Process Ongoing In Process

Goal 6 Improve Historic Park City (Erickson)

Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Old Town Improvement	Hier/ Hilton	1. See Goal #2			
2. Historic Preservation	Hier/ Putt	1. Action Plan for City-Owned Historic Structures – concept complete 2. CAD Appeal for 801 Park Ave 3. 801 Park Ave Preservation MPD Application Submitted Historic Building Documentation Submitted 4. Historic Significance Survey – Initiate 5. Design Guidelines – Review/Recommend 6. Upper Main Park/Structures	04/04 07/04 08/04 08/04 09/04 01/05	11/04 10/04 11/04 06/05 12/04	Ongoing Complete Ongoing Ongoing Ongoing Ongoing Ongoing Pending

Goal 7 Regional Collaboration and Partnerships (Hier)

Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Quinn's Interlocal Planning Agreement & Planning Program	Hier/ Putt	1. Completion of Study/Development of Land Use Alternatives/Development of Implementation Strategies	08/04		Completed
2. Affordable Housing	Kernan/ P Robinson	See Goal #9			
3. Transportation	Hier/Cashel	See Goal #3			
4. Flagstaff-Wasatch County	Williams/ Putt	1. Work with Wasatch County re SR-224 and public versus private access	09/04		Ongoing Continue to Monitor
5. Recreation	Erickson/ Hier Hilton/Fisher	See Goal #4			
6. Health	Erickson/ Hier Hill P Erickson	1. Adopted Resolution of Intent to Annex into Mosquito Abatement District 2. Mosquito Abatement District Formed – City slots filled 3. Begin work on noxious weed coordination 4. Noxious Weed Interlocal Agreement	07/04 11/04 08/04 01/05		Complete Pending Ongoing Pending
7. Water	Williams/ Erickson	See Goal #1			
8. Solid Waste	Kernan/ Gibbs	1. Council direction on County Solid Waste Alternatives	11/04		Pending

OTHER PRIORITIES

Goal 8 Open and Responsive Government to the Community (Kernan, Calvert)

Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Community Vision 2012 and Beyond	Williams/ Hier Rademan	1. Community Involvement & Outreach	Monthly		Ongoing
		2. Update Material for Vision Presentations	Monthly		Complete
		3. Strategic Plan 2004-2005	01/04		Complete
		4. Develop Neighborhood Request Tracking Report (attached – Attachment B)	05/04		Ongoing
		5. 2 nd Homeowners Social	08/04		Ongoing
		6. Neighborhood Interest Group Meetings	12/04		Complete
		7. 20-year Strategic Plan Creation	02/05		Ongoing
		8. Creation of Annual Citizen Award	02/05		Pending
2. Budget Review & Benchmark (2003-2004)	Hier/Kernan Hill	1. Benchmarking – CTAC Review	04/04		Complete
		2. Update of Council Compensation Study	04/04		Complete
		3. Presentation of City Budget	05/04		Complete
		4. Personnel Policies and Procedures Update	05/04		Complete
		5. First Meeting of Resort Benchmark Group	08/04	01/05	In Progress
		- develop mission statement and goals			
		6. Development of Benchmarks (measures)	08/04	01/05	In Progress
		7. First set of Benchmark Data compiled	11/04	04/05	Pending
		8. Utah League Tax Team – Sales tax strategies	01/05		Ongoing
		9. Golf Fee Review			
		10. Upgrade of Sales Tax Monitoring	03/05		Ongoing
			01/05		Ongoing

3. Customer Service: Evaluation & Action Plan	Calvert/ Rademan	1. Accountability/responsibility training for Council and Staff 2. Citizens Guide to Park City Government 3. Citizens Customer Satisfaction Survey 4. Update Interior of Marsac (Scott) Executive Office/Halls, Entry, Break Room 5. Survey of Customer Satisfaction - Update 6. Volunteer Bank (Rademan) 7. Customer Service Performance Measures 8. City "Fam" Tour	Monthly		Ongoing Complete Complete Complete Complete Pending Pending Pending
4. Public Safety	Williams/ Evans	1. Police Complaint Review Committee 2. Avalanche Planning & Sign Installation 3. Recommendations regarding Police Facility 4. Revision to Policies and Procedures 5. Community Oriented Program Implemented 6. Emergency Response Plan Updated 7. Police Facility Project – Site Identification	04/04 08/04 08/04 08/04 09/04 09/04 04/05	12/04 11/04 07/05	Complete Pending Pending Complete Pending Pending Pending
5. Communications	Calvert/ Rademan	1. Standardize Press Releases/Communication Strategies 2. Citizens Guide to Park City Government - Updated	Monthly		Ongoing Complete

Goal 9 Sustainable Place to Live (Williams)					
Target for Action	Liaison/ Employee	Actions	Initial Target Date	Revised Target Date	Status
1. Affordable Housing	Kernan/ P Robinson	1. Affordable Housing policy/plan 2. Implement Housing Policy Plan 3. Regional Planning – CDBG Grant 4. Demolish Pechnick Building 5. Explore options with community for sewer treatment site 6. Assisted Living Center – establish work group	08/03 09/04 09/04 12/04 12/04 12/04	 12/04 10/04	Complete Ongoing Ongoing Complete Pending Pending
2. Taxi Regulation Enforcement	Calvert/ L. Evans, Kingery Twardowski	1. Enforcement Options Implemented 2. Explore Franchise Strategy	01/04 10/04		Ongoing Ongoing
3. Recycling	Erickson/ Gibbs	1. Direction on remaining bus bays	09/04	01/05	Pending
4. Sustainable Community/ Quality of Life	Williams/ Butz/ Rademan	1. Work Session Discussion on sustainable community and quality of life	02/04		Complete
		2. Develop outline for Committee to begin outlining initiative	04/04		Ongoing
		3. Reach 5% community participation in wind power program	04/04		Complete
		4. Prospector Environmental Management System and Soil Contribution Program	06/04		Ongoing
		5. Investigation of ability to increase energy efficiency in City Facilities	06/04		Ongoing

4. Sustainable (cont.)			6. Sponsor Wind Power Week	08/04		Complete Ongoing Pending
			7. Facilitate Community Dialogues on Sustainability and return with recommendations	09/04		
			8. EPA Wind Community Application	11/04		

Traffic Calming Summary Report

July – September 2004

ATTACHMENT "A" TO QUARTERLY STATUS REPORT

Location	Date Recd	Phase 1 Meeting	Citizen Concerns	Phase 1 Follow-up	Date Completed
Holiday Ranch Loop #1 (SR 224 to Red Maple Court)	7/12/02	None	Speeding; lack of speed regulatory signs; lack of enforcement by police; need for physical barrier erected in middle of roadway.	Fehr & Peers consulted on type of barrier to be erected in roadway; increased police enforcement of speed laws; traffic trailers deployed to make citizens aware of their speeds; meeting held with residents on 7/21/04 to discuss type of barrier to be placed in the center of the roadway; lines painted on street to show where barriers will be placed.	Ongoing
Meadows Drive (SR224 to American Saddler Drive)	07/25/02	09/13/02	Speeding; stop sign violations; construction trucks using "Jake brakes".	Independent traffic study completed by Fehr & Peers; increased police enforcement of speeding and stop sign violations; traffic trailers have been deployed more frequently in the area; traffic officers advised to be aware of "Jake brake" program	Ongoing

Lower Woodside Ave (10 th St to 12 th St)	05/14/03	07/22/03	Speeding; pickup-drop-off issues at library/day care; traffic cutting through library parking lot; on-street parking.	Two new stop signs were mounted on Woodside Avenue for northbound and southbound traffic at 11 th Street; stop bars have been painted on the pavement at three intersections; staff and customers of library/day care on 12 th Street were instructed on how and where to park their vehicles; parking enforcement helps them comply with the law; traffic cutting through the library lot has been stopped being a major problem.	04/04/04
Lower Park Avenue (Heber Ave. to Empire Ave.)	06/01/03	07/22/03	Speeding; volume of vehicles; make the street more pedestrian friendly and less vehicle friendly.	Independent traffic study done by Fehr & Peers; speed limit on Park Avenue reduced to 25 mph; speed-feedback signs mounted and operating on Park Avenue; increased speed limit enforcement by police; bulb-outs constructed by library; traffic lights on Deer Valley Drive at Bonanza Drive were synchronized with left turn signal on Park Avenue at Deer Valley to keep southbound traffic flowing; truck route directional sign mounted on pole on Park Avenue at Deer Valley Drive. Road markers have been laid down for striping Park Avenue from Empire Avenue southbound to 9 th Street. Northbound traffic lanes will be clearly marked with newly painted lanes of travel.	Ongoing
Cooke Drive/Stryker Avenue	07/28/03	10/22/03	Excessive high school student parking; improper parking.	High School students notified of parking problems through school safety coordinator Laurie Alexander; added enforcement of parking violations from police department; special events coordinator asked to notify	01/30/04

				police of events at Eccles Center and playing fields that might impact Cooke Drive area; barriers placed in area to prevent parking in residential area during softball tournament during July, 2004.	
Holiday Ranch Loop #2 (the "loop" area)	03/24/04	None	Speeding; concern that 25 mph speed limit may be too fast; another stop sign needs to be added to the intersection at "the loop" on Holiday Ranch Loop Road	A traffic survey was completed that showed the 25 mph speed limit was too fast for that particular area. The speed limit was reduced to 20 mph and Children At Play signs will soon be erected.	Completed
Lucky John Drive (Monitor Drive to Little Kate Road)	03/24/04	04/26/04	Speeding; lack of adequate and consistent speed signs; on-street parking for playing field activities; overflow parking from LDS church; lack of enforcement by police; volume of traffic.	Increased police enforcement of speeding and parking violations; playing field users educated about parking laws; barricades erected during playing field events; speed signs will be made to be consistent throughout length of street.	Ongoing
Marsac Corridor (Lower Mine Road to Roundabout)	04/16/05	04/28/04	Speeding; stop signs violations; increased traffic on the Mine Road; increased noise levels from vehicles; uncovered loads on trucks, and air quality impacts from exhaust and brake linings; safety inspections on construction trucks to remove hazardous vehicles from the roadway.	Increased police enforcement of speeding and stop sign violations; traffic trailers will be deployed more frequently in this area; three speed regulatory signs have been requested from UDOT; SBWRD has completed sewer construction on Marsac Avenue. The road has been paved and is open. We continue to work closely with the Marsac Corridor Association to ascertain problems and seek viable solutions.	Ongoing

Neighborhood & Business District Needs Assessment
July – September 2004
ATTACHMENT "B" TO QUARTERLY STATUS REPORT

<i>Bonanza Ave Transit Enhancement</i>					
Weidenhamer					
Status Report 1. Written Petition received – 6/18/04 2. Initial Internal Review – 6/16/04 3. Initial Communication to Council – 7/1/04 4. Comprehensive Internal Review – 6/16/04 & 7/17/04; ongoing 5. Initiate Public Forum – initial meeting 7/14/04; ongoing 6. Communication to Council – 9/04(preliminary) - Anticipated December update 7. Potential Council Decision - Estimated completion date 12/05 - OR – '05 CIP prioritization (if necessary)					
Target for Action	Responsible	Actions	Target Date	Status	Budget
1. Add a bus	Nesset	1. Add a full time summer bus route to serve Bonanza Dr. - Staff has recommended against this action (budget). Council update pending – fiscal analysis	8/04	Complete – See #5	Not budgeted - approx. \$200k/year to add
2. Re-Route existing service	Nesset	1. Re-route existing service within existing stock - Staff has recommended against this action. (takes away service from other prioritized service areas). Council update pending based on fiscal analysis	8/04	Complete – See #5	
4. Pilot Program	Nesset	1. Begin Pilot program - Staff has recommended against this action. (expensive to begin, takes at least 2 years to measure results)	8/04		

5. Fiscal Analysis	Applicant Gary Hill/ Jon W	1. ID current sales tax levels and other economic indicators 2. Compare potential increases in tax revenues generated from increased business to the transit budget 3. Update to Group on Fiscal analysis 4. Final recommendations to council	1. Aug '04 2. Aug '04 3. 12/05 4. 1/05	1. Complete 2. Complete 3. Pending 4. Pending	- Minimal staff time
6. Revamp Transit Guide	Nesset	1. Focus on specific Destinations, ie Park Plaza or Rail Central	Winter '04-'05	Pending	Staff time

Neighborhood & Business District Needs Assessment
 July – September 2004
 ATTACHMENT "B" TO QUARTERLY STATUS REPORT

<i>Prospector Square Property Owners Association</i> Weidenhamer					
Status Report - Written Petition received – 1/28/04 - Initial Internal Review – 2/26/04 - Initial Communication to Council – 4/29/04 - Comprehensive Internal Review – 5/25/04 - Initiate Public Forum – Estimated completion date 8/30/04; ongoing - Communication to Council – Estimated completion date 10/31/04 & spring '05 - Potential Council Decision - Estimated completion date – '05 CIP prioritization (if necessary)					
Target for Action	Responsible	Actions	Target Date	Status	Budget
1. Streetlights	PSPOA P Erickson-PCMC	1. Identify those that are malfunctioning 2. Address defective locations	12/04	1. Pending 2. Pending #1	-Existing Budget (no schedule for streetlight maintenance)
2. Parking Lot Lights	PSPOA B Robinson-PCMC	1. Submit proposed plan (location & type) for additional lighting in outdoor parking lots	10/04	1. Pending	-PSPOA -Minimal staff time

3. Cross Walks - One at parking lot H - One at parking lot G - One at each end of lot J	Cashel Traffic Comm.	1. Minimum standards for cross-walks established 2. If necessary conduct a Traffic Engineering study to measure need for crosswalks at locations identified-volume, speeds, pedestrian counts, etc. 3. Present data to Traffic Calming Committee 4. If needed, install cross-walks identified in study. At this time traffic committee recommends against	6/04	1. Complete 2. Unnecessary at this time 3. Complete 4. Pending additional review	Traffic Calming CIP
	TCC		8/04		"
	Cashel Traffic Comm.		Winter '05		"
	Weidenhamer Howard Traffic Comm.	1. Identify preferred locations for study 2. Use existing Vehicle Feedback Sign to gather data on speeds & amount of traffic 3. Make later recommendation based on data collection	7/04 Winter'05 Spring'05	1. Complete 2. Pending 3. Pending	Traffic Calming CIP "
5. Plow Sidewalks	Erickson PSPOA Gibbs	1. Establish policy to clarify areas City will plow and not plow 2. Council adoption into Muni Code 3. Compare new policy to POPOA's request and assess feasibility of plowing sidewalks city-wide as part of budget process	10/04 10/04 12/04	1. Complete 2. Complete 3. CIP prioritization	Unknown
	Weidenhamer PSPOA	1. Further discussion to define issue	12/04	Pending	
6. Aspen Apartments - Overflow parking					

Neighborhood & Business District Needs Assessment ATTACHMENT "B" TO QUARTERLY STATUS REPORT July – October 2004

<i>Deer Valley Drive and Sunnyside Drive Neighborhood</i> Weidenhamer					
<u>Status Report</u> Written Petition received – 11/10/03 Initial Internal Review – 1/26/04 Initial Communication to Council – 2/19/04 & 6/3/2004 Comprehensive Internal Review – 6/16/04 Initiate Public Forum – Estimated completion date: next budget cycle Communication to Council – December 2004 & Spring 2005 Potential Council Decision – 2005 CIP prioritization					
Target for Action	Responsible	Actions	Target Date	Status	Budget
1. Sidewalk Lighting	Gibbs Erickson	Identify the location and address the need	Summer 2005	Pending	CIP
2. Cross Walks & Traffic Calming Devices	Kingery & Fehr & Peers	1. Traffic Engineering study to establish minimum standards for cross walks. 2. If needed, install cross walk identified in study 3. Traffic calming enforcement officers have been dispatched to location on June 17, 2004	Summer 2005	1. Complete	Traffic Calming CIP

3. Bus Stop	Cashel	1. A bus stop is approved for Mountain lands housing development 2. Neighborhood group suggested another location, but not allowed due to intersection	Winter 2005	Pending	Mountainlands as part of Master Planned Development
4. Sidewalks	Gibbs	Will explore connecting sidewalks along Deer Valley Drive	Summer 2005	Pending	Use of existing budget
5. Neighborhood Park	RAB & BLM	Neighborhood group was exploring a neighborhood park which may be owned by the BLM		Need for negotiation	None identified
6. Underground Utilities		City Council would need to direct staff to prepare feasibility study	Council would have to direct staff		Not budgeted
7. Burnt down structures		1. Staff as directed by Council could work with the Building Department. 2. Staff will need to determine what to do with these structures as they are lying on public land and are privately owned.	Council would have to direct staff		Requires direction from City Council
8. Clean-up creek	P Erickson	Staff as directed by Council	Council would have to direct staff		Requires direction from City Council

Summit County Mosquito Abatement District

336-2088

P. O. Box 523

1735 So. Hoytsville Road

Coalville, UT 84017

Mayor Dana Williams
Park City Municipal Corporation
P. O. Box 1480
Park City, UT 84060

Dear Mayor Williams,

The County Commissioners on October 27, 2004, created a new mosquito abatement district by annexing Kamas Valley, Park City and Snyder Basin into the North Summit Mosquito Abatement District. Each city, with the exception of Park City, can appoint a member to the Summit County Mosquito Abatement District Board. Park City has two appointments to the board.

We would like to request that you appoint concerned citizens to the new Summit County Mosquito Abatement District Board. We been fortunate to have board members who have had the community's best interests at heart. Past board members have been very dedicated and have enjoyed serving for a number of years.

We will be very careful with your appointees' time commitment. We have generally had 4 to 5 board meetings a year.

Because the district needs to formulate a budget by December of this year, we would appreciate your prompt consideration of this matter.

If you have any questions, please call me at (435) 336-2088.

Sincerely,


John Jaussi
Manager



City Council
Staff Report

Planning

Author: Kirsten Whetstone
Subject: Chateaux at Silver Lake - Amendments to Record of Survey
Date: November 11, 2004
Type of Item: Legislative

SUMMARY RECOMMENDATION: Conduct a public hearing, consider public input, and approve the first amendment to the Second Supplemental Condominium plat for the Chateaux at Silver Lake Plat for Building C, and the amendment to the Chateaux at Silver Lake record of survey, as conditioned.

Topic

Applicant: Silver Lake Associates, LLC
Applicant's Representative: Jeff Werbelow
Project Address: 7815 Royal Street East
Zoning: Residential Development as part of the Deer Valley Master Planned Development (RD-MPD)
Adjacent Land Uses: Condominiums, single family residential, Silver Lake commercial, Ski lifts and runs
Reason for Review: Amendments to Record of Survey plats require Planning Commission review and City Council approval.

Background

On March 12, 1997 the Planning Commission approved a small scale MPD (Conditional Use Permit) for a 78 unit condominium project known as the Chateaux at Silver Lake Village, consisting of three buildings (A, B and C). The property is part of the Deer Valley Master Planned Development. Approximately 7,500 sf of commercial uses and 20,000 sf of support commercial and convention uses (10% of the net residential area) were also approved on the 3.24-acre site. Buildings A and B are complete and condominium record of survey plats have been approved and recorded. The parking structure was condominiumized with the Chateaux at Silver Lake Amended- record of survey plat.

On September 27, 2001, the Planning Commission approved an amended CUP to transfer an additional 1,784 sf of commercial to the Chateaux CUP from the Silver Lake Community commercial allotment (part of the Deer Valley MPD). On December 20, 2001 the City Council approved a record of survey plat for Building C of the Chateaux at Silver Lake, which is Phase III of the condominium project. The plat for Building C is known as the Second Supplemental Condominium Plat - The Chateaux at Silver Lake. The record of survey plat for Building C was recorded at the County. Building C has not yet been constructed.

On September 17, 2004 the applicants submitted this request to amend the record of survey plat for the entire Building C due to proposed internal modifications to floor plans, unit layouts, number of bedrooms in some of the units, and internal circulation (ie. location of hallways, elevators, stairways). The application also includes a request to amend the Chateaux at Silver Lake- Amended record of survey plat to change a 60' x 15' area of the common area parking garage into limited common area for a valet and check-in circulation area.

On October 27, 2004, the Planning Commission held a public hearing and voted to forward to City Council a positive recommendation to approve the record of survey amendments as described below. There was no public input.

Analysis

The revised unit layouts create units that are not located on a double loaded interior corridor, but rather are accessed through semi-private stairwells and elevator lobbies. Each unit has windows facing to the east and west (with some on the north as well) with light coming in from at least two sides. The proposed internal unit modifications are consistent with the approved Conditional Use Permit. No additional units or square footage results from these changes. The total number of units decreases from 23 units to 19 units (this project has consistently utilized Deer Valley Units per the Deer Valley MPD, not the UE formula). The exterior footprint remains substantially the same as previously platted.

There are no easement or setback issues related to this request. All existing utility and trail easements remain and will be platted as previously recorded. There are no open space changes and the parking demand does not increase. The actual parking requirement decreases for Building C by 8 spaces, due to the decrease in the total number of units and the relative unit sizes. The Chateaux CUP was approved with a requirement for 333 parking spaces, yet a total of 481 code compliant spaces were constructed and shown on the Chateaux at Silver Lake- amended record of survey plat. All but 40 spaces are designated as Common Area, held in common by the HOA. The 40 spaces are designated as Private Space (Parking Condominiums) for lease, sale, or use outside of the Chateaux project. Some of these additional spaces have been leased to Deer Valley. The requested record of survey plat amendments do not impact the LMC required parking for the Chateaux project. The project continues to have 108 excess parking spaces.

One of the proposed amendments to the Chateaux at Silver Lake- amended record of survey plat (as opposed to the Building C supplemental plat) is a request to change the designation of a 60' by 15' (900 sf) area of the parking structure to Limited Common Space for Building C. The space is currently designated as Common Space. The applicants propose to use this space, approximately the area of 7-8 parking spaces, for a circulation area for valet, guest check-in, bell hop, and arrival area for Building C.

The exterior of building C is substantially the same as previously approved, with the

exception of a couple of minor window re-locations. Staff has compared the approved and recorded condominium plat for Building C to the proposed plat and finds them substantially the same. Building heights and roof forms have not changed and the exterior footprint, exterior materials and details, deck locations, and general window locations remain substantially the same (see plans). Detailed construction plans, including a certified survey, have been submitted for review as part of the building permit submittal. No construction will commence without a building permit, issued by the City. No individual sale of units may occur without approval and recordation of the amended record of survey plat.

On March 8, 2004 the Chateaux HOA voted to approve the amendments to the record of survey plats. Staff has reviewed the title reports submitted with the application to verify that all unit owners subject to the amended plat are party to the application. All of the residential units within Building C are owned by the applicant, Silver Lake Associates. Staff has received title reports verifying current ownership of all private condominium space within Building C, as well as documentation verifying approval of 2/3 of unit owners within the whole Chateaux at Silver Lake.

Because the total residential and commercial (support commercial uses) condominium unit square footage is substantially the same as previously platted, the undivided ownership rights in the Common Areas and Facilities (of the Chateaux at Silver Lake project) and voting rights of unit owners in the project are materially unaffected. The Chateaux HOA has submitted a Fourth amended Condominium Declaration for recordation with the amended plats (available in the Planning files). Staff recommends a condition of approval that the City Engineer and City Attorney review the amended Declaration documents and the plat documents as to form prior to recordation.

Department Review

The interdepartmental review team has reviewed this project. At such time as final record of survey plats are required, the City Engineer and City Attorney will review the plats as to form and compliance with State law and the Land Management Code prior to recordation.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also placed in the Park Record. No public input has been received by the Planning Staff at the time of this report.

ALTERNATIVES

- A. The City Council may approve the amended record of survey with the conditions stated, or modify the conditions, or
- B. The City Council may deny the amended record of survey and direct staff to prepare findings for denial, or

C. The City Council may continue the discussion to a later date.

SIGNIFICANT IMPACTS

There are no significant fiscal or environmental impacts from this amended Record of Survey in that the total square footage of Building C is substantially the same as previously platted. The applicants have submitted plans for a building permit for Building C, consistent with the configuration as described by this amended plat. There is a possible impact on the surrounding properties if the plat is not amended, in that it is unlikely the current developer will complete Building C in the existing platted configuration. The existing configuration is not consistent with the current owner's marketing focus of a Private Residence Club. The Silver Lake Community is interested in seeing Building C constructed as the existing fence and vacant excavated area are somewhat of an eye sore. The new configuration of units will be marketed as Private Residence Club units. No individual units in the revised configuration may be sold until the amended record of survey plat is recorded.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION

A decision to not amend the Record of Survey will prohibit unit owners from amending the interior as requested and will require them to resubmit the entire building permit plan set and structural details to be consistent with the currently approved and recorded plat or with an amended and approved plat.

RECOMMENDATION

The staff recommends that the City Council conduct a public hearing, consider any input, and approve the amended Chateaux at Silver Lake record of survey plats based on the findings of fact, conclusions of law and conditions of approval as stated in the Ordinance.

Ordinance No. 04-

AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT FOR BUILDING C OF THE CHATEAUX AT SILVER LAKE CONDOMINIUMS, LOCATED AT 7815 ROYAL STREET EAST, DESCRIBED AS LOT 23 OF THE AMENDED DEER VALLEY CLUB ESTATES, PARK CITY, UTAH

WHEREAS, the owners, Silver Lake Associates L.L.C., of the property at 7815 Royal Street East, located in the Northwest Quarter of Section 27, Township 2 South, Range 4 East, Park City, Utah and known as the Chateaux at Silver Lake Condominiums, have petitioned the City Council for approval of a record of survey plat for Building C; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on December 12, 2001 the Planning Commission held a public hearing to receive public input on the proposed record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on December 20, 2001 the City Council reviewed the proposed record of survey plat; and

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

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

SECTION 1. FINDINGS OF FACT.

1. On March 12, 1997 the Planning Commission approved a Small Scale Master Planned Development for the 78 unit condominium project known as the Chateaux at Silver Lake CUP, a Small Scale MPD. The property is subject to the Chateaux at Silver Lake CUP.
2. The Chateaux at Silver Lake project is located at 7815 Royal Street East and the property is zoned RD-MPD, Residential Development- Master Planned.
3. The property is subject to the Deer Valley Resort Seventh Amended and Restated Large Scale Master Planned Development Permit of April 14, 1993 and is included on the 11/4/99 recorded Chateaux at Silver Lake record of survey plat as expandable area.
4. The proposed plat designates the type of ownership of this property as condominium ownership.

5. A financial guarantee for all public improvements, including all public trails and sidewalks, is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
6. On December 12, 2001 the Planning Commission held a public hearing on the proposed record of survey plat and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey and that neither the public nor any person will be materially injured by the proposed plat. The plat is consistent with the Park City Land Management Code and applicable State law regarding record of survey plats. The plat is consistent with the Planning Commission approval of the Chateaux at Silver Lake CUP, a Small Scale Master Planned Development.

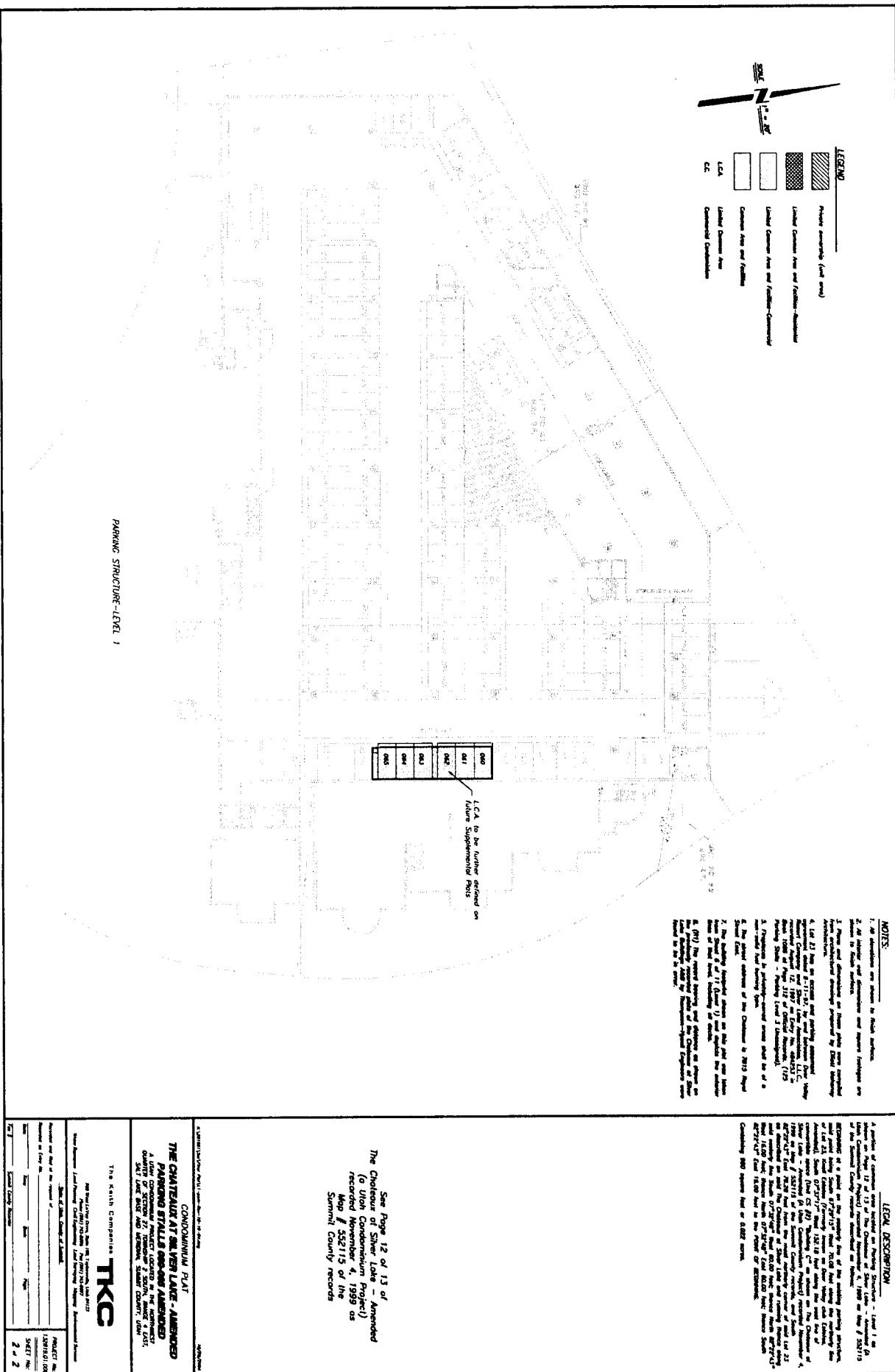
SECTION 3. PLAT APPROVAL. The record of survey plat, known Chateaux at Silver Lake Condominiums Building C, at 7815 Royal Street East, is hereby approved as shown on Exhibit A, with the following conditions:

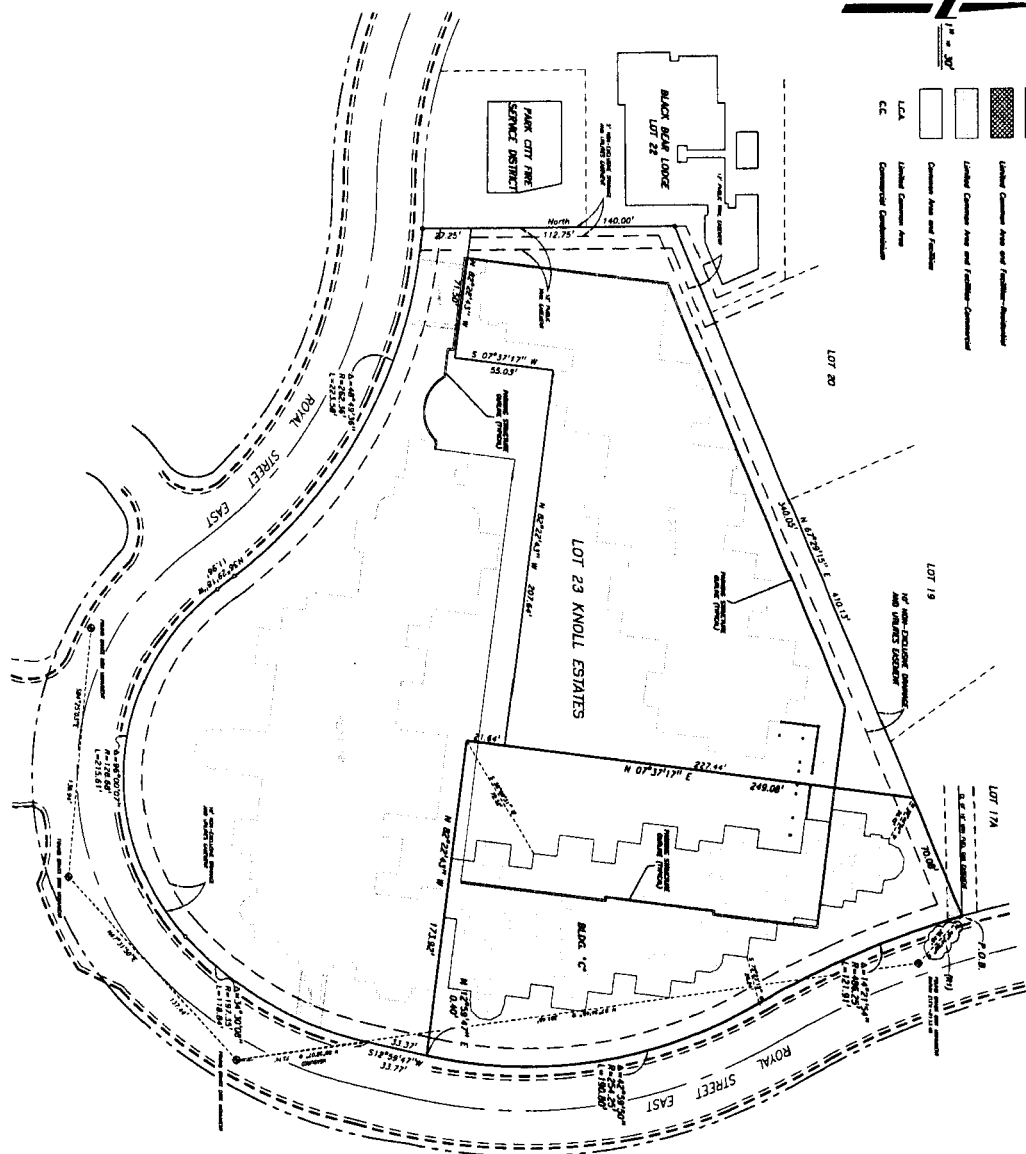
1. City Attorney and City Engineer review and approval of the final form and content of the record of survey plat and the Conditions, Covenants and Restrictions (CC&R=s), for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recording the record of survey plat.
2. All conditions of approval for the Chateaux at Silver Lake CUP, approved by the Planning Commission on March 12, 1997, shall continue to apply in full force and effect.
3. All Park City Standard Project Conditions shall apply.
4. All required financial guarantees, that have not already been posted, for the value of all public improvements to be completed, shall be provided to the City as a condition precedent to plat recording. All public improvements, including public trails and sidewalks, shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

5. The final condominium record of survey shall be recorded at the County within one year of the date of City Council approval. If recordation has not occurred within the one year time frame this approval and the record of survey shall be considered null and void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

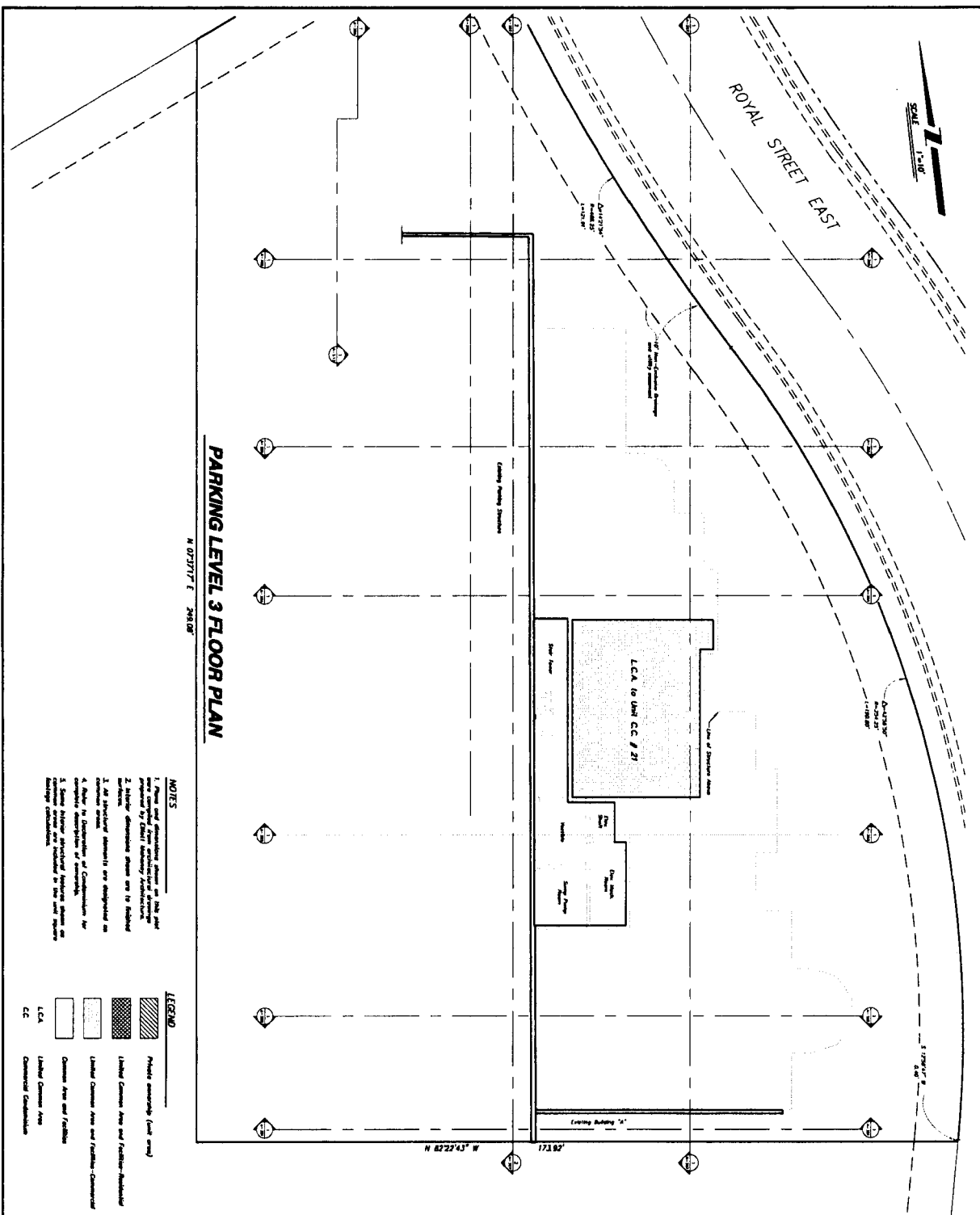
PASSED AND ADOPTED this 11th day of November, 2004.





1. NAME OF THE COMPANY 2. ADDRESS 3. CITY 4. STATE 5. ZIP 6. PHONE 7. FAX 8. E-MAIL 9. WEBSITE 10. INDUSTRY 11. PRODUCTS 12. SERVICE 13. MARKET 14. COMPANY TYPE 15. INDUSTRY TYPE 16. MARKET TYPE 17. COMPANY SIZE 18. INDUSTRY SIZE 19. MARKET SIZE 20. COMPANY TYPE 21. INDUSTRY TYPE 22. MARKET TYPE 23. COMPANY SIZE 24. INDUSTRY SIZE 25. MARKET SIZE 26. COMPANY TYPE 27. INDUSTRY TYPE 28. MARKET TYPE 29. COMPANY SIZE 30. INDUSTRY SIZE 31. MARKET SIZE 32. COMPANY TYPE 33. INDUSTRY TYPE 34. MARKET TYPE 35. COMPANY SIZE 36. INDUSTRY SIZE 37. MARKET SIZE 38. COMPANY TYPE 39. INDUSTRY TYPE 40. MARKET TYPE 41. COMPANY SIZE 42. INDUSTRY SIZE 43. MARKET SIZE 44. COMPANY TYPE 45. INDUSTRY TYPE 46. MARKET TYPE 47. COMPANY SIZE 48. INDUSTRY SIZE 49. MARKET SIZE 50. COMPANY TYPE 51. INDUSTRY TYPE 52. MARKET TYPE 53. COMPANY SIZE 54. INDUSTRY SIZE 55. MARKET SIZE 56. COMPANY TYPE 57. INDUSTRY TYPE 58. MARKET TYPE 59. COMPANY SIZE 60. INDUSTRY SIZE 61. MARKET SIZE 62. COMPANY TYPE 63. INDUSTRY TYPE 64. MARKET TYPE 65. COMPANY SIZE 66. INDUSTRY SIZE 67. MARKET SIZE 68. COMPANY TYPE 69. INDUSTRY TYPE 70. MARKET TYPE 71. COMPANY SIZE 72. INDUSTRY SIZE 73. MARKET SIZE 74. COMPANY TYPE 75. INDUSTRY TYPE 76. MARKET TYPE 77. COMPANY SIZE 78. INDUSTRY SIZE 79. MARKET SIZE 80. COMPANY TYPE 81. INDUSTRY TYPE 82. MARKET TYPE 83. COMPANY SIZE 84. INDUSTRY SIZE 85. MARKET SIZE 86. COMPANY TYPE 87. INDUSTRY TYPE 88. MARKET TYPE 89. COMPANY SIZE 90. INDUSTRY SIZE 91. MARKET SIZE 92. COMPANY TYPE 93. INDUSTRY TYPE 94. MARKET TYPE 95. COMPANY SIZE 96. INDUSTRY SIZE 97. MARKET SIZE 98. COMPANY TYPE 99. INDUSTRY TYPE 100. MARKET TYPE 101. COMPANY SIZE 102. INDUSTRY SIZE 103. MARKET SIZE 104. COMPANY TYPE 105. INDUSTRY TYPE 106. MARKET TYPE 107. COMPANY SIZE 108. INDUSTRY SIZE 109. MARKET SIZE 110. COMPANY TYPE 111. INDUSTRY TYPE 112. MARKET TYPE 113. COMPANY SIZE 114. INDUSTRY SIZE 115. MARKET SIZE 116. COMPANY TYPE 117. INDUSTRY TYPE 118. MARKET TYPE 119. COMPANY SIZE 120. INDUSTRY SIZE 121. MARKET SIZE 122. COMPANY TYPE 123. INDUSTRY TYPE 124. MARKET TYPE 125. COMPANY SIZE 126. INDUSTRY SIZE 127. MARKET SIZE 128. COMPANY TYPE 129. INDUSTRY TYPE 130. MARKET TYPE 131. COMPANY SIZE 132. INDUSTRY SIZE 133. MARKET SIZE 134. COMPANY TYPE 135. INDUSTRY TYPE 136. MARKET TYPE 137. COMPANY SIZE 138. INDUSTRY SIZE 139. MARKET SIZE 140. COMPANY TYPE 141. INDUSTRY TYPE 142. MARKET TYPE 143. COMPANY SIZE 144. INDUSTRY SIZE 145. MARKET SIZE 146. COMPANY TYPE 147. INDUSTRY TYPE 148. MARKET TYPE 149. COMPANY SIZE 150. INDUSTRY SIZE 151. MARKET SIZE 152. COMPANY TYPE 153. INDUSTRY TYPE 154. MARKET TYPE 155. COMPANY SIZE 156. INDUSTRY SIZE 157. MARKET SIZE 158. COMPANY TYPE 159. INDUSTRY TYPE 160. MARKET TYPE 161. COMPANY SIZE 162. INDUSTRY SIZE 163. MARKET SIZE 164. COMPANY TYPE 165. INDUSTRY TYPE 166. MARKET TYPE 167. COMPANY SIZE 168. INDUSTRY SIZE 169. MARKET SIZE 170. COMPANY TYPE 171. INDUSTRY TYPE 172. MARKET TYPE 173. COMPANY SIZE 174. INDUSTRY SIZE 175. MARKET SIZE 176. COMPANY TYPE 177. INDUSTRY TYPE 178. MARKET TYPE 179. COMPANY SIZE 180. INDUSTRY SIZE 181. MARKET SIZE 182. COMPANY TYPE 183. INDUSTRY TYPE 184. MARKET TYPE 185. COMPANY SIZE 186. INDUSTRY SIZE 187. MARKET SIZE 188. COMPANY TYPE 189. INDUSTRY TYPE 190. MARKET TYPE 191. COMPANY SIZE 192. INDUSTRY SIZE 193. MARKET SIZE 194. COMPANY TYPE 195. INDUSTRY TYPE 196. MARKET TYPE 197. COMPANY SIZE 198. INDUSTRY SIZE 199. MARKET SIZE 200. COMPANY TYPE 201. INDUSTRY TYPE 202. MARKET TYPE 203. COMPANY SIZE 204. INDUSTRY SIZE 205. MARKET SIZE 206. COMPANY TYPE 207. INDUSTRY TYPE 208. MARKET TYPE 209. COMPANY SIZE 210. INDUSTRY SIZE 211. MARKET SIZE 212. COMPANY TYPE 213. INDUSTRY TYPE 214. MARKET TYPE 215. COMPANY SIZE 216. INDUSTRY SIZE 217. MARKET SIZE 218. COMPANY TYPE 219. INDUSTRY TYPE 220. MARKET TYPE 221. COMPANY SIZE 222. INDUSTRY SIZE 223. MARKET SIZE 224. COMPANY TYPE 225. INDUSTRY TYPE 226. MARKET TYPE
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DECLASSIFICATION AUTHORITY DERIVED FROM:
 EXECUTIVE ORDER 11652, 11653, 11654, 11655, 11656, 11657, 11658, 11659, 11660, 11661, 11662, 11663, 11664, 11665, 11666, 11667, 11668, 11669, 11670, 11671, 11672, 11673, 11674, 11675, 11676, 11677, 11678, 11679, 11680, 11681, 11682, 11683, 11684, 11685, 11686, 11687, 11688, 11689, 11690, 11691, 11692, 11693, 11694, 11695, 11696, 11697, 11698, 11699, 11700, 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, 11719, 11720, 11721, 11722, 11723, 11724, 11725, 11726, 11727, 11728, 11729, 11730, 11731, 11732, 11733, 11734, 11735, 11736, 11737, 11738, 11739, 11740, 11741, 11742, 11743, 11744, 11745, 11746, 11747, 11748, 11749, 11750, 11751, 11752, 11753, 11754, 11755, 11756, 11757, 11758, 11759, 11760, 11761, 11762, 11763, 11764, 11765, 11766, 11767, 11768, 11769, 11770, 11771, 11772, 11773, 11774, 11775, 11776, 11777, 11778, 11779, 11780, 11781, 11782, 11783, 11784, 11785, 11786, 11787, 11788, 11789, 11790, 11791, 11792, 11793, 11794, 11795, 11796, 11797, 11798, 11799, 11800, 11801, 11802, 11803, 11804, 11805, 11806, 11807, 11808, 11809, 11810, 11811, 11812, 11813, 11814, 11815, 11816, 11817, 11818, 11819, 11820, 11821, 11822, 11823, 11824, 11825, 11826, 11827, 11828, 11829, 11830, 11831, 11832, 11833, 11834, 11835, 11836, 11837, 11838, 11839, 11840, 11841, 11842, 11843, 11844, 11845, 11846, 11847, 11848, 11849, 11850, 11851, 11852, 11853, 11854, 11855, 11856, 11857, 11858, 11859, 11860, 11861, 11862, 11863, 11864, 11865, 11866, 11867, 11868, 11869, 11870, 11871, 11872, 11873, 11874, 11875, 11876, 11877, 11878, 11879, 11880, 11881, 11882, 11883, 11884, 11885, 11886, 11887, 11888, 11889, 11890, 11891, 11892, 11893, 11894, 11895, 11896, 11897, 11898, 11899, 11900, 11901, 11902, 11903, 11904, 11905, 11906, 11907, 11908, 11909, 11910, 11911, 11912, 11913, 11914, 11915, 11916, 11917, 11918, 11919, 11920, 11921, 11922, 11923, 11924, 11925, 11926, 11927, 11928, 11929, 11930, 11931, 11932, 11933, 11934, 11935, 11936, 11937, 11938, 11939, 11940, 11941, 11942, 11943, 11944, 11945, 11946, 11947, 11948, 11949, 11950, 11951, 11952, 11953, 11954, 11955, 11956, 11957, 11958, 11959, 11960, 11961, 11962, 11963, 11964, 11965, 11966, 11967, 11968, 11969, 11970, 11971, 11972, 11973, 11974, 11975, 11976, 11977, 11978, 11979, 11980, 11981, 11982, 11983, 11984, 11985, 11986, 11987, 11988, 11989, 11990, 11991, 11992, 11993, 11994, 11995, 11996, 11997, 11998, 11999, 12000, 12001, 12002, 12003, 12004, 12005, 12006, 12007, 12008, 12009, 12010, 12011, 12012, 12013, 12014, 12015, 12016, 12017, 12018, 12019, 12020, 12021, 12022, 12023, 12024, 12025, 12026, 12027, 12028, 12029, 12030, 12031, 12032, 12033, 12034, 12035, 12036, 12037, 12038, 12039, 12040, 12041, 12042, 12043, 12044, 12045, 12046, 12047, 12048, 12049, 12050, 12051, 12052, 12053, 12054, 12055, 12056, 12057, 12058, 12059, 12060, 12061, 12062, 12063, 12064, 12065, 12066, 12067, 12068, 12069, 12070, 12071, 12072, 12073, 12074, 12075, 12076, 12077, 12078, 12079, 12080, 12081, 12082, 12083, 12084, 12085, 12086, 12087, 12088, 12089, 12090, 12091, 12092, 12093, 12094, 12095, 12096, 12097, 12098, 12099, 12100, 12101, 12102, 12103, 12104, 12105, 12106, 12107, 12108, 12109, 12110, 12111, 12112, 12113, 12114, 12115, 12116, 12117, 12118, 12119, 12120, 12121, 12122, 12123, 12124, 12125, 12126, 12127, 12128, 12129, 12130, 12131, 12132, 12133, 12134, 12135, 12136, 12137, 12138, 12139, 12140, 12141, 12142, 12143, 12144, 12145, 12146, 12147, 12148, 12149, 12150, 12151, 12152, 12153, 12154, 12155, 12156, 12157, 12158, 12159, 12160, 12161, 12162, 12163, 12164, 12165, 12166, 12167, 12168, 12169, 12170, 12171, 12172, 12173, 12174, 12175, 12176, 12177, 12178, 12179, 12180, 12181, 12182, 12183, 12184, 12185, 12186, 12187, 12188, 12189, 12190, 12191, 12192, 12193, 12194, 12195, 12196, 12197, 12198, 12199, 12200, 12201, 12202, 12203, 12204, 12205, 12206, 12207, 12208, 12209, 12210, 12211, 12212, 12213, 12214, 12215, 12216, 12217, 12218, 12219, 12220, 12221, 12222, 12223, 12224, 12225, 12226, 12227, 12228, 12229, 1



LEGAL DESCRIPTION

[illegible]

K. Doreen [aka: Your Real Name - Secret Key] 04/29/2000

SECOND SUPPLEMENTAL CONDOMINIUM PLAT

BUILDING C - SECOND AMENDED
THE CHATEAUX AT SALT LAKE
A UTAH CONDOPHORE PROJECT LOCATED AT THE NORTHWEST
QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASIN AND METHOD, STANLEY COUNTY, UTAH

The Keith Companies

FY0

Water Resources Land Planning Civil Engineering Land Surveying Mapping Environmental Services

State of Iowa, County of _____

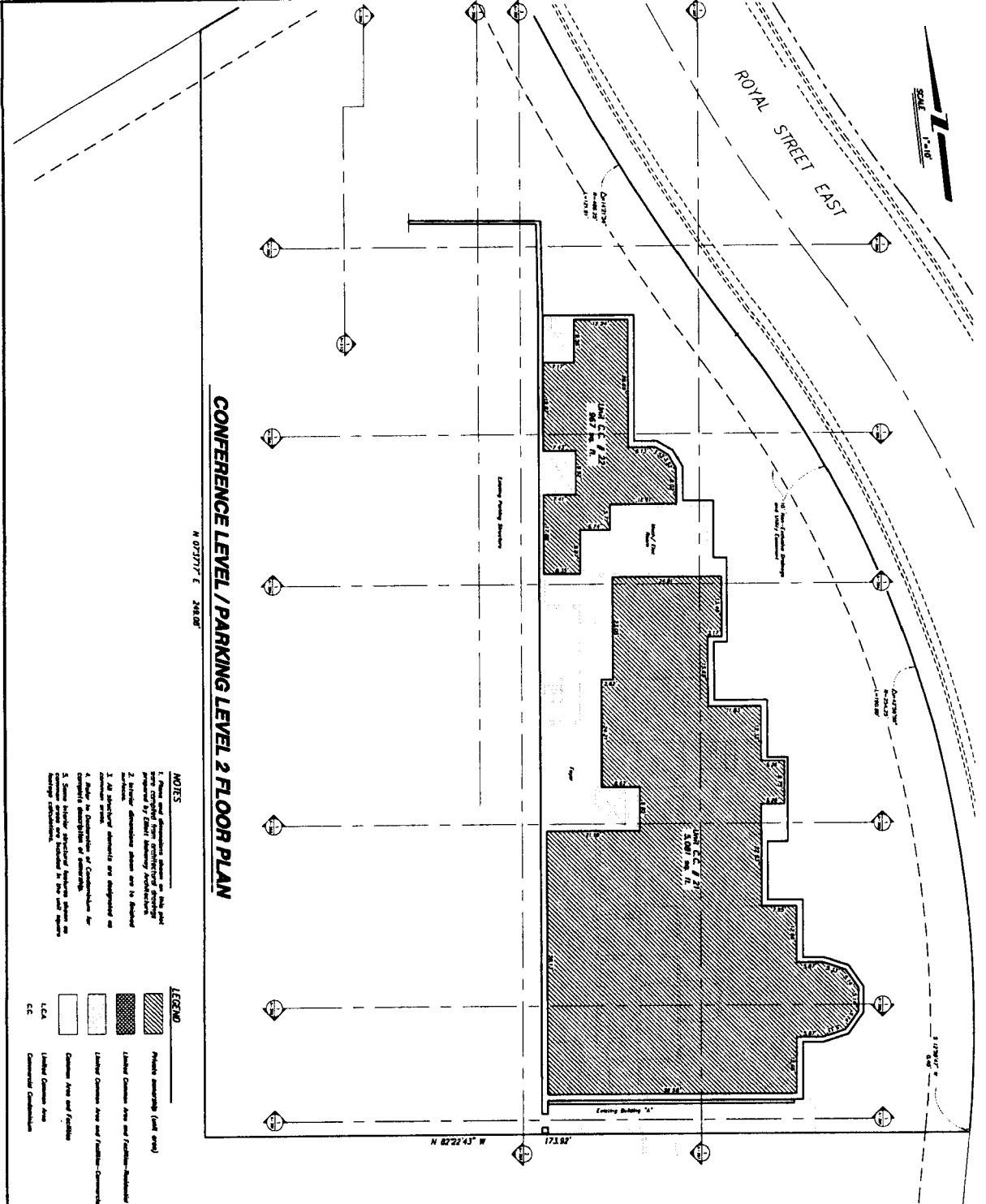
Received and filed at the request of _____

PROCL
 1-1-2018 OF

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Name _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____
 E-mail _____

<u>Yr 8</u> _____ <u>Special Enquiry Number</u> _____	<u>2 of 1</u>
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- ## NOTES
1. Plans and elevations shown on this page were compiled from architectural drawings prepared by Ebbett Stearns Architects.
 2. Interior elevations shown are to finished surfaces.
 3. All structural elements are designated as concrete work.
 4. Refer to Description of Conditions for complete description of materials.
 5. Some interior structural features shown on concrete elevators are included in the wall system package calculations.

	Private ownership (and other)
	Labeled Company Area and Facilities-Subcontractors
	Labeled Company Area and Facilities-Company
	Company Area and Facilities
LCA	Labeled Company Area
C.C.	Contracted Construction

LEGAL DESCRIPTION

CONSIDERANCE of the most arbitrary course of land taking system. (Formerly known as New Zealand Land Grants) commenced in 1840 and continued until 1862. The following table shows the number of acres of land taken in the 1840's and the number of acres of land taken in the 1850's and the number of acres of land taken in the 1860's.

Year	Number of Acres
1840	1,000,000
1841	1,000,000
1842	1,000,000
1843	1,000,000
1844	1,000,000
1845	1,000,000
1846	1,000,000
1847	1,000,000
1848	1,000,000
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1853	1,000,000
1854	1,000,000
1855	1,000,000
1856	1,000,000
1857	1,000,000
1858	1,000,000
1859	1,000,000
1860	1,000,000
1861	1,000,000
1862	1,000,000

Continued (page 2) - 10,000,000 acres

SECOND SUPPLEMENTAL CONDOMINIUM F.A.T.
BUILDING "C" - SECOND ASSESSMENT
THE CHATELAIN AT SILVER LAKE
A NEW CONDOMINIUM PROJECT LOCATED IN THE HARBORVIEW
SECTION OF SILVER LAKE, CITY OF LOS ANGELES, CALIF.
SHELL LANE, WEST AND WILSON, SANTA CRUZITE, URBAN

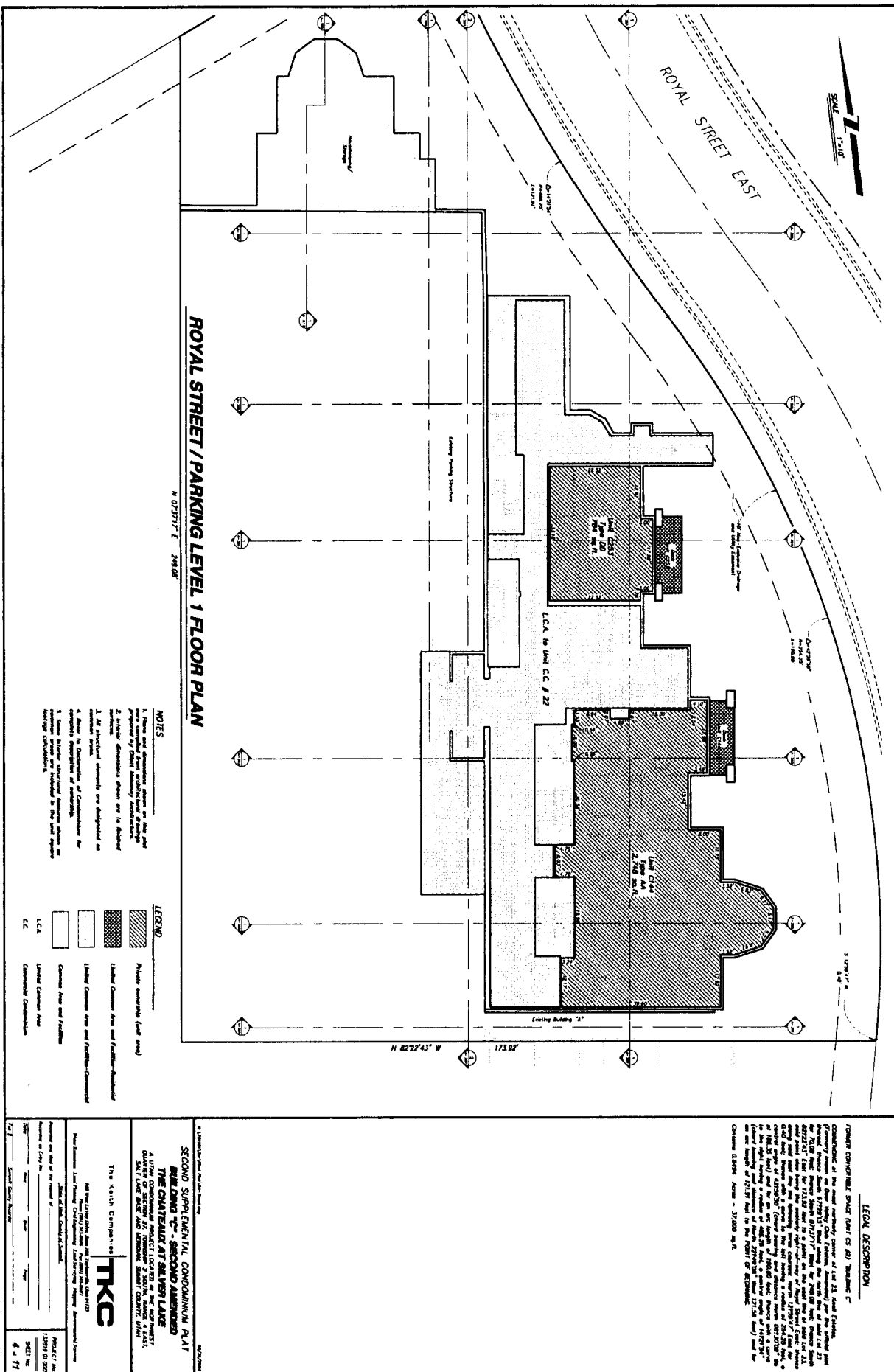
THE KAHN CORPORATION

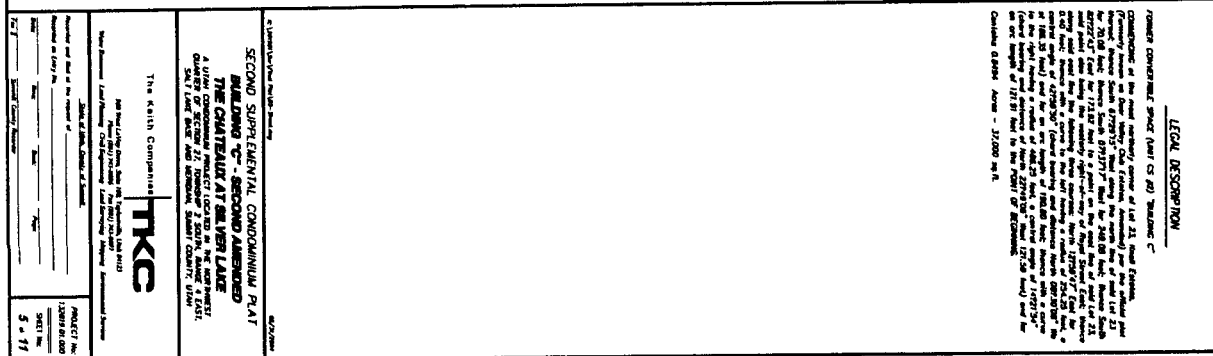
TRC

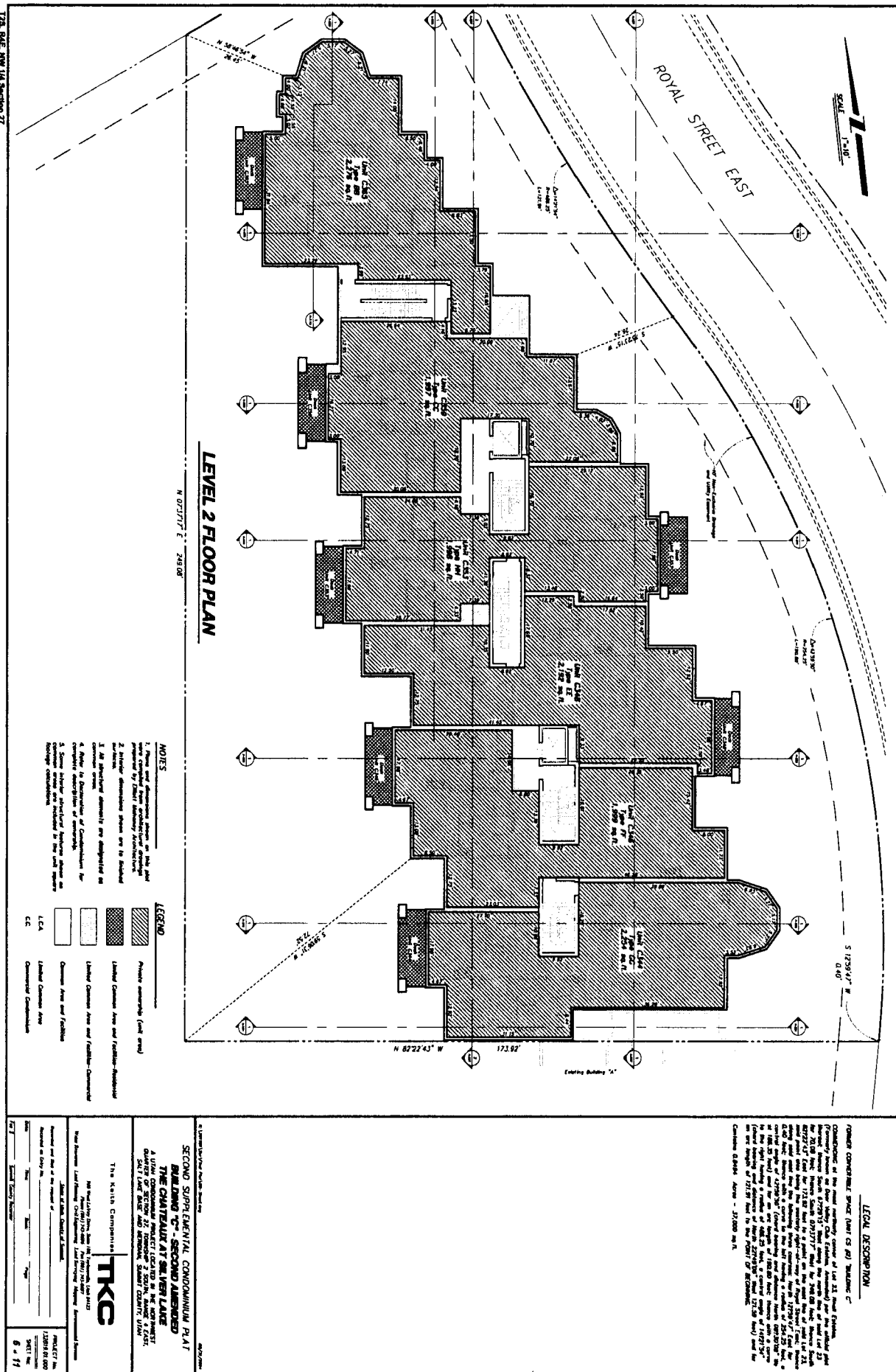
1000 West Century Blvd., Suite 1000, Los Angeles, CA 90045
Tel: (213) 401-0400, Telex: 154100, Cable: TRC
FAX: (213) 401-0400, Telex: 154100, Cable: TRC

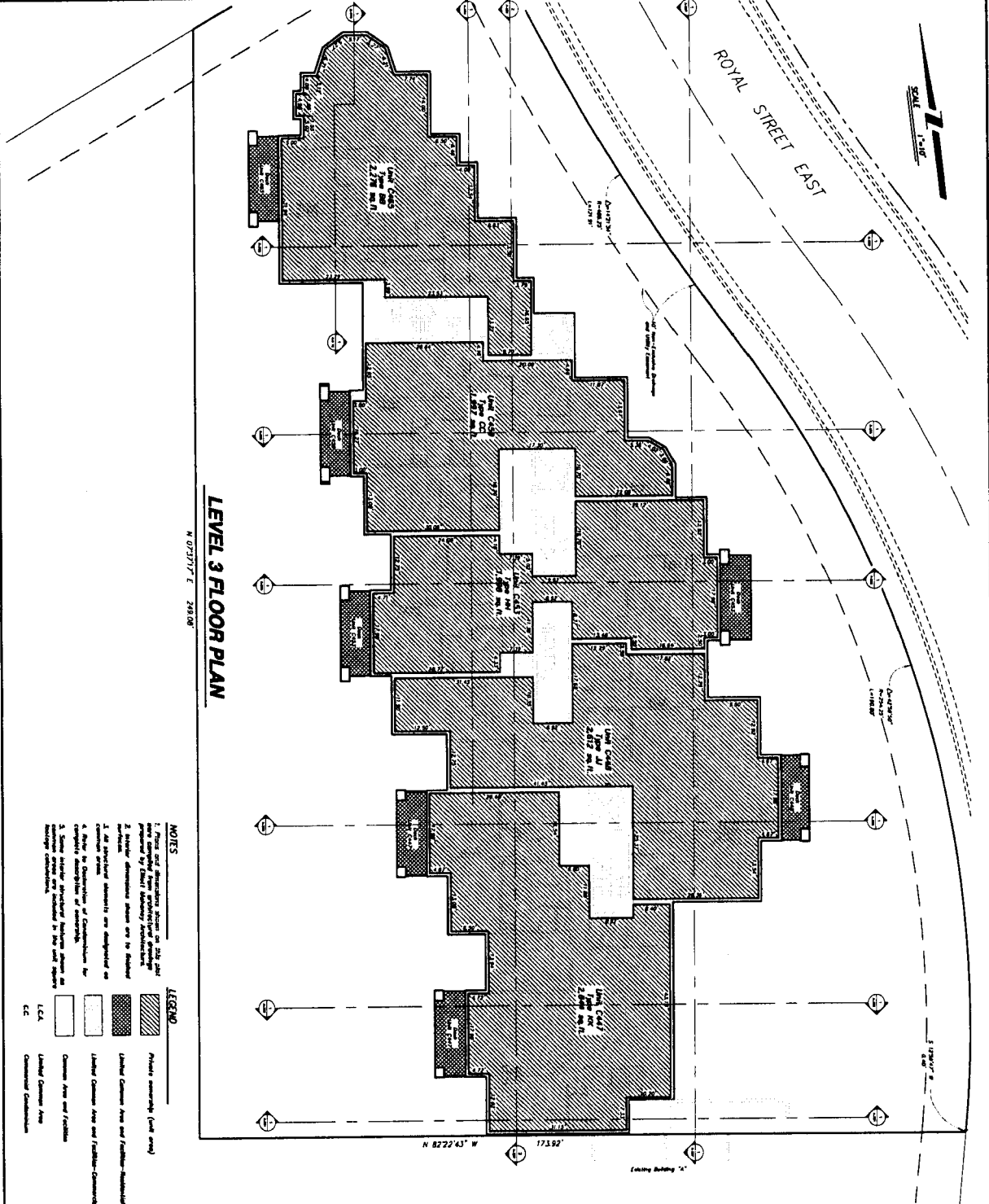
NAME: _____
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PROJECT NO. _____
DATE OF ORDER _____
SHEET NO. _____
3 of 31









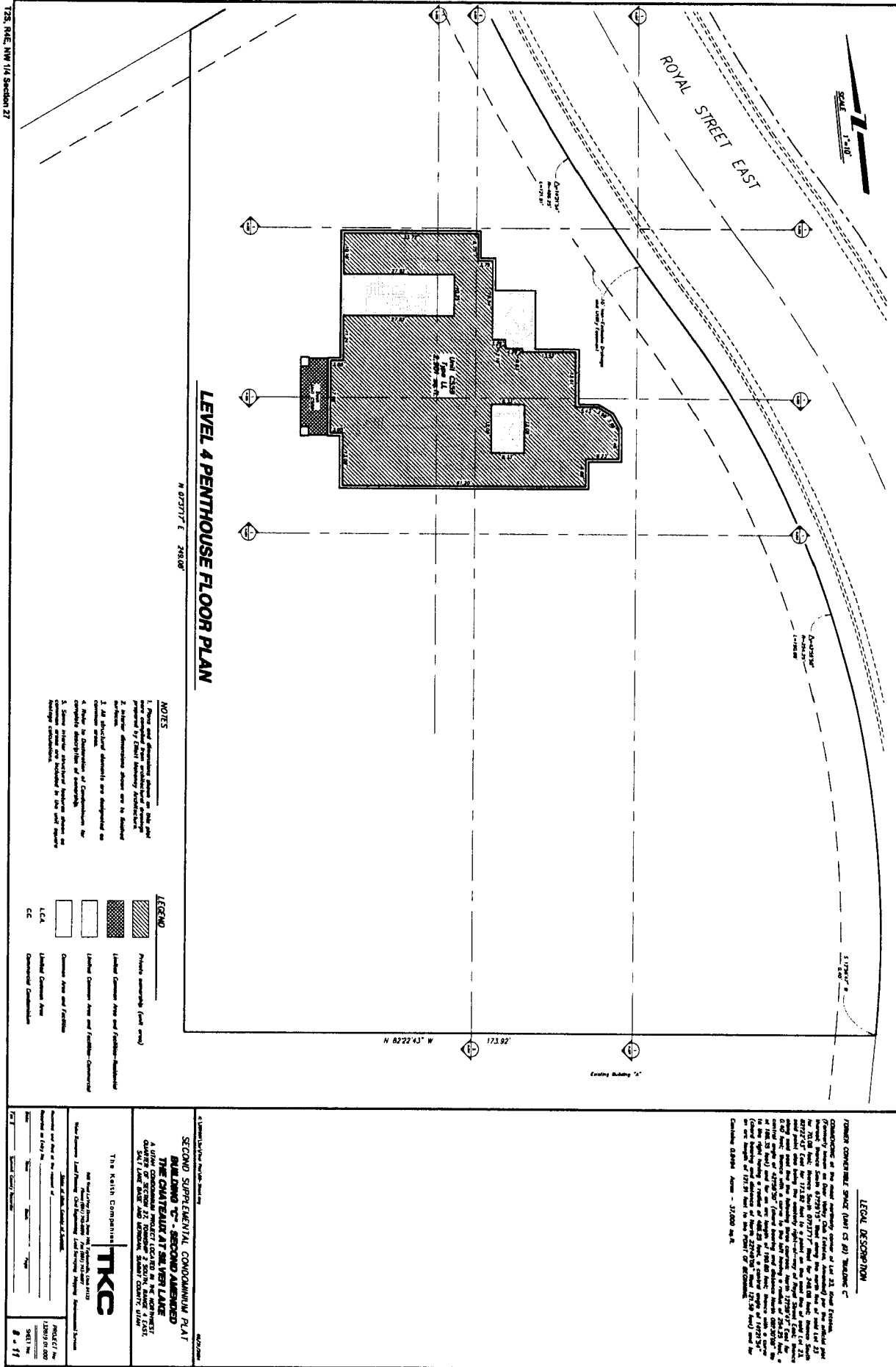
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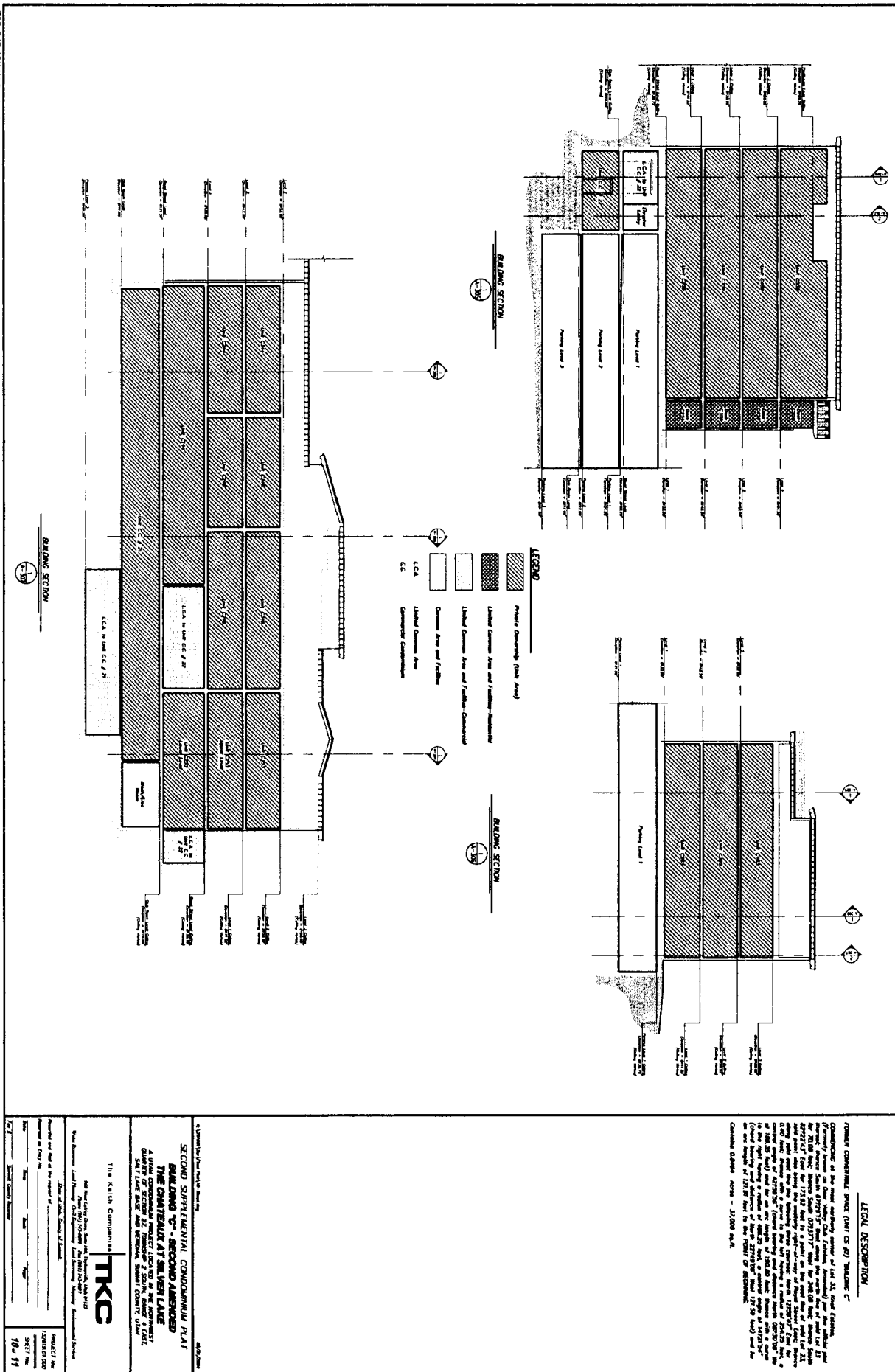
COMMERCIAL SHED (SIT 3) BUILDING C
 (formerly known as the 12500 125th Avenue building) is situated on the east side of the 125th Avenue, between the 125th Avenue and the 125th Avenue, and is bounded by the 125th Avenue to the north, the 125th Avenue to the south, the 125th Avenue to the east, and the 125th Avenue to the west. The building is situated on the east side of the 125th Avenue, between the 125th Avenue and the 125th Avenue, and is bounded by the 125th Avenue to the north, the 125th Avenue to the south, the 125th Avenue to the east, and the 125th Avenue to the west.

THE DESIGN COMPANIES

TKE

12500 125th Avenue, Suite 100
 12500 125th Avenue, Suite 100
 12500 125th Avenue, Suite 100





City Council Staff Report

PARK CITY

1881

Author: Brooks T. Robinson
Subject: Red Cloud (Pod D)
Final Plat of Subdivision
Date: November 11, 2004
Type of Item: Administrative

**PLANNING
DEPARTMENT**

Summary Recommendations:

The Planning Department recommends the Planning Commission hold a public hearing for the Red Cloud subdivision. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Council's consideration.

Topic

Applicant	United Park City Mines / Talisker Corp.
Location	Empire Pass, top of Northside ski lift
Zoning	Estate (E) as part of the Flagstaff Master Planned Development (MPD)
Adjacent Land Uses	Deer Valley Resort ski terrain

Background

On June 24, 1999, Council adopted Ordinance 99-30 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Ordinance 99-30 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

The Development Agreement (DA) specifies that only 147 acres of the 1,655-acre annexation may be developed. The remainder of the annexation area is to be retained as passive and recreational open space.

Prior to construction, the applicant must receive site-specific MPD and final plat approval from the City. The Planning Commission takes action on MPD applications and forwards a recommendation to Council on subdivision plats. The Planning Commission approved a Preliminary plat for Red Cloud on September 22, 2004.

Ordinance 99-30 also required that the applicant submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the Development Agreement (99-30) form the standards under which the subject MPD and preliminary/final plat will be reviewed.

On August 11, 2004 the Planning Commission approved a Master Planned Development for 30 single-family lots known as Red Cloud. This approval was appealed to the City Council. The Council heard the appeal on September 9, 2004 and upheld the Planning Commission's approval of the MPD. The approved MPD includes a revision to the Pod D boundary as illustrated in Exhibit A of the Development Agreement. The City Council amended the Development Agreement and Zoning Map on September 23, 2004.

The Planning Commission held a public hearing on October 27, 2004, and forwards a positive recommendation to the City Council.

Analysis

The proposed final plat is in substantial compliance with the Master Planned Development design requirements set forth in the DA and the approved preliminary plat.

Thirty lots are proposed. The lot layout is consistent with the approved MPD. Lot sizes range from in size from 1.04 acres to 2.45 acres which meets exceeds the minimum RD District lot size requirements. The building pads are located outside of the meadow areas and within locations that minimize significant tree removal. Building sites comply with the 50-foot setback from adjacent ski runs. The plat identifies the Enchanted Forest Public Ski and Conservation Easement areas in a manner consistent with the approved MPD. City approval of the Enchanted Forest Public Ski and Conservation easement language as a condition precedent to final plat recordation.

Access will be provided via a 50 foot wide private road. Preliminary road plans indicate that the alignment is designed to minimize cut/fill slopes and maximize vegetation buffer areas.

Vehicular and utility access to abutting developable parcels of land is provided in two locations. These locations are adjacent to the most easily developable (flattest) sites on neighboring property.

The building pad locations respect the Ridgeline section of the Sensitive Lands criteria in keeping 150 feet away from the ridge.

The 20-foot-wide all-weather surface emergency access road located between lots 21 and 22. The emergency access road is grading intensive and connects Red Cloud back down to Marsac Avenue. The alignment may severely impact the Deer Valley ski terrain. This emergency access road must be installed prior to building permit issuance for any of the single-family homes. The road is required by the approved Emergency Response technical report.

The Planning Commission approved and adopted 14 Technical Reports in December 2001. Exhibit 10 is the Construction and Development Phasing Plan. With reference to Pod D (Red Cloud) the following requirements must be met:

"No vertical construction shall begin in Pod D until the following items are completed:

- Approval of the Mountain Village Master Planned Development (MPD) application (including, but not limited to, the Alpine Club Phase 1, pulse gondola, transit hub, village ski runs, and related landscaping) and all related conditional use permits;
- Approval of the Pod D MPD and subdivision plat;
- The Alpine Club Phase 1 resort amenity package shall be substantially complete and bonded for completion by December 25, 2004, including, at a minimum, a restaurant, bar, convenience store, landscaping, ski runs/pedestrian connections, and concierge's services operated by a management company. Phase 1 of the Alpine Club will consist of a minimum of 10,000 square feet of building area;
- The first phase of Alpine Club multi-family units as approved in the Mountain Village MPD shall be substantially complete, and bonded for completion by December 25, 2004;
- A building permit shall be issued for the Mountain Village transit hub and the hub shall be bonded for completion by December 25, 2004;
- A building permit shall be issued for the pulse gondola and the gondola shall be bonded for completion by December 25, 2004; and
- A building permit shall be issued for construction of at least one multi-family building within the Mountain Village (as approved in the Mountain Village MPD) in addition to the Alpine Club multi-family units."

Although the Phasing Plan identifies a date (December 25, 2004) that certain amenities must be substantially completed and bonded for completion, Staff recognizes that the ownership change in UPCM set that timing back substantially. It is Staff's position that these amenities must be in place prior to vertical construction in Red Cloud.

Plat Notes

General

1. Development Approval. These criteria are in addition to the conditions imposed on the project by the projects CC&Rs, Design Guidelines and other conditions imposed by the Empire Pass Design Review Board (AKA the Design Review Committee in the Design Guidelines, exhibit 2 of the 1999 LSMPD for the Project). All references to defined terms in the Land Management Code (LMC) are references to the LMC in effect at the time of this plat approval. All references to defined terms in the Design Guidelines (DGs) and Emergency Response Plan (ERP) are references to exhibits to the projects 1999 Large Scale Master Plan (LSMPD) and are subject to any future revision of those documents. All Development (LMC) is subject to the approval of both the City and the Design Review Board. Approval of any Development within this subdivision plat by the City requires prior written approval by the Design Review Board.
2. Building Height and Setbacks. All current LMC zone restrictions on building height and setbacks apply. Building setbacks are minimum Estate Zone

Setbacks, 30 feet from property lines unless noted otherwise, or as restricted by ski or utility easements as shown hereon. No Additional Building Height over the zone building height limits will be granted.

3. **Defensible Space Plan.** Prior to vertical construction of residential units a Defensible Space plan, consistent with the project Emergency Response Plan (Exhibit 7 of the LSMPD), shall be approved by the City and implemented by the developer.
4. **Water Efficient Irrigation and Limited Turf.** Each platted lot, when developed, must incorporate a water efficient irrigation system (to the extent an irrigation system is used), and must limit the area of turf, consistent with the Design Guidelines.

Building Approval Process

1. **General Applicability of Design Review Guidelines.** All Development is subject to applicable requirements of the Design Review Guidelines, as such may be amended or superseded from time to time.
2. **Approximate Building Location.** Approximate Building Locations within each lot are shown on the plat are subject to adjustment on an individual lot basis with the approval of the Design Review Board. Such approvals must be obtained prior to the issuance of a building permit. Site-specific plans must be developed within these locations and submitted to the Design Review Board, whose approval must be received before the issuance of a building permit. Any such Design Review Board approval is subject to review and approval by the Planning Department in accordance with the provisions of the LMC and applicable Design Guidelines. Approximate Building Locations have been sited on Developable Land (LMC), and avoid Ridge Line Areas (LMC). Therefore, any adjustment of the Approximate Building Location must avoid Very Steep Slopes (LMC) and Ridge Line Areas.
3. **Building Footprint and Site Disturbance.** In order to encourage lower building forms, the maximum building footprint is allowed up to the total area shown within the Approximate Building Location (Design Guidelines) as shown on the plat. Second story square footage cannot be more than 2/3rds of the first floor. Total Limits of Disturbance cannot extend more than 20' beyond the outside walls of the building. Driveways, utility corridors, paths, drainage features, ski trails and their associated retaining structures are exceptions to this restriction. Limits of Disturbance (LMC) plans shall be submitted to the City Planning Department for review and approval by individual homeowners. These plans must demonstrate compliance with the goal of maximum retention of Significant Vegetation (LMC) and minimization of overall site disturbance.
4. **Defensible Space.** Vegetation outside of the Limits of Disturbance will be managed in accordance with the Defensible Space Plan consistent with the Urban Wildland

Fire Interface Code and will focus on fire hazard reduction as well as good forest health and may not be improved for additional yard area. Removal of vegetation beyond the Limits of Disturbance will be done only by hand held equipment. All vegetation removal and management must be approved by both the Planning and Building Departments whose requirements may include that a licensed professional prepare the plan.

5. Irrigated Area. Each individual lot must submit landscape plans consistent with the projects Design Guidelines and a Defensible Space Plan (Emergency Response Plan). The maximum irrigated area within the landscaped area that will be considered for any lot is 5,000 sq ft. This does not limit the City's ability to require additional intermittent irrigation of existing vegetation in the Defensible Space zone adjacent to the landscaped area.
6. Design Review Board Approval. The Design Review Board's review shall consist of, but not be limited to, insuring the maximum preservation of existing vegetation, minimizing grading impacts, providing for solar access and views, and minimizing impacts on adjacent lots.
7. Landscaping Plans. Landscaping plans are subject to the review and approval of the Design Review Board and the Planning Department in accordance with the project Design Guidelines.

House Size

1. Gross Floor Area. The maximum Gross Floor Area (LMC) of a house is 10,000 sq ft. Gross Floor Area includes all enclosed areas designed for human occupation. Unenclosed porches, balconies, patios and decks, vent shafts, courts are not calculated in Gross Floor Area. Garages, up to a maximum area of 600 square feet, are not considered Gross Floor Area. Basement Area (LMC) below Final Grade (LMC) is not considered Gross Floor Area. The square footage of all Accessory Structures (LMC) is deducted from the house Gross Floor Area. Garage square footage in excess of 600 square feet is deducted from the house Gross Floor Area.
2. Lot Combinations. Lot combinations are subject to Design Review Board approval. Adjoining lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If lots are combined the Design Review Board will designate a new Approximate Building Location.

Limits of Disturbance and Vegetation Protection

1. Limits of Disturbance. As required by the LMC and the Design Guidelines, limits of disturbance plans must be reviewed and approved by both the City Planning Department and the Design Review Board.

2. Ski Run Vegetative Buffer. The vegetative buffer between the buildings and the existing ski runs are defined by the Approximate Building Location as designated on this plat. Existing Significant Vegetation (as defined by the LMC) within the buffer to the ski runs must be maintained. Vegetation management within the buffer and/or beyond the approved limits of disturbance on approved building plans will be maintained in accordance with good forest health practices and fire hazard reduction, but all such maintenance shall be approved by the Design Review Board, and the Park City Planning and Building Departments.

Easements and Lot Line Adjustments

1. Easements. The numbers, locations, and widths of private ski trail easements and the Deer Valley ski trail and bridge easements as shown on the plat are approximate the location of which will be fixed by a subsequent grant of easement prior to construction on a lot.
2. Lot Line Adjustments. Individual lot lines are subject to adjustment as approved by the Design Review Board and in accordance with the Park City Land Management code.

Other Specific Conditions, Restrictions and Benefits Affecting the Plat

1. Restrictive Covenants. The property and lots depicted on this plat are subject to the Master Declaration of Covenants, Conditions and Restrictions for Flagstaff, a Planned Community, recorded on June 28, 2004, as entry No.623450 in Book No.1457, Pages 747 to 832, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.
2. Master Declaration. The property and lots depicted on this plat are subject to the Declaration of Covenants, Conditions and Restrictions for Red Cloud Subdivision, Park City, Utah, recorded on _____, 2004, as entry No. _____ in Book No. _____, Pages ____ to ____, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.
3. Emergency Secondary Access. The property depicted on the Plat has secondary emergency access for controlled evacuation and for access by fire and safety personnel and equipment by virtue of an grant of easement recorded _____, 2004, in Book No. _____, Pages _____, in the office of the Summit County Recorder.
4. Enchanted Forrest. The area on the plat identified as the Enchanted Forrest and the lots that incorporate such area are affected by a ski easement for

public skiing and a conservation easement. No Development activity, including fencing, is permitted within the Enchanted Forrest.

5. Access Parcel. A Future Access Parcel between lots 28 and 29 has been reserved and will be held by the developer for potential future access to adjoining lands, if developed.
6. Land Area Limitation. The gross land area of this plat, as depicted, shall not exceed 49.737 acres.
7. Shared Driveway. Developer will grant, for the benefit of the owners of lots 8 and 9, a perpetual, non-exclusive shared driveway easement in the location shown on the plat, and will require that said owners share the maintenance and other expenses associated with such shared driveway.

The following note will be contained on a separate page. This note will expire when the conditions contained within the note are fulfilled:

Access. If at any time, public access or the State's acceptance of dedication of SR 224 is invalidated or withdrawn, such that public access is materially interrupted, all future development activity shall be subject to immediate stop work order and any pending and future Certificate of Occupancy and Building Permit shall be suspended until (i) a Certificate of Immediate Occupancy is obtained for public access, or (ii) alternative access acceptable to the City is provided, or (iii) the City receives public access assurances satisfactory to the City from UDOT or others. This condition shall be noted on the plat, and shall be of no force or effect and may be removed from the plat at any point in time when the applicant, on its own initiative, provides (i) alternative access solutions satisfactory to the City, or (ii) assurances from UDOT satisfactory to the City that SR 224 will remain in its existing location.

Department Review

This project has gone through an interdepartmental review. No additional issues have been raised.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. The adjacent property owner, Mayflower Stichting, submitted an appeal/objection to the Planning Commission's hearing of October 27, 2004. The Planning Commission action was only a recommendation to Council and an appeal is not ripe.

Alternatives

- The City Council may approve the Red Cloud subdivision plat as conditioned or amended, or
- The City Council may deny the Red Cloud subdivision plat and direct staff to make Findings for this decision, or

- The City Council may continue the discussion on the Red Cloud subdivision plat.

Recommendation

The Planning Department recommends the City Council hold a public hearing for the Red Cloud subdivision. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Council's consideration as found in the ordinance.

Ordinance No. 04-

AN ORDINANCE APPROVING THE RED CLOUD SUBDIVISION PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Red Cloud subdivision plat have petitioned the City Council for approval of the Red Cloud subdivision plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 27, 2004, to receive input on the Red Cloud subdivision plat;

WHEREAS, the Planning Commission, on October 27, 2004, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 11, 2004 the City Council approved the Red Cloud subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Red Cloud subdivision plat

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

SECTION 1. APPROVAL. The Red Cloud subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Red Cloud Subdivision Plat is located in the Estate-MPD and Recreational Open Space-MPD Districts.
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 Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.

4. The MPD and subdivision are subject to the 14 Technical Reports approved on December 12, 2002.
5. The Planning Commission approved the Red Cloud MPD on August 11, 2004, for thirty (30) single-family homes.
6. On September 9, 2004, the City Council upheld the Planning Commission's approval of the MPD after hearing an appeal by Stichting Mayflower Fonds, et al.
7. The City Council amended the Development Agreement and Zoning Map on September 23, 2004.
8. Both a Conservation Easement and Public Ski Easement are proposed within platted lots for the Enchanted Forest. Conservation easements are proposed elsewhere in Empire Pass in accordance with the Development Agreement.
9. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
10. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over length cul de sac. A secondary emergency access road is required with an all-weather 20-foot wide surface.
11. The maximum Building Height in the Estate District is 28 feet (33 feet with a pitched roof).
12. The applicant's prior dedication of the realigned SR 224 is subject to a claim resulting from ownership of the Marsac Claim. The applicant and UDOT have committed to maintaining public access and taking necessary corrective action. Accordingly, the applicant is proceeding at their own risk.

Conclusions of Law

1. There is good cause for this Final Subdivision Plat.
2. The Final Subdivision Plat is consistent with the Flagstaff Annexation and Development Agreement, the Red Cloud Master Plan Development, the Red Cloud Preliminary Plat, Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Preliminary Subdivision Plat.
4. Approval of the Final Subdivision Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. City Engineer approval of a utility and infrastructure plan is a condition precedent to the plat recordation.
2. Both utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval. Utility lines and cleared ski trails shall not encroach in the Enchanted Forest as defined on the plat.
3. The proposed over-length cul de sac that ends in the thirty single family lots will have a secondary emergency access from the Red Cloud road. This emergency access shall not go through the Enchanted Forest. The emergency access will continue as a minimum 20-foot wide all-weather surface road. This emergency

access road must be installed prior to building permit issuance for any of the single-family homes.

4. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Building Permit and for the Red Cloud Subdivision infrastructure.
5. The final subdivision plat will include plat notes as follows:

General

1. Development Approval. These criteria are in addition to the conditions imposed on the project by the projects CC&Rs, Design Guidelines and other conditions imposed by the Empire Pass Design Review Board (AKA the Design Review Committee in the Design Guidelines, exhibit 2 of the 1999 LSMPD for the Project). All references to defined terms in the Land Management Code (LMC) are references to the LMC in effect at the time of this plat approval. All references to defined terms in the Design Guidelines (DGs) and Emergency Response Plan (ERP) are references to exhibits to the projects 1999 Large Scale Master Plan (LSMPD) and are subject to any future revision of those documents. All Development (LMC) is subject to the approval of both the City and the Design Review Board. Approval of any Development within this subdivision plat by the City requires prior written approval by the Design Review Board.
2. Building Height and Setbacks. All current LMC zone restrictions on building height and setbacks apply. Building setbacks are minimum Estate Zone Setbacks, 30 feet from property lines unless noted otherwise, or as restricted by ski or utility easements as shown hereon. No Additional Building Height over the zone building height limits will be granted.
3. Defensible Space Plan. Prior to vertical construction of residential units a Defensible Space plan, consistent with the project Emergency Response Plan (Exhibit 7 of the LSMPD), shall be approved by the City and implemented by the developer.
4. Water Efficient Irrigation and Limited Turf. Each platted lot, when developed, must incorporate a water efficient irrigation system (to the extent an irrigation system is used), and must limit the area of turf, consistent with the Design Guidelines.

Building Approval Process

1. General Applicability of Design Review Guidelines. All Development is subject to applicable requirements of the Design Review Guidelines, as such may be amended or superseded from time to time.
2. Approximate Building Location. Approximate Building Locations within each lot are shown on the plat are subject to adjustment on an individual lot basis with the

approval of the Design Review Board. Such approvals must be obtained prior to the issuance of a building permit. Site-specific plans must be developed within these locations and submitted to the Design Review Board, whose approval must be received before the issuance of a building permit. Any such Design Review Board approval is subject to review and approval by the Planning Department in accordance with the provisions of the LMC and applicable Design Guidelines. Approximate Building Locations have been sited on Developable Land (LMC), and avoid Ridge Line Areas (LMC). Therefore, any adjustment of the Approximate Building Location must avoid Very Steep Slopes (LMC) and Ridge Line Areas.

3. **Building Footprint and Site Disturbance.** In order to encourage lower building forms, the maximum building footprint is allowed up to the total area shown within the Approximate Building Location (Design Guidelines) as shown on the plat. Second story square footage cannot be more than 2/3rds of the first floor. Total Limits of Disturbance cannot extend more than 20' beyond the outside walls of the building. Driveways, utility corridors, paths, drainage features, ski trails and their associated retaining structures are exceptions to this restriction. Limits of Disturbance (LMC) plans shall be submitted to the City Planning Department for review and approval by individual homeowners. These plans must demonstrate compliance with the goal of maximum retention of Significant Vegetation (LMC) and minimization of overall site disturbance.
4. **Defensible Space.** Vegetation outside of the Limits of Disturbance will be managed in accordance with the Defensible Space Plan consistent with the Urban Wildland Fire Interface Code and will focus on fire hazard reduction as well as good forest health and may not be improved for additional yard area. Removal of vegetation beyond the Limits of Disturbance will be done only by hand held equipment. All vegetation removal and management must be approved by both the Planning and Building Departments whose requirements may include that a licensed professional prepare the plan.
5. **Irrigated Area.** Each individual lot must submit landscape plans consistent with the projects Design Guidelines and a Defensible Space Plan (Emergency Response Plan). The maximum irrigated area within the landscaped area that will be considered for any lot is 5,000 sq ft. This does not limit the City's ability to require additional intermittent irrigation of existing vegetation in the Defensible Space zone adjacent to the landscaped area.
6. **Design Review Board Approval.** The Design Review Board's review shall consist of, but not be limited to, insuring the maximum preservation of existing vegetation, minimizing grading impacts, providing for solar access and views, and minimizing impacts on adjacent lots.

7. Landscaping Plans. Landscaping plans are subject to the review and approval of the Design Review Board and the Planning Department in accordance with the project Design Guidelines.

House Size

1. Gross Floor Area. The maximum Gross Floor Area (LMC) of a house is 10,000 sq ft. Gross Floor Area includes all enclosed areas designed for human occupation. Unenclosed porches, balconies, patios and decks, vent shafts, courts are not calculated in Gross Floor Area. Garages, up to a maximum area of 600 square feet, are not considered Gross Floor Area. Basement Area (LMC) below Final Grade (LMC) is not considered Gross Floor Area. The square footage of all Accessory Structures (LMC) is deducted from the house Gross Floor Area. Garage square footage in excess of 600 square feet is deducted from the house Gross Floor Area.
2. Lot Combinations. Lot combinations are subject to Design Review Board approval. Adjoining lots can be combined, and the maximum house size increased based on the process allowed in the LMC for the underlying zone. If lots are combined the Design Review Board will designate a new Approximate Building Location.

Limits of Disturbance and Vegetation Protection

1. Limits of Disturbance. As required by the LMC and the Design Guidelines, limits of disturbance plans must be reviewed and approved by both the City Planning Department and the Design Review Board.
2. Ski Run Vegetative Buffer. The vegetative buffer between the buildings and the existing ski runs are defined by the Approximate Building Location as designated on this plat. Existing Significant Vegetation (as defined by the LMC) within the buffer to the ski runs must be maintained. Vegetation management within the buffer and/or beyond the approved limits of disturbance on approved building plans will be maintained in accordance with good forest health practices and fire hazard reduction, but all such maintenance shall be approved by the Design Review Board, and the Park City Planning and Building Departments.

Easements and Lot Line Adjustments

1. Easements. The numbers, locations, and widths of private ski trail easements and the Deer Valley ski trail and bridge easements as shown on the plat are approximate the location of which will be fixed by a subsequent grant of easement prior to construction on a lot.

2. Lot Line Adjustments. Individual lot lines are subject to adjustment as approved by the Design Review Board and in accordance with the Park City Land Management code.

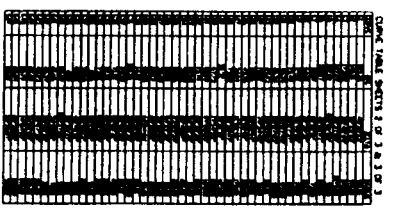
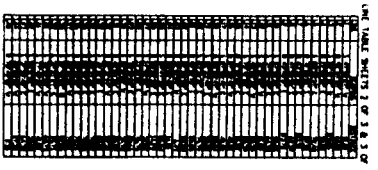
Other Specific Conditions, Restrictions and Benefits Affecting the Plat

1. Restrictive Covenants. The property and lots depicted on this plat are subject to the Master Declaration of Covenants, Conditions and Restrictions for Flagstaff, a Planned Community, recorded on June 28, 2004, as entry No.623450 in Book No.1457, Pages 747 to 832, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.
2. Master Declaration. The property and lots depicted on this plat are subject to the Declaration of Covenants, Conditions and Restrictions for Red Cloud Subdivision, Park City, Utah, recorded on _____, 2004, as entry No. _____ in Book No. _____, Pages ____ to ____, in the office of the Summit County Recorder, as the same may be supplemented, modified or amended from time to time.
3. Emergency Secondary Access. The property depicted on the Plat has secondary emergency access for controlled evacuation and for access by fire and safety personnel and equipment by virtue of an grant of easement recorded _____, 2004, in Book No. _____, Pages _____, in the office of the Summit County Recorder.
4. Enchanted Forrest. The area on the plat identified as the Enchanted Forrest and the lots that incorporate such area are affected by a ski easement for public skiing and a conservation easement. No Development activity, including fencing, is permitted within the Enchanted Forrest.
5. Access Parcel. A Future Access Parcel between lots 28 and 29 has been reserved and will be held by the developer for potential future access to adjoining lands, if developed.
6. Land Area Limitation. The gross land area of this plat, as depicted, shall not exceed 49.737 acres.
7. Shared Driveway. Developer will grant, for the benefit of the owners of lots 8 and 9, a perpetual, non-exclusive shared driveway easement in the location shown on the plat, and will require that said owners share the maintenance and other expenses associated with such shared driveway.
6. The final subdivision plat will include ski and conservation easements over the Enchanted Forest. Public ski access only will be allowed. No construction activity, including fencing, is permitted within the Enchanted Forest as defined on the final plat.

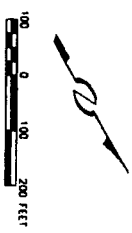
7. All subsequent applications and approvals are subject to the Technical Reports as approved or amended.
8. The plat will also include the following note: "Vertical construction in Red Cloud, (except building permits for Temporary Improvements, including sales and construction trailers) is allowed only in accordance with the Planning Commission approved Construction and Development Phasing plan, or as amended by subsequent action, as follows:
 - Approval of the Mountain Village Master Planned Development (MPD) application (including, but not limited to, the Alpine Club Phase 1, pulse gondola, transit hub, village ski runs, and related landscaping) and all related conditional use permits;
 - Approval of the Pod D MPD and subdivision plat;
 - The Alpine Club Phase 1 resort amenity package shall be substantially complete and bonded for completion, including, at a minimum, a restaurant, bar, convenience store, landscaping, ski runs/pedestrian connections, and concierge's services operated by a management company. Phase 1 of the Alpine Club will consist of a minimum of 10,000 square feet of building area;
 - The first phase of Alpine Club multi-family units as approved in the Mountain Village MPD shall be substantially complete, and bonded for completion;
 - A building permit shall be issued for the Mountain Village transit hub and the hub shall be bonded for completion;
 - A building permit shall be issued for the pulse gondola and the gondola shall be bonded for completion; and
 - A building permit shall be issued for construction of at least one multi-family building within the Mountain Village (as approved in the Mountain Village MPD) in addition to the Alpine Club multi-family units.
9. A financial security to guarantee the installation of public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.
10. If at any time, public access or the State's acceptance of dedication of SR 224 is invalidated or withdrawn, such that public access is materially interrupted, all future development activity shall be subject to immediate stop work order and any pending and future Certificate of Occupancy and Building Permit shall be suspended until (i) a Certificate of Immediate Occupancy is obtained for public access, or (ii) alternative access acceptable to the City is provided, or (iii) the City receives public access assurances satisfactory to the City from UDOT or others. This condition shall be noted on the plat, and shall be of no force or effect and may be removed from the plat at any point in time when the applicant, on its own initiative, provides (i) alternative access solutions satisfactory to the City, or (ii) assurances from UDOT satisfactory to the City that SR 224 will remain in its existing location.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of November, 2004.



- NOTES:
- 1. Survey conducted by [Name] [Firm]
 - 2. [Name] [Firm]
 - 3. [Name] [Firm]
 - 4. [Name] [Firm]
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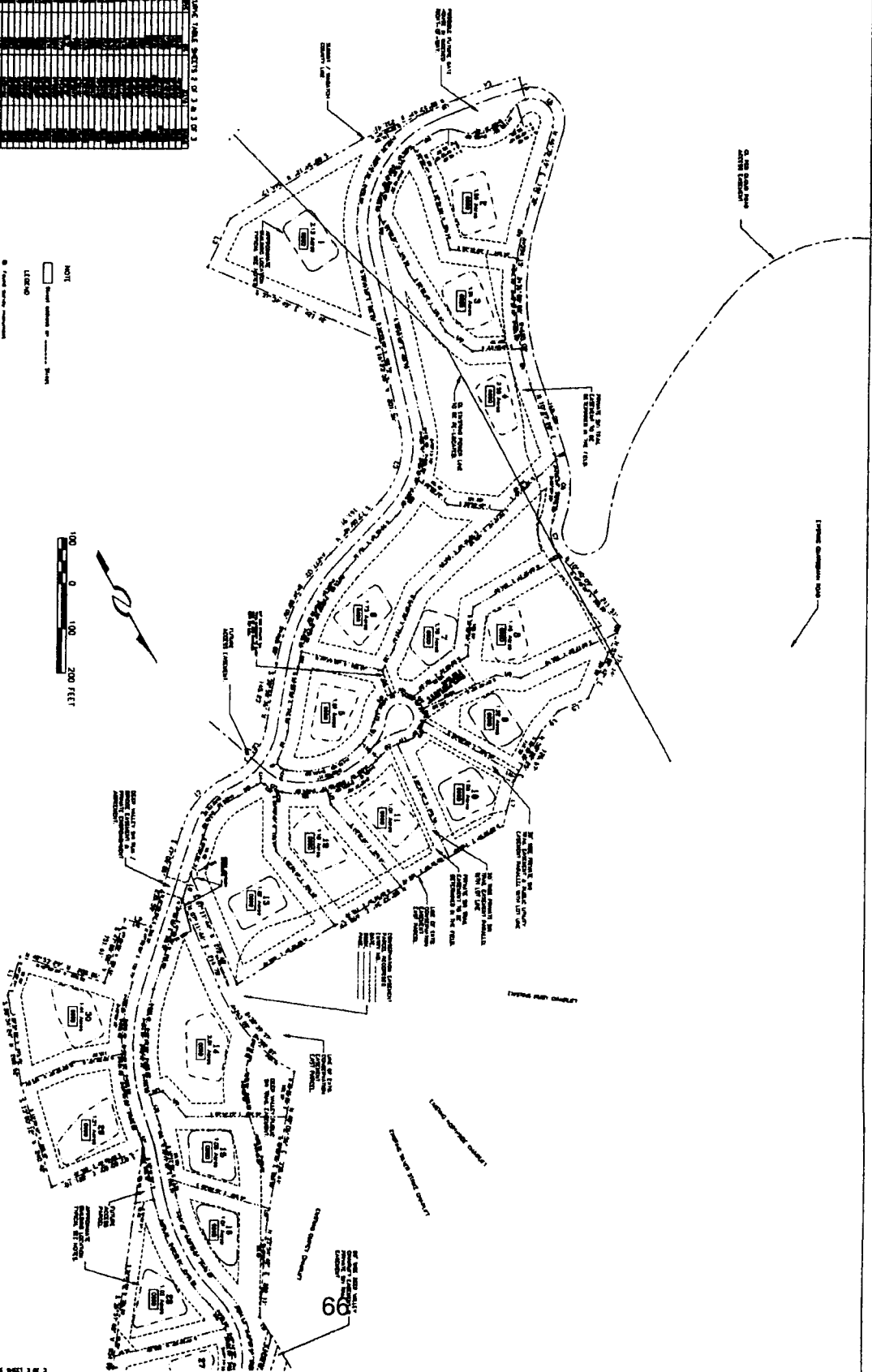


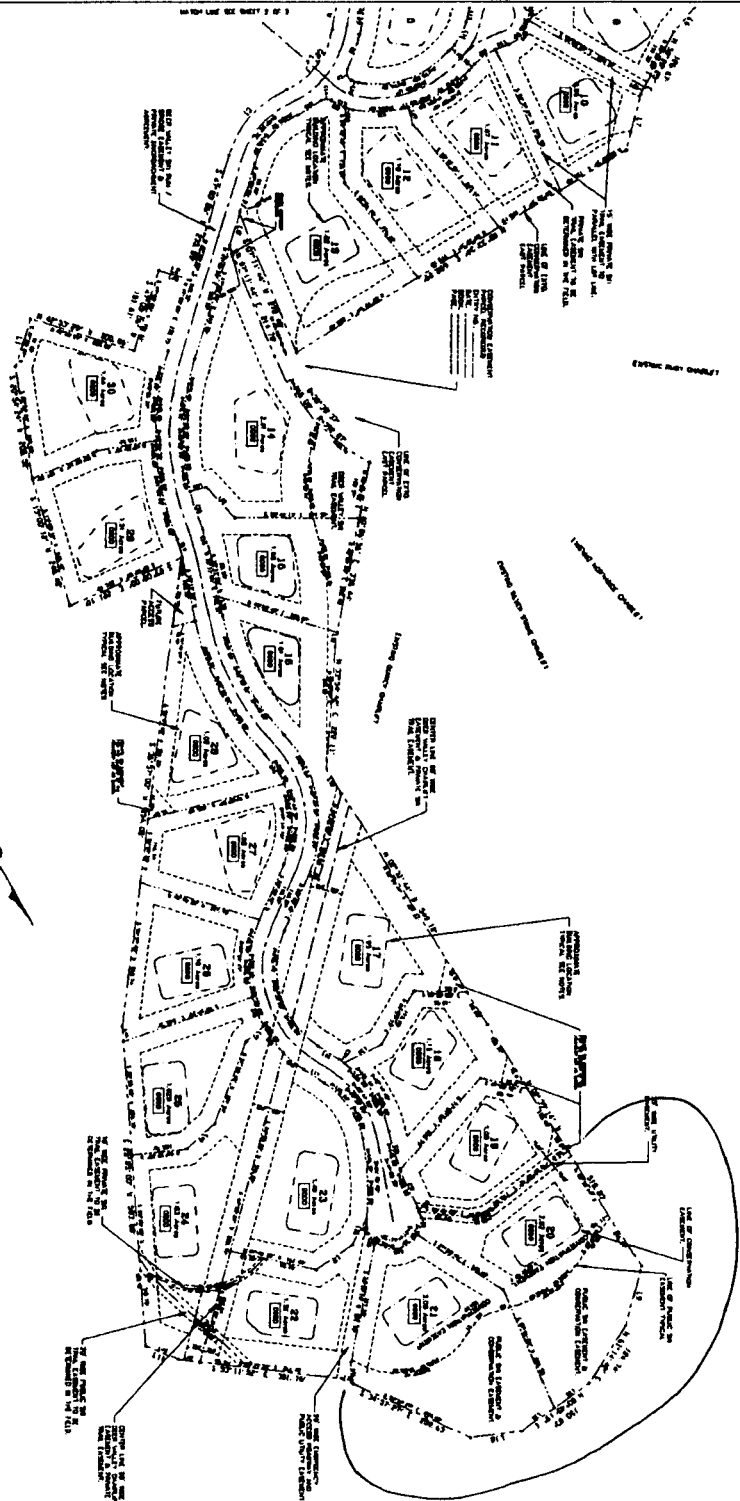
RED CLOUD SUBDIVISION

A SINGLE FAMILY SUBDIVISION LOCATED IN SECTIONS 28 AND 35
TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

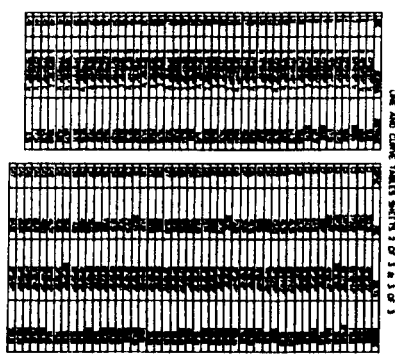
2004

STATE OF UTAH
COUNTY OF SUMMIT, AND FILED
AT THE RECORDS OF
NAME BOOK PAGE
FILE
RECORDED
PAGE 2 OF 4





NOTE:
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RED CLOUD SUBDIVISION

A SINGLE FAMILY SUBDIVISION LOCATED IN SECTIONS 28 AND 33
 TOWNSHIP 2 SOUTH, RANGE 10 EAST AND MERIDIAN
 PARK CITY, SALT LAKE COUNTY, UTAH

OCT 21 2004

STATE OF UTAH, COUNTY OF SALT LAKE, AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____ ROOM _____ FLOOR _____
 FILED _____

PLAT NOTES

General

1. Development Allowed. All Development, as defined by the Park City Land Management Code (LMLC) at the time of approval of this plat, is subject to the approval of both the City and the Design Review Board. Approval of any Development within this subdivision plat by the City, requires prior written approval by the Design Review Board.
2. Building Height and Setbacks. All current LMLC zone regulations for building height and setbacks apply. Building setbacks are minimum. Erosion Control. All lot front property line setbacks shall be maintained. All setbacks shall be maintained. All setbacks shall be maintained.
3. Detachable Storm Water. Prior to written construction of residential units, a Detachable Storm Water, consistent with the project Emergency Response Plan (LMDP) shall be approved by the City and implemented by the developer.
4. Water Efficient Irrigation and Limited Use. Each building lot, when developed, must incorporate a water efficient irrigation system (to the extent on irrigable system is used), and must limit the area of lot, consistent with the Design Guidelines.

Building Approval Process

1. General Applicability of Design Review Guidelines. All Development is subject to applicable requirements of the Design Review Guidelines, on which may be amended or superseded from time to time.
2. Approximate Building Location. Approximate Building Location within each lot on shown on this plat are subject to adjustment on as the project is developed. The Design Review Board shall determine the location of buildings on the lot. The Design Review Board shall determine the location of buildings on the lot. The Design Review Board shall determine the location of buildings on the lot.
3. Detachable Storm Water. Prior to written construction of residential units, a Detachable Storm Water, consistent with the project Emergency Response Plan (LMDP) shall be approved by the City and implemented by the developer.
4. Water Efficient Irrigation and Limited Use. Each building lot, when developed, must incorporate a water efficient irrigation system (to the extent on irrigable system is used), and must limit the area of lot, consistent with the Design Guidelines.
5. Timing of Written Construction. The timing of written construction is requested by the terms and conditions of the Construction Mapping Plan applicable to Development within this subdivision plat.

House Size

1. Maximum House Size. The maximum house size on any lot shall be 10,000 square feet. Garages up to 600 square feet and in addition to the maximum. Garage space in excess of 600 square feet shall be detached from the 10,000 square foot maximum house size in determining the maximum house size.
2. Lot Combination. Lot combinations are subject to Design Review Board approval. Adjoining lots can be combined and the maximum house size increased based on the acreage shown in the LMLC for the underlying zone. If lots are combined the Design Review Board will designate a new approximate building location.
3. Accessory Buildings. Accessory buildings, as defined by the LMLC, must meet the requirements of the LMLC and be within the Approximate Building Location. Accessory buildings must be located within the Approximate Building Location. Accessory buildings must be located within the Approximate Building Location.
4. Landscaping. Plants, landscaping and other features shall be approved by the Design Review Board and the Planning Department in accordance with the project Design Guidelines.
5. Timing of Written Construction. The timing of written construction is requested by the terms and conditions of the Construction Mapping Plan applicable to Development within this subdivision plat.

Units of Detachment and Vegetation Protection

1. Units of Detachment. As required by the LMLC and the Design Guidelines, units of detachment plans must be reviewed and approved by both the City Planning Department and the Design Review Board.
2. Soil Run Vegetative Buffer. The vegetative buffer between the buildings and the building set lines are defined by the Approximate Building Location as designated on this plat. Substantial vegetation (as defined by the LMLC) within the buffer to the set lines must be maintained. Substantial vegetation (as defined by the LMLC) within the buffer to the set lines must be maintained.
3. Erosion Control. Erosion control measures shall be approved by the Design Review Board and the Planning Department.
4. Landscaping. Plants, landscaping and other features shall be approved by the Design Review Board and the Planning Department in accordance with the project Design Guidelines.
5. Timing of Written Construction. The timing of written construction is requested by the terms and conditions of the Construction Mapping Plan applicable to Development within this subdivision plat.

Other Specific Conditions, Restrictions and Benefits Affecting the Plat

1. Easements. The number, location, and width of private and lot easements and the owner hereby all time and bridge easements as shown on the plat are substantially the location of which are held by a subordinate grant of easement prior to construction on a lot.
2. Lot Line Adjustments. Individual lot lines are subject to adjustment as approved by the Design Review Board and in accordance with the Park City Land Management Code.
3. Easements. The number, location, and width of private and lot easements and the owner hereby all time and bridge easements as shown on the plat are substantially the location of which are held by a subordinate grant of easement prior to construction on a lot.
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6. Easements. The number, location, and width of private and lot easements and the owner hereby all time and bridge easements as shown on the plat are substantially the location of which are held by a subordinate grant of easement prior to construction on a lot.
7. Lot Line Adjustments. Individual lot lines are subject to adjustment as approved by the Design Review Board and in accordance with the Park City Land Management Code.
8. Easements. The number, location, and width of private and lot easements and the owner hereby all time and bridge easements as shown on the plat are substantially the location of which are held by a subordinate grant of easement prior to construction on a lot.
9. Landscaping. Plants, landscaping and other features shall be approved by the Design Review Board and the Planning Department in accordance with the project Design Guidelines.
10. Timing of Written Construction. The timing of written construction is requested by the terms and conditions of the Construction Mapping Plan applicable to Development within this subdivision plat.

RED CLOUD SUBDIVISION

A SINGLE FAMILY SUBDIVISION LOCATED IN SECTIONS 28 AND 33
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND NEIGHBOR
PARK CITY, SALT LAKE COUNTY, UTAH

STATE OF UTAH, COUNTY OF SALT LAKE	RECORDED
DATE _____ TIME _____	BY _____
FILE _____	RECORDED

RED CLOUD
11-04-04

E. CRAIG SMAY
174 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 539-8515
Fax: (801) 539-8544

November 4, 2004

Park City Council
445 Marsac Ave.
Park City, UT 84060

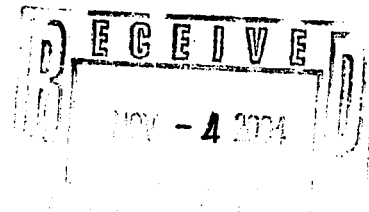
BY FACSIMILE: (435) 615-4901

Re: OBJECTION TO/APPEAL OF PLANNING COMMISSION APPROVAL

Stichting Mayflower Recreational Fonds and Stichting Mayflower Mountain Fonds ("Mayflower") whose address is 174 E. South Temple, Salt Lake City, Utah, 84111, Phone number (801) 539-8515, hereby protest and, to the extent permissible, appeal the actions of the Park City Planning Commission October 27, 2004, in approving plans proposed by United Park City Mines Co. ("UPCM") under the Development Agreement for Flagstaff Mountain. Mayflower owns lands within the "Flagstaff Annexation" the subject of said Agreement, and within both the "Red Cloud" and "Village at Empire Pass" areas covered thereby. The actions of the Planning Commission approve the Red Cloud Subdivision. These actions dispose of Mayflower's property in ways to which Mayflower has not consented, purportedly in the enforcement of rights and obligations under an agreement to which Mayflower did not consent, and which is, consequently, illegal.

Mayflower's objections are detailed in the Complaint filed in Civil No. 2-04-CV-925, United States District Court, District of Utah. Briefly summarized, they are:

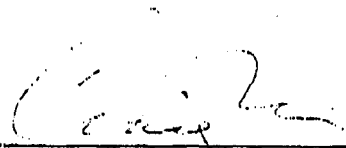
1. The zoning for the Flagstaff Annexation is invalid for failure to provide and adopt an appropriate map at the time of adoption, and because it constitutes illegal contract zoning.
2. The Development Agreement for the Flagstaff Annexation is invalid for failure to obtain appropriate signatures.
3. The amendment of development "pods" within the annexation to accommodate the subject subdivision is discriminatory and confiscatory and takes Mayflower's property without just compensation.
4. Continued approvals of development within the Flagstaff Annexation based upon access constructed in trespass upon Mayflower's land, violates specific access requirements of the LMC, fosters a continuing trespass and constitutes a taking without just compensation.



APPROPRIATE RELIEF

Mayflower intends to prosecute the Complaint in Civil No. 2-04-CV-925, and to take all other appropriate steps to protect its rights. The issuance of approvals which could be implemented prior to resolution of that matter should be withheld.

Very truly yours,



E. Craig Smay

City Council Staff Report



Author: Brooks T. Robinson
Subject: Village at Empire Pass,
Larkspur Townhomes 3, Units 6-9
Condominium Conversion
Date: November 11, 2004
Type of Item: Administrative

PLANNING DEPARTMENT

Summary Recommendations:

The Planning Department recommends the City Council hold a public hearing for the Larkspur Townhomes 3, Units 6-9 at the Village at Empire Pass condominium record of survey plat. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Council's consideration.

Topic:

Applicant	East West Partners
Location	Pod A, Village at Empire Pass
Zoning	Residential Development (RD) as part of the Flagstaff Master Planned Development (MPD)
Adjacent Land Uses	Deer Valley Resort, other potential development parcels of the Village at Empire Pass Pod A.

Background:

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.

On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Larkspur Townhomes 3, Units 6-9 are located on lot 6.

The Planning Commission held a public hearing on November 10, 2004, and forwards a positive recommendation to the City Council.

The proposal is for two duplexes. Each duplex is considered as part of the overall limitation of 60 PUD-style units, as defined by the Development Agreement.

Analysis:

The project is located within the RD zoning district. Setbacks in the RD zone are as follows:

- Front: 20 feet
- Rear: 15 feet
- Side: 12 feet

The Larkspur units meet the minimum setback requirements. The two buildings conform to the 28+5 foot height requirement of the RD zone. This application meets the requisite subdivision requirements of Title 15-7 of the Park City Municipal Code.

The 4 units are each 3425 square feet in size with garages under 600 square feet. These four units consume 13,700 square feet and 6.9 Unit Equivalents. Two parking spaces are provided for each unit.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Alternatives

- The City Council may approve the Larkspur Townhomes 3, Units 6-9 condominium plat as conditioned or amended, or
- The City Council may deny the Larkspur Townhomes 3, Units 6-9 condominium plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the Larkspur Townhomes 3, Units 6-9 condominium plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Recommendation

The Planning Department recommends the City Council hold a public hearing for the Larkspur Townhomes 3, Units 6-9 at the Village at Empire Pass condominium record of survey plat. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Council's consideration as found in the ordinance.

Ordinance No. 04-

AN ORDINANCE APPROVING THE LARKSPUR TOWNHOMES 3, UNITS 6-9 CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Larkspur Townhomes 3, Units 6-9 condominium record of survey plat have petitioned the City Council for approval of the Larkspur Townhomes 3, Units 6-9 condominium record of survey plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2004, to receive input on the Larkspur Townhomes 3, Units 6-9 condominium record of survey plat;

WHEREAS, the Planning Commission, on November 10, 2004, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 11, 2004 the City Council approved the Larkspur Townhomes 3, Units 6-9 condominium record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Larkspur Townhomes 3, Units 6-9 condominium record of survey plat

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

SECTION 1. APPROVAL. The Larkspur Townhomes 3, Units 6-9 condominium record of survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Larkspur Townhomes 3, Units 6-9 is located in the RD-MPD zoning district.
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. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.

4. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Larkspur Townhomes 3, Units 6-9 are located on lot 6.
5. The proposed is consistent with the approved Master Planned Development for the Village at Empire.
6. The 4 units range are each 3425 square feet in size with garages under 600 square feet.
7. These six units consume 13,700 square feet and 6.9 Unit Equivalents.
8. Two parking spaces are provided for each unit.
9. The two buildings conform to the 28+5 foot height requirement of the RD zone.
10. The Planning Commission held a public hearing on November 10, 2004, and forwards a positive recommendation to the City Council.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All conditions of approval of the Village at Empire Pass Master Planned Development and the Village at Empire Pass, Phase I plat shall continue to apply.
4. The final plat for The Village at Empire Pass, Phase I shall be recorded prior to the Record of Survey for Larkspur Townhomes 3, Units 6-9.

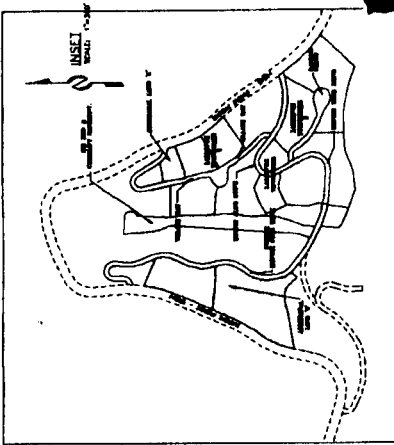
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of November, 2004.

I, **Ann Rosencrantz**, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 17449 as provided by the laws of the State of Iowa, and that I have caused to be made under my direction and by the authority of the above(s), the Comprehensive Plat of the "Airport Improvement & Light Expanding Construction Project," a correction with the problems of the said Comprehensive Construction.

of Los Angeles at Springdale, 100 miles from Los Angeles, according to the officers paid at the scene of the crime. The officers were paid at the scene of the crime.

under 18 years of age, residents of the Los Angeles area, and who are U.S. citizens or permanent residents of the United States. The study was approved by the Institutional Review Boards of the University of California at Los Angeles and the University of California at San Diego. The study was approved by the Institutional Review Boards of the University of California at Los Angeles and the University of California at San Diego. The study was approved by the Institutional Review Boards of the University of California at Los Angeles and the University of California at San Diego.

[illegible]

NOTES:

[illegible]

OCT - 5 2004

EXPANDABLE CONDOMINIUM PLAT

LARKSPUR TOWNHOMES 3

A UTAH CONDOMINIUM PROJECT

LOCATED IN SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

6. 2015. 10. 23.

RECOMMEND

COUNCIL APPROVAL AND ACCEPTANCE

CERTIFICATE OF ATEST

MAVJ BT 61 IYVUdgd

STANDARD'S CERTIFICATE

ROBBINS AND GINNARD

DECLARATION DISTRICT

REVISED

1

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

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS _____ DAY OF _____
2004 A.D.

BY _____ MAYOR

CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS DAY
OF 2004 A.D.
BY PARK CITY RECORDER

FILED AS TO FORM 1145
OF 2004 A.D.
BY BANK CITY ATTORNEY

BY PARK CITY ENGINEER
OF , 2004 A.D.
IN MY OFFICE THIS
FIND THIS PLAT TO BE IN
CONFORMANCE WITH INFORMATION ON

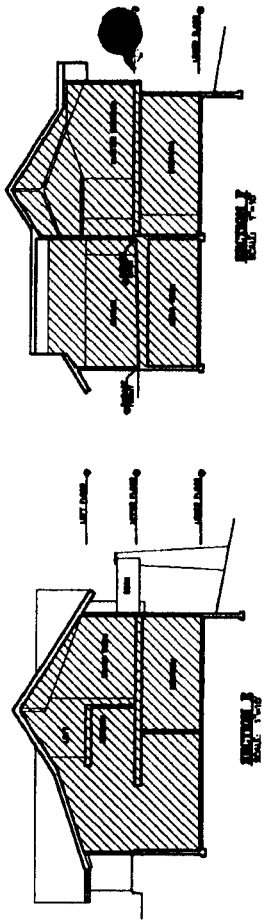
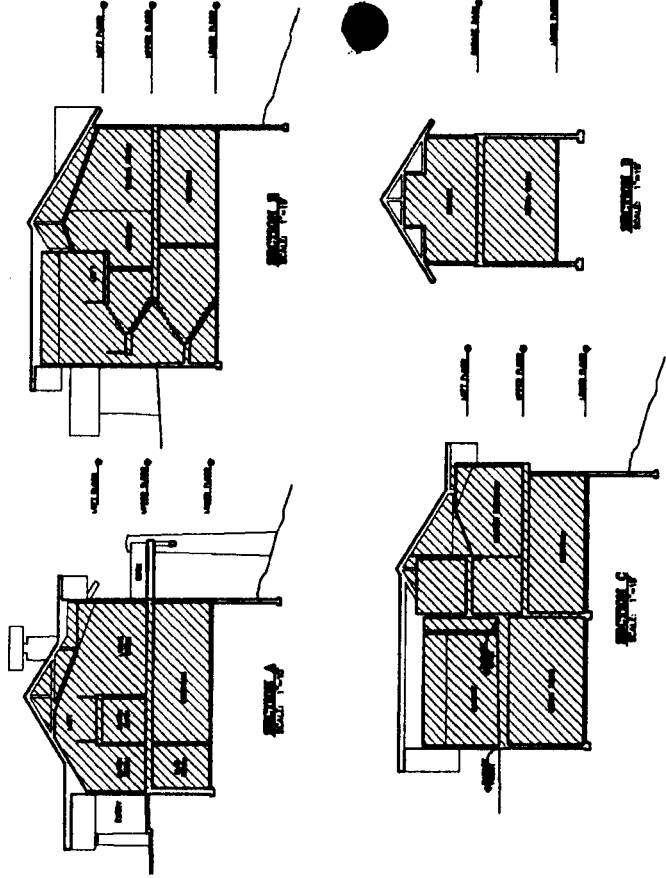
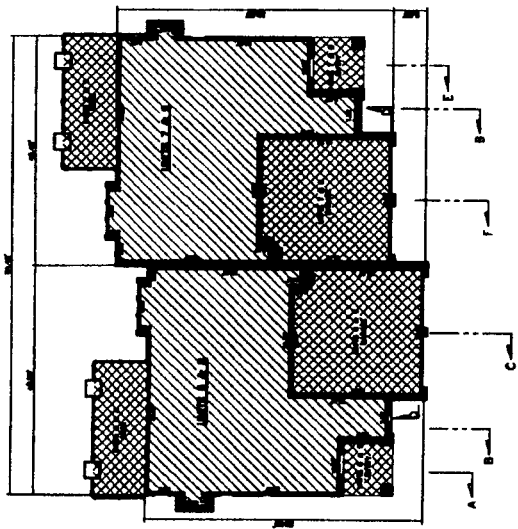
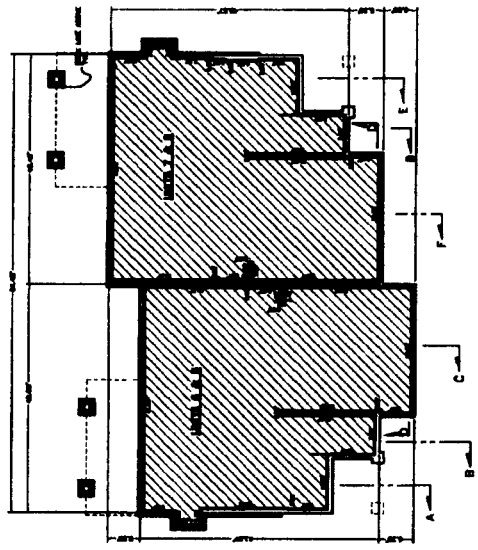
APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS
____ OF _____, 2007 A.D.
BY _____
CHAIRMAN

TO SATELVILLE BASH WATER
STANDARDS ON THIS
_____, 2004 A.D.

W.A.D.

REVIEWED FOR COMPLIANCE
REGULATION DISTRICT

COLLECTING GERMANS AND JAPANESE
 495 10th Street, P.O. Box 2000, Fort Collins, CO 80521



UNIT SCHEDULE

Unit	Area	Volume	Weight	Value
1	100	1000	1000	1000
2	100	1000	1000	1000
3	100	1000	1000	1000
4	100	1000	1000	1000
5	100	1000	1000	1000
6	100	1000	1000	1000
7	100	1000	1000	1000
8	100	1000	1000	1000
9	100	1000	1000	1000

UNIT SCHEDULE

Unit	Area	Volume	Weight	Value
1	100	1000	1000	1000
2	100	1000	1000	1000
3	100	1000	1000	1000
4	100	1000	1000	1000
5	100	1000	1000	1000
6	100	1000	1000	1000
7	100	1000	1000	1000
8	100	1000	1000	1000
9	100	1000	1000	1000

- UNIT 1
- UNIT 2
- UNIT 3
- UNIT 4
- UNIT 5
- UNIT 6
- UNIT 7
- UNIT 8
- UNIT 9

LARKSPUR TOWNHOMES 3

A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN SECTION 36
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MOUNTAIN
 PARK CITY, SALT COUNTY, UTAH

CONDOMINIUM PLAT

STATE OF UTAH, COUNTY OF SALT, AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____ FILE _____
 REC'D _____

OCT - 5 2004

City Council Staff Report



Author: Brooks T. Robinson
Subject: Village at Empire Pass,
Larkspur Townhomes 2, Units 10-15
Condominium Conversion
Date: November 11, 2004
Type of Item: Administrative

PLANNING
DEPARTMENT

Summary Recommendations:

The Planning Department recommends the City Council hold a public hearing for the Larkspur Townhomes 2, Units 10-15, at the Village at Empire Pass condominium record of survey plat. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Council's consideration.

Topic:

Applicant	East West Partners
Location	Pod A, Village at Empire Pass
Zoning	Residential Development (RD) as part of the Flagstaff Master Planned Development (MPD)
Adjacent Land Uses	Deer Valley Resort, other potential development parcels of the Village at Empire Pass Pod A.

Background:

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.

On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Larkspur Townhomes 2, Units 10-15 are located on lots 3 and 4.

The Planning Commission held a public hearing on November 10, 2004, and forwards a positive recommendation to the City Council.

The proposal is for two tri-plexes.

Analysis:

The project is located within the RD zoning district. Setbacks in the RD zone are as follows:

- Front: 20 feet
- Rear: 15 feet
- Side: 12 feet

The Larkspur units meet the minimum setback requirements. The two buildings conform to the 28+5 foot height requirement of the RD zone. This application meets the requisite subdivision requirements of Title 15-7 of the Park City Municipal Code.

The 6 units range in size from 3421 square feet to 3601 square feet with garages under 600 square feet. These six units consume 20,892 square feet and 10.5 Unit Equivalents. Two parking spaces are provided for each unit. The units are not yet constructed.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Alternatives

- The City Council may approve the Larkspur Townhomes 2, Units 10-15 condominium plat as conditioned or amended, or
- The City Council may deny the Larkspur Townhomes 2, Units 10-15 condominium plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the Larkspur Townhomes 2, Units 10-15 condominium plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Recommendation

The Planning Department recommends the City Council hold a public hearing for the Larkspur Townhomes 2, Units 10-15, at the Village at Empire Pass condominium record of survey plat. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Council's consideration as found in the ordinance.

Ordinance No. 04-

AN ORDINANCE APPROVING THE LARKSPUR TOWNHOMES 2, UNITS 10-15 CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Larkspur Townhomes 2, Units 10-15 condominium record of survey plat have petitioned the City Council for approval of the Larkspur Townhomes 2, Units 10-15 condominium record of survey plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2004, to receive input on the Larkspur Townhomes 2, Units 10-15 condominium record of survey plat;

WHEREAS, the Planning Commission, on November 10, 2004, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 11, 2004 the City Council approved the Larkspur Townhomes 2, Units 10-15 condominium record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Larkspur Townhomes 2, Units 10-15 condominium record of survey plat;

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

SECTION 1. APPROVAL. The Larkspur Townhomes 2, Units 10-15 condominium record of survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

11. The Larkspur Townhomes 2, Units 10-15 is located in the RD-MPD zoning district.
12. 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.
13. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.

14. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Larkspur Townhomes 2, Units 10-15 are located on lots 3 and 4.
15. The proposed is consistent with the approved Master Planned Development for the Village at Empire.
16. The 6 units range in size from 3421 square feet to 3601 square feet with garages under 600 square feet.
17. These six units consume 20,892 square feet and 10.5 Unit Equivalents.
18. Two parking spaces are provided for each unit.
19. The two buildings conform to the 28+5 foot height requirement of the RD zone.

Conclusions of Law:

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

Conditions of Approval:

- 1-3
5. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
 6. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
 7. All conditions of approval of the Village at Empire Pass Master Planned Development, and the Village Phase I plat shall continue to apply.

The final plat for The Village at Empire Pass, Phase I shall be recorded prior to the Record of Survey for Larkspur Townhomes 2, Units 10-15.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of November, 2004.



MINOR CEMETERY

THIS CERTIFICATE IS TO BE FILED IN THE PUBLIC RECORDS OF THE COUNTY OF SALT LAKE, UTAH, FOR THE PURPOSE OF RECORDING THE LOCATION OF THE MINOR CEMETERY DESCRIBED HEREIN.

DATE OF DEED: _____

BOOK: _____

BY: _____

CONTRACT INFORMATION AND COMMENT TO RECORD

THIS CERTIFICATE IS TO BE FILED IN THE PUBLIC RECORDS OF THE COUNTY OF SALT LAKE, UTAH, FOR THE PURPOSE OF RECORDING THE LOCATION OF THE MINOR CEMETERY DESCRIBED HEREIN.

DATE OF DEED: _____

BOOK: _____

BY: _____

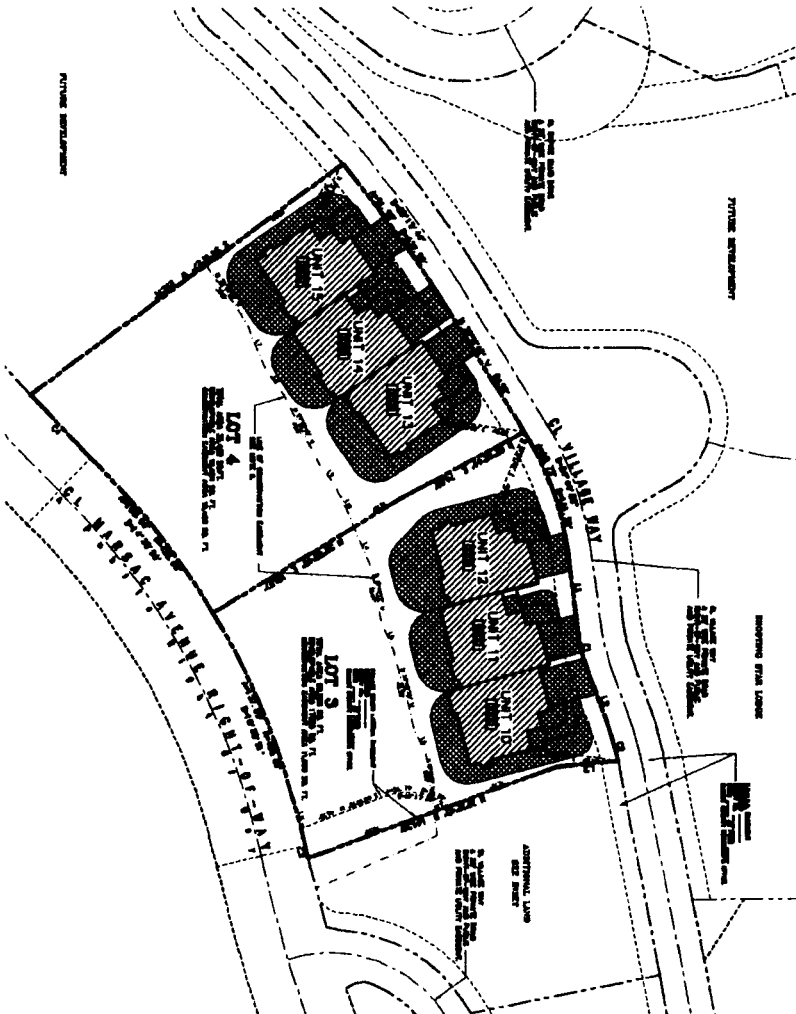
ADDITIONAL INFORMATION

THIS CERTIFICATE IS TO BE FILED IN THE PUBLIC RECORDS OF THE COUNTY OF SALT LAKE, UTAH, FOR THE PURPOSE OF RECORDING THE LOCATION OF THE MINOR CEMETERY DESCRIBED HEREIN.

DATE OF DEED: _____

BOOK: _____

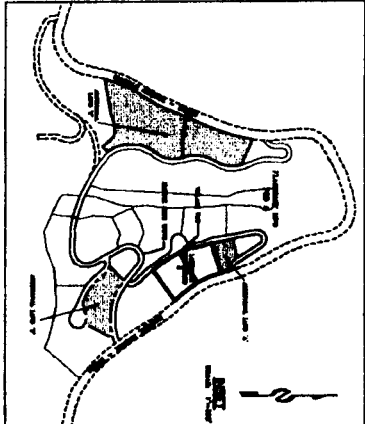
BY: _____



LOT & CLUSTER TABLE

LOT	CLUSTER	AREA (SQ. FT.)	PERCENTAGE
1	1	10,000	10.00
2	1	10,000	10.00
3	1	10,000	10.00
4	1	10,000	10.00
5	1	10,000	10.00
6	1	10,000	10.00
7	1	10,000	10.00
8	1	10,000	10.00
9	1	10,000	10.00
10	1	10,000	10.00
11	1	10,000	10.00
12	1	10,000	10.00

- LEGEND**
- 1. Lot boundaries
 - 2. Street boundaries
 - 3. Building footprints
 - 4. Other features



CONDOMINIUM PLAT
LARKSPUR TOWNHOMES 2
A UTAH EXPANDABLE CONDOMINIUM PROJECT

LOCATED IN SECTION 28, TOWNSHIP 3 SOUTH, RANGE 3 EAST, 10TH PRINCIPAL MERIDIAN, SALT LAKE COUNTY, UTAH

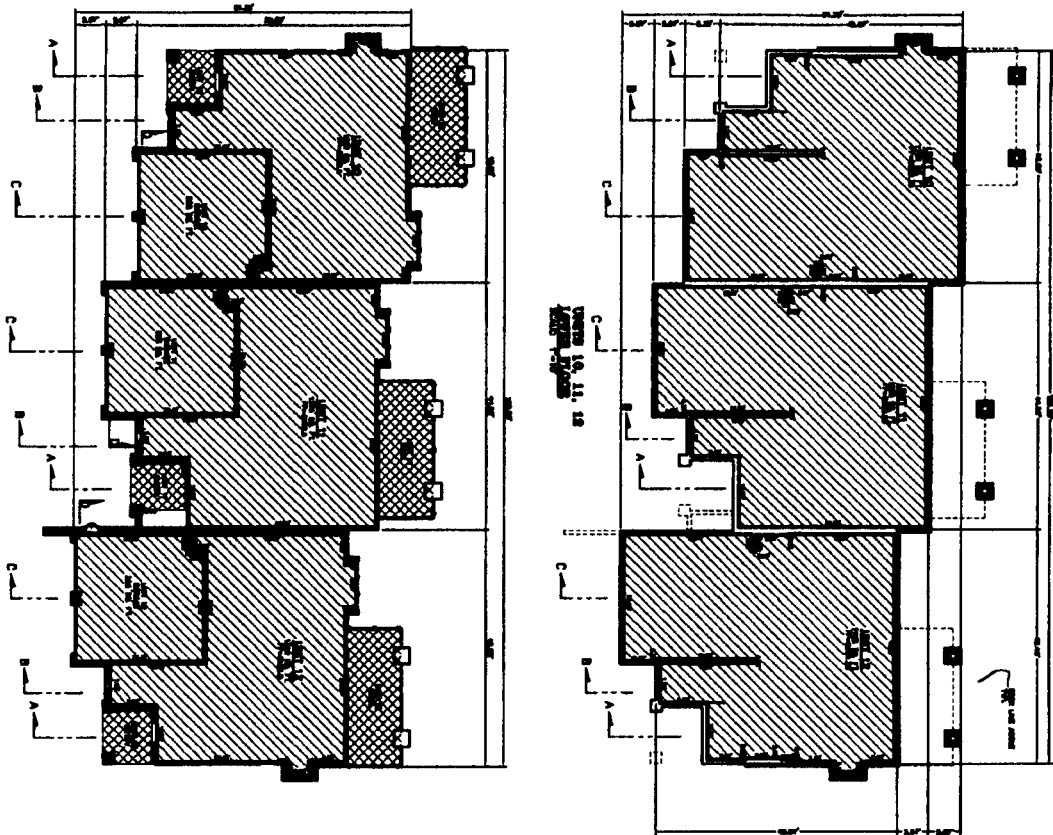
RECORDING INFORMATION RECORDED FOR THE COUNTY OF SALT LAKE, UTAH, BY _____ DATE OF _____ 2004 A.D. BY _____	PLANNING COMMISSION APPROVED BY THE PLANNING COMMISSION OF THE CITY OF SALT LAKE, UTAH, ON _____ DATE OF _____ 2004 A.D. BY _____	ENGINEER'S CERTIFICATE I, THE ENGINEER, DO HEREBY CERTIFY THAT THE PLAT IS IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT, AND THAT THE PLAT IS IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT, AND THAT THE PLAT IS IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT. DATE OF _____ 2004 A.D. BY _____	APPROVAL AS TO FORM APPROVED AS TO FORM BY _____ DATE OF _____ 2004 A.D. BY _____	CERTIFICATE OF ATTORNEY I, THE ATTORNEY, DO HEREBY CERTIFY THAT THE PLAT IS IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT, AND THAT THE PLAT IS IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT, AND THAT THE PLAT IS IN ACCORDANCE WITH THE UTAH CONDOMINIUM ACT. DATE OF _____ 2004 A.D. BY _____	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SALT LAKE, UTAH, ON _____ DATE OF _____ 2004 A.D. BY _____	STATE OF UTAH, COUNTY OF SALT LAKE, AND PLAT AT THE REQUEST OF _____ DATE OF _____ 2004 A.D. BY _____
--	--	---	--	--	--	--

RECORDED
SEP 21 2004
SALT LAKE COUNTY, UTAH

RECEIVED

SEP 21 2004

PLANNING

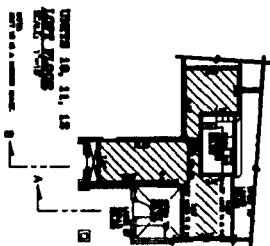


UNITS 10, 11, 12
1000 SQ. FT.

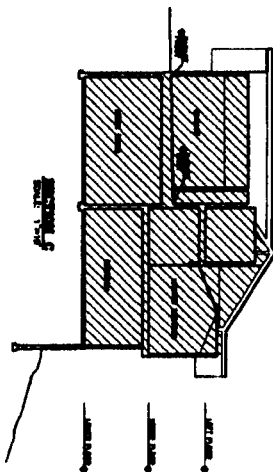
UNITS 10, 11, 12
1000 SQ. FT.

LARKSPUR TOWNHOMES 2

CONDOMINIUM PLAT
A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN SECTION 36
TOWNSHIP 2 SOUTH, RANGE 10 NORTH AND MERIDIAN
10 WEST, SALT LAKE COUNTY, UTAH

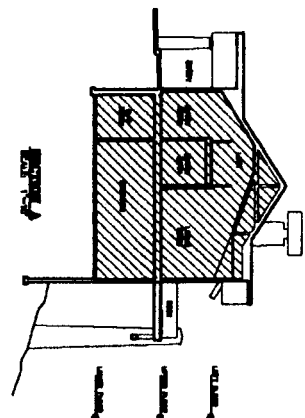


UNITS 10, 11, 12
1000 SQ. FT.



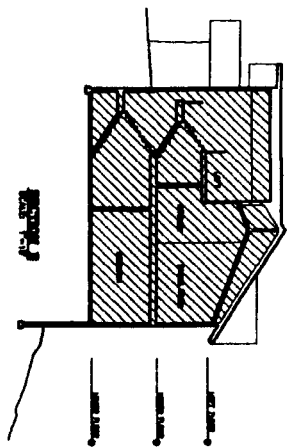
ELEVATION

10' 0" 10' 0" 10' 0"



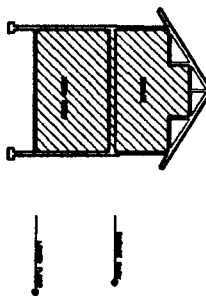
ELEVATION

10' 0" 10' 0" 10' 0"



ELEVATION

10' 0" 10' 0" 10' 0"



ELEVATION

10' 0" 10' 0" 10' 0"

UNIT SCHEDULE									
UNIT	AREA	FINISH	TYPE	DATE	BY	CHKD	APPD	REMARKS	
10	1000	1000	1000	1000	1000	1000	1000	1000	1000
11	1000	1000	1000	1000	1000	1000	1000	1000	1000
12	1000	1000	1000	1000	1000	1000	1000	1000	1000



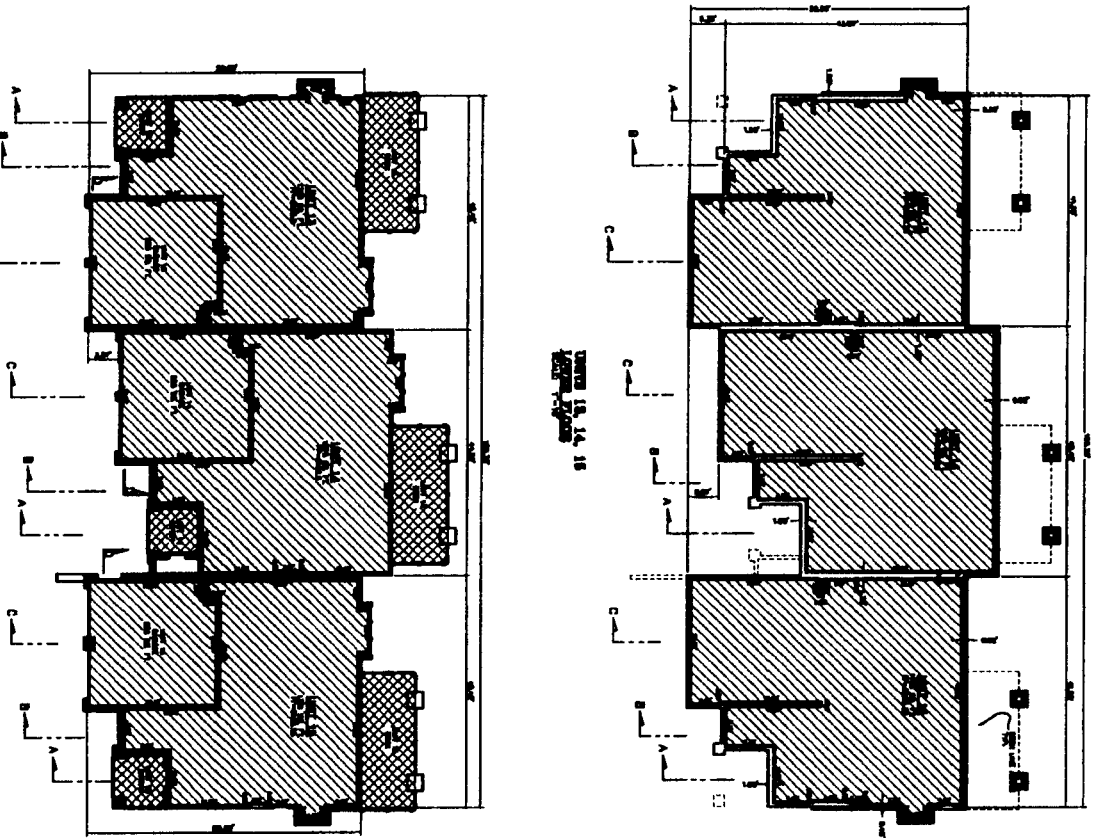
10' 0" 10' 0" 10' 0"

STATE OF UTAH, COUNTY OF SALT LAKE, AND PLAT
DATE _____ TIME _____ PAGE _____
FILE _____ RECORD _____

SEP 21 2004

PLANNING

RECORD



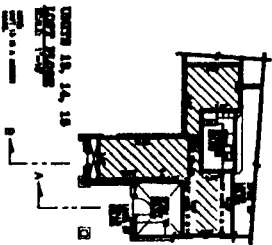
UNITS 13, 14, 15
1272 sq. ft.

UNITS 13, 14, 15
1272 sq. ft.

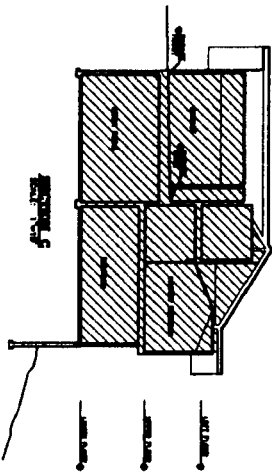
LARKSPUR TOWNHOMES 2

A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SARAH COUNTY, UTAH

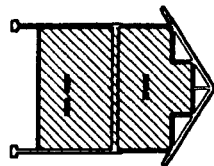
CONDOMINIUM PLAT



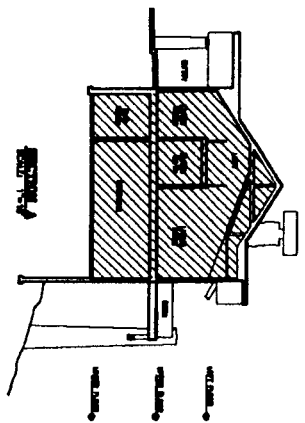
UNITS 13, 14, 15
1272 sq. ft.



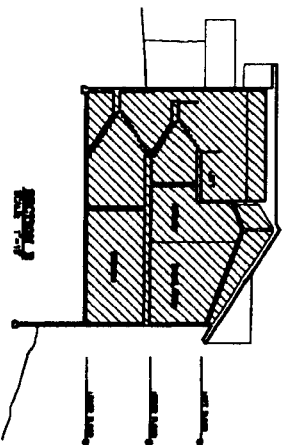
UNIT 13



UNIT 14



UNIT 15



UNIT 16

SQUARE FOOTAGE TOTAL	
UNIT	SQ. FT.
13	1272
14	1272
15	1272
16	1272
17	1272
18	1272
19	1272
20	1272
21	1272
22	1272
23	1272
24	1272
25	1272
26	1272
27	1272
28	1272
29	1272
30	1272
31	1272
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91	1272
92	1272
93	1272
94	1272
95	1272
96	1272
97	1272
98	1272
99	1272
100	1272

SQUARE FOOTAGE TOTAL	
UNIT	SQ. FT.
13	1272
14	1272
15	1272
16	1272
17	1272
18	1272
19	1272
20	1272
21	1272
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92	1272
93	1272
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95	1272
96	1272
97	1272
98	1272
99	1272
100	1272



STATE OF UTAH, COUNTY OF SARAH, LAND PLAT
AT THE REQUEST OF _____
FILE _____ RECORDS

