PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
October 28, 2015

AGENDA

MEETING CALLED TO ORDER AT 5:30PM
ROLL CALL
ADOPTION OF MINUTES OF October 14, 2015
PUBLIC COMMUNICATIONS – ***Items not scheduled on the regular agenda***
STAFF BOARD COMMUNICATIONS AND DISCLOSURES
CONTINUATIONS

Consideration of an ordinance amending the Land Management Code Section 15, Chapter 11 and all historic zones to expand the historic sites inventory and require review by the Historic Preservation Board of any demolition permit in a historic district and associated definitions in Chapter 15-15. *Public hearing and continued to November 11, 2015*	PL-15-02895 *Planning Director Erickson*	*49*

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

Land Management Code Amendment regarding Nightly Rentals use in the HR-L Chapter 2.1 and Definitions Chapter 15. *Public hearing and possible recommendation to City Council on November 5, 2015*	PL-15-02817 *Planner Astorga*	*51*
550 Park Avenue - Steep Slope Conditional Use Permit for construction of a new single-family dwelling and a Conditional Use Permit for a parking area with five or more spaces. *Public hearing and possible action*	PL-14-02451 PL-15-02471 *Planner Astorga*	*71*
327 Woodside Avenue Steep Slope Conditional Use Permit for an addition and Conditional Use Permit for an Accessory Apartment in the HR-1 District. *Public hearing and possible action*	PL-15-02861 PL-15-02862 *Planner Astorga*	*149*
900 Round Valley Drive-Pre-Master Planned Development review for proposed amendments to the IHC Master Planned Development *Public hearing and possible action regarding compliance with the Park City General Plan to allow submittal of the full MPD Amendment application.*	PL-15-02695 *Planner Whetstone*	*183*

ADJOURN

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

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

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 14, 2015

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Doug Thimm, Nann Worel

EX OFFICIO:

Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Francisco Astorga, Planner; John Boehm, Planner; Polly Samuels McLean, Assistant City Attorney
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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

September 23, 2015

Commissioner Worel referred to page 6 of the Staff report, page 4 of the Minutes, first sentence and changed upper dining to correctly read **outdoor dining.** Commissioner Worel referred to page 10 of the Staff report, page 8 of the Minutes, last sentence and added an "s" to the end of building. The sentence should correctly read, "There were just a few building**s** that they were looking at."

MOTION: Commissioner Joyce moved to APPROVE the minutes of September 23, 2015 as amended. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

It was noted that Commissioners Strachan, Joyce and Worel had attended the City Council meeting when the Alice Claim applications were discussed. Commissioner Joyce provided an update. He noted that the City Council looked at two issues regarding the Alice Claim.

The first was a discussion on the negative recommendation that was forwarded from the Planning Commission. The second was to look at the "Gully Plan", which was a new plan that looked very similar to what the Planning Commission had asked for in terms of moving structures off the hill, more compact, and smaller houses. Commission Joyce reported that the applicants had asked the City Council to process the plan without remanding it back to the Planning Commission. The City Council declined that request and ultimately remanded it back to the Planning Commission. Commission Joyce noted that since it was only a work session the applicant still had the opportunity to present their original plan to the City Council for review and a decision on the negative recommendation. He believed the City Council strongly advised the applicant to put the Gully Plan back into the process and begin with the Planning Commission. From a procedural standpoint, Commissioner Joyce was pleased that the City Council strongly supported the work that the Planning Commission had done on this project and directed the applicant to come back to the Planning Commission.

Commissioner Worel recalled that when Vail came forward with the Gondola and the Snow Hut project for approval, a condition of approval was that the historic sites inventory would be completed by October 1st. Planning Director Erickson stated that Vail had submitted the inventory on time, as well as a draft of the plan they were required to submit for financing future projects. The City had also received the financial commitment that would be dedicated to the first historic site preservation. Director Erickson noted that the Staff was currently conducting a review of the inventory. The Planning Commission would be updated as soon as the review is completed and Vail has the opportunity look at their comments.

Director Erickson reported that Diane Foster and the Summit County Manager have talked about bringing in a consultant to learn about consensus building. Some members from the City Council and the County Council plan to attend. It is a three-day intensive training. The date is yet to be determined, but sometime late winter. Director Erickson encouraged anyone from the Planning Commission to attend if they were interested. He would forward the information to the Commissioners but they should not feel pressured or obligated to attend because it is an extensive time commitment.

Director Erickson introduced Ann Laurent, Park City's new Community Development Director. He noted that Ms. Laurent has an extraordinary background and he was excited to be working with her.

Ann Laurent stated that she comes to Park City from Los Alamos, New Mexico but she grew up in Scottsdale, Arizona. She went back East for college and after meeting her husband they lived in the Midwest before moving to Los Alamos. She has two middle school children. Ms. Laurent stated that she loves this line of work and she was looking

forward to her new position in Park City. She enjoys working with the Staff and all of the challenges they encounter are very familiar. Ms. Laurent was anxious to work with the Planning Commission as they move forward on many good issues.

The Commissioners welcomed Ms. Laurent.

Director Erickson noted that typically the Planning Commission has one meeting in December and November because of the Thanksgiving and Christmas holidays. However, because there are important ordinances coming forward that need to be completed on time in addition to LMC changes, he asked if the Planning Commission would consider a second meeting in November and possibly December to get everything accomplished before the end of the year.

The Commissioners and Staff discussed potential meeting dates and tentatively set Tuesday, November 17th for the second meeting in November. How much they accomplish in November would determine whether or not a second meeting might be necessary in December.

Commissioner Joyce recalled only having one meeting in January because of Sundance, he and asked if the Staff could look at scheduling a second meeting for that month as well. Director Erickson noted that several Staff members focus all of their time in January on Sundance permits and enforcement. Finding time to prepare for a meeting could be difficult; however they would look into it. Commissioner Joyce suggested that they could turn the second meeting in January into a work session to discuss some of the issues if the Staff is not available.

Planner Astorga announced that Bruce Erickson was appointed as the Planning Director for Park City and was no longer an Interim Planning Director. The Planning Commission congratulated Mr. Erickson and welcomed him to his permanent position.

Planner Astorga announced that Planner John Boehm was leaving the Planning Department next month to move to Australia. He will be missed. The Commissioners congratulated Planner Boehm and wished him luck.

WORK SESSION

Discussion of the use of Consent Agendas

Director Erickson noted that the Planning Commission previously had questions regarding Consent Agenda. City Attorney Mark Harrington had briefly touched on Consent Agendas

during a previous meeting; however, because it was brief they decided to schedule a work session for a more in-depth explanation and discussion.

Director Erickson introduced Nicole Cottle, the West Valley City Community Development Director. Ms. Cottle was under contract with Park City to help with some of the more complicated project approvals. Mr. Erickson stated that Ms. Cottle was experienced in handling Consent Agenda items and she was in attendance this evening to talk to the Planning Commission. Assistant City Attorney McLean also had some knowledge and was prepared to answer questions.

Assistant City Attorney McLean explained that the Planning Director sets the agenda. The Planning Commission can also provide input for the agenda. She understood from the minutes that City Attorney Mark Harrington was trying to explain that there have been legal issues with items that were on Consent. The Legal Department has concerns about plat amendment because per the Code, plat amendments require a public hearing and putting it on the Consent Agenda exposes the City legally. Even though the City makes it easy for the public to comment, it creates a difficult situation. She believed Ms. Cottle would speak to that issue and plat amendments are handled in West Valley City. Ms. McLean stated that if the goal of the Planning Commission was to expedite moving through a list of plat amendments, they could find other ways to expedite the process without being on a Consent Agenda.

Nicole Cottle stated that when she contracted with Park City she was asked to help look at the processes and procedures of the City to make sure everything was in proper order so the City could be “King Kong”. Ms. Cottle explained that she uses the term “King Kong” because whatever policy direction is set by the Planning Commission and City Council on any issue, those decisions need to be as defensible as possible.

Ms. Cottle stated that they started to look through all of the processes and procedures, not just Consent Agendas. As they started to look at the Consent Agenda in detail they started to discuss what could be done to make those types of decision bulletproof. They talked about the specific issue of putting public hearing required items on a Consent Agenda. Ms. Cottle stated that when the City is challenged on a decision, the easiest thing for the opposing lawyer to do it to challenge on procedure. If the City has not followed the procedure exactly, it is easy for a lawyer make a case or for a judge to make a decision without hearing the facts. Ms. Cottle remarked that the Planning Commission could be completely correct in their assessment and followed every step to make their decision, but if they missed one procedural issue it is not defensible.

Ms. Cottle stated that in looking at this issue as a team, they decided to bring the Consent Agenda discussion to the Planning Commission this evening. Based on her understanding

and experience as a land use lawyer for 17 years, she has had a lot of opportunity to lose in court and to lose on procedure. For that reason she wants Park City and any other jurisdiction she works with to be "King Kong". After their discussions the Staff decided that it was best to schedule public hearing items under the Regular Agenda and not on a Consent Agenda; and at the same time look at ways to expedite the process. Ms. Cottle personally recommended that any item requiring a public hearing should not be handled on a Consent Agenda.

Commissioner Band asked Ms. Cottle if she had personally seen a number of lawsuits resulting from Consent Agenda items, or whether it was something they were anticipating and trying to avoid. Ms. Cottle replied that she personally has never seen a Planning Commission or a City Council put an item on a Consent Agenda that required a public hearing. Therefore, the short answer to the question was no, she had not seen a specific case. However, she had not researched outside of Utah so there might be a case. Ms. Cottle reiterated that procedurally Consent Agendas leave them open to the potential argument.

Commissioner Band pointed out that the Chair always opens a public hearing and asks if anyone from the public has comments on any of the Consent Agenda items. If someone wishes to speak that particular item is pulled from the Consent Agenda. She felt that process already addressed the legal issue and Ms. Cottle's concerns because the public is given the opportunity to speak on any of the items. Ms. Cottle explained that the first issue was that a lawyer would challenge an item that was put on the Consent Agenda because it is easy to challenge. The second issue is the fact that someone has to proactively say they want to speak on an item, which is more intimidating than just coming to the podium once the public hearing has been opened for a specific item. Ms. Cottle believed that placing Consent Agenda items on the Regular Agenda would only take two or three minutes longer than approving them all at once on a Consent Agenda.

Ms. Cottle emphasized that the intent is to make sure that the Planning Commission makes the strongest and most defensible decisions possible so there are no loose ends when the Staff has to defend their position.

Commissioner Band asked if would be more acceptable if the Chair read through the list of Consent Agenda items and opened a public hearing on each one separately. Ms. Cottle felt that approach might get them closer to the intent of the State law, but it may not change the general perception of handling each item individually.

Commissioner Joyce stated that the Planning Commission takes public input on everything on the agenda, regardless of the item or how small the matter. For that reason, nothing would ever be placed on a Consent Agenda without calling for a public hearing. If

someone was going to be “chilled” or intimidated by having to speak on a Consent Agenda item, that same logic could be said about publicly commenting on a Steep Slope CUP.

Assistant City Attorney McLean remarked that most times the Planning Commission opens a public hearing and closes the public hearing, and then re-opens the public hearing at the next meeting if the item was continued. She noted that if the Planning Commission takes public comment and sends the item back for more information, it is not necessary to open the public hearing again when the item comes back. Commissioner Joyce stated that on occasions when the Planning Commission has not opened a public hearing on a returning item, they were told that it was noticed for public hearing and they needed to take public input. Ms. McLean replied that noticing for public hearing is a habit and because the City wants people to participate. Commissioner Joyce clarified that he was not opposed to the process. He was responding to Ms. Cottle’s comment that some items require public hearing and others do not by pointing out that the Planning Commission takes public input on everything. They post for public hearings and they open up public hearings without exception.

Ms. McLean stated that under State Law and under the LMC, subdivisions and plat amendments require a public hearing. She noted that the Staff could come back with a list of items that require public hearings under State Code, and they could also change the LMC to address some of the conflicts. Ms. McLean noted that under State Code Conditional Use Permits do not require a public hearing. The LMC requires a public hearing for CUPs, but the Code also states that CUPs can be on the Consent Agenda.

Commissioner Joyce liked the current policy of allowing public input. If people care enough to attend a meeting, they should be given the opportunity to speak. He was not interested in changing that policy. Commissioner Joyce clarified that he was one who raised the idea of using a Consent Agenda because each item takes 10 to 15 minutes longer than just opening a public hearing on all Consent Agenda Items and only pulling off the ones that people have issues with. For example, if there were six Consent Agenda items and no one wanted to comment, those six items were approved in 30 seconds in a much more efficient process for both the Commissioners and the public.

Commissioner Joyce remarked that the Staff is very conservative about what goes on the Consent Agenda. If they receive any public input on an item or items that have been divisive or contentious in the past are not put on the Consent Agenda.

Commissioner Band was unclear as to why they started having a Consent Agenda and then changed. She agreed that if it causes the City legal issues there should not be a Consent Agenda; which is why she asked if there was a precedent for legal problems or if they were just trying to avoid it. In her opinion there is a significant difference between the

two. Commission Band believed they should not always been afraid to try something; particularly in this case where they call for public input on all Consent Agenda items. It gives the public the same opportunity that they would have with items on the Regular Agenda.

Commissioner Worel stated that the Consent Agenda came in towards the end of her term as Chair of the Planning Commission. She agreed with Commissioner Joyce that it was started because they had a number of applications at each meeting for something as simple as removing a lot line and there was never public input. It became tedious, which is why the Staff decided that a Consent Agenda was appropriate for these types of items.

Chair Strachan noted that the LMC specifically allows for a Consent Agenda in front of the Planning Commission. If an applicant submits an application for a plat amendment or an extension of time they have the right to request that it be placed on the Consent Agenda if it is uncontested. He questioned how they could tell an applicant they were not entitled to invoke that Code provision. Chair Strachan stated that unless that provision is removed from Code, it sends a mixed message to an applicant.

Assistant City Attorney McLean believed that was a deficiency in the Code. Currently there is no criteria for what goes on a Consent Agenda and the Staff makes that decision arbitrarily. That procedure opens them up to treating applications differently. Chair Strachan language read from LMC regarding Consent Agendas and he agreed that the language was very vague.

Director Erickson noted that State Law requires a public hearing on any plat action. The question before the legal team is whether or not those items can be bundled. The second question is whether or not the Planning Commission wants to see Conditional Uses as public input Consent Agenda items as opposed to public hearings items on the Regular Agenda. If their preference is Consent Agenda, the LMC would have to be revised to allow for that. Director Erickson believed that the neighbors would want to comment on a Steep Slope CUP application in the Historic District. However, the public might not be as interested in a CUP application in Park Meadows related to a green front yard. Director Erickson clarified that those were the types of policy issues they were facing. If they decide to bundle the plat amendments, the Staff needs to establish a clear set of guidelines so if it has to be defended in Court, they would have the answers and point to the criteria. Director Erickson pointed out that this was just a work session so those decisions could not be made this evening.

Chair Strachan believed there was consensus among the Planning Commission to keep the Consent Agenda as a time saving tool. However, it was clear that the Code needed to

be revised to add better criteria and clarification for when an item can be placed on the Consent Agenda.

Commissioner Thimm pointed out that the Planning Commission did not come up with the Consent Agenda. It has occurred in Park City and he assumed there was precedent for Consent Agendas in other jurisdictions. If they intended to look into it further, he suggested that they look into successful procedures that have allowed Consent Agendas so they can streamline the process. Commissioner Thimm remarked that there have been nights when the agenda has been full and the meeting has gone very late. In addition to the Commissioners and Staff staying late, the public is kept late as well. Commissioner Thimm agreed that everyone wanted their decisions to be bulletproof, and he would like to know if that could be successfully accomplished using the Consent Agenda.

Ms. Cottle stated that the Planning Commission had outlined the same direction that the Planning Department and the Legal Department were following. They were trying to clean up the ordinance and research successful paths to create a more streamlined process from start to finish.

CONTINUATIONS (Public Hearing and Continue to date specified.)

1. 550 Park Avenue – Steep Slope Conditional Use Permit for construction of a new single-family dwelling and a Conditional Use Permit for a parking area with five or more spaces. (Application PL-14-02451) (Application PL-15-02471)

Planner Astorga reported that the agenda was updated to include this item for Continuation. He noted that the Staff typically does a one-page write-up for a continuation; however, they discovered the mistake too late to include the write-up in the Staff report. Fortunately, the mistake was caught early enough to amend the Agenda to avoid having to re-notice this item.

Planner Astorga noted that three people had made public comment and he would inform them that the CUPs were continued to the next meeting.

Director Erickson noted that the continuation date on the Agenda was October 14th. Planner Astorga clarified that the Agenda was incorrect and the correct date should be October 28th.

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

MOTION: Commissioner Worel moved to CONTINUE 550 Park Avenue - Steep Slope CUP for construction of a new single family dwelling, and CUP for a parking area with five or more spaces to October 28, 2015. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. <u>134 Main Street – 134 Main Street Plat Amendment- proposal to remove existing lot lines within the property to create one lot of record.</u> (Application PL-15-02868)

Planner John Boehm reviewed the application for the 134 Main Street Plat Amendment. The owner of 134 Main Street was requesting a plat amendment for the purpose of combining lots 13, a portion of lot 14, and an unplatted metes and bounds parcel into one single lot of record on Main Street. The applicant was requesting the plat amendment in order to construct a new single family home on the site.

Planner Boehm stated that the property is currently vacant and has a historic home to the north and a non-historic home to the south. The applicant came to the Planning Department in March 2015 and met with the Staff during a Design Review Team meeting. During that meeting the Staff informed the applicant that a plat amendment would be required in order to meet the minimum lot size requirement for the HR-2 District. They also discussed several issues regarding compatibility with historic structures. The applicant is well aware of all the challenges they face if they proceed with construction, including parking, flood plain, soils, etc.

The Planning Staff found good cause for this plat amendment. Combining the lots would create a single Code compliant size lot from a substandard lot, a remnant lot and a metes and bounds parcel. The Staff recommended that the Planning Commission conduct a public and consider forward a positive recommendation for the 134 Main Street plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Marshall King, representing the applicant, was present to answer questions.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Commissioner Phillips read from Finding #7 on page 20 of the Staff report. "The maximum footprint allowed for this lot would be 1,201 square feet." Using the equation in the LMC to calculate footprint, he calculated a footprint of 876.3. Commissioner Phillips stated that per the LMC a 1,201 footprint was for a lot area of 2,813. He pointed out that this lot fell way below that lot area and was closer to a standard 25' x 75' Old Town lot of 1,875 square feet.

Planner Boehm stated that Commissioner Phillips was correct. The proposed plat amendment would create a single lot of close to 2,000 square feet. He apologized for the error.

Marshall King recalled a number similar to what Commissioner Phillips had calculated. Commissioner Phillips requested that his calculation of 876.3 be verified by the Staff.

Assistant City Attorney McLean recommended that the Planning Commission make the motion to amend Finding of Fact #7. The Staff can verify the math and if it is slightly different they would inform the City Council of the difference.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the 134 Main Street Plat Amendment in accordance with the Findings of Fact, Conclusion of Law and Conditions of Approval as amended with the revision to Finding #7 regarding the footprint calculation, and verification by Staff. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 134 Main Street</u>

1. The plat is located at 134 Main Street within the Historic Residential (HR-2) District, Subzone-B.

2. The 134 Main Street Plat Amendment consists of Lots 13, a portion of Lot 14, and an un-platted metes and bounds parcel located in Block 20 of the Snyder's Addition to the Park City Survey.

3. On August 6, 2015 the applicants submitted an application for a plat amendment to combine Lots 13, a portion of Lot 14, and an un-platted metes and bounds parcel, into one (1) lot of record containing a total of 1,956 square feet.

4. The application was deemed complete on August 10, 2015.

5. The HR-2 zone requires a minimum lot area of 1,875 square feet for a single family dwelling.

6. The proposed plat amendment creates one (1) lot of record consisting of 1,956 square feet.

7. The maximum footprint allowed in the HR-2 zone is 876.3 square feet for the proposed lot based on the lot area of the lot.

8. The property is currently vacant.

9. Lot 13 does not currently meet the minimum lot size requirement for single-family homes in the HR-2 District

10. The remnant of lot 14 is undevelopable as it does not meet the minimum lot size or width for single-family homes in the HR-2 District.

11. The un-platted, metes and bounds parcel on the property is undevelopable as it does not meet the minimum lot size or width for single-family homes in the HR-2 District.

12. The lot is located in a FEMA Flood Zone A.

Conclusions of Law – 134 Main Street

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

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

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

Conditions of Approval – 134 Main Street

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

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

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

4. The City will require a 10 foot wide snow storage easement along the front of the property and a 10 foot wide stream and drainage meandering corridor easement along the rear of the property.

5. The applicant must meet all requirements for construction of structure in a FEMA Flood Zone A.

2. <u>1055 Norfolk Avenue – 812 Norfolk Plat Amendment – proposal to remove interior lot line to combine lots into one lot of record.</u>
(Application PL-15-02877)

Planner Boehm reviewed the application for a plat amendment at 812 Norfolk Avenue to combine Lot 14 and a remnant portion of Lot 15 into a single lot of record located on Norfolk Avenue. The applicant was requesting this plat amendment in order to renovate the existing historic home located on the property. The existing historic home was built across the lot line in1906 and the lot line needs to be removed before the applicant can renovate the historic structure. Planner Boehm noted that currently the existing historic home did not meet the side yard sets due to the fact that the property line runs through the middle of the house.

The Planning Staff found good cause for this plat amendment. Combining the lots would remove the existing lot line between the two lots and through the existing historic home. The plat will incorporate a remnant half lot into a platted lot and resolve the existing non-compliant setback issues. The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation for the 1055 Norfolk Avenue plat amendment based on the finding of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Marshall King, representing the applicant, was present to answer questions.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for 1055 Norfolk Avenue plat amendment proposal to remove an interior lot line. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1055 Norfolk Avenue

1. The plat is located at 1055 Norfolk Avenue within the Historic Residential (HR-1) District.

2. The 1055 Norfolk Avenue Plat Amendment consists of Lots 14 and the southerly ½ of 15 of Block 16 of the Snyder's Addition to the Park City Survey.

3. On August 6, 2015 the applicants submitted an application for a plat amendment to combine one and a half (1.5) lots containing a total of 2,812.5 square feet into one (1) lot of record.

4. The application was deemed complete on August 10, 2015.

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

6. The proposed plat amendment creates one (1) lot of record consisting of 2,812.5 square feet.

7. The maximum footprint allowed in the HR-1 zone is 1,201 square feet for the proposed lot based on the lot area of the lot.

8. There is an existing historic structure located at 1055 Norfolk Avenue.

9. The existing historic structure does not meet the current side yard setback requirement of three feet (3') along the current lot line between Lots 14 and 15.

10. The remnant of lot 15 is undevelopable as is twelve and a half feet in width (12.5')

which does not meet the minimum lot width in the HR-1 district of twenty-five feet (25').

11. The plat amendment secures public snow storage easements of ten (10') feet across the frontage of the lot.

Conclusions of Law – 1055 Norfolk Avenue

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

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

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

Conditions of Approval – 1055 Norfolk Avenue

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

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

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

4. A ten foot (10') wide public snow storage easement is required along the frontage of the lot on Norfolk Avenue and shall be shown on the plat.

3. 812 Norfolk Avenue – 812 Norfolk Plat Amendment – proposal to remove interior lot line to combine lots into one lot of record (Application PL-15-02886)

Planner Boehm handed out copies of public input he received earlier that day. He had also emailed it to the Commissioners when he received it that morning.

Planner Boehm reviewed the application for a plat amendment at 812 Norfolk to combine Lot 19 and a remnant portion of Lot 18 into one single lot of record on Norfolk Avenue. An existing non-historic single family home that sits on the site was built across the lot lines in 1972. The applicant intends to demolish the existing non-historic structure at 812 Norfolk and construct a new single family home on the combined lots.

The Planning Staff found good cause for this plat amendment. Combining the lots will remove the existing lot line between the two lots and through the existing non-historic home. The plat will incorporate a remnant one-half lot into a platted lot and resolve any existing non-compliant setback issues.

Regarding the public input that was received that morning, the Staff found that the dispute on the east property line was a civil matter. The Planning Department received a complete application for a plat amendment and the application meets all of the LMC requirements. It also includes a survey stamped by a license surveyor showing that the wall is within the property boundaries. The Staff must base their recommendation on that information.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation for the 812 Norfolk plat amendment based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance.

Commissioner Worel asked whether the civil matter should be addressed in a condition of approval. Assistant City Attorney McLean replied that it was a civil matter between the parties. The applicant bears the risk of having to come back to the Planning Commission to amend the plat if the civil issue cannot be resolved.

Chair Strachan asked if the new structure would come back to the Planning Commission for a CUP. Planner Boehm answered no, because it would not require a Steep Slope CUP.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Commissioner Phillips had the same issue with the square foot calculation in Finding of Fact #7 that he addressed in 134 Main Street. He pointed out that in the table in the LMC, 1,201 square feet was the number for a 3,750 square foot lot. However, he calculated the footprint square footage for this item to be 1,075.5. Again, he asked the Staff to double-check his calculation.

MOTION: Commissioner Worel moved to forward a POSITIVE recommendation to the City Council for the 812 Norfolk Avenue plat based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended with the revision to Finding #7 regarding the footprint calculation, and verification by Staff. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 812 Norfolk Avenue

1. The plat is located at 812 Norfolk Avenue within the Historic Residential (HR-1) District.

2. The 812 Norfolk Avenue Plat Amendment consists of Lots 19 and the southerly ½ of 18 of Block 11 of the Snyder's Addition to the Park City Survey.

3. On August 6, 2015 the applicants submitted an application for a plat amendment to combine one and a half (1.5) lots containing a total of 2,472.5 square feet into one (1) lot of record.

4. The application was deemed complete on August 10, 2015.

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

6. The proposed plat amendment creates one (1) lot of record consisting of 2,472.5 square feet.

7. The maximum footprint allowed in the HR-1 zone is 1,075.5 square feet for the proposed lot based on the lot area of the lot.

8. There is an existing, non-historic structure located at 812 Norfolk Avenue.

9. The existing structure does not meet the current side yard setback requirement of three feet (3') along the current lot line between Lots 18 and 19.

10. The remnant parcel of lot 18 is undevelopable as is twelve and a half feet (12.5') in width which does not meet the minimum lot width in the HR-1 district of twenty-five feet (25').

11. The plat amendment secures public snow storage easements of ten (10') feet across the frontage of the lot.

Conclusions of Law – 812 Norfolk Avenue

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

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

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

Conditions of Approval – 812 Norfolk Avenue

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

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

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

4. A four foot (4') wide walkway easement along the north property line of the combined lots will be recorded on the plat.

5. A ten foot (10') wide public snow storage easement is required along the frontage of the lot on Norfolk Avenue and shall be shown on the plat

4. <u>333 Main Street – First Amendment to the Parkite Commercial Condominium record of survey plat to create two commercial condominium units from a portion of the existing platted commercial convertible area.</u>
(Application PL-15-02912)

Planner Kirsten Whetstone reviewed the request to amend the Parkite Commercial Condominium record of survey for the purpose of platting two private commercial condominium units located at 333 Main Street. It was recently remodeled and a Certificate of Occupancy had been issued. Planner Whetstone stated that this Commercial Condominium Record of Survey plat had been previously recorded. The intent is to divide a portion of the large convertible commercial space into two commercial condominium spaces D & E, which would allow those spaces to be sold as private commercial spaces. The remaining portion would be kept as commercial convertible space.

Planner Whetstone noted that the application also memorializes an access easement through the tunnel and out to Swede Alley for the commercial space in the basement. It does not provide access that was not already recorded. She explained that it was granted on the residential condominium plat and the applicants wanted to have it on this plat because it dictates the commercial spaces.

Planner Whetstone reported on a call she received from a member of the public wanting to make sure there was no additional access to Park Avenue for commercial space. She informed that person that it would not provide access for commercial units out to Park Avenue. Planner Whetstone remarked that there was no change in the uses of these spaces. It would be used as retail space and subject to the vertical zoning ordinance. There is no capability for restaurant use.

The Staff found good cause for this amendment and recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as outlined in the draft ordinance.

Marshall King, representing the applicant, was present to answer questions.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to forward a POSITIVE recommendation to the City Council for 333 Main Street for the First Amendment to the Parkite Commercial Condominium record of survey plat to create two commercial condominium units from a portion of the existing platted commercial convertible area, based on the Findings of Fact, Conclusions of Law and Conditions of Approval. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 333 Main Street

1. The property is located at 333 Main Street between Main Street and Park Avenue and consists of Lot A of the 333 Main Street plat amendment. There is an existing four story commercial building on the property that was recently remodeled and a certificate of occupancy was issued in October 2015.

2. On February 27, 2009, a Historic District Design Review (HDDR) was approved for a complete renovation of the building. On May 2, 2011, a revised Historic District Design Review application was approved for modifications to the interior space and exterior skin of the building in compliance with the revised 2009 Design Guidelines for Historic Districts and Sites and to reflect the proposed residential uses where the interior spaces changed the exterior elevations, windows, access, patios, etc. An additional revision to the May 2, 2011 HDDR action letter clarifying access to the building, to include language that the north and south tunnels provide access to the building in addition to Main Street and Park Avenue, was approved on July 30, 2012.

3. On March 26, 2009, the City Council approved a plat amendment to create a single lot of record from the multiple underlying lots for the existing Main Street Mall building known as the 333 Main Street Subdivision. On March 8, 2010, the Council extended the approval for one year. The 333 Main Street one lot subdivision plat was recorded at Summit County on April 12, 2011.

4. Commercial uses within the HCB zone are allowed uses. Commercial uses within the HR2 portion are below the grade of Park Avenue and are existing nonconforming uses.

5. Residential condominium spaces within the building were platted with The Parkite Residential Condominiums record of survey plat application that was approved by the City Council on July 10, 2014 and recorded at Summit County on December 5, 2014.

6. Commercial areas within the building were platted with The Parkite Commercial Condominiums record of survey plat approved by City Council on September 18, 2014 and recorded at Summit County on December 5, 2014.

7. The property is encumbered with a recorded 99 year lease agreement to provide parking for the property at 364 Park Avenue. This lease agreement is identified on the plat because of the duration of the lease. The parking subject to the lease is currently provided within a garage in the Main Street Mall building with access to Park Avenue. The private 559 sf garage space is platted as unit 1G on the residential condominium record of survey plat for this property.

8. Five (5) easements for existing emergency and pedestrian access, utility, and parking easements as described in the title report and land title of survey for 333 Main Street were memorialized with the recorded subdivision plat.

9. This plat amendment does not change the existing access, utility, and parking easements.

10. This property is subject to a February 28, 1986 Master Parking Agreement which was amended in 1987 to effectuate an agreement between the City and the owner with regards to providing parking for a third floor of the Main Street Mall (for office uses proposed with the original construction). The property was assessed and paid into the Main Street Parking Improvement District for the 1.5 FAR (for commercial and retail on the main and lower floors).

11. This plat amendment does not change the parking requirements or parking agreements.

12. Commercial space is located at the street along the Main Street frontage, including commercial space within the historic structures, with residential space located above and/or behind commercial space. All of the storefront units are subject to the vertical zoning ordinance as described in LMC Chapter 15-26-2 Uses.

13. Access is provided to a parking garage via the existing north tunnel for residential condominium units only. The parking garage is located on the lowest level and is designated as common area for the residential uses.

14. Loading and services for the commercial uses, which are retail uses, will be from Swede alley via the south tunnel and from Main Street. No loading for commercial uses will be from Park Avenue as there is no access to Park Avenue from the

commercial units, other than required emergency egress.

15. An elevator was constructed at the Main Street level to provide ADA access to Unit C-1 on the Lower Level. A walkway from the elevator to Unit C-1 provides ADA access. Easements for the elevator and walkway were recorded and documented on The Parkite Commercial Condominium plat providing perpetual ADA access to Commercial Unit C-1, as well as access to the south tunnel.

16. Following recordation of the Parkite Residential Condominium record of survey plat on December 5, 2014, the residential HOA granted an easement to the commercial HOA over this space (elevator and walkway) for the benefit of the commercial units consistent with the limited common ownership designation on the commercial plat.

17. The access easement for C-2 is memorialized on Sheet 3 of this amended plat.

18. On September 1, 2015, an application was submitted to the Planning Department requesting an amendment to The Parkite Commercial Condominium record of survey plat to create two commercial condominium units (Unit D and Unit E) from platted commercial convertible space and to memorialize the access easement for Unit C-2 on the lower level.

19. Unit D is identified as 1,851 square feet in area. Unit E is identified as 2,758 square feet in area. The remaining commercial convertible space decreases by 4,609 square feet to 10,883 square feet.

20. Creation of private commercial condominium units allows this commercial area to be sold as a private commercial unit, as opposed to being a tenant leased space. No change of use or changes to any existing easements or agreements are proposed with this requested plat amendment.

<u>Conclusions of Law – 333 Main Street</u>

1. There is good cause for this amended condominium plat.

2. The amended condominium plat 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 amended condominium plat.

4. Approval of the amended condominium 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 – 333 Main Street

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

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

3. All conditions of approval of the 333 Main Street Subdivision plat and approved Historic District Design Review shall continue to apply.

4. All new construction at this property shall comply with applicable building and fire codes and any current non-compliance issues for tenant spaces, such as ADA access and bathrooms, emergency access, etc. shall be addressed prior to building permit issuance.

5. Elevator space and associated easements are to be shown on the record of survey plat.

5. Land Management Code Amendment regarding Nightly Rentals use in the HRL Chapter 2.1 and Definitions Chapter 15 (Application PL-15-02817)

Chair Strachan commended Planner Astorga on his work in preparing the Staff report. It was a complete package with excellent analysis and good visuals.

Planner Astorga stated that this item was a pending ordinance to prohibit nightly rentals from the HRL East District. He explained that the HRL District identified in the zoning map is found in two parts of town. The one they were looking at this evening is known as the McHenry Avenue sub-area neighborhood. The second portion of the HRL District is the King/Sampson/Upper Norfolk area. Planner Astorga clarified that this particular LMC amendment would only apply to the McHenry sub-area neighborhood.

Planner Astorga reported that the Staff first identified the number of sites in the District and came up with a total of 24 sites. They then went to the Summit County website to identify whether those sites were primary or secondary ownership. They found that three sites

were vacant and identified on the County website as residential secondary unimproved. The two other categories were residential primary improved and residential secondary improved. Planner Astorga reported that 13 sites were primary and 8 sites were secondary. He noted that the Staff reviewed the City records for business licenses that were issued for nightly rental and found one license. However, after researching further they found that in 2007 the Planning Commission approved a conditional use permit for a nightly rental at 202 Ontario. Planner Astorga pointed out that within the last ten years the Planning Department has only looked at one nightly rental in this part of the District, and it was on Ontario Avenue and not McHenry. He remarked that even though it is not part of the specific McHenry neighborhood, it is still part of that specific zoning district. Planner Astorga presented a site plan to show that three sites on the end completely access off of Ontario Avenue and not Rossi Hill.

Planner Astorga explained that this issue began prior to 2008 and the Planning Department has had many conversations regarding nightly rental use in this specific District. He stated that McHenry Road is narrow and after having several discussions with the City Engineer it was determined that the road width does not meet specific engineer codes. Planner Astorga noted that the primary reason for this amendment were the impacts that have to be mitigated for a conditional use permit, specifically in terms of additional vehicles that would impact this neighborhood.

Planner Astorga reported that the pending ordinance activated on May 13, 2015. Due to various reasons, this was the first time the Planning Department had the opportunity to do additional research and bring it to the Planning Commission. Planner Astorga stated that the Staff also looked at the nightly rental strategy in the General Plan that was recently adopted. That section of the General Plan was included in the Staff report on pages 83-91. The Staff had done an occupancy and second home analysis and each neighborhood was identified in a specific category on page 87 of the Staff report. It was broken down into primary residential or resort oriented. Planner Astorga noted that Old Town fell in the middle of the two categories because 48% of Old Town is already nightly rental. In addition, 25% of all nightly rental licenses were found in Old Town. He explained that the strategy in the General Plan indicates that they should continue to entertain both types of neighborhoods within Old Town. However, because Old Town already has a high designation at 48%, the Staff believes that prohibiting nightly rental from this small McHenry neighborhood would strengthen the primary neighborhood and contribute to the mix they were trying to accomplish in Old Town based on its proximity to the Resort.

Planner Astorga stated that based on the strategy in the General Plan, as well as the purpose statements of the HRL District, the Staff recommended that the Planning Commission consider removing the conditional use designation for nightly rentals in this specific area of town.

Planner Astorga reported that noticing letters were sent to every property owner for this meeting, even though it was not required by State Code. However, because of a noticing discrepancy the Planning Commission would not be able to take action on this item this evening. He requested that the Planning Commission continue this item to October 28, 2015; but possibly give a head nod this evening on whether or not they agreed with the Staff recommendation. He was also interested in hearing their comments to see if any issues need to be fine-tuned before they take formal action at the next meeting. Planner Astorga noted that the City Council would take action on this amendment on November 5th because the pending ordinance expires 180 days from its inception.

Planner Astorga had received two letters of public input. One was from Mary Wintzer, a property owner in this District who supported the amendment. The second letter was from Steve Elrich, a property owner outside of this District who was concerned that his neighborhood would be next. Planner Astorga had informed Mr. Elrich that the Planning Department was not ready to make a recommendation outside of this neighborhood; and that due to the proximity to the Resort the Staff believed it would not be appropriate to remove that conditional use from his neighborhood. Planner Astorga noted that this particular amendment has always been noticed for this specific neighborhood only.

Chair Strachan opened the public hearing.

Mary Wintzer, a resident at 320 McHenry, stated that Merritt and Bob Bennett and David and Stacy Wintzer could not attend this evening but they supported this amendment to prohibit nightly rentals in the McHenry neighborhood. Ms. Wintzer noted that Barbara and John Rennell were in Switzerland and they neither supported nor opposed the amendment.

Ms. Wintzer thought Planner Astorga had identified the key impacts regarding the poor access. The road narrows to one lane in the winter and it is a substandard road. She stated that even though Ontario was included, the neighbors on McHenry were the ones making this request. They are a unique neighborhood unlike any in Old Town. They applied for and received a no nightly rental designation in 1983 because they knew who they were and what they wanted for their neighborhood. In 25 years the City has never had a nightly rental application on McHenry, which speaks to the spirit, the character, and the fabric of their neighborhood. They are totally different from any Old Town area. Ms. Wintzer remarked that the McHenry neighborhood has larger lots with yards. They have open space and everything else you would find in a normal neighborhood. It is like “human penguin colony” and the neighbors take care of each other. The neighbors built the park on dedicated McHenry after obtaining permission from the City. It overlooks Old Town and they received a State Beautification award for it. Tourists enjoy it as well as hikers and others in the community. Ms. Wintzer stated that there is a lot of camaraderie and carrying

not only about their neighborhood but also Old Town. They feel strongly about keeping the neighborhood the way it is even after they are gone. It is a viable neighborhood that spans several generations. Ms. Wintzer clarified that the McHenry neighbors were asking that they not be subjected to not knowing who was staying on their street or knowing whether they will meet someone on the road who does not know how to safely drive the streets. Ms. Wintzer believed her neighborhood represents the spirit of Old Town and what Old Town once was. They exemplify sense of community, small town feeling, and natural setting because of the open space. When people come to McHenry Avenue they know they are someplace different than any other area of Old Town. She emphasized that the neighbors were asking to be recognized and to have their neighborhood preserved. Ms. Wintzer pointed out that their property values have increased because of the character of the neighborhood. That was their argument 25 years ago and it is still true today because people are willing to pay for neighborhood security and community.

Michael Kaplan stated that he lives in the neighborhood and he agreed with some of the points Ms. Wintzer had made. However, he has been living there for 16 years and he purchased his house with the intent of turning it into a nightly rental. Changing the Code would affect what he thought he could do when he bought the house. Mr. Kaplan noted that most of the properties on the street abut properties that are allowed to be nightly rentals. They still hear the noise and are awakened late at night from nightly rental properties. Mr. Kaplan stated that a prohibition on nightly rentals could have a negative effect when someone wants to sell their property if it cannot be used as nightly rental property. He noted that Planner Astorga presented fine-tuning the ordinance as an option. Mr. Kaplan suggested grandfathering the properties that currently exist with the ability to have nightly rentals and to have the ordinance in place for properties that will be built in the future. He thought that would be a better compromise.

Commissioner Campbell asked if Mr. Kaplan would be willing to have the grandfather clause expire with the transfer of a property. Mr. Kaplan was not prepared to answer that question without giving it more thought. His suggestion was an effort to meet the needs of those who currently live there.

Assistant City Attorney McLean explained that State law regulates non-conforming uses. If a nightly rental existed prior to this ordinance being pending, that use would be vested and it could continue as long as it was not abandoned for more than one year. However, once the pending ordinance was started they would not be able to grandfather the use.

Anita Baer stated that she has lived on McHenry for 26 years and it is a great neighborhood. She has a piece of property for sale and she has contingencies on it such as no flat roof and no nightly rentals. If her property sells that would be part of the condition of the sale. Mr. Baer lives alone and she feels safe in her neighborhood. If this

ordinance is not adopted, she might consider moving because she wants to live in a neighborhood and not a place where different people come in and out.

Charlie Wintzer pointed out that the ordinance was changed to allow nightly rentals ten years ago. If Mr. Kaplan has owned his property for 16 years he purchased it before nightly rentals were allowed in the neighborhood. Ms. Wintzer stated that when he was on the Planning Commission they denied two CUPs for nightly rental on Sampson. The condition to mitigate the traffic was that they would park in the parking structure and walk up on a snowy night. With the lack of enforcement they questioned how they could be done but the City Council overturned their decision. Mr. Wintzer remarked that over time he has come to the conclusion that a CUP is an allowed use and you need to fight harder to get whatever you want. If a CUP is an allowed use, it would be taken advantage of. He honestly believed their properties are worth more money without nightly rentals. If someone wants nightly rental they can go anywhere else in town. Those who do not want nightly rental will come to this neighborhood.

David Constable stated that he and his wife were doing an addition on 287 McHenry. They purchased the property 12 years ago and at that time he believed it was a nightly rental free zone. He was disappointed when he recently discovered that nightly rentals could be allowed. Mr. Constable was currently living in a rental unit on Daly Avenue until their house is finished. Prior to that they were on Deer Valley Drive where there were six nightly rentals next to them and one across the street. In his opinion, residents and nightly rentals do not co-exist. Nightly rentals create traffic and parking problems, as well as the major problem of different agenda. People come on vacation with the idea of having fun, which is a completely different attitude from someone who lives there on a permanent basis. Mr. Constable thought it was unfair to subject a full-time resident to that kind of disturbance. He believed this area of town was a perfect place to prohibit nightly rentals and create a balance in the community by allowing this to be a real neighborhood. Mr. Constable commented on Mr. Kaplan's and noted that there are only two or three lots left on McHenry that can be built on. At this point grandfathering would be a moot point. Mr. Constable was not concerned about property values and he thought the ordinance would be a bonus.

Matey Erdos, a 16 year resident at 310 McHenry, stated that she was compelled to McHenry for the reasons Ms. Wintzer had described. It is a great neighborhood and a great community. She intends to stay there full time for as long as she could. Ms. Erdos was opposed to nightly rentals and stated that she over-emphasized and underscored what some of the others have said. Ms. Erdos was concerned that they had not emphasized enough the volume of traffic coming up and down a very narrow steep street. It was as grave concern because she did not believe McHenry could handle the volume of traffic from nightly rentals. Ms. Erdos echoed her support for not allowing nightly rentals on McHenry.

Chair Strachan closed the public hearing.

Commissioner Band asked for clarification on how McHenry went from not being allowed nightly rental to allowing nightly rental ten years ago. Planner Astorga stated that the City did a major LMC rewrite in 1999 where the City amended every zoning district in the entire City. Based on his research, the HRL District was created sometime in the 1980s, and in 2000 the nightly rental use was re-introduced as a result of the LMC rewrite.

Charlie Wintzer explained that when the Code was first put in place, the neighborhood, with the help of Bill Ligety who was the Planning Director, wrote the HRL zone to keep it single-family and larger lots. The neighbors on Sampson also liked that idea and asked if they could be part of the HRL. When Sampson started to become ski in ski-out property the development community put pressure on the City to make a change. The neighbors on McHenry were busy getting ready for the Olympics and failed to notice that a change was being made that would affect their neighborhood. Ms. Wintzer clarified that the change was due to pressure from the developers to change Sampson; not McHenry. For that reason, the neighbors were only requesting this amendment for McHenry and not the entire HRL zone.

Commissioner Band was completely in favor of allowing the residents to go back to prohibiting nightly rentals because it was in accordance with the General Plan. She used to live on Empire and she moved away because she had a young child and there were no families. They have talked about keeping Park City Park City and the General Plan and the community are in favor of trying to keep some pockets of Old Town where people actually live. Commissioner Band would like to see this happen more often.

Commissioner Thimm thought the proposal was consistent with the LMC. He was familiar with the street and it is difficult to drive. He shared the concern about someone unfamiliar with Park City trying to drive the road in snow. He believed it was a well-founded reason and why the LMC was set up. Commissioner Thimm remarked that in addition to preserving the neighborhood it was also a public safety decision. He pointed out that the Planning Commission does not consider property values, but they do follow the Land Management Code.

Commissioner Thimm asked if the City needed to rewrite a new zone for this amendment. He was unsure how they could place an ordinance on a portion of a zone. Commissioner Joyce pointed out that footnote was attached stating that this conditional use only applies in the west half of the HRL. Commissioner Thimm was pleased with that it could be addressed with a footnote because he was concerned about creating a new district.

Chair Strachan stated that his only question was whether the subzone should be defined more specifically, as opposed to Sampson/King/Ridge. He was concerned that someone on the border might interpret that to mean they could have nightly rentals. Chair Strachan recommended having a survey line to delineate exactly where the subzone starts and stops. Planner Astorga replied that his recommendation was doable.

Commissioner Campbell was in favor of people in the neighborhood being able to self-govern on this type of an issue. His only hesitation was that the decision by the neighbors was not unanimous. During public input at least one resident was opposed and he felt like they would be taking away a right that he has now. Commissioner Campbell asked if the Planning Commission had the right to take away the right of nightly rentals.

Assistant City Attorney McLean stated that it was a zoning decision and the Planning Commission has the ability to make legislative decisions. She noted that any LMC change affects the property rights for someone. As an example, Director Erickson pointed out that every time they write a legislative act that reduces height the people who have not already built are subject to the new height restriction, regardless of what their neighbor was allowed to do. Commissioner Campbell understood the example; however, they do not reduce the height for existing houses and make them comply with the new restriction. Director Erickson replied that if someone currently has a valid business license for nightly rentals and the conditional use has not expired, it would become a valid non-conforming use.

Commissioner Campbell understood the difference and he was comfortable with the explanation. Commissioner Joyce clarified that if a conditional use permit for nightly rental lapses for more than one year, the use goes away and nightly rentals would no longer be permitted. Director Erickson replied that he was correct.

Commissioner Joyce stated that he lives in one of the true anomalies in town that is platted as no nightly rentals. His only concern was that the City has primarily left nightly rental enforcement to the HOAs. He asked if an HOA governed this area. Ms. Wintzer stated that they used to have an HOA but the City said they were not a subdivision and the HOA was discontinued.

Commissioner Joyce favored the amendment to prohibit nightly rentals, but he thought they needed to be careful in how they justify it. He was comfortable justifying it on the fact that the majority of residents have requested it. However, he would have an issue justifying it based on the substandard street because almost all the streets in Old Town are narrow and substandard. If that is the justification, they would have to evenly apply it to all the areas with those types of streets. He preferred not to use safety as the reason for approving this amendment.

Director Erickson stated that substandard streets needed to be read in combination with the other criteria in the LMC, such as neighborhood character, which they determine through public input, and preservation of a mix of housing types in the district, etc. He noted that the Findings were crafted to include all of the requirements from the LMC and the General Plan for neighborhood protection in that area. Commissioner Joyce was satisfied with that explanation.

Commissioner Phillips favored the amendment and he specifically agreed with the comments made by Commissioners Thimm and Band. He would like the Staff to research whether other areas were suitable for this type of neighborhood because it is a good way to preserve Park City. It is a main mission for the community as it evolves and continues to evolve. Commissioner Phillips felt this was preserving a neighborhood just as they like to preserve historic homes.

Commissioner Worel stated that as she read the Staff report she was reminded of the Sampson Avenue request for nightly rentals that the Planning Commission denied. She was on the Planning Commission at that time and the main concern were the impacts that additional traffic and parking would create for snow removal and emergency vehicles. She has been on McHenry and she sees the same situation. Commissioner Worel stated that asking people to park at China Bridge in the middle of winter and walk is not an option because people will not do it. She did not believe it was fair to put the burden of enforcement on the neighbors, which was another issue that was raised when they looked at the nightly rental on Sampson Avenue. It is unpleasant for anyone to have to call the police or a tow truck and the neighbors should not have to bear that burden. Commissioner Worel was in favor of enforcing no nightly rentals in the McHenry Avenue neighborhood.

MOTION: Commissioner Band moved to CONTINUE the Land Management Code amendment regarding night rentals use in the HRL East neighborhood, Chapter 2.1 and Definitions Chapter 15 to October 28, 2015. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

6. <u>Land Management Code Amendments regarding vertical zoning storefront regulations in Chapter 15-2.5-2 Uses in Historic Recreation Commercial (HRC), Chapter 15-2.6-2 Uses in Historic Commercial Business (HDB), and associated definitions in Chapter 15-15, Defined Terms</u> (Application PL-15-02810)

Planner Whetstone requested that the Planning Commission review amendments to Chapter 2.5 which is the Historic Recreation Commercial (HRC) zone, the lower Main

Street area, as well as Chapter 2.6, the Historic Commercial Business (HCB) zone, which is basically Main Street and includes Heber and Swede Alley.

The Staff recommended that the Planning Commission conduct a public hearing, provide direction and continue this item to November 11th.

Planner Whetstone noted that this item came before the Planning Commission in June at which time they discussed changing the language to include storefronts on private plazas. After hearing public input, attending HCPA meetings and visiting the sites, the Staff removed the language regarding plazas from the amendment.

Planner Whetstone stated that vertical zoning is a planning tool that regulates the location of uses vertically within a building or site. It is desirable in downtown business districts to reserve the street level for high level activity and revenue generating uses that promote the vitality of the street. Those uses include retail shops, restaurants, bars, galleries and similar uses. Office and residential uses would be on the floors above the storefront.

Planner Whetstone stated that the purpose of the proposed amendments is to amend and clarify language in the zoning sections to have a footnote that excludes specific uses from storefront property, as well as clarifying the definition of storefront property. Planner Whetstone reiterated that the Staff originally proposed to include private plazas but that language has since been removed.

Planner Whetstone referred to Goal 16, Objective 16B and Strategy 16.1-10 of the General Plan, which talks about historic Main Street being the heart of the City for residents and to encourage tourism in the District. The Objective says to limit uses within the first story of building along Main Street to retail and restaurant establishments that are inviting to the passing pedestrian, and to discourage office uses, real estate show rooms, parking, etc. Planner Whetstone noted that the Implementation Strategy states that the City should re-examine the existing vertical zoning ordinance from 2007 that requires commercial retail shops along Main Street, and consider strengthening the ordinance. Planner Whetstone noted that the City's Economic Development Strategic Plan had similar language and suggests that uses that are not inviting to the general public and have a negative impact on the economy and the vitality should be removed from storefront properties.

Planner Whetstone stated that the objective of these amendments is to clarify and strengthen the existing regulations to specifically address the adopted Goals and Strategies of the General Plan.

Planner Whetstone referred to the language changes outlined on page 97 of the Staff report. She noted that one change that was different from the existing language was to

exclude the west side of Park Avenue from the HRC zoned storefront properties. She pointed out that the uses on the west side back up to the HR-1 zone, which is a residential zone, where offices and other compatible uses and have worked well. Planner Whetstone stated that language excluding the HRC zoned areas north of 8th Street currently exists. The remaining language was consistent and the Staff no longer suggested removing the buildings of the Summit Watch Plaza at 702, 710, 780, 804, 890 and 900 Main Street. Those storefronts face the private plaza and based on input from the HPCA, property owners, business owners and others, the Staff determined that this was not the time to consider this type of a regulation. However, the Staff recommended revisiting the issue in 3-5 years.

Planner Whetstone stated that one change in the HCB zone is to clarify in the tables that hotels are not allowed in storefront areas. Lobbies and access for uses on the second floor would be allowed in a small storefront with a door. Planner Whetstone commented on a change that was not presented at the Planning Commission meeting in June, which is to relook at private event space and consider adding it to the list of conditional uses in these two zones as an administrative conditional use. They should also consider including vertical zoning for that use. Planner Whetstone noted that typically event spaces are active a few times during the year and sit empty the rest of the time. The Staff would like the Planning Commission to consider allowing a private event space to be located within storefront property with an approved MFL or Special Event permit for the duration of the event as part of the footnote. Otherwise it would require an Administrative CUP and be subject to vertical zoning.

Planner Whetstone stated that when a definition appears in two places in the Code and the definition is amended, there is a risk of not wording it exactly the same in both places. She recommended removing the definition of Storefront Property under “S” and leave it under Property Storefront with an amended definition to read, “A separately enclosed space area or unit that fronts on a public street. The term “fronts on a public street” shall mean a separate enclosed space area or unit with 1) a window or entrance within 50 feet of the adjacent public street measured from the edge of pavement to the window or entrance; and 2) a window or entrance that is not more than eight feet above or below grade of the adjacent public street.”

Planner Whetstone noted that there are split level and multi-level properties on Main Street. The Staff was not proposing to regulate areas that are right at the street but within the basement.

Planner Whetstone clarified that the definition of Private Plaza on page 99 of the Staff report was added because the term Private Plaza is used in some of the regulations but it

is not defined by definition. She emphasized that Private Plaza would not be added to the Vertical Zoning Ordinance.

Planner Whetstone requested input from the Commissioners on discussion items listed on page 99 of the Staff report. She presented a revised HRC map. Director Erickson noted that there was some imprecision in the mapping, particularly relating to the Building at 738, Marriott Plaza. He indicated the section that would be regulated on Main Street. The private plaza on the backside would not be regulated. Director Erickson stated that once the plaza goes above six feet it is not regulated with the storefront. He also commented on 692 Main Street and clarified that the intent is to regulate the street side of that building but not the private plaza side.

Commissioner Joyce asked for the logic of why so many specific buildings were excluded, particularly since they already agreed not include plazas and the rules that are in place give exclusions. Planner Whetstone stated that it was primarily due to previous agreements within Master Planned Developments. The previous language specifically excluded HRC zoned properties north of 8th Street. Director Erickson explained that the intent was to achieve a balance between storefront activities and other activities that would bring people to Main Street on a more regular basis. In the past they over-regulated storefronts and conceptualized drop-off and restaurant business because there were less people on the lower streets. They heard from the business community that allowing additional office spaces in that area would bring more people to Main Street on a regular basis.

Commissioner Joyce asked why that would not apply to all of Main Street. Director Erickson replied that it varies in tourist attractiveness. Commissioner Joyce stated in his time on the Planning Commission he has learned that anytime something is done a third of the people are unhappy. In this case, Lower Main Street did not want vertical zoning because they would be negatively affected. At the same time those on Upper Main Street complain that there is no activity at the top of the street. Commissioner Joyce noted that there will always be pushback whenever a change is proposed.

Director Erickson understood the point Commissioner Joyce was making. He explained that this was an economic test to drive the broadest possible sector of people to the businesses in HRC and HCB. When it was originally instituted it was over-regulated and that regulation was not accomplishing what it was intended to do, which was to encourage business use on lower Main Street in the HCB District. Director Erickson stated that conceptually the west side of Park is a transition zone designed to be a mix of uses in that location. On the east side of Park Avenue they wanted to preserve the storefront facades because that was the Main Street business district. Director Erickson pointed out that this was the type of discussion they wanted from the Planning Commission and he appreciated the question regarding Staff strategy. He explained that the Staff's strategy was 1)

deregulate the places where the current regulation was not working; and 2) have a defined business district with storefronts in the District and the option to do storefronts on the margins; with the idea of driving four or five of the market sectors to the streets on upper or lower Main.

Planner Whetstone requested input from the Commissioners regarding the west side of Park Avenue. She pointed out that the properties north of 8th Street on the west side were all residential properties in the HRC.

Commissioner Band stated that she was the one who initially said that if they wanted to create vitality they should not allow offices in storefronts. They talked about plazas and that the highest and best use for those areas was retail, commercial, etc. However, after walking the area with Alison Butz she recognized that there were serious problems that were not conducive to uses. Commissioner Band strongly believed they should go towards the highest and best use, but at the same time she thought they needed to look at the reality and understand that some of these are not great spots. If they could entice a business that has employees who would use the rest of Main Street she would be comfortable with that solution. Commissioner Band liked the idea of revisiting the issue in three to five years because things change and they do not know what will happen over time. She reiterated her previous position of not allowing private clubs on the street level.

Chair Strachan opened the public hearing.

Alison Butz representing the Historic Park City Alliance stated that HPCA was 100% in favor of the regulations outlined in the Staff report. They appreciate the Staff walking the area and understanding some of the concerns about the plazas. Ms. Butz was happy to relook at this in three years. She believed that if the market continues they would see business move down there anyway. However, to require someone to open a retail store in some of those challenging spaces would result in businesses failing. Ms. Butz favored giving opportunities for success with an office use within the next few years. Regarding event space in storefront property, she noted the HPCA was supportive of that only being allowed during a Master Festival License or a Special Event Permit. What they currently see is a decrease in vibrancy around those larger spaces that are only occupied during January. She hoped that by restricting events during the other times of years it would spur on some year-around uses in those areas. It was part of a larger discussion by the HPCA regarding tenant mix of how to maintain authenticity, local businesses, the mom and pop shops, and maintain historic Park City and Main Street as a shopping and entertainment District. It is harder to sell that idea when buildings are vacant. Ms. Butz appreciated the work the Staff had done.

Mike Sweeney stated he carefully read the Staff report and he generally agreed with Ms. Butz except for special events. He noted that there are places where special events should occur, but the issue that the HPCA was raising situations like the Claimjumper, where the building owner does not need the money and only uses the space for special events or private event. Mr. Sweeney noted that there were no definitions for a public event and a private event. He thought they needed to think about these things because currently every restaurant can hold a private event without obtaining an Administrative CUP because they sell out their restaurant for one night. In reality, they are doing what the HPCA wants to do, which is bring more people to Main Street. Mr. Sweeney suggested that some of the language in the document needed to be clarified. In general, he was very pleased with what Director Erickson and Planner Whetstone had drafted but they needed to work on specific definitions. Mr. Sweeney stated that he holds private and public events on his deck. He pulled an Administrative CUP that he pulled in 2006 which allows him to do certain things on the deck, subject to the rest of the Code and making sure it is a safe event. Mr. Sweeney requested the opportunity to spend more time with the Staff and walk through this process. He also had issue with the 50' horizontal off of public streets. He did not want to encourage people to have a 50' setback on Main Street or any other commercial area streets. Mr. Sweeney thought the language should be clarified. He liked what was currently in place. He did not think it was acceptable to encourage people who have vacant spaces to go back 50 feet on Main Street. A 50' setback did not make sense. Mr. Sweeney stated that if there is a hole on Main Street, for example the Kimball Art Center, it stops the transition of people moving across the street, which is not good. They need to keep the continuity of the shops all the way along the street.

Mr. Sweeney commented on the question regarding Park Avenue on the west side. He stated that there is an approved project by the bridge which has commercial space, but it was questionable whether someone would spend the money to do the project. Mr. Sweeney commented on projects on the east side of Park Avenue below the Sumo Restaurant and noted that they now have commercial space all the way down to 9th Street. He would like to see that evolve into something special.

Chair Strachan closed the public hearing.

Commissioner Band thought the Staff had done a great job. In terms of the discussion points on page 99 she was satisfied with Items 1 and 2. Item 3, she liked that they defined Public Plaza even though she agreed that they should not force that issue at this time. Commissioner Band was in agreement with Items 4, 5 and 6.

Commissioner Thimm believed that excluding the plaza areas was the right thing to do. He has been on those plazas and even during the busy season it was always very quiet. He thought allowing office uses on the plazas was appropriate. Commissioner Thimm

reviewed the list of discussion points. He agreed with Item 1. Item 2, talks about lobbies and access points being appropriate at street level for prohibited uses, and he thought they should also include exits. Commissioner Thimm was not opposed to limiting to a certain percentage, but he suggesting adding the caveat that there could be a minimum allowable size depending on the size of the building. For example, a three-foot wide lobby would not be appropriate if the intent is to have an access point where people can connect to that space and out to the sidewalk.

Planner Whetstone noted that the Staff had that same thought, and the question was how to clarify the size of a lobby to avoid having an entire storefront lobby. The Staff still needed to work out the details.

Commissioner Thimm thought the suggestion in Item 3 to revisit the lower Main Street area in three to five years was a good idea. Regarding Item 4, Commissioner Thimm asked why exclusions were being looked at. Planner Whetstone clarified that it was primarily the plaza space. Item 5 addressed transitional edges. Commissioner Thimm agreed with providing a transition at the edge of the zone. He believed that softening the edge of a zone when there is a drastic change to the next zone was appropriate. With regard to Item 6, whether new construction and remodels should create storefronts, Commissioner Thimm agreed with the language providing that there was enough latitude to allow for replacement in kind to improve the aesthetics, even if there was not a change in use. Planner Whetstone reported that the Staff was still working with the Legal Department on where that regulation would fit in the Code.

Assistant City Attorney McLean stated that the Legal Department was thinking about requiring storefront property in the zone where this applies, and anything pre-existing would fall under the non-conforming status, and the non-complying structure would match the State Code. If more than 50% of the building was renovated or changed, it would lose that non-conforming status and they would have to put in a storefront.

Commissioner Campbell thought they needed to support whatever occurs in the Plazas regardless of whether or not they like the design in the lower Main Street area. Anything they could do to make it more viable was worth doing. Commissioner Campbell understood from the discussion that an office could go into plaza space now, but when this is reviewed in three years it might not be allowed. Assistant City Attorney McLean replied that if it is changed in three years, the existing offices would be grandfathered. Ms. McLean noted that currently there are real estate offices on Main Street because they were in existence prior to the 2009 LMC amendments. As long as they continue that use and do not abandon it for more than one year, they are allowed to continue that use.

Commissioner Joyce was comfortable with everything except what was excluded. He thought the west side of Park Avenue could become an issue. Currently there is a lot of residential, which is fine, because it would all be grandfathered until the use is abandoned. However, he was concerned about the possibility of tearing down residential houses to build commercial that is allowed in the zone. Commissioner Joyce understood the cut off at 9th Street because it is the end of Main Street, but he did not understand 8th Street on Main Street or Park Avenue because it seemed unusually artificial.

Director Erickson suggested that they reconsider the HRC designation on the west side because vertical zoning would not have the controls Commissioner Joyce was looking for. Director Erickson thought that was a discussion worth having at a different time if the Commissioners agreed that additional study needed to be done on whether vertical zoning was appropriate for the west side of Park Avenue. He is an advocate of the free market, but he questioned whether the free market would work well on the west side or if some regulation was needed.

Commissioner Joyce asked if they make the changes and include down to 9th Street whether that would be included anyway because they were MPDs. Director Erickson believed they would be grandfathered in because they were previous MPDs. Planner Whetstone thought it would depend on what was specified in the Development Agreement. She pointed out that since there is less activity going further away from Main Street north towards 9th, the Staff did not feel that this was the appropriate time to look at it.

Director Erickson stated that the Staff could come back with more strategy clarification. The Staff was pushing towards free market north of 8th, but if regulatory affairs are needed the Commissioners could make that decision. Commissioner Joyce appreciated the offer to come back with additional strategies because unless they do something different they could risk losing it. He was primarily interested in looking at the east side of Park Avenue and Main Street.

Chair Strachan wanted to know if an MPD would be subject to vertical zoning. Assistant City Attorney McLean agreed with Planner Whetstone that it would depend on the development agreement. If the developer agreement is silent and just says commercial then it would be subject to the regulations of the zone. She would look at the wording in the development agreement.

Commissioner Phillips favored the idea of getting more information. He thought the Staff had done a good job. Commissioner Phillips liked the removal of the plaza and the idea of revisiting the issue. However, instead of a three to five year time frame he suggested relooking at it when the buildings fill up to a certain point.

Director Erickson stated that this District is under constant review by the Historic Main Street Business Alliance and the two organizations managed by the City Council. It is an ongoing, constant review. Director Erickson noted that the three to five year period would allow enough time to gather evidence without being too long. Commissioner Phillips agreed with the comments made by his fellow Commissioners. He believed the amendment was in line with the intention of the General Plan.

Commissioner Worel echoed the comments of her fellow Commissioners. She thought it would be helpful to get more strategic information on why this all came to be the way it is. Commissioner Worel appreciated the comment by Mike Sweeney in regards to needing more definitions. She noted that page 96 of the Staff report talks about abandonment of buildings. She asked if someone has a business license and only open three months a year, whether the remainder of the year would be considered abandonment. Assistant City Attorney McLean stated that it would depend on the use. However, if the owner has an active business license for three weeks of the year it would not be considered abandonment. Commissioner Worel noted that it would not protect from all the dark spaces on the street. Ms. McLean stated that dark spaces would be a separate conversation. Commissioner Worel was still not clear on what would constitute abandonment. Chair Strachan believed that abandonment would be the intent to abandon the use. Ms. McLean remarked that abandonment has to do with being grandfathered in. An existing non-conforming use is allowed to continue until it is abandoned for 12 months. She pointed out that there is no way to equate that an empty building was not a use. Ms. McLean stated that the question has been raised in the past and there is a large concern by the Main Street Merchants regarding those dark spaces. She was unsure how a City could tell someone that they must have an active business inside of their building. Commissioner Worel thought there could be a way but this was not the time to discuss it.

MOTION: Commissioner Band moved to CONTINUE the Land Management Code Amendments regarding vertical zoning storefront regulations in Chapter 15-2.5-2, Chapter 15-2.6-2 and the associated definitions in Chapter 15-15 to November 11, 2015. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

7. <u>Consideration of an ordinance amending the Land Management Code Section 15, Chapter 11 and all historic zones to expand the Historic Sites Inventory and require review by the Historic Preservation Board of any demolition permit in a historic district and associated definitions in Chapter 1515.</u> (Application PL-15-02895)

Director Erickson reported that the information the Planning Commission was seeing for the first time was reviewed by the City Council and the Historic Preservation Board in a joint meeting a month ago. It was also reviewed in detail at the last HPB meeting.

Planner Grahn requested that the Planning Commission provide input and direction on what was being proposed. She noted that redlines have not been proposed to the LMC but the Staff would come back with those redlines.

Planner Grahn commented on six topics for discussion as outlined in the Staff report.

1) Historic Designations. The Staff was proposing to add a third category called Contributory and it would be for building over years old.

2) Define Demolition and modify the LMC definition to include the ANSI definition, which also includes dismantling, razing or wrecking.

3) Demolition Permit Review. The HPB has been reviewing demolition requests.

4) Noticing requirement for demolition reviews. Currently there is no noticing requirement and the Staff was proposing to be consistent with the requirements for the Historic District Design Review in that 14 days prior to the hearing they would post a property notice on the site, as well as send a mailing notice.

5) Demolition by Neglect.

6) Criteria for Visual Compatibility.

Following the discussion this evening, Planner Grahn requested that the Planning Commission continue this item to November 11th.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Director Erickson clarified that there was a distinction between the LMC changes and the Historic District Design Guideline changes. The distinction was in the visual compatibility section. If the Planning Commission chose to bifurcate due to time constraints, he preferred that they focus on the Land Management Code amendments since those were under the pending ordinance.

Planner Grahn commented on the change under Historic Designation to add the third category of “Contributory”. The criteria for Contributory was defined on page 166 of the Staff report.

Commissioner Phillips noted that the Staff report indicated that Contributory sites would be identified through a survey that was not yet completed. He asked when that survey would be completed. Planner Grahn replied that the Staff would set the criteria and the categories. CRSA was currently conducting an intensive level survey of Old Town and the City was looking at hiring another firm to do a reconnaissance level survey of buildings that were identified as contributory. The Staff believed that approximately 113 buildings need to be surveyed. Once they have the survey results the Staff will determine whether they fall under Landmark, Significant or Contributory. Planner Grahn explained that Contributory sites would be listed on a separate list and would not be designated to the Historic Sites Inventory. If an owner receives grant funds for a Contributory building, it would be moved over and protected on the Historic Sites Inventory.

Commissioner Joyce understood that someone interesting in purchasing a historic house would know that the house was considered Contributory before buying it rather than finding out when they want to remodel or do an addition. Planner Grahn replied that he was correct. However, the challenging part is that the 40 year mark keeps moving and the list would be updated periodically to make sure everything is captured.

Chair Strachan asked if it was incumbent upon the owner to find out if the structure is on the list or whether it would show on a title report. Director Erickson stated that it would not come up on a title report. He believed it would be part of the normal due diligence that anyone should do when purchasing property.

Commissioner Band assumed that the Board of Realtors would create a form for it. She had sent the information to the Board of Realtors so they would be aware of what to expect. She thought it would be similar to the addendum that was done for soils.

Director Erickson stated that at a minimum they want to make sure they have an Inventory. The City was not interested in regulating unless a component of a historic building can be redone or a grant is awarded. They also want to make sure they have a record of history after the mining area to present day. That was the reason for the floating 40 year mark. Director Erickson remarked that the types of structures that are Contributory provide the opportunity to a better job of defining neighborhood character because they contribute to the neighborhood.

Commissioner Joyce thought the term “Contributory” was vague. He noted that A-frames are part of the ski culture in Park City and pre-1975, but there is no interest in preserving them. Director Erickson explained that the ski era buildings are contributory in terms of mass and scale, but not particularly for the A-frame design. For example, if someone was looking for a new home in and they see five homes in the neighborhood that are the same size, that would be the neighborhood compatibility for how large the new home could be. Director Erickson clarified that at this point they were not regulating ski era homes, but they want to be able to tell that story 30 years from now. If A-frames go away at least they would be documented.

Commissioner Joyce stated that his question was more about the limitations of what they will allow people to do with Contributory structures. He gave the example of owning an A-frame that was on the list. Planner Grahn explained that the A-frame structure would be evaluated by Staff and reviewed by the HPB. Commissioner Joyce was concerned about going down the path of preserving structures that were previously determined not worth saving.

Commissioner Band asked if the HPB could prohibit someone from tearing down their A-frame structure. Commissioner Phillips pointed out that just like the Planning Commission the HPB Board changes over time and in five or ten years they might be trying to decipher what was intended. Commissioner Phillips was concerned that the process left the door open for more opinionate discretion.

Planner Grahn stated that the Staff intends to create demolition review criteria that the HPB could apply so everyone is treated equally. The Staff would be working with the HPB to define specific criteria to make sure it is a fair review process.

Commissioner Band wanted to know if the HPB would have the purview to deny demolition of a Contributory home. She noted that the Planning Commission was being asked to discuss this issue, but it was difficult without seeing the criteria to understand what could or could not be done. Commissioner Band stated that the process of going through the City for anything is extremely onerous and she was concerned about adding another layer. She agreed with most of what was in the pending ordinance, but she struggled with the idea of Contributory structures because it was very vague.

Commissioner Worel concurred. She was bothered by the vagueness when she read the Staff report. Commissioner Joyce thought the language, “rhythm and pattern of the streetscape” was particularly vague. Commissioner Band was not in favor of leaving anything vague or arbitrary. The HPB review should not be a subjective process. If they establish that the HPB could not keep someone from demolishing a Contributory structure, she questioned why it would go before the HPB. Director Erickson stated that it would be

the same reason that someone would go before the HPB for a Landmark or Significant Site. It is a public decision-making process that is not left to the Staff.

Director Erickson stated that the Staff did not intend to make the language vague; however rhythm, scale and compatibility are terms of art in their profession. The Staff would come back with greater definition on those terms, along with a proper set of criteria. Director Erickson noted that there were only 113 homes to be evaluated and if they do not meet the established criteria they would not be listed.

Commissioner Campbell pointed out that the list would grow every year because of the floating 40 year mark. Commissioner Phillips stated that the citizens should not have to worry from year to year whether their structure might be listed as Contributory.

Assistant City Attorney McLean stated that from a legal standpoint it would be helpful for the Staff to address the Contributory Site. She pointed out that in order to qualify the site would have to meet items A through E on page 166 of the Staff report. She read from Item B, which states that it has to be contributing to the Mining Era Residences National Register District. She interprets that to mean that it would not be just any house. It must be contributing. She asked the Staff to clarify that statement. Ms. McLean felt it was important to recognize that what was being proposed would not prevent demolition of any contributory structure unless it received a grant from the City.

Commissioner Thimm asked if the category of contributory lined up with the contributory definitions that are part of SHIPO and part of the National Register. Planner Grahn replied that the answer was yes and no. She explained that SHIPO is based on the National Register. The Landmark buildings in Park City are National Register eligible or considered National Register eligible because they are located within the District and contribute. Significant buildings would most likely fall into the Contributory category based on a Reconnaissance level survey. The new Contributory category was more in response to the pending ordinance in trying to review and capture some of the buildings that are not clearly defined by Landmark and Significant.

Direct Erickson stated that this was benchmarked across other Districts ranging from Breckenridge to Crested Butte to Denver to San Francisco to Salt Lake City. In most cases they have a category like Contributory. He clarified that the Park City Staff did not invent this category.

Commissioner Thimm pointed out that every year another building becomes 40 or 50 years old. He assumed there would be a survey to actually establish that and he wanted to know how often surveys would be conducted. Planner Grahn replied that currently they only looked at buildings that were 1975 and younger. She noted that in ten years those building

would be 50 years old and some may be National Register eligible. The question is whether they want to save the 40 year old buildings that were built in the 1980s. That is a decision that the community will have to make.

Commissioner Campbell questioned how something that was built in the 1980s would contribute to the Mining Era. Planner Grahn replied that it would depend on how the structure was designed. Commissioner Band stated that it was more about the story of the town. Director Erickson remarked that a replicate building could be contributory to the District and not be eligible for demolition because it received grants. Planner Grahn pointed out that if a Landmark or Significant structure was not allowed to be demolished but the City allowed reconstruction or panelization, it would remain on the Historic Sites Inventory rather than be listed Contributory. Director Erickson stated that if someone wanted to build a structure in 2015 to match a miner's home, it would probably be designated as Contributory 40 years from now.

Commissioner Joyce read from page 167 of the Staff report under Demolition Permit Review, "The purpose behind this provision is to create a vehicle for reviewing and approving the demolition (as defined above), panelization, reconstruction, rotation….of structures that are 40 years or older that are in the H District or identified as historic." He understood that any structure that was already historic would have gone through this review without the pending ordinance. The only new piece is the Contributory designation. Planner Grahn replied that he was correct. She explained that prior to this pending ordinance a panelization or reconstruction project on a Landmark or Significant structure would have been reviewed and approved by Staff. Under this pending ordinance the HPB would make that determination rather than the Chief Building Official or the Planning Director. Commissioner Joyce originally understood that nothing in the process would prevent someone from demolishing a contributory building. However, from Planner Grahn's explanation it appears that the HPB would approve or deny demolition, which means the HPB could prevent a demolition. Director Erickson agreed that the HPB could deny a demolition; however, they would have to work harder to deny at the contributory level.

Commissioner Joyce thought it was important to be clear to the public that under this ordinance a new category of buildings will be required to go through an approval process. Commissioner Band noted that one change with the ordinance is that panelization is considered demolition. Planner Grahn replied that panelization has always been considered demolition, but what is new is that the pending ordinance states that any demolition as defined by the International Building Code requires HPB review. She explained that under the IBC demolition can mean scraping the lot, panelizing or reconstruction. It can also mean cutting a 4" square for a dryer vent because the wood in that 4" square is being demolished.

Director Erickson offered to come back with additional clarification. Commissioner Campbell stated that if the HPB has to work harder to prevent a demolition of a contributory building, he wanted to know what “work harder” means. Commissioner Thimm concurred.

Commissioner Thimm stated that based on his work he was familiar with designations at the 50 year mark. He wanted to know how demolition from 40 to 49 years was different from the year 50. Planner Grahn felt the Staff needed to work on clarification because most of the Landmark and Significant structures are 100 years old. She offered to come back with suggestions to help clarify that process. Commissioner Joyce wanted to know what happens to a 40 year old building that is listed when it becomes 50 years old. Commissioner Worel asked if it would be reviewed again at the 50 year mark. Commissioner Thimm assumed that at the 50 year mark there would be a new survey that might change the designation of a Contributory building to Significant. He thought the process was nebulous as currently proposed. Commissioner Thimm recalled from how it was presented at a previous meeting that there was no change in what happened to a building from year 40 to 49, other than to identify it. He thought it now sounded like the HPB would be reviewing those structures and that review could allow a provision for denial. He believed that was a significant change from what was originally discussed. Commissioner Thimm could not say whether it was right or wrong because it was not clear.

Assistant City Attorney stated that the Staff purposely decided not to put in the redlines because they did not want to spend time redlining Code without knowing what the Commissioners would or would not support. She suggested that Planner Grahn ask questions that would help her bring back the redlines to the Planning Commission.

Planner Grahn commented on the Demolition Permit Review. She stated that currently under the pending ordinance, if a structure is 40 years or older, the HPB was reviewing any materials being removed from a structure, as well as scraping the lot, panelizing, or reconstructing. The Staff met with the HPB to hear their input. Planner Grahn stated that the HPB would like to continue reviewing items that are 40 years or older, but they do not want to review demolition of materials that are not on the historic portion of the structure such as materials from a newer addition.

Commissioner Band was not opposed, but she felt that once an addition goes through the Historic Design Review and is added to the historic structure, the entire structure then becomes historic and should be looked at as a whole. Commissioner Thimm that Commissioner Band’s thinking was consistent with SHIPO in that once a building is designated the changes are the evolution of that building.

Planner Grahn noted that the Historic Preservation Board does not do Design Review. Therefore, the HPB only looks at removal of materials and they do not have a say in what material goes back in its place.

Commissioner Joyce could not understand why the HPB would look at everything over 40 years old regardless of whether it was on the Contributory list or the HSI. He wanted to know the reason for adding the extra step on buildings that were already determined to be historically insignificant. Planner Grahn stated that buildings that were potentially historic were slipping through the cracks, which is one reason for the pending ordinance. The Staff will be relooking at strengthening the Design Guidelines to make sure the HPB has something to compare a demolition to. Director Erickson explained that the HPB has other roles and responsibilities, including preservation of historic neighborhoods. The reaction from the City Council and the public was that neighborhoods were being destroyed because buildings were being demolished, and even the non-historic buildings contributed to the neighborhood. For that reason the City tasked the HPB with protecting the neighborhood in conjunction with other LMC designated authorities.

Chair Strachan used the example of a house that goes through the analysis because it is 41 years old and it is deemed not contributory and completely insignificant. Two years later the owner decides to tear it down he then has to go through another process before the HPB and risk that the HPB could make a different determination. Chair Strachan could not understand why they needed the second process when the structure was already determined to be insignificant and a non-issue.

Chair Strachan stated they should either review all the demolition requests or create criteria for a Contributory structure, but it should not be both. An owner should not have to go through the process twice. Commissioner Band concurred. If the concern was structures slipping through the cracks then every demolition in the Historic District should go through a review process and they should eliminate the Contributory survey. Commissioner Worel agreed.

Chair Strachan was concerned about a slippery slope where the HPB could arbitrarily decide what was contributory because it would be impossible to define the criteria as specifically as they would like without using subjective terms. Commissioner Campbell agreed because what the HPB understands now could be interpreted differently by another HPB Board ten years from now. Commissioner Phillips reiterated that it was one of his biggest concerns.

Planner Grahn thought the Planning Commission had raised good questions and it was something the Staff needed to keep working through.

Commissioner Thimm asked if he was correct in assuming that there was still no definition for demolition. Planner Grahn stated that page 166 of the Staff report contained the definition from the LMC. However, the Staff was proposing to modify that definition to include more about dismantling, raising and wrecking, and to also make clear that it is not part of the CAD process. The revised definition would come back as part of the redlines.

Planner Grahn summarized that the Planning Commission wanted the Staff to clear up the vagueness, provide clarification on the 40 to 50 year process, and to create clear criteria. Chair Strachan also wanted them to revisit the idea of making someone goes through an HPB review twice.

Commissioner Band commented on Demolition by Neglect. She was in favor of strengthening the language, but she questioned how peeling handrails and trim contribute to demolition by neglect. Commissioner Joyce stated that he was trying to figure out how he would apply Demolition by Neglect in terms of what they were asking people to do to the mine sites. He asked for clarification at the next meeting regarding how this affects the mine sites and what Talisker or Vail would be required to do and what the penalty would be if they did not comply.

Director Erickson stated that a topic for another meeting would be Certificates of Appropriateness for Demolition versus Demolition by Neglect versus Building Abatement.

Commissioner Campbell commented on the fact that so many people are not aware of this ordinance and what it means. He asked if it was possible to create publicly searchable registry on the Park City website where a current homeowner or a perspective buyer could quickly find out where their house or potential purchase falls on the list. He thought it was important to publicize the new Contributory category and have the criteria easily displayed.

MOTION: Commissioner Thimm moved to CONTINUE the LMC Amendments concerning Historic Preservation to November 11, 2015. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 8:55 p.m.

Approved by Planning Commission: _____

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **LMC Amendment Park City Historic Sites Inventory Criteria & Demolition Permits**
Author: **Bruce Erickson, AICP, Planning Director**
Date: **October 28, 2015**
Type of Item: **Legislative – LMC Amendment**

Summary Recommendations

Due to an error in Noticing by the Park City Planning Department, the LMC Amendments were legally noticed for the October 28, 2015, meeting. However at the October 14, 2015, Planning Commission Meeting, the Planning Commission continued the LMC Amendment regarding Historic Sites Inventory criteria and demolitions permits to the November 11, 2015 meeting.

Staff recommends the Planning Commission conduct a discussion of the LMC Amendments regarding Historic Sites Inventory criteria and demolition permits in the Historic District; conduct a public hearing and to continue the item to November 11, 2015.

Description

Project Name: LMC Amendment regarding Historic Sites Inventory criteria and demolition permits in the Historic District
Applicant: Planning Department
Proposal Revisions to the Land Management Code

Planning Commission
Staff Report

Subject: **LMC Amendment**
Author: **Francisco J. Astorga, Senior Planner**
Date: **October 28, 2015**
Type of Item: **Legislative – Land Management Code Amendment Nightly Rentals in the HR-L District-East**

Summary Recommendations

Staff recommends that the Planning Commission review the proposed amendments to the Land Management Code (LMC) for Chapter 2.1 Historic Residential-Low (HR-L) Density District as described in this staff report, open the public hearing, and consider forwarding a positive recommendation to the City Council.

Description

Proposal Name: LMC Amendment regarding Nightly Rental conditional use in the HR-L District-east Chapter 2.1.
Applicant: Planning Department
Proposal Land Management Code Amendment

Acronyms within this Report

LMC Land Management Code
HR-L Historic Residential-Low Density District
CUP Conditional Use Permit

Background

For several years the Planning Department has been having discussions with residents in the HR-L District-East, regarding the Conditional Use of Nightly Rentals in their neighborhood. Exhibit B is a map of this area. The HR-L District is comprised of two (2) sectors within Old Town. The HR-L District-East is known as the McHenry Avenue neighborhood mainly accessed off Rossie Hill Drive on the east side of Old Town. The HR-L District-West is on the west side of Old Town primary comprised of Sampson Avenue, King Road, and Ridge Avenue. The proposed LMC amendment would only affect the HR-L District-East.

The LMC defines a nightly rental as the following:

> *Nightly Rental. The rental of a Dwelling Unit or any portion thereof, including a Lockout Unit for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses.*

On October 14, 2015, the Planning Commission reviewed this proposed LMC Amendment disallowing Nightly Rentals in the HR-L District-East as proposed by the Planning Department. During that meeting the Planning Commission opened a public

hearing and public comment was made by several property owners in this neighborhood. Several comments were made in support of the LMC Amendment from property owners while one comment was made from one property owner not to amend the LMC. As reflected in the meeting minutes found in this Planning Commission packet the majority of the Commission favored the Amendment.

District Purpose

The purpose of the (HR-L District is to:

A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
B. provide an Area of lower density Residential Use within the old portion of Park City,
C. preserve the character of Historic residential Development in Park City,
D. encourage the preservation of Historic Structures,
E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
G. define Development parameters that are consistent with the General Plan policies for the Historic core.

Analysis

A conditional use is an allowed use if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with application standards. The LMC indicates that the City shall not issue a Conditional Use Permit (CUP) unless the Planning Commission concludes that:

1. the Application complies with all requirements of this LMC;
2. the Use will be Compatible with surrounding Structures in Use, scale, mass and circulation;
3. the Use is consistent with the Park City General Plan, as amended; and
4. the effects of any differences in Use or scale have been mitigated through careful planning.

The HR-L District-East consists of 24 properties. The following table below represents the current Assessment/Appraisal Code per Summit County EagleWeb website accessed in October 2015:

	Number of Sites
Residential Primary Improved	13
Residential Secondary Improved	8
Residential Secondary Unimproved	3

Of the twenty-four (24) properties, thirteen (13) of them have primary residents, eight (8)

of them are set as secondary homes, and three (3) of them are vacant.

Staff found that in 2007, the Planning Commission approved a CUP for Nightly Rental at 202 Ontario Avenue, within the HR-L District-East. Should the Planning Commission, and ultimately City Council, follow Staff's recommendation of prohibiting Nightly Rentals in this HR-L District-East, the approved use at 202 Ontario Avenue would become a legal non-conforming use which use would be allowed to continue as outlined in LMC § 15-9 Non-conforming Uses and Non-complying Structures.

General Plan

Volume II of the General Plan contains a Nightly Rental Balance Strategy, pages 81 - 86. The General Plan indicates that there are 3,928 nightly rentals in Park City as of January 2012. Based on the entire stock of housing units in the City limits, Nightly Rentals equated to 46% of housing units. While the Old Town neighborhood has the highest percentage of Nightly Rentals within the City, consisting of 25%, and is 48% Nightly Rental within the Old Town neighborhood, this neighborhood as a whole does not have a predominant trend towards vacant housing or a high percentage of second homes. The General Plan indicates that the higher numbers of Nightly Rentals in Old Town are due to the higher density of the historic configuration of the Park City Survey and Snyder's Addition, which platted lots of record consisting of 1,875 square feet, creating an urban environment of approximately twenty-three (23) units per acre.

The General Plan recommends that in order to maintain a balance between primary residents and resort oriented neighborhoods, Thaynes, Park Meadows, Bonanza Park & Snow Creek, Prospector, Masonic Hill, and Quinn's Junction neighborhoods should remain primary residential neighborhoods. This allows the Resort Center, Lower Deer Valley, and Upper Deer Valley to maintain their resort aspect. Old Town should remain a mix of the two (2) as primary residents and resort oriented neighborhood.

The Old Town neighborhood was historically full time primary residential. When Park City re-invented itself as the City evolved into a world class destination, its residential makeup began to change. Old Town property owners realized how valuable land was and they started to try to maximize the land values as development pressure made it a more desirable resort destination.

The General Plan indicates that the City should consider incentives for primary homeownership in Old Town; a balance between residents and tourists is desirable in this neighborhood. Additional policies that might reinforce this balance include:

- Improved enforcement of nightly rental locations in Old Town;
- Consideration of nightly rentals as a Conditional Use within the HR-1 Zoning District, rather than an Allowed Use; and/or
- Reconsideration of allowing nightly rentals in the HR-L Zoning District as an Allowed Use or Conditional Use; and/or
- Consideration of new criteria for nightly rental Conditional Use permits.

Land Management Code HR-L District
The District Purpose as stated in the LMC (first/second page of this staff report) lay out a key element found throughout the Park City Historic Districts and particularly in the HR-L District-East to "to reduce density that is accessible only by substandard streets". McHenry Avenue is sub-standard is terms of width. Parking management in the district further exacerbates traffic problems and can be compounded in snow conditions. Nightly rental users unfamiliar with parking restrictions or snow conditions can cause large restrictions on vehicle access.

District Purpose B considers the provision of lower density "residential use" within Old Town. Nightly Rentals have the potential to fill bedrooms to the maximum and perhaps have sleeping provisions in living rooms or other spaces, even though space may comply with building and life safety codes. By having Nightly Rental units full during holiday periods, the density of people in this district is increased. The potential for noise, and lights disrupting residential normalcy is increased.

Staff finds that by prohibiting Nightly Rentals within the HR-L District-East, it would further protect the integrity of this Old Town sub-neighborhood to remain predominantly as a primary resident neighborhood.

Process
Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18.

Notice
Legal notice of a public hearing was posted in the required public spaces and published in the Park Record. The Planning Department sent courtesy letters to every property owner according to Summit County records with the HR-L District-East neighborhood.

Public Input
Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of LMC amendments. The public hearing for these amendments was properly and legally noticed as required by the LMC. The Planning Department received two (2) letters regarding the proposed amendment, one in support and one in opposition. See Exhibit E – Public Comments.

Significant Impacts
The proposed amendment limits the ability for a property owner to submit a Nightly Rental CUP application to the Planning Department for Planning Commission review and Final Action. The amendment prohibits Nightly Rentals in the HR-L District-East. The existing site, 202 Ontario Avenue, with the approved Nightly Rental CUP would be treated as legal non-conforming use regulated under LMC § 15-9 Non-conforming Uses and Non-complying Structures.

Recommendation

Staff recommends that the City Council review the proposed amendments to the Land Management Code (LMC) for Chapter 2 as described in this report, open the public hearing, and consider adopting the ordinance as presented in Exhibit A – Proposed Ordinance.

Exhibits

Exhibit A – Proposed Ordinance
Exhibit B – HR-L District-East Area
Exhibit C – HR-L District Table
Exhibit D – General Plan Strategy: Nightly Rental Balance
Exhibit E – Public Comments

Exhibit A – Proposed Ordinance

Draft Ordinance 15-XX

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING SECTION 15-2.1-2 USES IN THE HISTORIC RESIDENTIAL-LOW DENSITY (HR-L) DISTRICT.

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code and identifies necessary amendments to address planning and zoning issues that have come up in the past, and to address specific Land Management Code issues raised by the public, Staff, and the Commission, and to align the Code with the Council's goals; implementing the General Plan; and

WHEREAS, the City's goals include preservation of Park City's character regarding Old Town improvements, historic preservation, sustainability, affordable housing, and protecting Park City's residential neighborhoods and commercial districts; and

WHEREAS, Chapters 2.1, Historic Residential-Low Density District (HR-L) provides a description of requirements, provisions and procedures specific to this zoning district that the City desires to revise.

WHEREAS, by prohibiting Nightly Rentals within the HR-L District-East, it would further protect the integrity of this Old Town sub-neighborhood to remain predominantly as a primary resident neighborhood.

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on May 13, 2005, October 14, 2015, and October 28, 2015; and forwarded a recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on November 5, 2015; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City

Council to protect health and safety, maintain the quality of life for its residents, preserve and protect the residential neighborhoods, and preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.1 Section 2. The recitals above are incorporated herein as findings of fact. Section 15-2.1-2 of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1).

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this ___ day of _____, 2015

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, Mayor

Attest:

_____
Acting City Recorder

Approved as to form:

_____
Mark Harrington, City Attorney

Attachment 1

15-2.1-2. USES.

(A) **ALLOWED USES.**

(1) Single Family Dwelling
(2) Home Occupation
(3) Child Care, In-Home Babysitting
(4) Child Care, Family[1]
(5) Child Care, Family Group[1]
(6) Accessory Building and Use
(7) Conservation Activity
(8) Agriculture
(9) Residential Parking Area or Structure with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

(1) Nightly Rentals[8]
(2) Lockout Unit
(3) Accessory Apartment[2]
(4) Child Care Center[1]
(5) Essential Municipal and Public Utility Use, facility, service, and Building
(6) Telecommunication Antenna[3]
(7) Satellite dish greater than thirty-nine inches (39") in diameter[4]
(8) Residential Parking Area or Structure five (5) or more spaces
(9) Temporary Improvement[5]
(10) Passenger Tramway Station and Ski Base Facility[6]
(11) Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge[6]
(12) Recreation Facility, Private
(12) Fences greater than six feet (6') in height from Final Grade[5,7]

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 06-56; 09-10;15-xx)

[1]See LMC Chapter 15-4-9 for Child Care Regulations
[2]See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments
[3]See LMC Chapter 15-4-14, Telecommunications Facilities
[4]See LMC Chapter 15-4-13, Satellite Receiving Antennas
[5]Subject to Administrative or Administrative Conditional Use permit, see LMC Chapter 15-4.
[6]See LMC Chapter 15-4-18, Passenger Tramways and Ski-Base Facilities
[7]See LMC Chapter 15-4-2, Fences and Walls
[8]Conditional Use Permit allowed only in the West sub-neighborhood only located south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road. No Nightly Rentals are allowed elsewhere in this Zoning District.

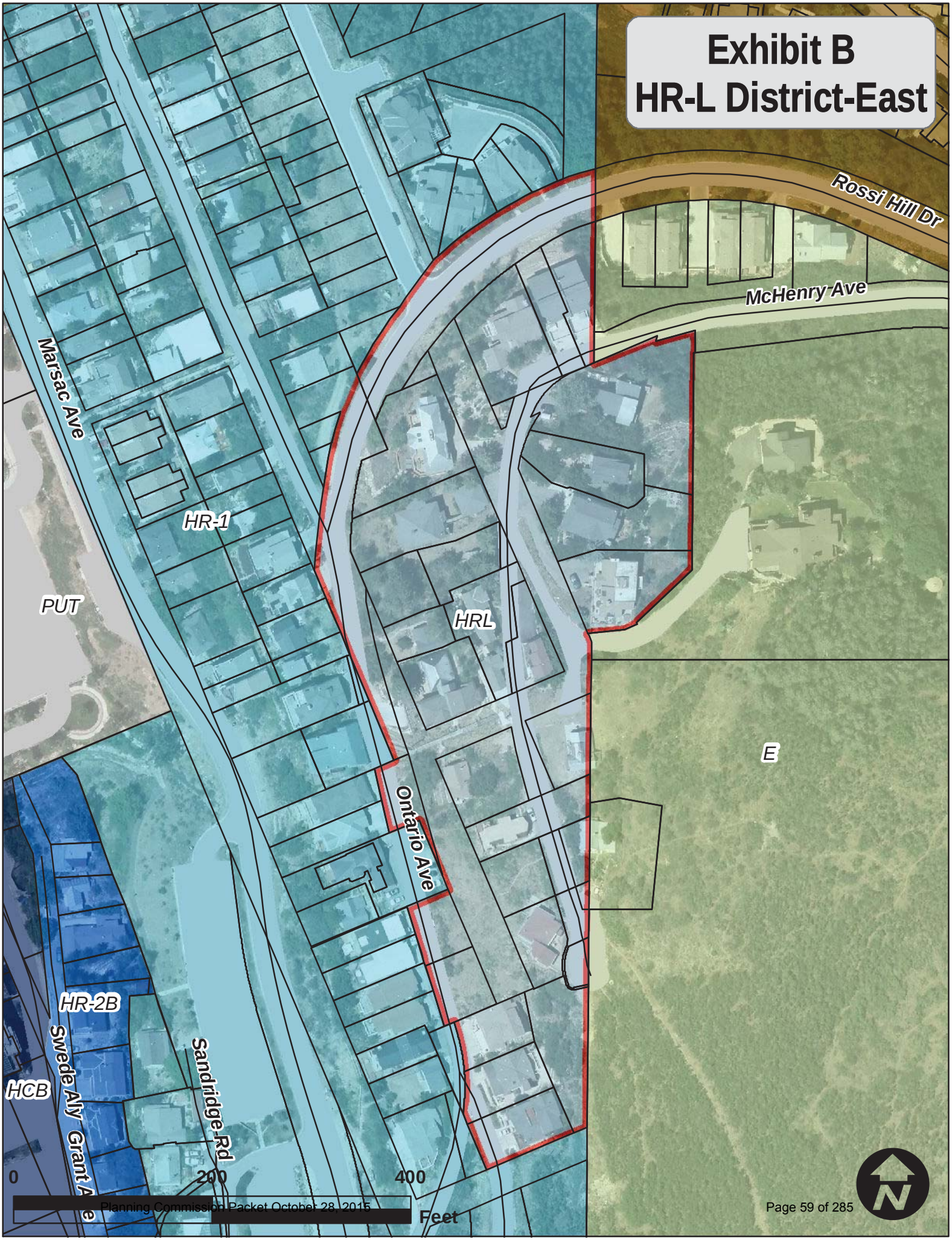


Exhibit B
HR-L District-East
Rossi Hill Dr
McHenry Ave
Marsac Ave
HR-1
PUT
HRL
E
Ontario Ave
HR-2B
HCB
Swede Aly
Grant Ave
Sandridge Rd
0
200
400
Feet

Exhibit C – HR-L District Table

#	Street	Parcel	Appraisal Code
353	McHenry	PC-509-C-5-A	RESIDENTIAL SECONDARY IMPROVED
351	McHenry	PC-509-C-5	RESIDENTIAL PRIMARY IMPROVED
347	McHenry	PC-509-C-4	RESIDENTIAL SECONDARY IMPROVED
335	McHenry	335-MC-1	RESIDENTIAL PRIMARY IMPROVED
331	McHenry	331-MC-A	RESIDENTIAL PRIMARY IMPROVED
327	McHenry	331-MC-B	RESIDENTIAL SECONDARY UNIMPROVED
321	McHenry	321-MC-1	RESIDENTIAL SECONDARY IMPROVED
257	McHenry	PC-500-1	RESIDENTIAL SECONDARY IMPROVED
277	McHenry	PC-501-A-1	RESIDENTIAL PRIMARY IMPROVED
253	McHenry	BAER-1	RESIDENTIAL SECONDARY UNIMPROVED
235	McHenry	IBS-1	RESIDENTIAL PRIMARY IMPROVED
320	Ontario	331-MC-C	RESIDENTIAL SECONDARY UNIMPROVED
316	Ontario	PC-488-A	RESIDENTIAL SECONDARY IMPROVED
308	Ontario	308-ONT-1	RESIDENTIAL PRIMARY IMPROVED
264	Ontario	264-ONT-ALL	RESIDENTIAL PRIMARY IMPROVED
210	Ontario	IVERS-2	RESIDENTIAL SECONDARY IMPROVED
206	Ontario	IVERS-3	RESIDENTIAL SECONDARY IMPROVED
202	Ontario	IVERS-4	RESIDENTIAL SECONDARY IMPROVED
154	Ontario	HBTRS-1	RESIDENTIAL PRIMARY IMPROVED
302	McHenry	PC-486-A	RESIDENTIAL PRIMARY IMPROVED
310	McHenry	RHS-4	RESIDENTIAL PRIMARY IMPROVED
320	McHenry	RHS-3	RESIDENTIAL PRIMARY IMPROVED
330	McHenry	RHS-2	RESIDENTIAL PRIMARY IMPROVED
350	McHenry	RHS-1	RESIDENTIAL PRIMARY IMPROVED

Appraisal Code	Sites
RESIDENTIAL PRIMARY IMPROVED	13
RESIDENTIAL SECONDARY IMPROVED	8
RESIDENTIAL SECONDARY UNIMPROVED	3

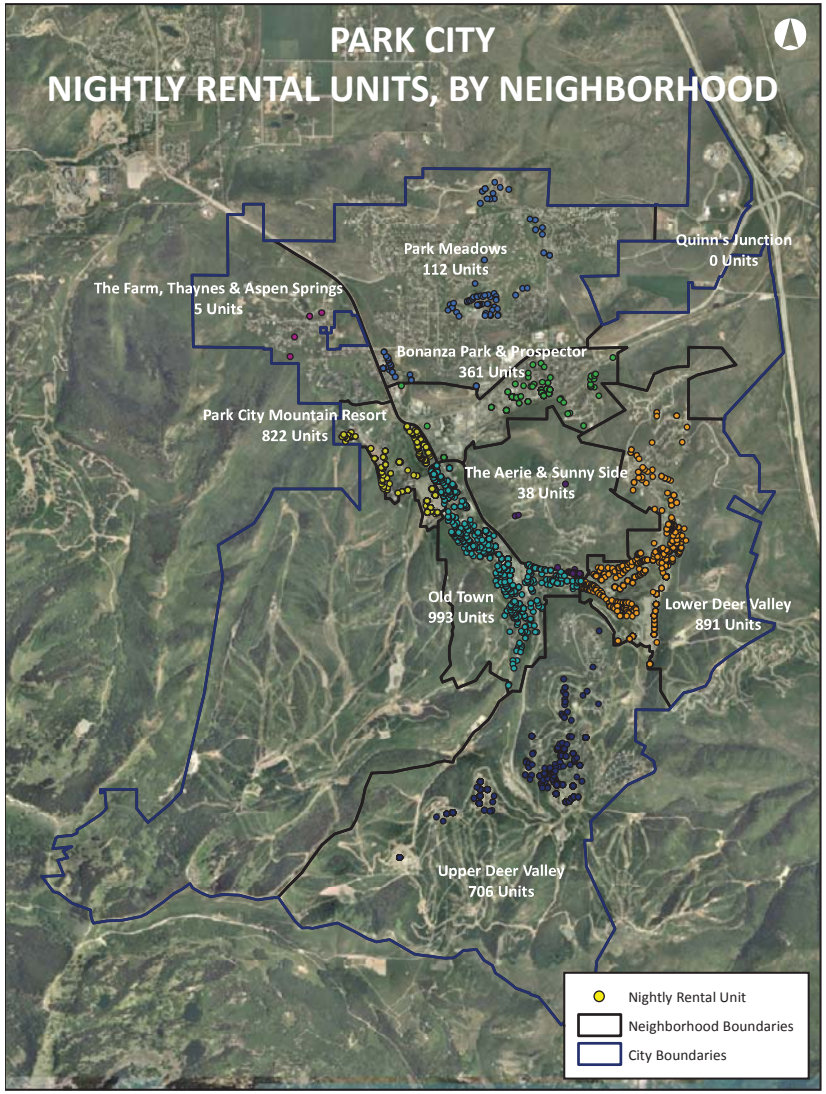
STRATEGY: Nightly Rental Balance

Currently, a Nightly Rental is defined within the Land Management Code as the rental of a dwelling unit for less than thirty (30) days. Due to the resort nature of the Park City economy, the land is often more valuable than the structure located upon it. The economics of the property are often significantly increased if the structure can be commercialized. As a result, the City has experienced a higher demand of nightly rentals. This is directly related to the existing trend of increased second-home ownership within the City which allows for nightly rental opportunities.

Nightly Rentals are allowed in every zoning district except:

- Recreation and Open Space (ROS)
- Protected Open Space (POS)
- Public Use Transition (PUT)
- Community Transition (CT)

The Single Family (SF) zone only allows for nightly rentals within the Prospector Village Subdivision.



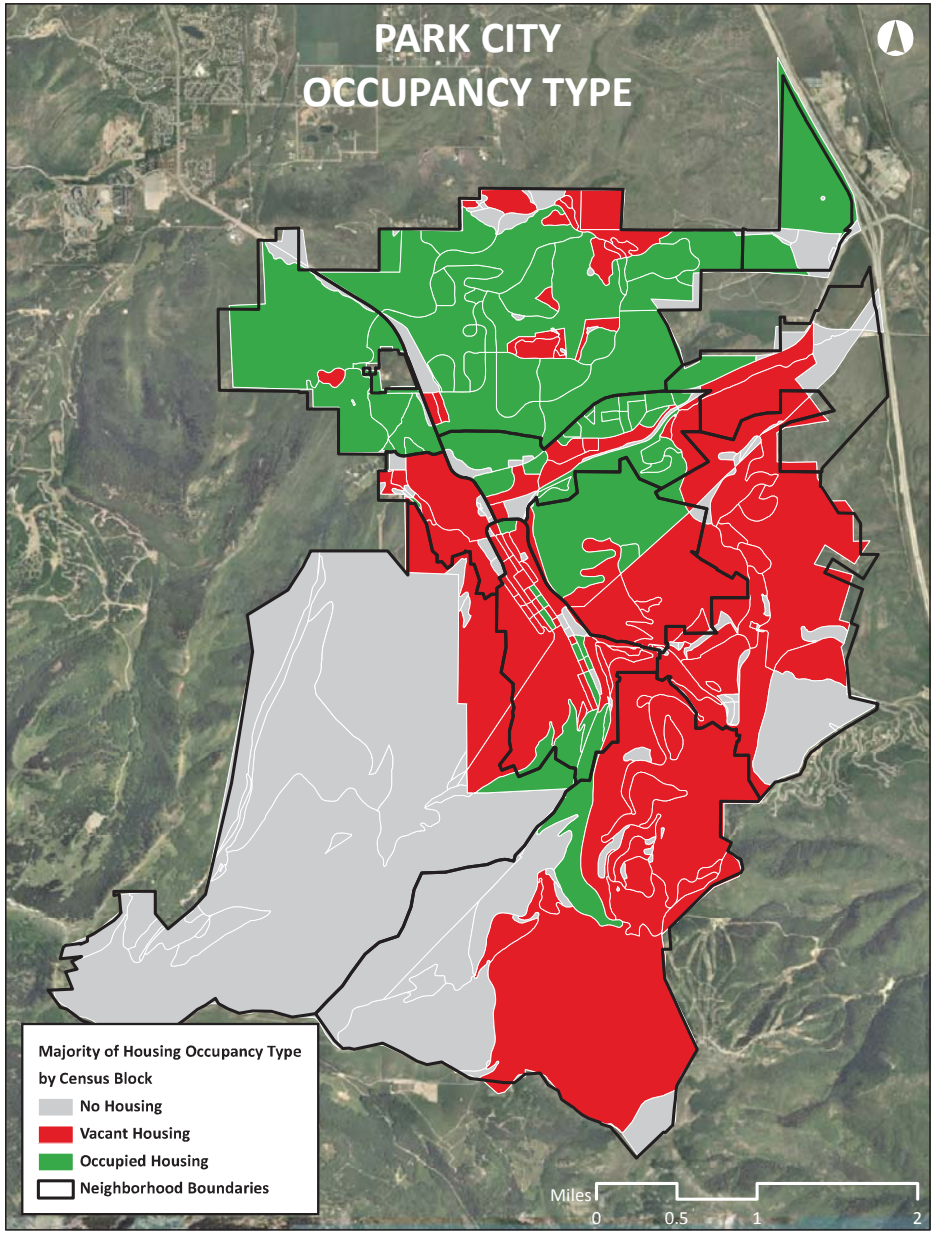
Nightly Rental units are scattered throughout Park City. The neighborhood with the most units is Old Town (993) followed by the resort neighborhoods. The City should look closely at Old Town and consider the provision of incentives for primary home ownership. Balancing this resource for locals, as well as visitors, will be essential to the success of Main Street and the neighborhood.

SENSE OF COMMUNITY

Nightly Rental is a Conditional Use (CUP) in the Historic Residential-Low Density (HR-L) District and is prohibited in the April Mountain/Mellow Mountain Subdivision located in the Residential Development (RD) District.

There are 3,928 nightly rentals in Park City out of 8,520 total housing units (January 2012) within the City; therefore, based upon the entire stock of housing units in Park City, 46% are nightly rentals.

Thaynes, Park Meadows, Bonanza Park & Snow Creek, Prospector, Masonic Hill, and Quinn's Junction neighborhoods have a majority of occupied housing units, while the rest of town is predominantly vacant (e.g. secondary) housing. The Old Town neighborhood is comprised of Census Blocks that are predominantly vacant housing; however, there are several blocks that contain a majority of occupied housing.



Occupancy Type: The map to the left illustrates the existing neighborhood boundaries in terms of the majority of housing occupancy type by Census Block. The map is divided into three categories: no housing, vacant housing, and occupied housing.

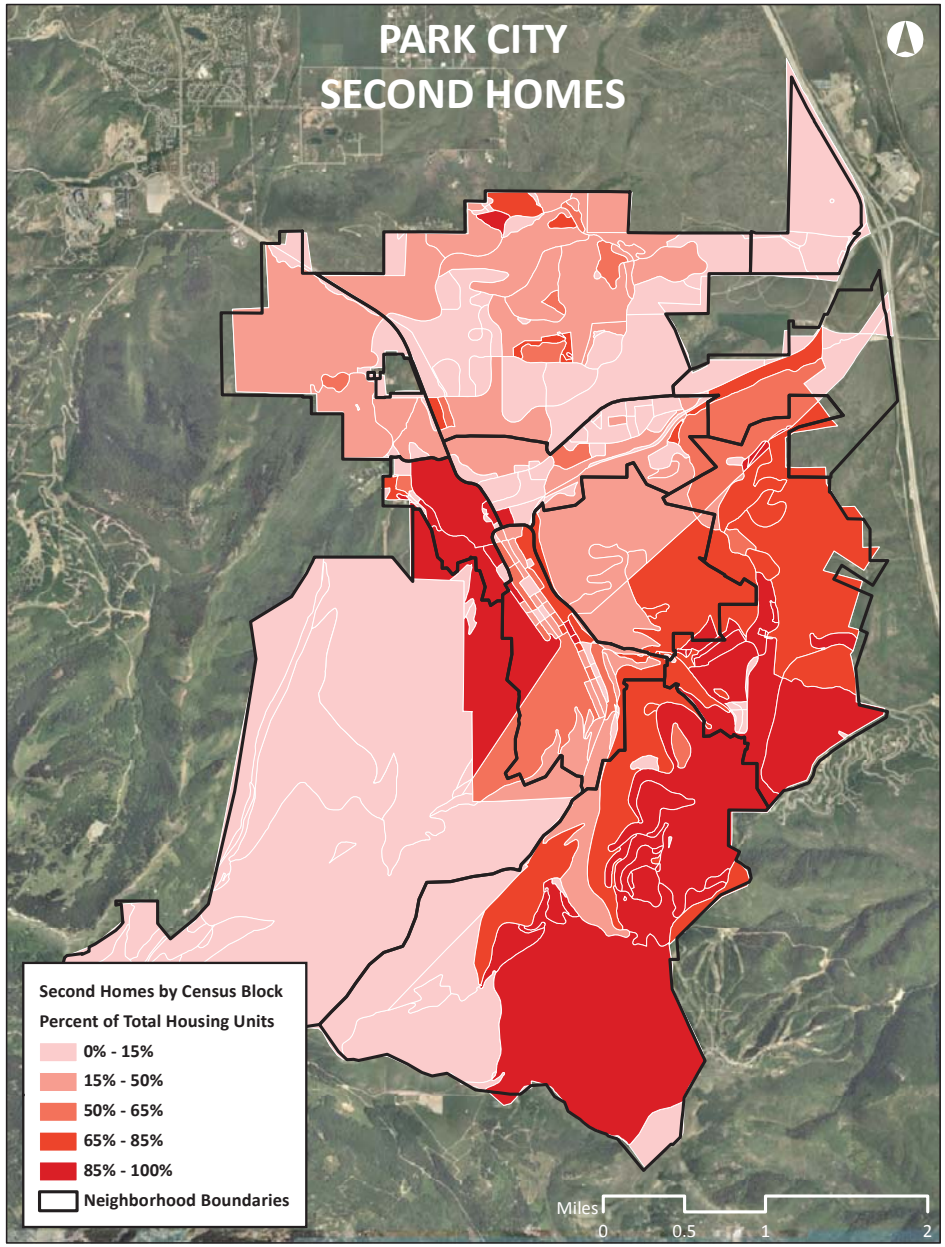
The Nightly Rental table on the following page contains the total number of nightly rentals per neighborhood, percent of nightly rentals within the City per neighborhood, total number of housing units, and the percent of nightly rental units in each neighborhood.

The 'Neighborhood Type' designation, located at the right side of the table, consists of primary or resort oriented designation based on the occupancy majority. Where there is a majority of vacant housing, second home ownership, and also nightly rental, the neighborhood has been identified as a resort neighborhood.

The neighborhood with the highest percentage of nightly rental in Park City is Old Town containing 25%, followed by Lower Deer Valley, Resort Center, then Upper Deer Valley. The Nightly Rental average (percent of total housing units) within the City is forty-six percent (46%).

While the Old Town neighborhood has the highest percentage of nightly rentals (25%) and the higher number of nightly rentals than any other neighborhood (993 out of 2,059), the Old Town

Second Homes: The map to the right shows second homes by Census Block in terms of percent of total housing units. The map is represented in terms of color intensity. The darker tones show a higher percentage of second homes while the lighter tones show a lower percentage.



SENSE OF COMMUNITY

Neighborhood	Number of Units	Percent of All Nightly Rental	Total Housing Units	Nightly Rental as Percent of All Units	Neighborhood Type
Thaynes	5	0%	231	2%	Primary Res
Park Meadows	112	3%	1,456	8%	Primary Res
Bonanza Park & Prospector	361	9%	1,208	30%	Primary Res
Resort Center	822	21%	1,135	72%	Resort
Old Town	993	25%	2,059	48%	Primary Res/Resort
Masonic Hill	38	1%	186	20%	Primary Res
Lower Deer Valley	891	23%	1,070	83%	Resort
Upper Deer Valley	706	18%	1,173	60%	Resort
Quinn's Junction	-	0%	3	0%	Primary Res
TOTAL	3,928		8,520	46%	

Neighborhood as a whole does not have a predominant trend towards vacant housing or a high percentage of second homes. The higher values for Nightly Rentals are due to the higher density of the historic configuration of the Park City Survey and Snyder's Addition, which platted lots of record consisting of 1,875 square feet, creating an urban environment of approximately 23 units per acre.

City records show a population of approximately 4,200 people in the 1930 Census, solely within what is now known as Old Town. This statistic notes the density of the town historically.

In order to maintain a balance between primary residents and resort oriented neighborhoods, Thaynes, Park Meadows, Bonanza Park & Snow Creek, Prospector, Masonic Hill, and Quinn's Junction neighborhoods should remain primary residential neighborhoods. This allows the Resort Center, Lower Deer Valley, and Upper Deer Valley to maintain their resort aspect.

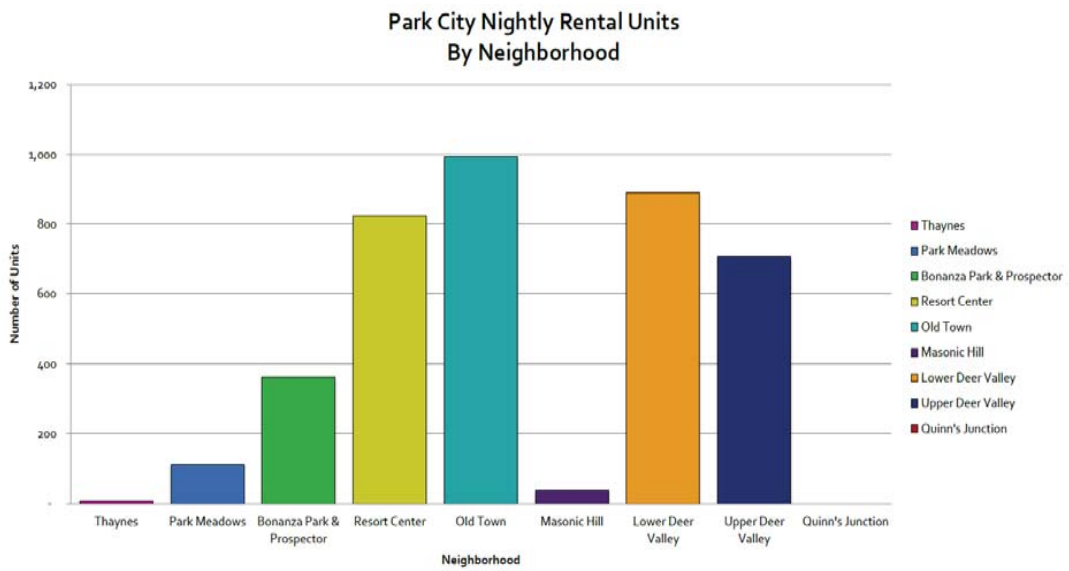
The Old Town neighborhood was historically full time primary residential. When Park City re-invented itself as the City evolved into a world class destination, its residential makeup began to change. Old Town property owners realized how valuable land was and

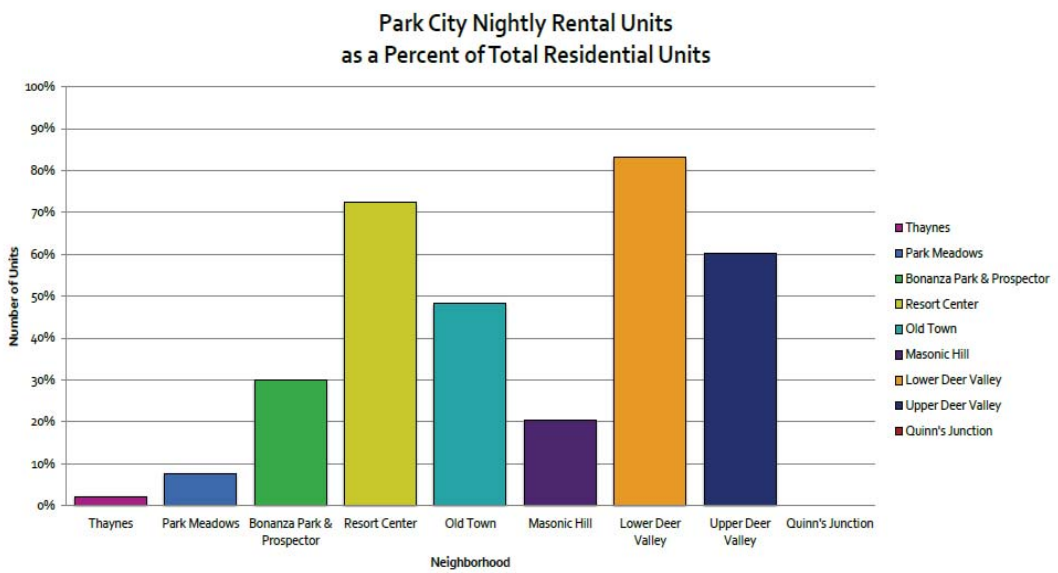
they started to try to maximize the land values as development pressure made it a more desirable resort destination.

The City should consider incentives for primary homeownership in Old Town; a balance between residents and tourists is desirable in this neighborhood.

Additional policies that might reinforce this balance include:

- Improved enforcement of nightly rental locations in Old Town;
- Consideration of nightly rentals as a Conditional Use within the HR-1 Zoning District, rather than an Allowed Use; and/or
- Reconsideration of allowing nightly rentals in the HRL Zoning District as an Allowed Use or Conditional Use; and/or
- Consideration of new criteria for nightly rental Conditional Use permits.





SENSE OF COMMUNITY

October7, 2015

Dear Planning Commission,

I am writing to you today about my concerns with regards to potential changes in the HR-L zoning on the east side of Old Town.

I purchased my first home at 99 King Rd in 1987 and I currently reside at 97 King Rd on the west side HR-L zone.

My main concern is that if nightly rentals are no longer an allowed use with a CUP on the east side of the HR-L district that this will set a precedent. I believe that we all have the right to make a decision if we want to live in our home or rent it nightly to visiting guests. The CUP process is in place to make sure that the home meets certain guidelines for rentals. If said owner wants to use it as a second home and rent it when they are not in town that should be there right.

The argument is that nightly rentals guests are loud. My stance is that nightly rental guests are visiting our City to have a good time. I have never had any issues in my neighborhood with nightly rental guests. The guests that I have spoken with have been kind and gracious.

I can tell you many stories of long term renters that make your life hell at 3:00 in the morning. Long term renters have one car and one dog per person. I believe that it was 2006 when the long term renters at 99 King Rd would throw wild parties most nights. Their two dogs were the dogs that were going all the way to Red Pine canyon and killing the sheep at night.

Whether you live on the east or west side HR-L district you should have the right to choose how you live in your home.

Nightly rental homes also bring in 45% more property tax revenue and 10.45% nightly rental tax.

Sincerely,

Stephen

Stephen Elrick

In 1983 the residents of McHenry Ave. applied to be zoned for no nightly rentals. The HRL zone was formed to give us this designation. Some years later it was discovered that that designation had been taken away .

We are re-applying to be a "no nightly rental" zone for many of the same original reasons.

#1 On the basis of life /safety issues. McHenry is a very narrow, steep , dead end street. In the winter our road reduces to one lane. What makes the difference in our safety is that the residents know the road, how to drive it and help each other. We do not have to contend with strangers who rent nightly trying to come and go on our street. We don't have people parking on the road and making it impassable for the plow. (Our cohesiveness was demonstrated this summer during our 13 week road project....when we all pulled together to get thru a difficult ordeal)

#2...Our property values are increased by being a neighborhood of full time residents. There are no unsightly trash cans and extra cars all over the road. The houses are not dark most of the year.

We watch out for our neighbors' homes and keep the street free of any crime. We have a neighborhood park that the residents maintain. It is a welcome stop for tourists and other residents walking by....and has received a State Beautification Award.

Our neighborhood is distinguished by larger lots and more open space. Our home values have continued to increase without nightly rentals. We believe that we have a special area of Old Town that is more marketable because of our full time character.

#3....We are one of the last bastions of Old Town neighborhoods left. We are worth saving.

Full time neighborhoods are rapidly disappearing in Old Town. We are probably the largest pocket of full time residents left. The fact that since 1983 when we made our original request...nothing has changed as far as nightly rental demonstrates the power of our full time cohesiveness. The fabric and character of our neighborhood has remained strong for 30 years. The few 2nd homeowners...know that we will watch their houses and all will be well when they are absent. This means a lot to people moving into Park City.

#4...We are just as viable today as 1983. Among our residents we have one teenager, 3 children under 13 and a baby on the way. In addition, 3 new grandchildren are visiting the Hill regularly...(Rossi Hill 2nd generation).

We respectfully ask that support be given to our effort to keep our neighborhood in the spirit of "keep Park City, Park City". Not only will it enhance our quality of life...but those visitors that walk thru our neighborhood.

RECEIVED
OCT 07 2015
PARK CITY
PLANNING DEPT.

McHenry Ave. Neighborhood Study..

17 units, 8 full time, 4 yearly rental, 1 monthly rental, 4- 2nd homes(no rental)

351/353 Duplex...Bonnie/ Don & Christine....351 occasional monthly rental, 353 2nd home /no rental

347.....Beth & Blake....2nd home /no rental

335.....Merritt & Bob Bennett.....**Full Time**

331.....Jerry Fiat.....2nd year of construction??

321.....Ed & Debbie Axtell.....**Full Time**

287.....Patricia & David Constable.....**Full Time**

277.....Michael Kaplan.....**Full Time**/ yearly rental

235.....Anita Baer.....**Full Time**

243.....Laura & David.....yearly rental

?.....Dustin& Brady Christiansen (Armstrong).....**Full Time**

302 .....Michael & Yvette Gallagher.....yearly rental

300.....Tom & Ann Grady.....2nd home /no rental

310.....Matey Erdos & Morgan Hole.....**Full Time**

320 .....Mary & Charlie Wintzer.....**Full Time**

330 .....David & Stacy Wintzer.....yearly rental

350.....Barbara & Jean Runell.....2nd home/ no rental

Francisco Astorga

From: Brad Brainard <bbrainard@saguaroime.com>
Sent: Tuesday, October 06, 2015 12:39 PM
To: Council_Mail; Francisco Astorga
Subject: NIghtly Rentals

October 6, 2015

Dear Council Members,

We would like to express our unequivocal opposition to amending the current Nightly Rental policy for HRL District- East. As homeowners, we purchased with this option in effect and object to the possibility of that being stripped away. How we choose to utilize our property should be at our discretion, not dictated by local government. As non-resident owners our property tax is higher, even though we use fewer government services-please don't take away an option to recover some of those costs.

Vote against prohibiting nightly rentals.

Sincerely

Bradley J and Catherine P Brainard
316/317 Ontario Ave
PO Box 4281
Park City, Utah 84060

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **550 Park Avenue**
Project #: **PL-15-02451 & PL-15-2471**
Author: **Francisco J. Astorga, Senior Planner**
Date: **October 28, 2015**
Type of Item: **Administrative – Conditional Use Permit**

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit for the construction of a new single-family dwelling over a parking structure AND a Conditional Use Permit for a *Residential Parking Structure with five (5) or more spaces, associated with a residential Building on the same Lot* at 550 Park Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval for the Commission's consideration.

Description

Applicant/Owner:	545 Street Holdings, LLC represented by Billy Reed and Jonathan DeGray, architect
Location:	550 Park Avenue
Zoning:	Historic Residential-2
Adjacent Land Uses:	Residential
Reason for Review:	Construction of structures greater than 1,000 square feet on a steep slope requires a Conditional Use Permit. A *Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot* requires a Conditional Use Permit.

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for a new single-family dwelling over a parking structure on a vacant site and a CUP for a *Residential Parking Structure with five (5) or more spaces, associated with a residential Building on the same Lot.*

Background

On September 16, 2014, the Planning Department deemed this application complete. On August 04, 2015, the City received revised plans for the proposals at 550 Park Avenue. The property is located in the Historic Residential-2 (HR-2) District. On May 13, 2015, the Planning Commission reviewed the Plat Amendment associated with this project and forwarded a positive recommendation to the City Council. The subject site is currently being proposed at Lot 1 of the Cardinal Park Subdivision.

Also during the May 13, 2015, Planning Commission meeting there was ample discussion regarding building form and scale, Steep Slope CUP criterion #6, specifically regarding that the garage must be subordinate in design to the main building. During this meeting a letter from a neighbor was acknowledged and public comments were

shared by two (2) others in attendance that night. See Exhibit F – 13 May 2015 Planning Commission Meeting Minutes. The Planning Commission moved to continue that item to a future date as a model was offered by the applicant to be submitted for review by the Planning Commission. Since that time, the applicant has been working with staff as they have made the necessary changes as requested by Staff and the Planning Commission to meet the Steep Slope CUP criteria, as the recent challenge was identified in May 2015 to have a garage subordinate in design to the main building.

This application includes a request for a Conditional Use Permit for construction over slopes that are thirty percent (30%) or greater. The proposed dwelling is a new-single family dwelling over a parking structure. Because the total proposed structure square footage is greater than 1,000 square feet, and would be constructed on a slopes greater thirty percent (30%) or greater, the applicant is required to submit a Steep Slope CUP application for review by the Planning Commission, pursuant to Land Management Code (LMC) § 15-2.2-6. A Historic District Design Review (HDDR) application is concurrently being reviewed by staff for compliance with the Design Guidelines for Historic Districts.

In August 2014, the Planning Department approved a HDDR application at 545 Main Street for a remodel/addition. The applicant is currently working on this active building permit application. This site is known as the April Inn and is located in the Historic Commercial Business (HCB) District.

As indicated on Finding of Fact no. 10 of the approved April Inn site HDDR: *"no off-street parking spaces are provided. An FAR of 1.5 is exempt from parking requirements as the property was paid in full per the 1984 Special Improvement District. The remaining FAR is not exempt from parking nor has ever been paid for existing residential uses and the applicant will need to provide for four (4) off-street parking spaces for the three new units. The applicant proposes to pay a fee-in-lieu of $14,000 per space or provide on-site parking prior to building permit approval."*

The property owner deposited with the City the parking fee in lieu in the cash amount of $56,000 (4 x $14,000). The property owner desires to seek approval of the City for the actual creation of four (4) parking spaces on the HR-2 District for the purpose of providing parking for the Main Street site.

The applicant requested use of City property to access the parking area in the form of an easement for the benefit of the April Inn, the Main Street site. The City Council approved the easement; however, the agreement will not be finalized until these CUPs applications are approved. See Exhibit B – Draft Fee In Lieu of Parking Agreement 545 Main Street, Exhibit C – February 26, 2015 City Council Staff Reports, and Exhibit D – February 26, 2015 City Council Meeting Minutes. As indicated on the agreement: "*some or all which may be returned to 545 Main depending upon the outcome of the approval process of the four (4) parking spaces on the property*". The applicant currently requests to provide six (6) parking spaces on the lowest level of the structure also housing a single-family dwelling. One (1) parking space is for the single-family dwelling, while the applicant currently requests five parking spaces for the April Inn.

The LMC indicates that the use listed as *A Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot* requires a CUP to be reviewed and approved by the Planning Commission. The applicant seeks this approval to be able to accommodate parking and have the $56,000 for the four (4) required parking spaces returned.

Purpose

The purpose of the Historic Residential-2 District is to:

A. allow for adaptive reuse of Historic Structures by allowing commercial and office Uses in Historic Structures in the following Areas:
    1. Upper Main Street;
    2. Upper Swede Alley; and
    3. Grant Avenue,
B. encourage and provide incentives for the preservation and renovation of Historic Structures,
C. establish a transition in Use and scale between the HCB, HR-1, and HR-2 Districts, by allowing Master Planned Developments in the HR-2, Subzone A,
D. encourage the preservation of Historic Structures and construction of historically Compatible additions and new construction that contributes to the unique character of the Historic District,
E. define Development parameters that are consistent with the General Plan policies for the Historic core that result in Development that is Compatible with Historic Structures and the Historic character of surrounding residential neighborhoods and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and the HR-1 regulations for Lot size, coverage, and Building Height, and
F. provide opportunities for small scale, pedestrian oriented, incubator retail space in Historic Structures on Upper Main Street, Swede Alley, and Grant Avenue,
G. ensure improved livability of residential areas around the historic commercial core,
H. encourage and promote Development that supports and completes upper Park Avenue as a pedestrian friendly residential street in Use, scale, character and design that is Compatible with the historic character of the surrounding residential neighborhood,
I. encourage residential development that provides a range of housing opportunities consistent with the community's housing, transportation, and historic preservation objectives,
J. minimize visual impacts of the automobile and parking by encouraging alternative parking solutions, minimize impacts of Commercial Uses on surrounding residential neighborhood.

The site contains two (2) zoning districts; however, the requested structure take place over the HR-2 District. The construction over steep slopes and the parking structure with six (6) parking spaces takes place within the HR-2 District.

Analysis- Steep Slope CUP

A single-family dwelling is an allowed use in the HR-2 District. The Planning Director has made a determination that even though there is more than one (1) unit on the Lot,

in this case the use of the structure is as a single-family dwelling. The proposed single-family dwelling is 2,133 square feet consisting of a three (3) bedroom house without a garage. A single-family dwelling requires two (2) parking spaces. The applicant proposes one (1) parking space accessed directly off Park Avenue onto its parking pad and one (1) parking space accessed off Main Street through the alley directly below the proposed house adjacent to the other five (5) parking spaces requested for the April Inn site.

The lowest level is the parking level consisting of 142 square feet as it contains a small entry and a staircase leading to the street level. The parking area consists of 1,084 square feet. The parking level only has built walls on the west and north elevations, in the form of a foundation wall. A column is placed on the southwest corner of the structure for support. The south elevation is completely open as it is its direct access from the alley. The middle level is identified as the street level and is accessed directly off Park Avenue. The main door of the house is on this level access through an eighteen foot (18') wide front porch. The street level has three (3) bedrooms, two (2) bathrooms, and a family room. The street level contains 1,107 square feet and it also has a rear deck. The upper level has the living room, dining room, kitchen, and a bathroom. The upper level has both a front and rear deck. The upper level is 884 square feet.

These Conditional Use Permits are for the development at 550 Park Avenue, currently a portion of proposed lot 1 of the Cardinal Park Subdivision. The applicant has not requested any changes or amendment through this application for the work currently being worked on the April Inn, which is the other portion of proposed Lot 1 of the requested Cardinal Park Subdivision.

Staff makes the following Land Management Code related findings:

LMC Requirements	Standard	Proposed
Building Footprint	1,132.5 square feet maximum, (based on the lot within the HR-2 District)	1,127 square feet, complies.
Front/Rear Yard Setbacks	10 feet, minimum	Front: 10.5', complies. Rear: 16', complies.
Side Yard Setbacks	3 feet, minimum	North: 3 feet, complies. South: 3 feet, complies.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing (natural) Grade.	Various heights all under 27 feet, highest at 26.6 feet, complies.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery […].	4 feet or less, complies.
Lowest Finish Floor Plane to Highest Wall	A Structure shall have a maximum height of thirty	Complies.

Top Plate	five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate […].	
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required […].	Complies.
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. A Green Roof may be below the required 7:12 roof pitch as part of the primary roof design.	All primary roof forms contain a green roof, complies.

LMC § 15-2.3-6 provides for development on steep sloping lots in excess of one thousand square feet (1,000 sq. ft.) within the Historic Residential-2 District, subject to the following criteria:

1. **Location of Development.** Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

   The proposed structure is located towards the front, ten feet (10') from property line at Park Avenue. The rear setback is fifteen feet (15'). The side yards setbacks are both at the minimum of three feet (3'). From Park Avenue towards the rear the site, the first twenty feet (20') is considered the steepest part of the site with a slope of approximately forty percent (40%). The last sixty-five feet (65') contain a flat slope which can be measured at nine percent (9%) approximately.

2. **Visual Analysis.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the proposed Access, and Building mass and design; and to identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities. **No unmitigated impacts.**

   The applicant submitted plans including a streetscape showing how the three (3) structure will be observed as a two (2) story dwelling when viewed from Park Avenue, due to the character of the slopes towards the front which limits the maximum building height. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283.

3. **Access.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

The proposed structure has two (2) access points: Park Avenue and Main Street. The Park Avenue access corresponds to an eighteen foot (18') wide porch for pedestrian access as well as a parking space directly off Park Avenue. The Park Avenue access is by right simply for having frontage over a street recognized on Park City's Streets Master Plan. The Main Street access for the house has a covered parking space and a door leading to the upstairs street level. The five (5) remaining parking spaces are for the exclusive use of the April Inn and are only to have access through the alley off Main Street. The side access of the lowest parking level was granted by the City to the applicant in a recent City Council discussion to be finalized in a form approved by the City Attorney and City Engineer.

4. **Terracing.** The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

   The proposal does not including any terracing other than the effect of the structure on the site. The structure capitalizes on the existing grades to have the parking area on the lowest level and just one (1) parking space for the house on the Park Avenue street level.

5. **Building Location.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

   The proposed structure is located towards the front and center of the lot in order to capitalize the access to both driveways from each one of the access point, one (1) parking space from Park Avenue at the street level and the rest off Main Street through what would be considered the side of the building at the lowest level. Due to the topography of the site, from the front elevation, the site resembles a two (2) story building. The maximum building height of twenty-seven feet (27') make the proposed structure follow the perceived natural topography of the site. The front façade is broken up which assists in providing variation.

6. **Building Form and Scale.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

   The proposed structure contains a flat green roof as a primary roof form. The street level at the back contains a deck. The upper level at the front and back

contain a deck. The green roof has a step towards the middle which assists in breaking up the massing in two (2) components. The street and upper levels at the front elevation contain a vertical step in front wall plane which breaks up the proposed structure. The deck above the porch also assists in breaking up the mass and a small roof form over the left side of the front elevation vertical break adds more articulation to the building form. The proposed green roof is not accessible and is considered a passive space which will not require railings, etc. The green roof will not act as a patio. Staff recommends that the fireplace above the roof is reduced as it tends to "stick out" as seen from the front elevation.

7. **Setbacks.** The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

   The proposed structure has a fourteen foot (14') front yard setback to the structure. The upper level deck is ten and a half feet (10.5') from the front property line. The front has small roof form to the left, a wide eighteen foot porch to the right, and a four foot (4') vertical façade shift which minimize the "wall effect". The proposed structure has a twenty foot (20') rear yard setback to the structure. The street level rear deck is sixteen feet (16") from the rear property line. The proposed design contains the required ten foot (10') step-back on the third story.

8. **Dwelling Volume.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in [LMC Chapter 2.2 – HR-1]. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

   The proposed structure is both horizontally and vertically articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure on the rear elevation. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area comprised of three (3) story dwellings.

9. **Building Height (Steep Slope).** The maximum Building Height in the HR-2 District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

   The entire building ranges in height from seventeen to twenty-seven feet (17-27') measured from existing grade, as required by the LMC.

<u>Conditional Use Permit Review for Parking with 5 or more spaces…</u>
LMC § 15-2.16-2(B)(11) indicates that a *Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot* is a conditional use in the HR-2 District. LMC § 15-2.3-3 indicates that the Planning Commission shall review any Conditional Use permit (CUP) Application in the HR-2 District according to Conditional Use permit criteria set forth in Section 15-1-10 as well as the following:

A. Consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites, Section 15-4. **Complies as conditioned.**

   The application is currently being reviewed by staff for compliance with the Design Guidelines.

B. The Applicant may not alter a Historic Structure to minimize the residential character of the Building. **Not applicable.**

   The subject site is not historic.

C. Dedication of a Facade Preservation Easement for Historic Structures is required to assure preservation of Historic Structures and the Historic fabric of the surrounding neighborhood. **Not applicable**

   The subject site is not historic.

D. New Buildings and additions must be in scale and Compatible with the mass, height, width, and historic character of the surrounding residential neighborhood and existing Historic Structures in the neighborhood. Larger Building masses should be located to rear of the Structure to minimize the perceived mass from the Street. **Complies.**

   The application is currently being reviewed by staff for compliance with the Design Guidelines where the scale, compatibility, historic character is thoroughly reviewed.

E. Parking requirements of Section 15-3 shall be met. The Planning Commission may waive parking requirements for Historic Structures and may consider in-lieu fees for all or a portion of parking requirements for Master Planned Developments. Calculation of in-lieu fees shall be based on the Park City Municipal Code Section 11-12-16 and any adopted City Council fees in effect at the time a complete application is received. The Planning Commission may allow on-Street parallel parking adjacent to the Front Yard to count as parking for Historic Structures, if the Applicant can document that the on-Street Parking will not impact adjacent Uses or create traffic circulation hazards. A traffic study, prepared by a registered Engineer, may be required. **Complies with the parking requirements of Section 15-3.**

Applicant proposes two (2) parking spaces for the residential single-family dwelling, one (1) parking space accessed directly off Park Avenue and one (1) parking space accessed off the alley through Main Street. The LMC requires a single-family dwelling to have two (2) parking spaces.

F. All Yards must be designed and maintained in a residential manner. Existing mature landscaping shall be preserved wherever possible. The Use of native plants and trees is strongly encouraged. **Complies as conditioned.**

LMC § 15-2.3-15 indicates that:

> *The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.*
>
> *Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 5.*

Staff recommends that the applicant submit the required report by a Certified Arborist and that the loss of significant mitigation is replaced on a like per like basis.

G. Fencing and Screening between residential and Commercial Uses may be required along common Property Lines. **Not applicable.**

No fencing is being proposed at this time. The applicant requests to landscape the site. See criterion F above.

H. All utility equipment and service areas must be fully Screened to prevent visual and noise impacts on adjacent residential Properties and on pedestrians. **Complies as conditioned.**

The applicant shall be responsible of screening utility equipment through their final landscape plan to be approved prior to building permit issuance. Any utility equipment in the Right-of-Way shall also be screened through proper approval and authorization of the City Engineer.

The Planning Commission must review each of the following items when considering whether or not the proposed conditional use mitigates impacts of and addresses the following items as outlined in LMC § 15-1-10(E):

1. Size and location of the site. **No unmitigated impacts.**

   The proposed single-family dwelling is 2,133 square feet consisting of a three (3) bedroom house with most of the lowest level consisting of parking spaces. The house has one (1) parking space accessed off Park Avenue and one (1) parking space accessed through the alley via Main Street. The living space of the parking level is 142 square feet. The parking level area consisting of six (6) parking spaces is 1,084 square feet. The living space of the street level floor is 1,107 square feet. The living space of the upper level floor is 884 square feet.

2. Traffic considerations. **No unmitigated impacts.**

   The requested use of the single-family dwelling is off Park Avenue as well as through Main Street and the alley. The requested use of the parking area on the lowest level is off Main Street. From time to time, Main Street may be closed for specific events, such as Miner's Day parade in September, Arts Festival in August, etc., Pursuant to the Easement Agreement the owners of the April Inn during these street closure they may not access the proposed parking garage. The applicant stipulates these street closures and understands that they would have to abide the same restrictions currently faced by other residential property owners and businesses on Main Street.

3. Utility capacity. **No unmitigated impacts.**

   No additional utility capacity is required for the requested use.

4. Emergency vehicle access. **No unmitigated impacts.**

   Emergency vehicles can easily access the unit and no additional access is required.

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

   The applicant proposes a total of seven (7) parking spaces on-site: Two (2) parking spaces for the single-family dwelling; and Five (5) parking spaces for the April Inn.

   The LMC indicates that a single-family dwelling requires a minimum of two (2) parking spaces. The first (1st) parking space is accessed off Park Avenue while the second (2nd) parking space is found below the street level.

   The remaining five (5) parking spaces, as well as the second one (1) for the house, are accessed of Main Street through a drafted easement agreement over City owned property. The five (5) parking spaces are to be built for the benefit of 545 Main Street, April Inn.

6. Internal circulation system. **No unmitigated impacts.**

The single-family dwelling has internal pedestrian circulation directly off each parking area. The first (1st) parking space is accessed off Park Avenue, the second (2nd) parking space as well as the five (5) parking spaces are accessed off Main Street through the alley.

7. Fencing, screening and landscaping to separate uses. **No unmitigated impacts.**

   Screening and landscaping is proposed at towards the front of the house.

8. Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots. **No unmitigated impacts.**

   The applicant requests to build a new single-family dwelling at the Park Avenue elevation. The applicant requests the roof of the structure to be a passive non-accessible green roof, which is allowed.

9. Usable open space. **No unmitigated impacts.**

   No useable open space will be affected with the requested use from what is currently found on site. There are stairs on the west end of the City owned alley, which the applicant requests to rebuild, realign, and landscape. The applicant will have to receive a separate permit through the City Engineer's office to rebuild and realign the City stairs, as well as landscaping City owned property.

10. Signs and lighting. **No unmitigated impacts.**

    No signs and lighting are associated with this proposal. Any new exterior lighting is subject to the LMC development standards related to lighting and will be reviewed for compliance with the LMC at the time of application. All signs are subject to the Park City Sign Code.

11. Physical design and compatibility with surrounding structures in mass, scale and style. **No unmitigated impacts.**

    The applicant requests to build a new single-family dwelling at the Park Avenue elevation. The applicant requests the roof of the structure to be a passive non-accessible green roof, which is currently allowed. The requested uses will not affect the existing physical design and compatibility with surrounding structures in mass, scale and style. Staff does not find that additional impacts need to be mitigated in terms of this criterion due to the size of the proposed building.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site. **No unmitigated impacts.**

    Noise, vibration, odors, steam or mechanical factors are anticipated that are normally associated within the residential district including its intended nature to be a transition between the Historic Residential-1 and the HCB Districts.

13. Control of delivery and service vehicles, loading and unloading zones, and screening. **No unmitigated impacts.**

    The proposal will not affect any control of delivery and service vehicles, loading/unloading, and screening.

14. Expected ownership and management of the property. **No unmitigated impacts.**

    The expected ownership and management of the property is not projected to add impacts that would need additional mitigation. The property is owned by 545 Main Street Holdings LLC. The applicant in the future may request to file a Condominium Record of Survey for the April Inn, 545 Main Street, and the proposed structure.

15. Sensitive Lands Review. **No unmitigated impacts.**

    The proposal is not located within the Sensitive Lands Overlay.

Special Requirements

LMC § 15-2.3-8 indicates special requirements for Master Planned Development and Conditional Use Permits in Sub-zone A, consisting of lots in the HR-2 District that are west of Main Street, excluding those Lots within Block 13. The following special requirements apply only to Lots in Sub-Zone A that are part of a Master Planned Development, a Conditional Use Permit, or a Plat Amendment that combines a Main Street, HCB zoned, Lot with an adjacent Park Avenue, HR-2 zoned, Lot or portion of a Lot, for the purpose of restoring an Historic Structure, constructing an approved addition to an Historic Structure, constructing a residential dwelling or Garage on Park Avenue, or expanding a Main Street Business into the HR-2 zoned Lot:

1. All Commercial Uses extending from Main Street into the HR-2 Zone are subject to the Conditional Use Permit review requirements of Section 15-1-10 and the Master Planned Development requirements of Section 15-6 if the development is part of a Master Planned Development. These Commercial Uses must be located below the Grade of Park Avenue projected across the HR-2 Lot and beneath the Main Floor of a residential Structure or Structures facing Park Avenue. Occupancy of the below Grade Floor Area is conditioned upon completion of the residential structure on the HR-2 Lot. **Complies.**

   The applicant requests to build a residential parking structure for the April Inn below grade of Park Avenue projected across the HR-2 and beneath the main floor of a single-family dwelling, a residential structure facing Park Avenue.

2. All Buildings within the HR-2 portion of the development must meet the minimum Side and Front Yard Setbacks of the HR-2 District as stated in Section 15-2.3-4, unless the Planning Commission grants an exception to this requirement during the MPD review and the development is consistent with the MPD Section 15-6-

5(C). Below Grade Structures, such as parking structures and Commercial Floor Area extending from Main Street beneath a residential Structure or Structures on Park Avenue may occupy Side Yard Setbacks subject to Building and Fire Codes and trespass agreements. **Complies.**

The proposed structure within the HR-2 portion of the lot meets the minimum side and front yard setbacks of the HR-2 District as stated. The parking structure below the single-family dwelling does not occupy side yard setbacks other than the access leading to it.

3. All Buildings within the HR-2 portion of the development must meet the Building Height requirements of the HR-2 District as stated in Section 15-2.3-6. **Complies.**

   The proposed structure within the HR-2 portion of the lot meets the building height requirements of the HR-2 District as stated.

4. Existing and new Structures fronting on Park Avenue may not contain Commercial Uses, except as permitted in Section 15-2.3-8 (B) (1). **Complies as conditioned.**

   The new structure fronting on Park Avenue does not contain commercial uses.

5. A Floor Area Ratio of 4.0 shall be used to calculate the total Commercial Floor Area. Only the Lot Area within the HCB Lot may be used to calculate the Commercial Floor Area. **Complies.**

   Only the lot area within the HCB portion of the lot shall be used to calculate the commercial floor area.

6. The number of residential units allowed on the HR-2 portion of the Development is limited by the Lot and Site Requirements of the HR-2 District as stated in Section 15-2.3-4. **Complies.**

   Applicant requests a total of one (1) unit over the HR-2 portion of the development.

7. All entrances and Access, including service and delivery, for the Commercial Use must be off of a Street or easement within the HCB District. The Commercial Structure must be designed to preclude any traffic generation on residential Streets, such as Park Avenue. Any emergency Access, as required by the Uniform Building Code (UBC), onto the HR-2 portion of the Property must be designed in such a manner as to absolutely prohibit non-emergency Use. Alarms shall be installed on all emergency doors that provide access to Park Avenue. **Complies.**

   The access for the parking structure underneath the single-family dwelling is off Main Street, HCB District, through an easement. The applicant is not asking for

a commercial structure. No emergency access onto the HR-2 portion of the property is proposed.

8. Commercial portions of a Structure extending from the HCB to the HR-2 District must be designed to minimize the Commercial character of the Building and Use and must mitigate all impacts on the adjacent Residential Uses. Impacts include such things as noise, odor and glare, intensity of activity, parking, signs, lighting, Access and aesthetics. **Not applicable.**

9. No loading docks, service yards, exterior mechanical equipment, exterior trash compounds, outdoor storage, ADA Access, or other similar Uses associated with the HCB Uses are allowed within the HR-2 portion of the Property, and all such Uses shall be screened for visual and noise impacts. **Not applicable.**

10. The Property Owner must donate a Preservation Easement to the City for any Historic Structures included in the Development. **Not applicable.**

11. Any Historic Structures included in the development shall be restored or rehabilitated according to the requirements of the LMC Chapter 11- Historic Preservation. **Not applicable.**

12. Any adjoining Historic Structures under common ownership or control must be considered a part of the Property for review purposes of the Conditional Use permit and/or Master Planned Development. **Not applicable.**

13. The allowed Building Width of any Structure above Final Grade is up to forty (40) feet. Building Widths shall reflect the typical variation, pattern and Historic character of the surrounding residential neighborhood. **Complies.**

    The width of the proposed structure is twenty nine feet (29').

14. Residential Density Transfers between the HCB and HR-2 Zoning Districts are not permitted. A portion of the Gross Floor Area generated by the Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in the HCB Zone, may be located in the HR-2 Zone as allowed by this Section. **Complies.**

    No density transfer is being proposed.

15. Maximum allowed Building Footprint for the HR-2 Lot is subject to Section 15-6-5(B). **Complies.**

<u>Process</u>

Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in Land Management Code § 15-1-18. Approval of the Historic District Design Guideline compliance is noticed separately and is a condition of building permit issuance.

Department Review
This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that would have to be addressed during building permit review.

Public Input
The City received one public comment on May 8, 2015. See Exhibit E – Public Comment.

Alternatives
- The Planning Commission may approve the requested CUPs as conditioned or amended, or
- The Planning Commission may deny the requested CUPs and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

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

Consequences of not taking the Suggested Recommendation
The construction as proposed could not occur. The applicant would have to revise their plans. The applicant would not be able to use their site as parking for the adjacent building and/or may not be able to build the requested single-family dwelling/parking structure.

Recommendation
Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit for the construction of a new single-family dwelling over a parking structure and a Conditional Use Permit for a *Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot* at 550 Park Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval for the Commission's consideration.

General Findings of Fact:
1. The site is located at 550 Park Avenue.
2. The site is located in the HR-2 District.
3. The site is currently being proposed at Lot 1 of the Cardinal Park Subdivision.
4. This application includes a request for a Conditional Use Permit for construction of a new-single family dwelling over a parking structure.
5. A Historic District Design Review (HDDR) application is concurrently being reviewed by staff for compliance with the Design Guidelines for Historic Districts.
6. The LMC indicates that the use listed as *A Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot* requires a Conditional Use Permit
7. A single-family dwelling is an allowed use in the HR-2 District.
8. The proposed single-family dwelling is 2,133 square feet consisting of a three (3) bedroom house without a garage.

9. A single-family dwelling requires two (2) parking spaces.
10. The applicant proposes two (2) parking spaces for the single-family dwelling
11. The applicant proposes five (5) parking spaces for the April Inn site.
12. The lowest level is the parking level consisting of 142 square feet.
13. The parking area consists of 1,084 square feet.
14. The middle level is identified as the street level and is accessed directly off Park Avenue.
15. The street level has three (3) bedrooms, two (2) bathrooms, and a family room.
16. The street level contains 1,107 square feet and it also has a rear deck.
17. The upper level has the living room, dining room, kitchen, and a bathroom.
18. The upper level has both a front and rear deck.
19. The upper level is 884 square feet.
20. The maximum building footprint is 1,135.5 square feet.
21. The proposed building footprint is 1,127 square feet.
22. The minimum front/rear yard setbacks are ten feet (10).
23. The front yard setbacks are ten and a half feet (10.5').
24. The rear yard setbacks are sixteen feet (16').
25. The minimum side yard setbacks are three feet (3').
26. The side yard setbacks are three feet (3').
27. The proposed structure complies with the maximum building height, including the following provisions: final grade, thirty-five foot rule, vertical articulation, roof pitch.

Steep Slope CUP Specific Findings of Fact:

1. The proposed structure is located and designed to reduce visual and environmental impacts of the Structure.
2. The applicant submitted plans including a streetscape showing how the three (3) structure will be observed as a two (2) story dwelling when viewed from Park Avenue, due to the character of the slopes towards the front which limits the maximum building height.
3. The proposed structure has two (2) access points: Park Avenue and Main Street.
4. The Park Avenue access corresponds to an eighteen foot (18') wide porch for pedestrian access as well as a parking space directly off Park Avenue.
5. The Main Street access for the house has a covered parking space and a door leading to the upstairs street level. The five (5) remaining parking spaces are for the exclusive use of the April Inn and are only to have access through the alley off Main Street.
6. The side access of the lowest parking level was granted by the City to the applicant in a recent City Council discussion to be finalized in a form approved by the City Attorney and City Engineer.
7. The proposal does not including any terracing other than the effect of the structure on the site.
8. The proposed structure is located towards the front and center of the lot in order to capitalize the access to both driveways from each one of the access point, one parking space from Park Avenue at the street level of the structure and the rest off Main Street through what would be considered the side of the building at the lowest level of the structure.

9. The maximum building height of 27 feet make the proposed structure follow the perceived natural topography of the site.
10. The front façade is broken up which assists in providing front yard variation.
11. The roof form, the decks both in front and back, and the vertical step in the front break up the mass of the building and adds more articulation to the building form.
12. The proposed green roof is not accessible and is considered a passive space which will not require railings, etc. The green roof will not act as a patio.
13. Staff recommends that the fireplace above the roof is reduced as it tends to "stick out" as seen from the front elevation.
14. The front has small roof form to the left, a wide eighteen foot porch to the right, and a four foot (4') vertical façade shift which minimize the "wall effect".
15. The proposed design contains the required ten foot (10') step-back on the third story.
16. The proposed structure is both horizontally and vertically articulated and broken into compatible massing components.
17. The design includes setback variations and lower building heights for portions of the structure on the rear elevation.
18. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area comprised of three (3) story dwellings.
19. The entire building ranges in height from seventeen to twenty-seven feet (17-27') measured from existing grade, as required by the LMC.

CUP for Parking with 5 or More Spaces Specific Findings of Fact:

1. The proposal shall be consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites.
2. The application is currently being reviewed by staff for compliance with the Design Guidelines where the scale, compatibility, historic character is thoroughly reviewed.
3. Applicant proposes two (2) parking spaces for the residential single-family dwelling, one parking space accessed directly off Park Avenue and one parking space accessed off the alley through Main Street. The LMC requires a single-family dwelling to have two (2) parking spaces.
4. Staff recommends that the applicant submit the required report by a Certified Arborist and that the loss of significant mitigation is replaced on a like per like basis.
5. The applicant shall be responsible of screening utility equipment through their final landscape plan to be approved prior to building permit issuance. Any utility equipment in the Right-of-Way shall also be screened through proper approval and authorization of the City Engineer.
6. The proposed single-family dwelling is 2,133 square feet consisting of a three (3) bedroom house with most of the lowest level consisting of parking spaces.
7. The house has one parking space accessed off Park Avenue and one parking space accessed through the alley via Main Street.
8. The requested use of the single-family dwelling is off Park Avenue as well as through Main Street and the alley.
9. From time to time, Main Street may be closed for specific events, such as Miner's Day parade in September, Arts Festival in August, etc., Pursuant to the

Easement Agreement, the owners of the April Inn during these street closure they may not access the proposed parking garage. The applicant stipulates these street closures and understands that they would have to abide the same restrictions currently faced by other residential property owners and businesses on Main Street.

10. No additional utility capacity is required for the requested use.
11. Emergency vehicles can easily access the unit and no additional access is required.
12. The applicant proposes a total of seven (7) parking spaces on-site: Two (2) parking spaces for the single-family dwelling; and Five (5) parking spaces for the April Inn.
13. The LMC indicates that a single-family dwelling requires a minimum of two (2) parking spaces.
14. The first (1st) parking space is accessed off Park Avenue while the second (2nd) parking space is found below the street level.
15. The remaining five (5) parking spaces, as well as the second one (1) for the house, are accessed of Main Street through a drafted easement agreement over City owned property.
16. The five (5) parking spaces are to be built for the benefit of 545 Main Street, April Inn.
17. The single-family dwelling has internal pedestrian circulation directly off each parking area.
18. The first (1st) parking space is accessed off Park Avenue, the second (2nd) parking space as well as the five (5) parking spaces are accessed off Main Street through the alley.
19. Screening and landscaping is proposed at towards the front of the house.
20. The applicant requests to build a new single-family dwelling at the Park Avenue elevation.
21. The applicant requests the roof of the structure to be a passive non-accessible green roof, which is allowed.
22. No useable open space will be affected with the requested use from what is currently found on site.
23. There are stairs on the west end of the City owned alley, which the applicant requests to rebuild, realign, and landscape. The applicant will have to receive a separate permit through the City Engineer's office to rebuild and realign the City stairs, as well as landscaping City owned property.
24. No signs and lighting are associated with this proposal.
25. The requested uses will not affect the existing physical design and compatibility with surrounding structures in mass, scale and style.
26. The proposal will not affect any control of delivery and service vehicles, loading/unloading, and screening.
27. The expected ownership and management of the property is not projected to add impacts that would need additional mitigation.
28. The proposal is not located within the Sensitive Lands Overlay.
29. The applicant requests to build a residential parking structure for the April Inn below grade of Park Avenue projected across the HR-2 and beneath the main floor of a single-family dwelling, a residential structure facing Park Avenue.

30. The proposed structure within the HR-2 portion of the lot meets the minimum side and front yard setbacks of the HR-2 District as stated. The parking structure below the single-family dwelling does not occupy side yard setbacks other than the access leading to it.
31. The proposed structure within the HR-2 portion of the lot meets the building height requirements of the HR-2 District as stated.
32. The new structure fronting on Park Avenue does not contain commercial uses.
33. Only the lot area within the HCB portion of the lot shall be used to calculate the commercial floor area.
34. Applicant requests a total of one (1) unit over the HR-2 portion of the development.
35. The access for the parking structure underneath the single-family dwelling is off Main Street, HCB District, through an easement. The applicant is not asking for a commercial structure. No emergency access onto the HR-2 portion of the property is proposed.
36. The width of the proposed structure is twenty nine feet (29').
37. No density transfer is being proposed.

Conclusions of Law:

1. The Application complies with all requirements of this LMC;
2. The Use will be Compatible with surrounding Structures in Use, scale, mass and circulation;
3. The Use is consistent with the Park City General Plan, as amended; and
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.
7. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.

8. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on October 28, 2016, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes made during the Historic District Design Review.
11. All Yards shall be designed and maintained in a residential manner. Existing mature landscaping shall be preserved wherever possible. The use of native plants and trees is strongly encouraged.
12. From time to time Main Street may be closed for specific events, such as Miner's Day parade in September, Arts Festival in August, etc., and finds that the applicant understands that during these street closure they may not access their parking garage. The applicant stipulates these street closures and understands that they would have to abide the same restrictions currently faced by other residential property owners and businesses on Main Street.
13. There are stairs on the west end of the City owned alley, which the applicant requests to rebuild, realign, and landscape. The applicant shall receive a separate permit through the City Engineer's office for this work to the satisfaction of the City Engineer and applicable City Codes**.**
14. The new structures fronting on Park Avenue shall not contain commercial uses.

15. The number of residential units allowed on the HR-2 portion of the Development shall be limited by the Lot and Site Requirements of the HR-2 District as stated in Section 15-2.3-4.
16. The maximum allowed Building Footprint for the HR-2 Lot shall be subject to Section 15-6-5(B).
17. The easement agreement for access to the lower parking must be recorded prior to issuance of any building permits.
18. The applicant shall submit the report by a Certified Arborist prior to building per LMC § 15-2.3-15. Loss of significant mitigation shall be replaced on a like per like basis.
19. The proposed fireplace above the roof shall be reduced as it tends to "stick out" as seen from the front elevation.

Exhibits

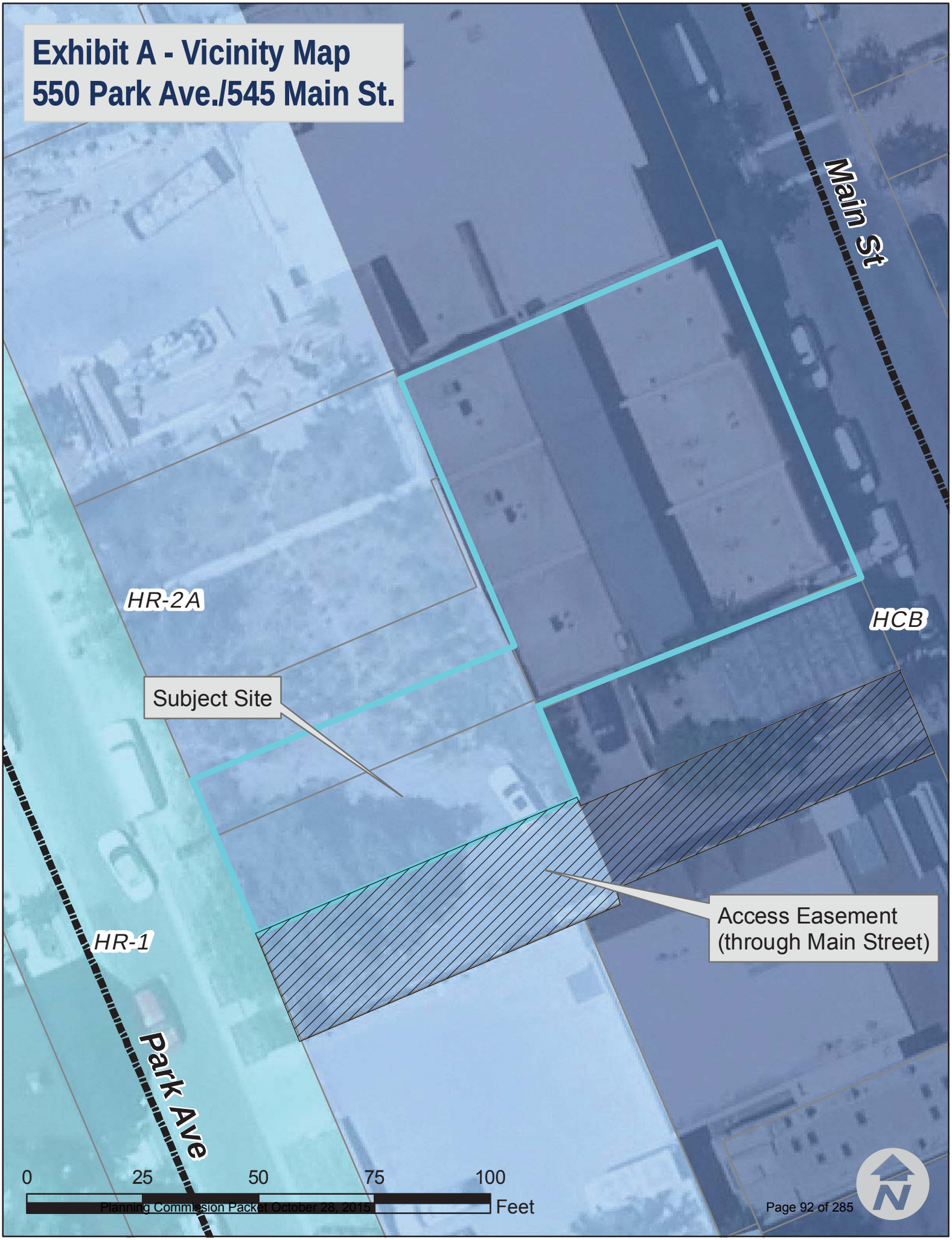
Exhibit A – Vicinity Map

Exhibit B – Plans:

Aa – Area Square Foot Calculations
Topographic Map
A0.1 – Site Plan/Landscape Plan/Parking Plan
A1.1 – Parking Level & Street Level Floor Plans
A1.2 – Upper Level Floor Plan & Roof Plan
A2.0 – Exterior Elevations
A2.1 – Streetscape Elevations

A3.0 - A3.1 – Building Sections
Exhibit C – Fee In Lieu of Parking Agreement 545 Main Street & HDDR Action Letter
Exhibit D – 09.17.2015 City Council Staff Report including 02.26.2015 Report
Exhibit E – 02.26.2015 City Council Meeting Minutes
Exhibit F – 09.17.2015 Draft City Council Meeting Minutes
Exhibit G – Public Comment
Exhibit H – 05.13.2015 Planning Commission Meeting Minutes

Exhibit A - Vicinity Map
550 Park Ave./545 Main St.



PARK AVENUE LOT E

550PARK AVENUE
PARK CITY, UT 84060
HISTORIC DISTRICT DESIGN REVIEW APPLICATION SET

CONSULTANTS

ARCHITECTURAL
JONATHAN DEGRAY
P.O. BOX 1674
614 MAIN STREET SUITE 302
PARK CITY, UTAH 84060
TEL. (435) 649-7263
FAX. (435) 649-7263
EMAIL: degrayarch@qwestoffice.net

LEGEND

BRICK & STONE
EARTH
CONCRETE
CONCRETE MASONRY UNIT
STEEL (LARGE SCALE)
RIGID INSULATION
ROUGH WOOD
BLOCKING
ALUMINUM (LARGE SCALE)
GRAVEL
FINISHED WOOD
BATT OR BLOWN INSULATION
PLASTER, SAND, GROUT, MORTAR
STEEL (SMALL SCALE)
BITUMINOUS PAVING
PLYWOOD
GYPSUM BOARD

OFFICE 103 — ROOM NAME / ROOM NUMBER
FLOOR, POINT ELEV.
CENTER LINE
ROUND, DIA.
CHANNEL
ANGLE
DETAIL
SECTION CUT, DETAIL
BUILDING SECTION
KEYED NOTES
WINDOW TYPE
DOOR NUMBER
REVISION
INTERIOR WALL ELEV.
WALL TYPE

CODE ANALYSIS

APPLICABLE CODES
2012 IRC 2012 IBC
2012 IPC 2012 IMC
2011 NEC 2012 IFGC
2009 IECC 2012 IFC

OCCUPANCY: R3

CONSTRUCTION TYPE: VB

BACKFLOW PREVENTERS (3 TOTAL)

DEFERRED SUBMITTALS

AREA SQUARE FOOT CALCULATIONS				
	EXISTING	NEW	TOTAL	REMODEL
PARKING LEVEL	-	142	142	-
MAIN LEVEL	-	1107	1107	-
UPPER LEVEL	-	884	884	-
TOTAL LIVING SPACE	-	2133	2133	-
ALLOWABLE LIVING SPACE	-	-	-	-
PARKING	-	1084	1084	-
FOOTPRINT	-	1127	1127	-
ALLOWABLE FOOTPRINT	-	1132.5		-
LOT AREA	2625			
LOD FENCE				
DISTURBED AREA				

INDEX TO DRAWINGS

#	SHEET #	SHEET DESCRIPTION
1	Aa	COVER SHEET
		SURVEY
2	1 OF 1	RECORD OF SURVEY AND TOPOGRAPHIC MAP
		ARCHITECTURAL
3	A0.1	PROPOSED SITE PLAN & LANDSCAPE PLAN
4	A1.1	FLOOR PLANS - PARKING LEVEL, STREET LEVEL
5	A1.2	FLOOR PLANS - UPPER LEVEL, ROOF LEVEL
6	A2.0	EXTERIOR ELEVATIONS
7	A2.1	STREETSCAPE ELEVATION
8	A3.0	BUILDING SECTIONS
9	A3.1	BUILDING SECTIONS
10	A5.1	GENERAL NOTES AND DETAILS
11	A5.2	DETAILS
12	A6.0	DOOR, WINDOW AND ROOM SCHEDULES
		MECHANICAL, ELECTRICAL, PLUMBING
13	MEP1.0	MECHANICAL, ELECTRICAL, PLUMBING GENERAL NOTES
14	MEP1.1	MECHANICAL, ELECTRICAL, PLUMBING PLAN - LOWER LEVEL, MAIN LEVEL, UPPER LEVEL

ABBREVIATIONS

A/C	AIR CONDITIONING	F.D.	FLOOR DRAIN	PR.	PAIR
ACOUST.	ACOUSTICAL	FND	FOUNDATION	R.D.	ROOF DRAIN
ADD.	ADDENDUM	FIN.	FINISH	REG.	REGULAR
ADJ.	ADJUSTABLE	FLR.	FLOOR	R.S.	ROUGH-SAWN
ALLOW.	ALLOWANCE	F.R.	FIRE RATED	RAD.	RADIUS
ALUM.	ALUMINUM	FTG.	FOOTING	REINF.	REINFORCING
APPROX.	APPROXIMATE	G	GAS	REQ'D.	REQUIRED
B.D.	BOARD	G.I.	GALVANIZED IRON	REV.	REVISED
B.U.	BUILT-UP	GA.	GAUGE	RM.	ROOM
B.W.	BOTH WAYS	GALV.	GALVANIZED	R.O.	ROUGH OPENING
BLDG.	BUILDING	GRD.	GRADE	S & R	SHELF AND ROD
BLK.	BLOCK	G.W.B.	GYPSUM WALL BOARD	S.C.	SOLID CORE
BRK.	BRICK	G.L.B.	GLU-LAM BEAM	SCHED.	SCHEDULE
C.I.	CAST IRON	H.B.	HOSE BIBB	SHT.	SHEET
C.J.	CONTROL JOINT	HD.	HEAD	SIM.	SIMILAR
C.M.U.	CONCRETE MASONRY UNIT	H.M.	HOLLOW METAL	SPEC.	SPECIFICATION
CLG.	CEILING	HOR.	HORIZONTAL	STD.	STANDARD
COL.	COLUMN	I.D.	INSIDE DIAMETER	STL.	STEEL
COMP.	COMPACTED/COMPOSITE	INT.	INTERIOR	STRUCT.	STRUCTURAL
CONC.	CONCRETE	IRRIG.	IRRIGATION	SYS.	SYSTEM
CONST.	CONSTRUCTION	INSUL.	INSULATION	T & B	TOP AND BOTTOM
CONTR.	CONTRACTOR	JB.	JAMB	T & G	TONGUE AND GROOVE
CONT.	CONTINUOUS	JNT.	JOINT	T.O.	TOP OF
D.F.	DRINKING FOUNTAIN/DOUGLAS FIR	M.R.	MOISTURE RESISTANT	T.O.F.	TOP OF FOOTING
DIA.	DIAMETER	MANF'R	MANUFACTURER	T.O.W.	TOP OF WALL
DIM.	DIMENSION	MAX.	MAXIMUM	TYP.	TYPICAL
DN.	DOWN	MECH.	MECHANICAL	T.S.	STEEL TUBE COLUMN
DWG.	DRAWING	MIN.	MINIMUM	U.N.O.	UNLESS NOTED OTHERWISE
DTL.	DETAIL	(N)	NEW	VERT.	VERTICAL
EA.	EACH	N.I.C.	NOT IN CONTRACT	V.T.R.	VENT THRU ROOF
E.F.	EXHAUST FAN	N.T.S.	NOT TO SCALE	W.	WATER
E.I.F.S.	EXT. INSUL. FINISH SYSTEM	NO.	NUMBER	WD.	WOOD
E.J.	EXPANSION JOINT	O.C.	ON CENTER	W/	WITH
ELEC.	ELECTRIC/ELECTRICAL	O.D.	OUTSIDE DIAMETER	WP.	WATERPROOF
ELEV.	ELEVATION	OF.D.	OVERFLOW DRAIN	W.R.	WATER RESISTANT
EQ.	EQUAL	OPN'G	OPENING	W.H.	WATER HEATER
E.T.	EXPANSION TANK	PLYWD.	PLYWOOD	W.S.	WATER SOFTENER
EXIST. (E)	EXISTING	PNT.	PAINT	W.W.F.	WELDED WIRE FABRIC
EXT.	EXTERIOR	PNTD.	PAINTED	W.W.M.	WOVEN WIRE MESH

GENERAL NOTES

1. THIS DESIGN IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED AND/OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT/ENGINEER.

2. THESE SHEETS - LISTED BY DRAWING INDEX , ALL ACCOMPANYING SPECIFICATIONS FOR MATERIALS, WORKMANSHIP QUALITY, AND NOTES HAVE BEEN PREPARED SOLELY FOR THE CONSTRUCTION AND FINISH OF PROJECT IMPROVEMENTS, COMPLETE AND READY FOR OCCUPANCY AND USE.

3. ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH PERTINENT JURISDICTIONAL CODES, RESTRICTIONS, COVENANTS, AND/OR ORDINANCES. ANY CONFLICT BETWEEN DESIGN AND REQUIREMENT SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.

4. ANY AND ALL PROPOSED CHANGE, MODIFICATIONS AND/OR SUBSTITUTION SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.

5. IN THE EVENT OF CONFLICT BETWEEN THE DESIGN DOCUMENTS AND/OR JURISDICTIONAL REQUIREMENTS, THE MORE RESTRICTIVE FROM THE STANDPOINT OF SAFETY AND PHYSICAL SECURITY SHALL APPLY.

6. ANY INSTALLATION, FINISH, OR COMPONENT INTENDED TO PROVIDE ENCLOSURE, WEATHER ABILITY OR APPEARANCE QUALITY SHALL BE PRODUCED AS A REPRESENTATIVE SAMPLE PRIOR TO PROCEEDING WITH COMPLETION. WORK PERFORMED WITHOUT WRITTEN APPROVAL OF SUCH SAMPLE BY THE ARCHITECT/ENGINEER SHALL BE DONE AT THE RISK OF THE CONTRACTOR. A MINIMUM OF TWO (2) WORKING DAYS NOTICE SHALL BE GIVEN.

7. ALL WORK SHALL BE INSPECTED BY GOVERNING AGENCIES IN ACCORDANCE WITH THEIR REQUIREMENTS. JURISDICTIONAL APPROVAL SHALL BE SECURED BEFORE PROCEEDING WITH WORK.

8. BUILDING DESIGN IS GENERALLY PREDICATED UPON PROVISIONS OF THE 2012 IRC AND AMENDMENTS AS MAY HAVE BEEN LOCALLY ENACTED. ALL REQUIREMENTS OF THE JURISDICTIONAL FIRE SAFETY/PREVENTION DISTRICT SHALL BE ACCOMMODATED BY THIS DESIGN AND ANY CONSEQUENT CONSTRUCTION.

9. ALL 2/5 lb. GAS PIPE SYSTEM METER SETS REQUIRES PRIOR APPROVAL FROM QUESTAR GAS COMPANY. PROVIDE A LETTER FROM QUESTAR APPROVING SYSTEM.

10. ALL FIELD WELDING OR TORCH WORK, WILL REQUIRE A SEPARATE "HOT WORK" PERMIT PRIOR TO BEGINNING WORK. IFC 105.6.11

Jonathan DeGray
A r c h i t e c t
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-649-7263, E-mail: degrayarch@qwestoffice.net

PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

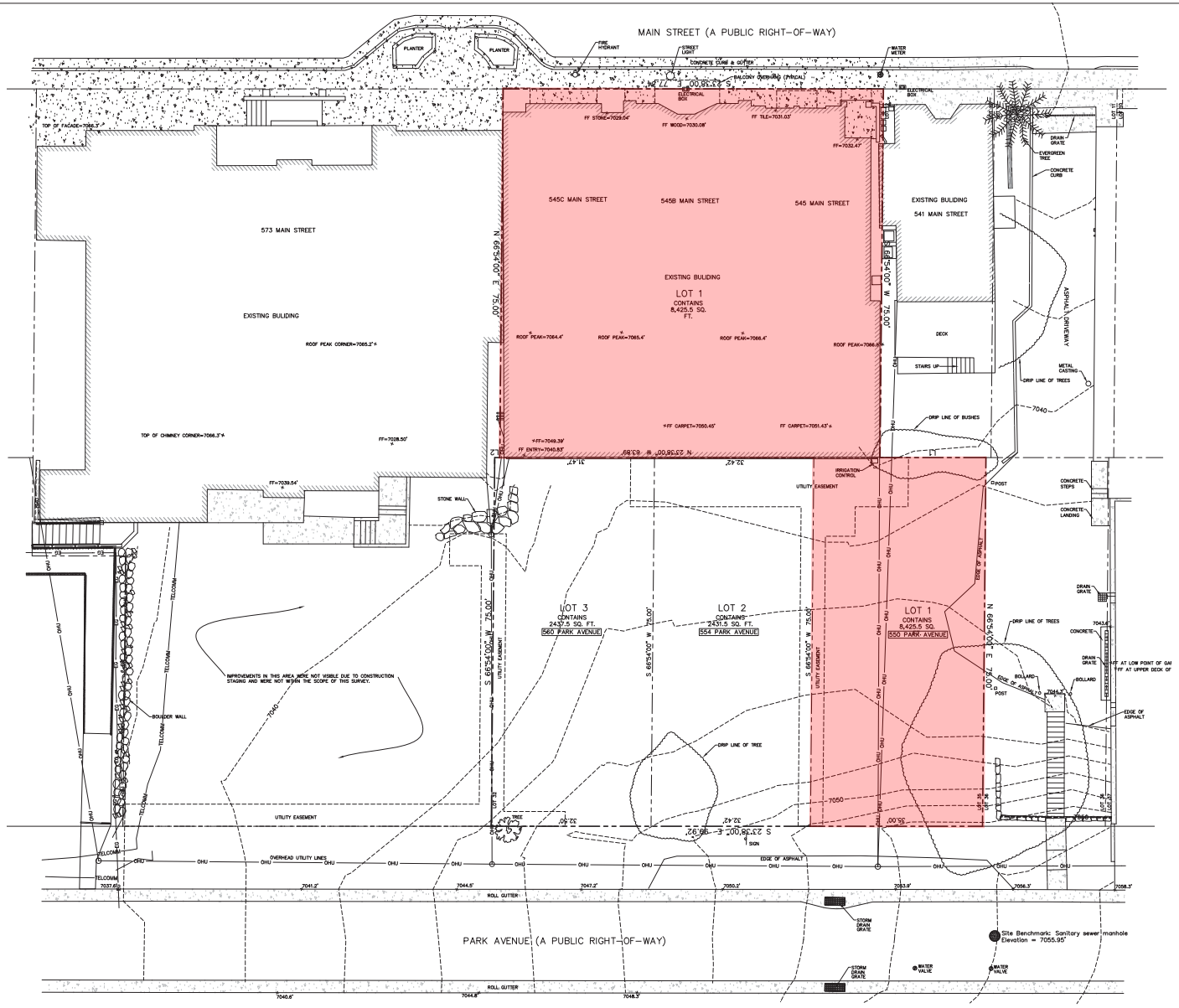
SHEET DESCRIPTION:
COVER SHEET

REVISIONS:

DATE:
09/03/15

PROJECT NUMBER:

SHEET NUMBER:
Aa



NOTES

1. Site Benchmark: Sanitary sewer manhole
   Elevation=7055.95'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on December 3, 2012.
4. Property corners were set or found during a survey performed February 14, 2012.
5. Snow coverage at the time of the survey was approximately 0" to 6"
   As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 23°48'44" W	1.03

10' 0 10' 20'

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MARSHALL KING
MARTY MORRISON
HARRISON HOLLEY

DATE: 8/24/15

TOPOGRAPHIC MAP
PROPOSED PLAT W/EXISTING CONDITIONS EXHIBIT

FOR: 545 MAIN STREET HOLDINGS, LLC
JOB NO.: 1-3-14
FILE: X:\ParkCitySurvey\dwg\srv\topo2014\010314-april-parking.dwg

SHEET 1 OF 1

PLANTING NOTES

1. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO INITIATION OF EXCAVATION OR PLANTING OPERATIONS. ANY DAMAGE TO EXISTING UTILITIES ON SITE OR ADJACENT PROPERTY SHALL BE CONTRACTORS RESPONSIBILITY.

2. AUTOMATIC IRRIGATION IS REQUIRED, PROVIDE SHOP DRAWINGS FOR APPROVAL.

3. ALL PLANT MATERIAL SHALL CONFORM TO CURRENT AMERICAN ASSOCIATION OF NURSERYMAN'S STANDARD SPECIFICATIONS.

4. ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DRAWINGS, DETAILS, AND SPECIFICATIONS.

5. CONTRACTOR SHALL VERIFY ALL QUANTITIES. IN CASE OF A DISCREPANCY, THE ILLUSTRATED LOCATIONS SHALL DICTATE COUNT.

6. CONTRACTOR SHALL COORDINATE ALL PLANTING WITH IRRIGATION CONTRACTOR, AS NEEDED.

7. IN THE EVENT OF A DISCREPANCY NOTIFY THE ARCHITECT OR OWNER IMMEDIATELY.

8. NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT WRITTEN PERMISSION OF THE ARCHITECT OR OWNER.

9. SHRUB BEDS SHALL RECEIVE 6" OF TOPSOIL.

10. ALL SHRUB BEDS SHALL HAVE 3" OF DECOMPOSED BARK MULCH INSTALLED.

11. SHRUB BED EDGING SHALL BE PRESSURE TREATED WOOD OR "TREX" EDGING. IT SHALL SEPARATE ALL SHRUB BEDS/ NATIVE GRASS LOCATIONS.

12. ALL PLANTS AND ALL PLANT STAKES SHALL BE SET PLUMB.

13. ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT TIME OF OF PLANTING AND PROPERLY DISCARDED.

14. NO BARE ROOT STOCK SHALL BE USED.

15. FOR PLANTING BACK FILL SOIL MIX, SEE SPECIFICATIONS.

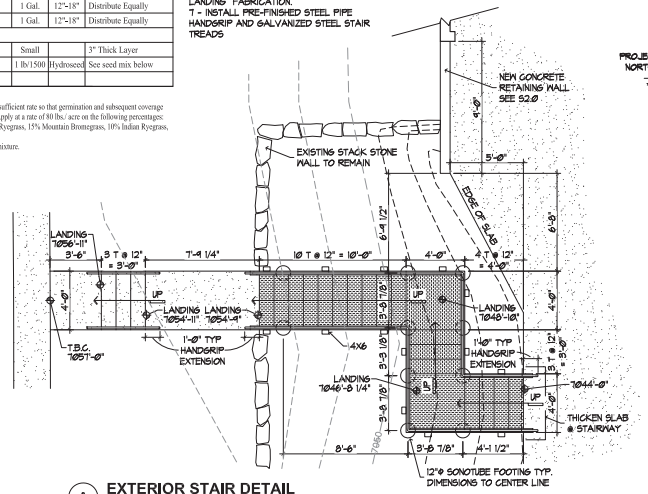
PLANT SCHEDULE

SYMBOL	KEY	QUANITY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	COMMENTS
DECIDUOUS TREES							
	A	12	Colorado Blue Spruce	Picea pungens	3" Dia.	6'-10'	6' - 8' tall
	B	24	Aspen	Populus tremuloides	3" Dia.	6'-10'	
SHRUBS							
	C	48	Red twig dogwood	Cornus sericea "baileyi"	5 Gal.		Spacing as noted on plan
PERENIAL PLANTS							
	D	28	Bluebells	Campanula	1 Gal.	12"-18"	Distribute Equally
	E	28	Columbine	Aquilegia Caerulea	1 Gal.	12"-18"	Distribute Equally
	F	28	Trailing Daisy	Erigeron Flagillaris	1 Gal.	12"-18"	Distribute Equally
	G	28	Blanket Flower	Guillardia Aristata	1 Gal.	12"-18"	Distribute Equally
OTHER							
	H	936 S/F	Wood Chips		Small		3" Thick Layer
	I	589 S/F	Native Grass Seed Mix		1 lb/1500	Hydroseed	See seed mix below
	K	0 s/f	Drought Tolerant Fescue	Sheep Fescue			

NATIVE GRASS SEED MIX
The seed mix shall be utilized in areas specified for native grasses. This mixture shall be applied at a sufficient rate so that germination and subsequent coverage reaches 80% in a representative 10'x10' area. If coverage does not reach 80% reseeding must occur. Apply at a rate of 80 lbs./ acre on the following percentages: 20% Crested Wheatgrass, 10% Streambank Wheatgrass, 20% Pubescent Wheatgrass, 15% Perennial Ryegrass, 15% Mountain Bromegrass, 10% Indian Ryegrass, 10% Alpine Bluegrass.
* In addition, add 10 lbs./ acre each of Linum lewisii and Penstemon Eatonii with native grass seed mixture.

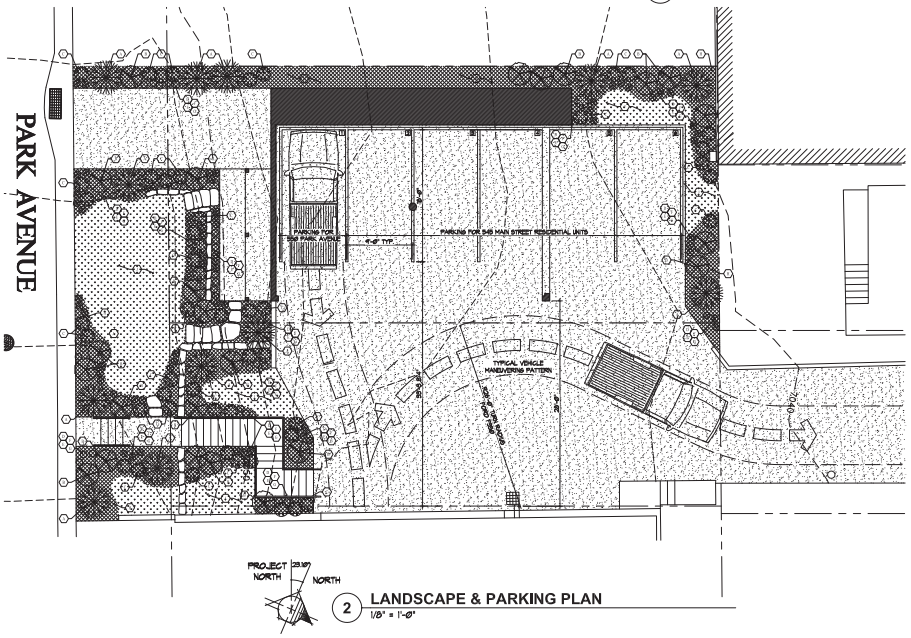
"CITY STAIR" CONSTRUCTION:
1 - POUR 12"Ø SONOTUBE FOOTINGS WITH CUSTOM STEEL MOUNTING BRACKETS @ CENTER.
2 - ATTACH 3 1/8" X 16 1/2" GLB STRINGERS USING (4) THRU-BOLTS @ EA. MOUNTING BRACKET. BOLT SIZE PER CITY.
3 - ATTACH VERTICAL 4X6 POSTS TO STRINGER USING (3) THRU-BOLTS @ PRE-DRILLED HOLES. BOLT SIZE PER CITY.
4 - ATTACH 3 1/8" X 6" GLB RAIL TO VERTICAL 4X6 POSTS USING (2) THRU-BOLTS @ PRE-DRILLED HOLES. BOLT SIZE PER CITY.
5 - STAIN AND SEAL ALL WOOD STAIRWAY PARTS
6 - MEASURE FOR STEEL PIPE HANDGRIP AND GALVANIZED STEEL STAIR TREAD AND LANDING FABRICATION.
7 - INSTALL PRE-FINISHED STEEL PIPE HANDGRIP AND GALVANIZED STEEL STAIR TREADS

TYPICAL "CITY STAIR"

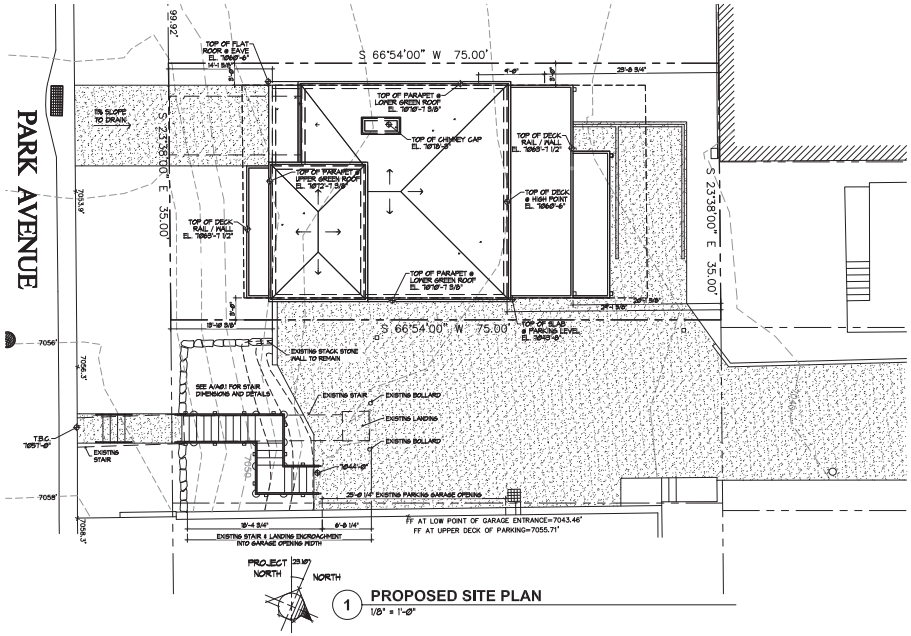


A EXTERIOR STAIR DETAIL
1/4" = 1'-0"

3 AERIAL PHOTO OF PROPOSED SITE
1" = 100'



2 LANDSCAPE & PARKING PLAN
1/8" = 1'-0"



1 PROPOSED SITE PLAN
1/8" = 1'-0"

Jonathan DeGray
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PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

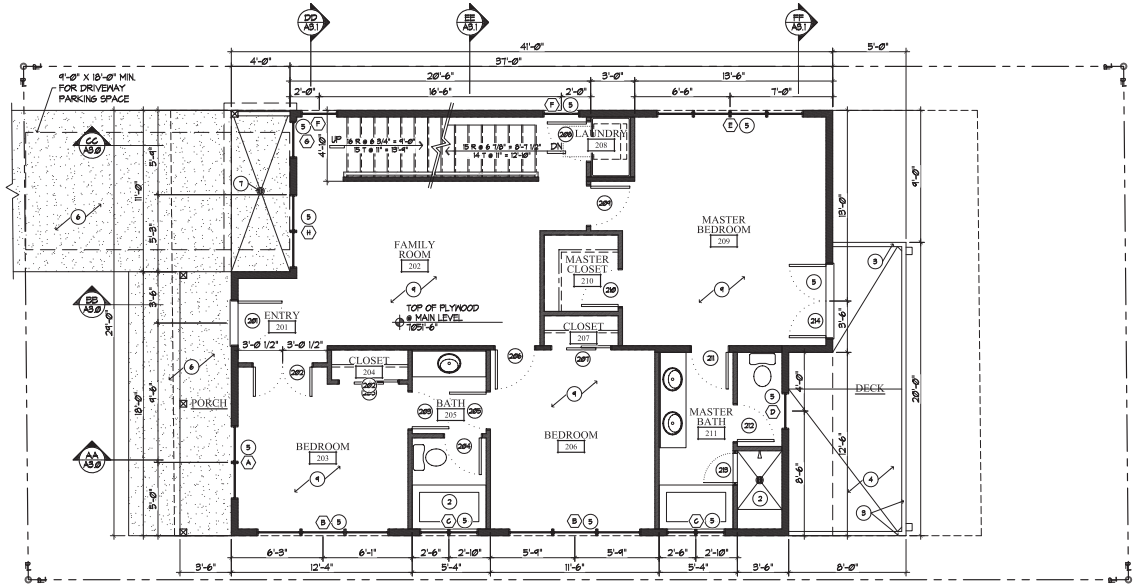
SHEET DESCRIPTION:
PROPOSED SITE PLAN
LANDSCAPE & PARKING PLAN

REVISIONS:

DATE: 09/03/15

PROJECT NUMBER:

SHEET NUMBER: A0.1

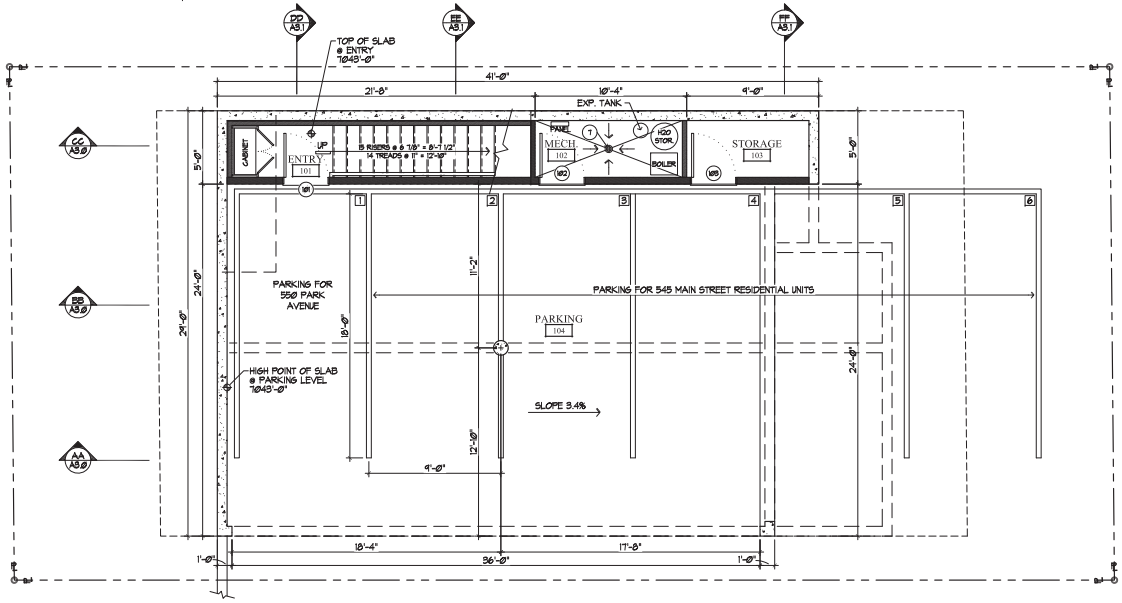


PROJECT NORTH (23.10°) NORTH

2 STREET LEVEL FLOOR PLAN

1/4" = 1'-0"

LIVING SPACE = 1107 SQ. FT.



PROJECT NORTH (23.10°) NORTH

1 PARKING LEVEL FLOOR PLAN

1/4" = 1'-0"

LIVING SPACE = 142 SQ. FT.
PARKING = 1084 SQ. FT.

GENERAL NOTES

NEW 2X FRAMED WALL

NEW 8" CONCRETE WALL

1- EXTERIOR WALLS TO BE 2X6 FRAMING W/ R-21 INSULATION - TYP. ALL INTERIOR WALLS TO BE 2X4 FRAMING, U.N.O. W/ R-13 INSULATION - TYP. ALL FLOOR JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R-42 INSULATION -TYP. ALL ROOF JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R-42 INSULATION TYP.

KEYED NOTES

1. 36" ENCLOSED GAS FIREPLACE. OPENING FRAMED ON 10" PLATFORM.
2. TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER, GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
3. DECK RAILINGS / HALF WALL - ALIGN TOP OF WALL WITH BOTTOM OF ADJACENT WINDOWS - SEE B/A3.0 FOR DETAILS
4. DECK SURFACE TO DRAIN MIN. 1/4" PER 12" TO SCUPPER SEE B/A3.0 FOR DETAIL
5. ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE.
6. CONCRETE PORCH/PATIO/DRIVEWAY. BROOM FINISH, NATURAL COLOR. REINFORCED PER ENGINEER.
7. 4" CONCRETE FLOOR SLAB. REINFORCED PER ENGINEER. SLOPE & DRAIN TO SUMP
8. NOT USED
9. 1 1/2" CONCRETE TOPPING WITH RADIANT HEAT COILS PER CONTRACTOR SPECS. CONCRETE FINISH T.B.D.
10. GREEN ROOF - SEE A/A3.0 FOR DETAILS
11. FLAT ROOF - SEE A/A3.0 FOR DETAILS
12. RATED METAL CHIMNEY CAP STRUCTURE - SEE A/A2.0 FOR DETAILS

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PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

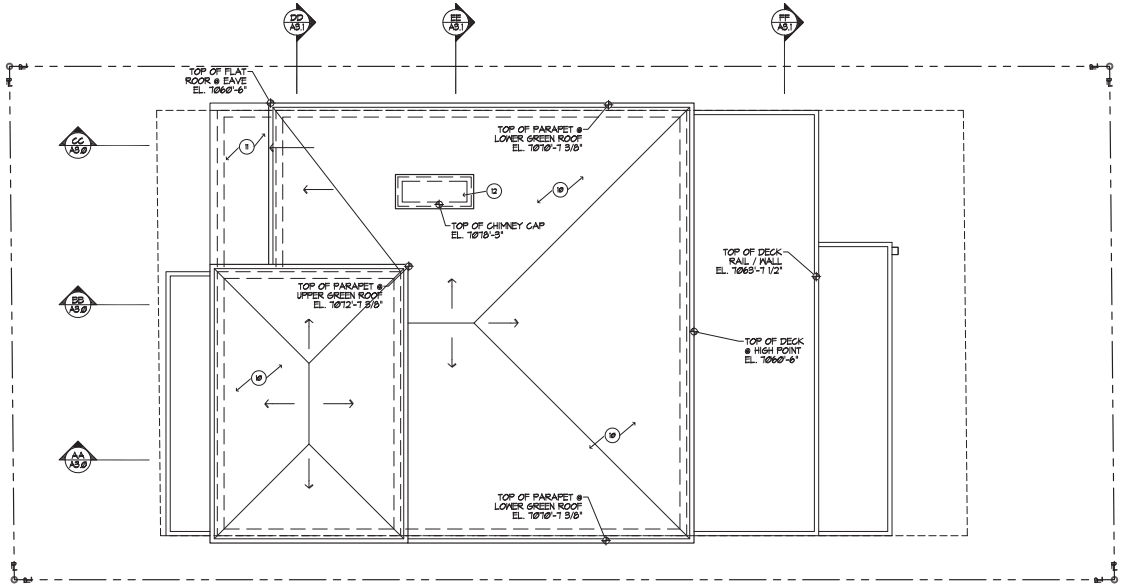
SHEET DESCRIPTION:
PARKING LEVEL & STREET LEVEL FLOORPLANS

REVISIONS:

DATE: 09/03/15

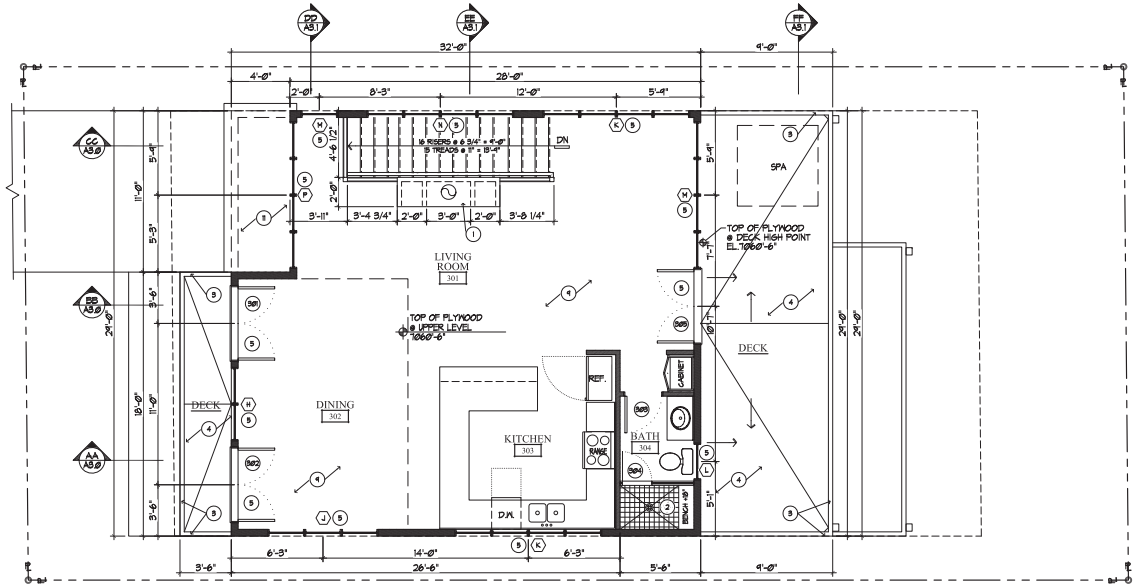
PROJECT NUMBER:

SHEET NUMBER: A1.1



PROJECT NORTH (23.10°) NORTH

4 ROOF LEVEL PLAN
1/4" = 1'-0"



PROJECT NORTH (23.10°) NORTH

3 UPPER LEVEL FLOOR PLAN
1/4" = 1'-0"

LIVING SPACE = 884 SQ. FT.

GENERAL NOTES

NEW 2X FRAMED WALL
NEW 8" CONCRETE WALL

1- EXTERIOR WALLS TO BE 2X6 FRAMING W/ R-21 INSULATION - TYP. ALL INTERIOR WALLS TO BE 2X4 FRAMING, U.N.O. W/ R-13 INSULATION - TYP. ALL FLOOR JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R-42 INSULATION -TYP. ALL ROOF JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R-42 INSULATION TYP.

KEYED NOTES

1. 36" ENCLOSED GAS FIREPLACE. OPENING FRAMED ON 10" PLATFORM.
2. TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER, GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
3. DECK RAILING / HALF WALL - ALIGN TOP OF WALL WITH BOTTOM OF ADJACENT WINDOWS - SEE B/A3.0 FOR DETAILS
4. DECK SURFACE TO DRAIN MIN. 1/4" PER 12" TO SCUPPER SEE B/A3.0 FOR DETAIL
5. ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE.
6. CONCRETE PORCH/PATIO/DRIVEWAY. BROOM FINISH, NATURAL COLOR. REINFORCED PER ENGINEER.
7. 4" CONCRETE FLOOR SLAB, REINFORCED PER ENGINEER. SLOPE & DRAIN TO SUMP
8. NOT USED
9. 1 1/2" CONCRETE TOPPING WITH RADIANT HEAT COILS PER CONTRACTOR SPECS. CONCRETE FINISH T.B.D.
10. GREEN ROOF - SEE A/A3.0 FOR DETAILS
11. FLAT ROOF - SEE A/A3.0 FOR DETAILS
12. RATED METAL CHIMNEY CAP STRUCTURE - SEE A/A2.0 FOR DETAILS

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PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

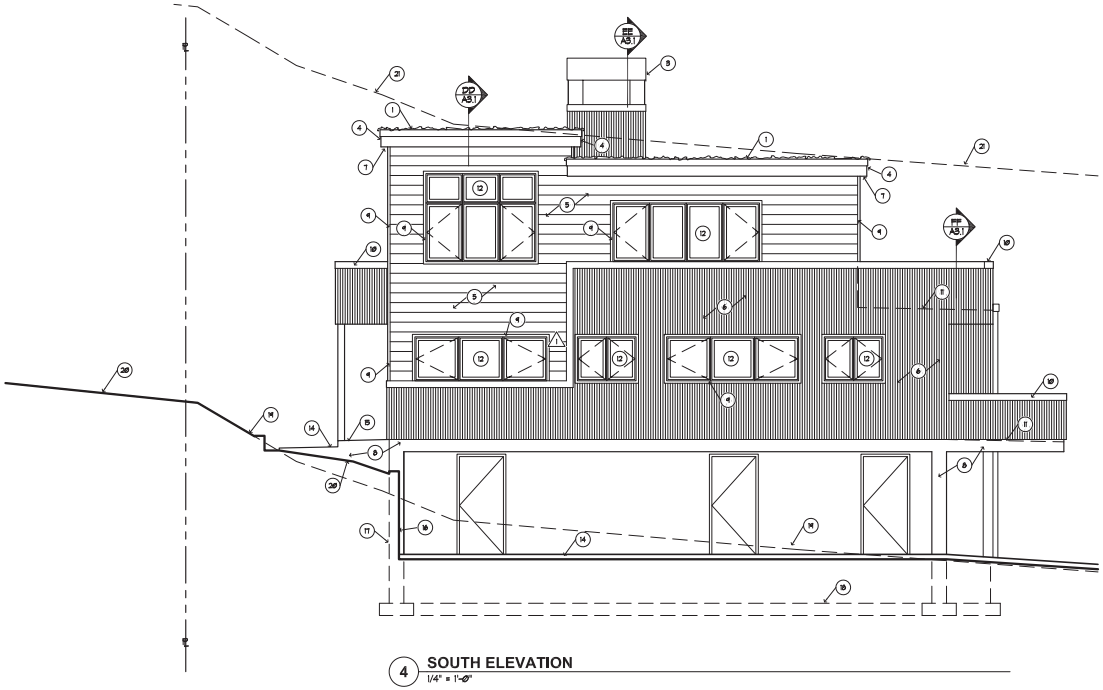
SHEET DESCRIPTION:
UPPER LEVEL FLOORPLAN
& ROOF LEVEL PLAN

REVISIONS:

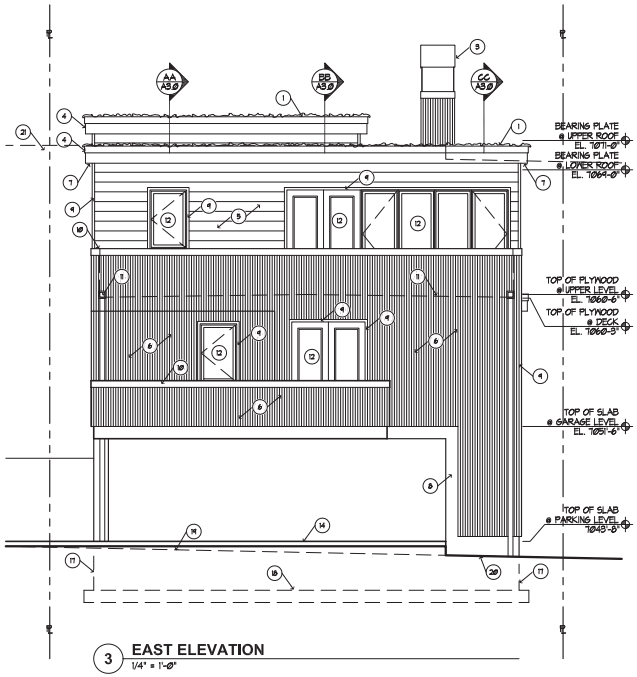
DATE: 09/03/15

PROJECT NUMBER:

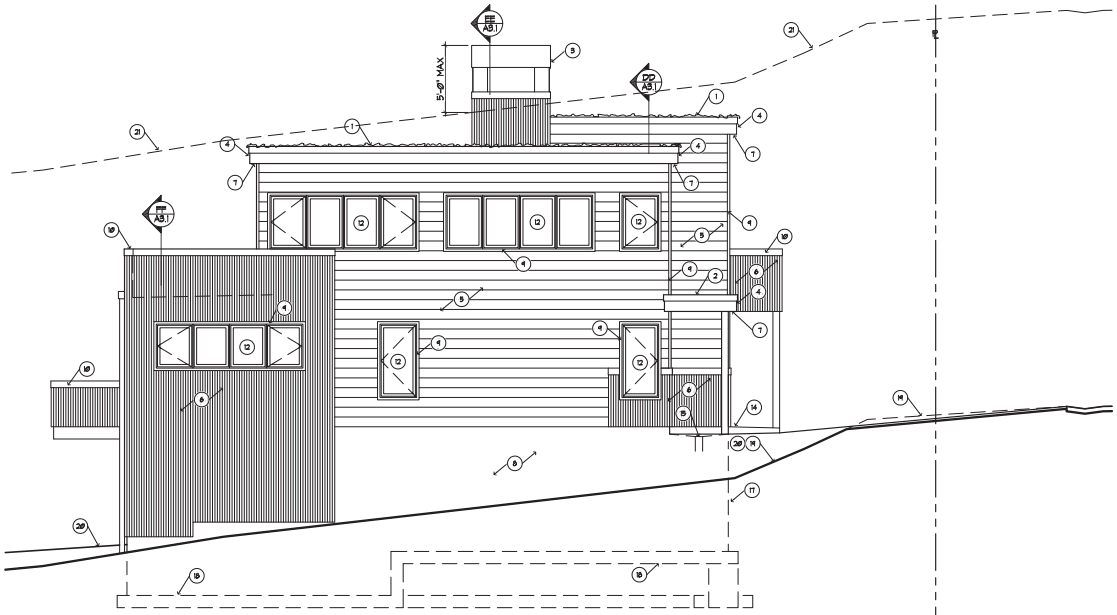
SHEET NUMBER: A1.2



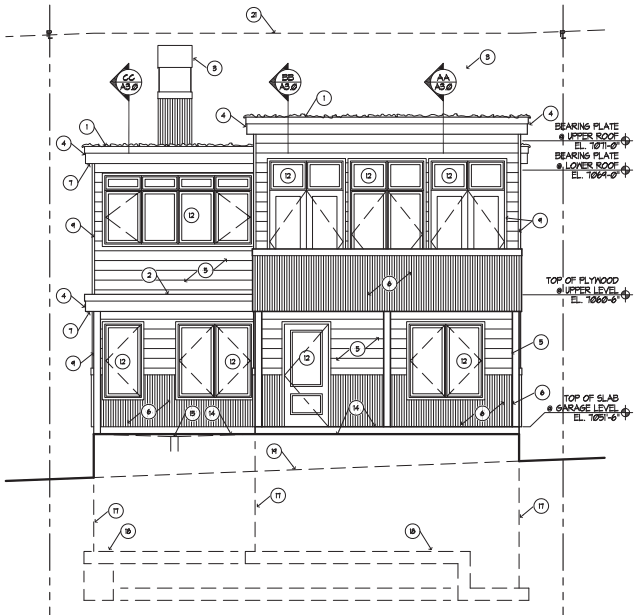
4 SOUTH ELEVATION
1/4" = 1'-0"



3 EAST ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/4" = 1'-0"



1 WEST ELEVATION
1/4" = 1'-0"

KEYED NOTES

1. GREEN ROOF - SEE A/A3.0 FOR DETAILS
2. FLAT ROOF - SEE B/A3.0 FOR DETAILS
3. RATED METAL CHIMNEY CAP STRUCTURE - SEE A/A2.0 FOR DETAILS
4. 3/4" X 5 1/2" ON 3/4" X 9 1/4" BUILT UP CEDAR FASCIA - STAINED
5. HORIZONTAL CEDAR LAP SIDING - 8" REVEAL - ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
6. VERTICAL CORRUGATED CORE 10 METAL SIDING - ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
7. T&G CEDAR SOFFIT W. CONTINUOUS SOFFIT VENT - STAINED.
8. RAG RUBBED CONCRETE FINISH
9. 1" X 2" CEDAR TRIM @ HORIZONTAL LAP SIDING 2" X 2" CEDAR TRIM @ VERTICAL SIDING - STAINED
10. DECK RAILINGS / HALF WALL - ALIGN TOP OF WALL WITH BOTTOM OF ADJACENT WINDOWS - SEE D/A3.0 FOR DETAILS.
11. DECK SURFACE TO DRAIN MIN. 1/4" PER 12" TO SCUPPER SEE D/A3.0 FOR DETAIL
12. ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE. A/6.0
13. NOT USED
14. PORCH / PATIO / DRIVEWAY / SIDEWALK. CONCRETE - BROOM FINISH NATURAL COLOR. REINFORCED PER ENGINEER.
15. DRIVEWAY DRAIN TO SUMP.
16. STACKED ROCK RETAINING WALL SEE DETAIL A/2.0
17. FOUNDATION LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING.
18. FOOTING LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
19. NATURAL GRADE
20. PROPOSED FINAL GRADE
21. 27'-0" ABOVE PROPOSED FINAL GRADE

Squared Rubble
A rubble wall built of squared stones of varying sizes and coursed at every third or fourth stone.

B STACKED STONE RETAINING WALL
NO SCALE

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PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

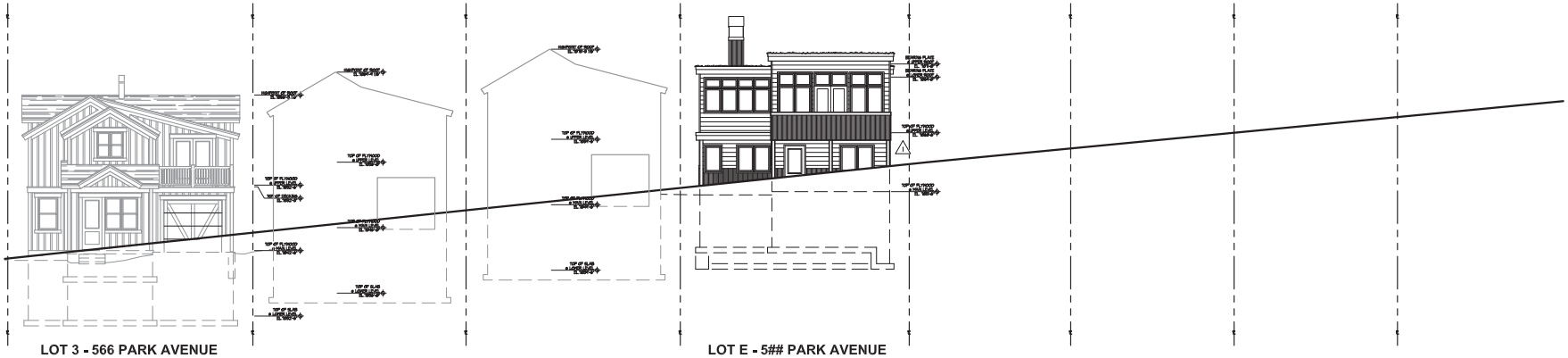
SHEET DESCRIPTION:
EXTERIOR ELEVATIONS

REVISIONS:

DATE: 09/03/15

PROJECT NUMBER:

SHEET NUMBER: A2.0



1 **STREETSCAPE ELEVATION**
1/8" = 1'-0"

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PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

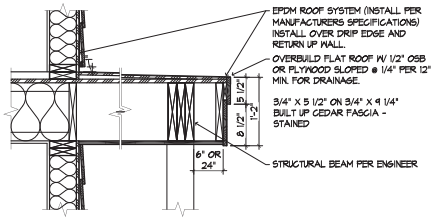
SHEET DESCRIPTION:
STREETSCAPE ELEVATION

REVISIONS:

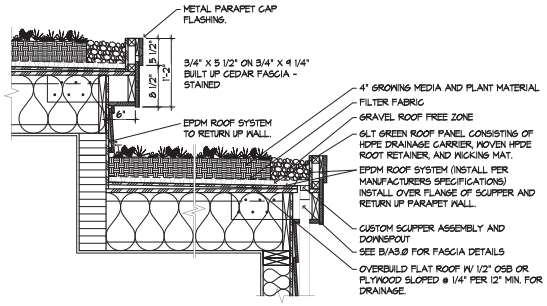
DATE:
09/03/15

PROJECT NUMBER:

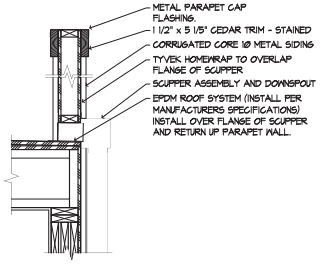
SHEET NUMBER:
A2.1



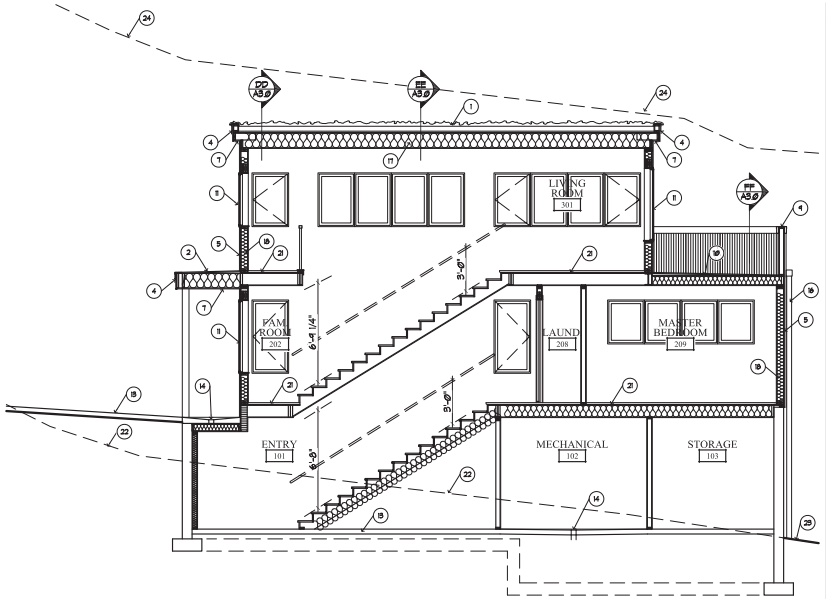
B FLAT ROOF DETAILS
1" = 1'-0"



A GREEN ROOF DETAILS
1" = 1'-0"



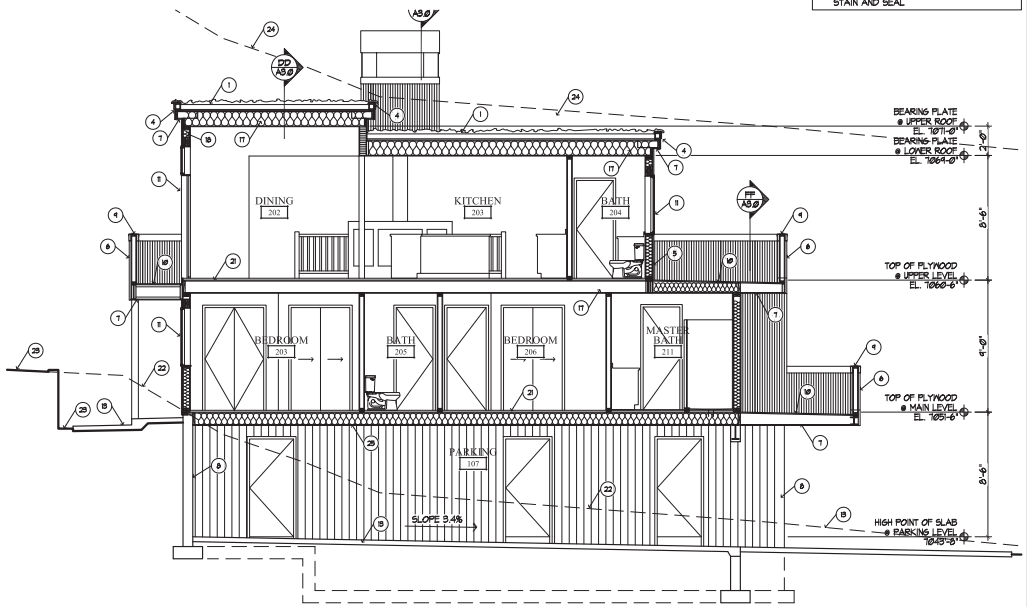
D DECK RAILING & SCUPPER DETAILS
1" = 1'-0"



CC BUILDING SECTION
1/4" = 1'-0"

KEYED NOTES

1. GREEN ROOF - SEE A/A3.0 FOR DETAILS
2. FLAT ROOF - SEE B/A3.0 FOR DETAILS
3. RATED METAL CHIMNEY CAP STRUCTURE - SEE A/A2.0 FOR DETAILS
4. 3/4" X 5 1/2" ON 3/4" X 4 1/4" BUILT UP CEDAR FASCIA - STAINED
5. HORIZONTAL CEDAR LAP SIDING - 8" REVEAL - ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
6. VERTICAL CORRUGATED CORE 10 METAL SIDING - ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
7. T&G CEDAR SOFFIT W. CONTINUOUS SOFFIT VENT - STAINED.
8. RAG RUBBED CONCRETE FINISH
9. DECK RAILING / HALF WALL - ALIGN TOP OF WALL WITH BOTTOM OF ADJACENT WINDOWS - SEE D/A3.0 FOR DETAILS.
10. DECK SURFACE TO DRAIN MIN. 1/4" PER 12" TO SCUPPER SEE D/A3.0 FOR DETAIL.
11. ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE. A/6.0
12. NOT USED
13. PORCH / PATIO / DRIVEWAY / SIDEWALK. CONCRETE - BROOM FINISH NATURAL COLOR. REINFORCED PER ENGINEER.
14. 4" CONCRETE FLOOR SLAB. REINFORCED PER ENGINEER. SLOPE & DRAIN TO SUMP
15. ENCLOSED GAS FIREPLACE. OPENING FRAMED ON 10" PLATFORM.
16. METAL GUTTER & DOWNSPOUT TO DRAIN TO SUB-TERRANIAN FOUNDATION DRAIN.
17. R-42 FIBERGLASS BIB INSULATION
18. R-21 FIBERGLASS BIB INSULATION
19. R-15 FIBERGLASS BIB INSULATION
20. NOT USED
21. 1 1/2" CONCRETE TOPPING WITH RADIANT HEAT COILS PER CONTRACTOR SPECS. CONCRETE FINISH T.B.D.
22. NATURAL GRADE
23. PROPOSED FINAL GRADE
24. 27'-0" ABOVE PROPOSED FINAL GRADE
25. 6" TONGUE AND GROOVE CEDAR SIDING STAIN AND SEAL



AA BUILDING SECTION
1/4" = 1'-0"

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PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

SHEET DESCRIPTION:
BUILDING SECTIONS

REVISIONS:

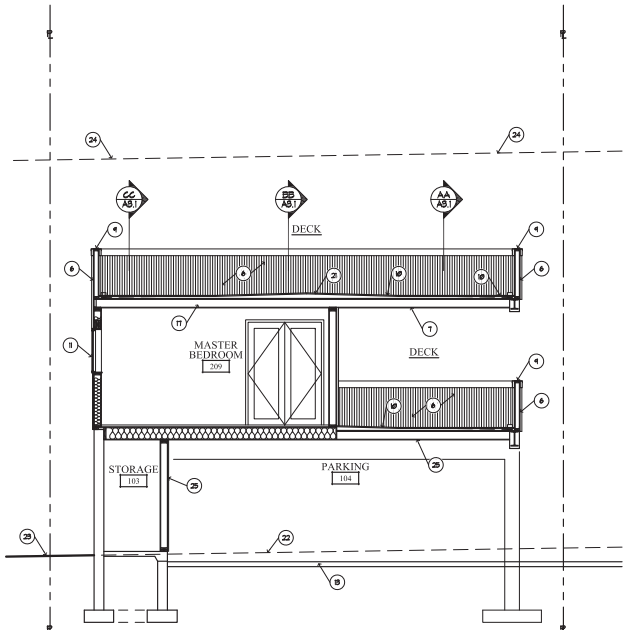
DATE: 09/03/15

PROJECT NUMBER:

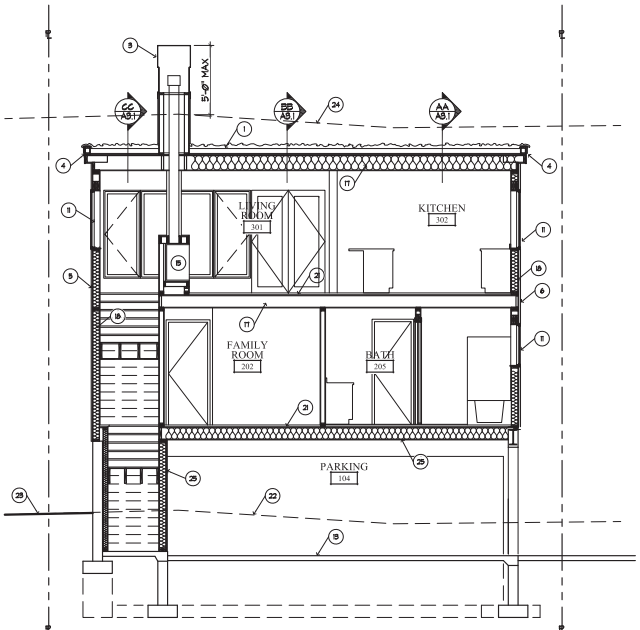
SHEET NUMBER: A3.0

KEYED NOTES

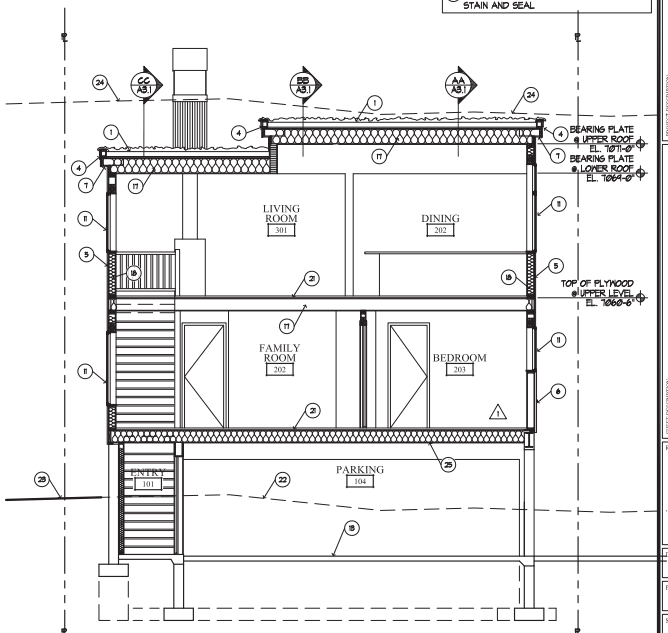
1. GREEN ROOF - SEE A/A3.0 FOR DETAILS
2. FLAT ROOF - SEE B/A3.0 FOR DETAILS
3. RATED METAL CHIMNEY CAP STRUCTURE - SEE A/A2.0 FOR DETAILS
4. 3/4" X 5 1/2" ON 3/4" X 9 1/4" BUILT UP CEDAR FASCIA - STAINED
5. HORIZONTAL CEDAR LAP SIDING - 8" REVEAL - ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
6. VERTICAL CORRUGATED CORE 10 METAL SIDING - ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
7. T&G CEDAR SOFFIT W. CONTINUOUS SOFFIT VENT - STAINED.
8. RAG RUBBED CONCRETE FINISH
9. DECK RAILING / HALF WALL - ALIGN TOP OF WALL WITH BOTTOM OF ADJACENT WINDOWS - SEE D/A3.0 FOR DETAILS.
10. DECK SURFACE TO DRAIN MIN. 1/4" PER 12" TO SCUPPER SEE D/A3.0 FOR DETAIL
11. ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE. A/6.0
12. NOT USED
13. PORCH / PATIO / DRIVEWAY / SIDEWALK. CONCRETE - BROOM FINISH NATURAL COLOR. REINFORCED PER ENGINEER.
14. 4" CONCRETE FLOOR SLAB. REINFORCED PER ENGINEER. SLOPE & DRAIN TO SUMP
15. ENCLOSED GAS FIREPLACE. OPENING FRAMED ON 18" PLATFORM.
16. METAL GUTTER & DOWNSPOUT TO DRAIN TO SUB-TERRANIAN FOUNDATION DRAIN.
17. R-42 FIBERGLASS BIB INSULATION
18. R-21 FIBERGLASS BIB INSULATION
19. R-15 FIBERGLASS BIB INSULATION
20. NOT USED
21. 1 1/2" CONCRETE TOPPING WITH RADIANT HEAT COILS PER CONTRACTOR SPECS. CONCRETE FINISH T.B.D.
22. NATURAL GRADE
23. PROPOSED FINAL GRADE
24. 27'-0" ABOVE PROPOSED FINAL GRADE
25. 6" TONGUE AND GROOVE CEDAR SIDING STAIN AND SEAL



FF BUILDING SECTION
1/4" = 1'-0"



EE BUILDING SECTION
1/4" = 1'-0"



DD BUILDING SECTION
1/4" = 1'-0"

Jonathan DeGray
Architect
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-645-7263, E-mail: degrayarch@qwestoffice.net

PROJECT DESCRIPTION:
PARK AVENUE - LOT E
550 PARK AVENUE
PARK CITY, UT 84060

SHEET DESCRIPTION:
BUILDING SECTIONS

REVISIONS:

DATE: 09/03/15

PROJECT NUMBER:

SHEET NUMBER: A3.1

FEE IN LIEU OF PARKING AGREEMENT

545 MAIN STREET

THIS FEE IN LIEU OF PARKING AGREEMENT 545 MAIN STREET (the "Agreement"), is made the 23rd day of September 2014, by and between 545 Main Street Holdings, LLC, an Oklahoma limited liability company ("545 Main") and Park City Municipal Corporation ("Park City"), a nonprofit corporation of Utah.

WITNESSTH:

WHEREAS, 545 Main owns the property located at 545 Main Street, Park City, Utah, commonly known as the April Inn (the "Property");

WHEREAS, in connection with that certain Revised Notice of Planning Department Action, Project Number PL-13-02118, dated August 4, 2014 (the "Notice", a copy of which is attached hereto) 545 Main is required to provide parking spaces or pay a fee in lieu of providing such spaces to Park City;

WHEREAS, within the HCB District, the Land Management Code 15-2.6-9 Parking Regulations requires "The parking must be on-site or paid by fee-in-lieu of on-site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee."

WHEREAS, Park City, as a result of its revised FAR calculations, has determined that the correct number of required spaces in connection with Paragraph 19 of the Notice is four (4) spaces;

WHEREAS, 545 Main desires to seek approval of Park City for the actual creation of four (4) additional parking spaces on property which adjoins the Property, but desires to obtain a building permit and proceed with the construction referenced in the Notice without any delay that might otherwise be caused by seeking approval of the four (4) parking spaces;

WHEREAS, 545 Main and Park City desire to agree that 545 Main will deposit with Park City the parking fee in lieu in the cash amount of $56,000.00 (4 spaces multiplied by $14,000.00 per space), some or all of which may be returned to 545 Main depending upon the outcome of the approval process of the 4 parking spaces on the property adjoining the Property, all in accordance with the terms of this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and covenants of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Number of Required Parking Spaces.** Park City has calculated that the number of parking spaces required in connection with the work referenced in the Notice, and specifically Paragraph 19 of the Notice is four (4) parking spaces. For the HCB district, the Land Management Code requires LMC 15-2.6-9 "The parking must be on-site or paid by fee-in-lieu of on-site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee."

2. **Fee in Lieu of Parking**. At the time this Agreement is executed, 545 Main shall deliver to Park City a fee in lieu of parking for four (4) parking spaces in the total amount of $56,000.00 (4 spaces multiplied by $14,000.00 per space) (the "Fee"). Upon receipt of this executed Agreement and the Fee, the requirement for parking for the Property based upon the Notice shall be satisfied. 545 Main shall submit a complete application for approvals which would allowing for the parking at 550 Park Avenue within two months of executing this Agreement and diligently pursue an application to Park City to obtain approval of four (4) parking spaces on property which adjoins the Property, which would satisfy the four (4) parking space requirement of the Notice for the Property. The requirement to submit a complete application shall be satisfied when 545 Main or its agent has delivered the following items to the Park City Planning Department:

A. a filled out and signed Conditional Use Permit for Planning Commission Review application found on the Park City website at: http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=4592 (although the approval being sought is not a Conditional Use Permit, the Planning Department Director has determined that the Conditional Use Permit application contains all of the necessary information required to seek the approval that 545 Main seeks). The application shall include 1) a survey of the property; and 2) schematic plans including a scaled site plan and landscape plan showing any retaining walls, dimensions of the four (4) parking spaces, materials to be used in the parking spaces and any hard surfaces, and the width of the driveway onto the lot.
B. an application fee of $1,140.00

If, within two years from the date of this Agreement 545 Main obtains approval for the four (4) parking spaces, or any lesser number of spaces, Park City will refund to 545 Main the Fee, if four (4) spaces are approved, or $14,000.00 per space for each parking space approved if less than four (4) spaces are approved and Park City shall retain the remainder of the Fee. Park City shall not pay any interest on any part of the Fee if refunded. In the event that none of the four (4) spaces are approved within two years of the date of this Agreement, Park City will retain the entire Fee.

3. **Proceeding at Own Risk.** 545 Main acknowledges that it is proceeding with an application to put the parking at 550 Park Ave either through a request to the Planning Commission pursuant to LMC 15-3-2 ("Required parking must be on-site unless the Planning Commission allows such parking on adjacent or nearby deed restricted lots.") or a plat amendment to connect the parking area to the Property with the restriction that the parking be for residential use only pursuant to LMC 15-2.3-2 (A) (11). Park City has not given any assurance or guaranteed any results in these applications.

4. **Successors and Assigns.** This Agreement and all of the covenants, provisions and conditions herein contained shall inure to the benefit of and be binding upon the successors and assigns of each party.

5. **Waiver.** No waiver of any breach of this Agreement shall be deemed a waiver of any subsequent breach of the same or any other condition.

6. **Time of Essence.** Time is of the essence of this Agreement and every term, covenant, and condition herein contained.

7. **Notices.** Any notices or requests to be made under this Agreement shall be by United States Mail, e-mail or facsimile, and sent

to 545 Main at:

545 Main Street Holdings, LLC
501 N. W. Grand Boulevard, 6th Floor
Oklahoma City, OK 73118
Fax: (925)938-3722
E-mail: billy.reed@sbcglobal.net

and to Park City at:

Christy Alexander
PO Box 1480, 445 Marsac Ave
Park City, UT 84060-1480
E-mail: Christy.alexander@parkcity.org

8. **Section Headings.** Section headings and numbers are for convenience only, and are not to be considered limitations or modifications or provisions set forth in the body of this Agreement.

9. **Applicable Law.** The parties hereby expressly agree that this Agreement shall be governed and construed in accordance with Utah law and courts of law sitting in Summit

County, State of Utah shall have jurisdiction and venue for purposes of hearing any disputes arising out of this Agreement.

10. **Severability.** The provisions of this Agreement are severable, and should any provisions hereof be void, voidable, or unenforceable, or invalid, such void, voidable, unenforceable, or invalid provision shall not affect any other portion or provision of this Agreement.

11. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties with respect to the fee in lieu of parking requirement under the Notice, and supersedes all oral understandings and agreements. Alterations or amendments to this Agreement must be in writing, executed by the parties hereto.
[signature page follows]

IN WITNESS WHEREOF, on the date first shown above, 545 Main has caused this Fee In Lieu Of Parking Agreement 545 Main Street to be executed, and Park City has caused this Agreement to be accepted and executed in its corporate name by its City Manager.

PARK CITY:

By: _____

City Manager

Attest:

_____

Marci Heil, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

APPROVED AS TO FORM

_____

City Attorney's Office

545 MAIN:

545 Main Street Holdings, LLC,
an Oklahoma limited liability company

By: W.R. Johnston & Co.

Its: Manager

By: _____
Dana Reindl

Its: Vice President

PARK CITY 1884

PLANNING DEPARTMENT

August 4, 2014

Billy Reed
115 Jennifer Ct.
Alamo, CA 94507

REVISED NOTICE OF PLANNING DEPARTMENT ACTION

Project Address:	545 Main Street
Project Description:	Historic District Design Review
Date of Revised Action:	August 4, 2014
Project Number:	PL-13-02118

Summary of Staff Action

Staff reviewed this HDDR application for compliance with the June 19, 2009 Historic District Design Guidelines, specifically with 1) Universal Guidelines for New Construction in Historic Districts (#1 through 8) and 2) Specific Guidelines: A. Site Design; B. Primary Structures; D. Off-Street Parking Areas, Garages, & Driveways; G. Exterior Lighting; and I. Sustainability. Staff found that as conditioned the proposed renovation and addition to the existing non-historic building will comply with applicable Guidelines. This letter serves as the revised final action letter and approval for the proposed design for the addition at 545 Main Street. The plans, as redlined, are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 545 Main Street.
2. The property is not listed as a historically significant site as defined in the Park City Historic Sites Inventory.
3. The property is located in the Historic Commercial Business (HCB) zoning district and is subject to all requirements of the Park City Land Management Code (LMC) and all the guidelines of the 2009 Historic District Design Guidelines.
4. The parcel is approximately 5,800.5 square feet in size for entire three combined lots. The minimum lot size requirement in the HCB district is 1,250 square feet and the maximum allowable FAR is 4.0.
5. The existing developed site is located on the 545 Main Street plat.

6. The neighborhood is characterized by historic and non-historic commercial retail, office, restaurant uses, apartments, condos and single family homes on average historically-sized lots.
7. The proposed addition is 1,226 square feet. The existing non-historic building is 12,699 square feet and with the addition will have 13,925 square feet total area. The existing FAR is 2.19 and with the proposed addition will have an FAR of 2.4 total.
8. The proposed addition will comply with all setbacks. Hot tubs must be located with a five foot setback in the side and rear yards.
9. Access to the property is from Main Street.
10. No off-street parking spaces are provided. An FAR of 1.5 is exempt from parking requirements as the property was paid in full per the 1984 Special Improvement District. The remaining FAR is not exempt from parking nor has ever been paid for existing residential uses and the applicant will need to provide for four (4) off-street parking spaces for the three new units. The applicant proposes to pay a fee-in-lieu of $14,000 per space or provide on-site parking prior to building permit approval.
11. The proposed addition meets the height limits and height envelopes for the HCB zoning. The building footprint and setbacks also comply with the zoning requirements.
12. The proposal, as conditioned complies with applicable Universal Design Guidelines for new construction in Historic Districts.
13. The proposal, as conditioned complies with applicable Specific Design Guidelines for new construction, including A- Site Design, B- Primary Structures, D- Off-Street Parking Areas, Garages, & Driveways; G- Exterior Lighting, and I- Sustainability.
14. On April 7, 2014, a Historic District Design Review application was submitted to the Planning Department for the above described work.
15. On April 17, 2014, Staff posted notice of receipt of the HDDR application and sent out notice letters to property owners as required by the Land Management Code. No public comment was provided regarding the addition that was not mitigated.
16. On June 24, 2014, Staff posted notice of final action as required by the Land Management Code. The appeal period runs until 5 pm on July 4, 2014.
17. On August 4, 2014, Staff revised the final action approval to incorporate revisions to the parking requirement.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites, as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Commercial Business (HCB) District (lot size, setbacks, etc.).
3. The proposed work is consistent with Park City General Plan.

Conditions of Approval

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing neighboring structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on June 17, 2014 and approved on June 24, 2014, as redlined. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved work that have not been approved by the Planning and Building Departments may result in a stop work order.
3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in the approved construction shall be reviewed and approved prior to construction.
4. If a complete building permit has not been obtained by August 4, 2015, this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
5. The City Engineer shall review and approve all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
6. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
7. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation. Lawn area shall be limited in area. Existing trees shall be shown on the final Landscape Plan and shall be maintained, unless permission is granted by the City Engineer and/or City Forester for removal. Mitigation shall be proposed for all Significant Vegetation proposed to be removed.
8. Construction waste should be diverted from the landfill and recycled when possible.
9. All exterior lighting shall meet Park City's lighting ordinance and be downward directed and shielded, including any existing lighting that does not currently comply.
10. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain. Roof mounted equipment and vents shall be painted to match the roof and/or adjacent wall color and shall be screened or integrated into the design of the structure.

11. All exterior wood siding shall be painted or stained a solid color, and when possible, a low VOC (volatile organic compound) paint and finish shall be used. Provide a weather protective finish to wood surfaces that were not historically painted.
12. Stone retaining walls shall consist of square, natural stones, small in size that a miner could carry.
13. All windows shall be trimmed and the trim shall be consistent on all exterior windows.
14. All stone veneer should consist of natural stone.
15. All exterior concrete must be textured.
16. All exterior metal trim must be non-reflective.
17. Hot tubs require a building permit and compliance with the zone setbacks.
18. An encroachment agreement, between the applicant and the City Engineer for the balconies encroaching into the City Right-of-Way, shall be obtained prior to building permit approval.
19. A fee-in-lieu, of $14,000 per each four (4) required parking spaces, shall be paid or provide parking on-site prior to building permit approval.
20. Approval of this HDDR was noticed on June 24, 2014, and any approval is subject to a 10 day appeal period.
21. All standard conditions of approval shall apply (see attached).

If you have any questions about this approval, please do not hesitate to contact me. I can be reached at (435) 615-5068, or via e-mail at christy.alexander@parkcity.org.

Sincerely,

Christy Alexander

Christy J. Alexander, AICP
Planner II

DATE: September 17, 2015

TO HONORABLE MAYOR AND COUNCIL

On February 26, 2015, Council granted a non-exclusive vehicle and pedestrian easement across City property to April Inn (545 Main Street), allowing the owners to access the back lot of their property from the City owned alley located between the Cunningham Building (537 Main Street) and the General Store (541 Main Street).

In the February 26, 2015 staff report, staff indicated to Council that six (6) parking spaces would be dedicated for the use by residents/guests of the Inn. The developer has recently submitted a request to use one (1) of the six (6) parking spaces to meet the LMC parking requirements for a proposed house at 550 Park Avenue.

This change would require an amendment to the easement allowing both April Inn and 550 Park Avenue to use the City owned alley to access their parking facility.

Respectfully:

Matthew Cassel, City Engineer

City Council Staff Report

Subject:	**Amendment to Vehicle and Pedestrian Easement for 545 Main Street (April Inn)**
Authors:	**Matthew Cassel, Engineering** **Francisco Astorga, Planning**
Date:	**September 17, 2015**
Type of Item:	**Legislative**

Summary Recommendations:
Staff recommends that City Council grant an amendment to the recently approved non-exclusive vehicle and pedestrian easement across City property for the benefit of April Inn (545 Main Street) The amendment will allow 550 Park Avenue to also benefit from the non-exclusive vehicle and pedestrian easement across City property.

Executive Summary:
On February 26, 2015, Council granted a non-exclusive vehicle and pedestrian easement across City property to April Inn (545 Main Street). The easement would allow the owners of April Inn (545 Main Street) to access the back lot of their property from the City owned alley located between the Cunningham Building (537 Main Street) and the General Store (541 Main Street). In the February 26, 2015 staff report, staff indicated to Council that these six (6) parking spaces would be dedicated for the use by residents/guests of the April Inn. The developer has recently submitted a request to use one (1) of the six (6) parking spaces to meet the LMC parking requirements for the proposed house at 550 Park Avenue.

This change would require an amendment to the easement allowing both April Inn and 550 Park Avenue to use the City owned alley to access their parking facility.

Acronyms:
LMC – Land Management Code
ROW – Right-of-Way
Etc. – Et cetera

Background:
On April 1, 1940, Summit County conveyed and quit claimed to Park City the alley located between the Cunningham Building (537 Main Street) and the General Store (541 Main Street). The legal description is as follows:

- The north 21.5 feet of Lot 11 and all of Lot 36 of Block 9, Park City Survey.

From Eric DeHaan's Memorandum dated October 11, 1999 (see attachments):

- As the Old Towne Shops and the two-level parking structure immediately west of Old Towne Shops were being developed in 1984, the City and property

developer entered into an easement agreement providing for continued vehicular and pedestrian access within the alley,

- The upper level of the parking structure is accessed from Park Avenue while the lower level is accessed from Main Street. The easement agreement provides for the lower level access from Park Avenue if Main Street were ever to become a pedestrian mall.

Specifics of the Easement Agreement include:

- Old Towne Shops (537 Main Street) and Sierra Pacific (543 Park Avenue) entered into a parking agreement with each other which necessitated improvements to the alley,
- City granted a non-exclusive pedestrian and vehicular easement over the alley property to Old Towne Shops,
- City granted a non-exclusive pedestrian and vehicular easement over the alley property to Sierra Pacific,
- Old Towne Shop and Sierra Pacific were responsible for improvements in the alley,
- The City would maintain the alley as required for safe pedestrian access. Old Towne Shop and Sierra Pacific may supplement the City's maintenance of the alley.

Right-of-Way – The non-exclusive easement agreement with Old Towne Shop and Sierra Pacific notes that the alley is a ROW. Despite a thorough review, no records were found that indicated that the alley was ever formally dedicated as ROW. Staff considers the alley to be City property and thus the requirement to provide a formal easement for April Inn (If the alley was a dedicated public ROW, a vehicle and pedestrian easement would not be required).

On February 26, 2015, Council granted a non-exclusive vehicle and pedestrian easement across City property for the benefit of April Inn (545 Main Street). This easement would allow the development of six (6) parking spaces immediately west of April Inn dedicated for use by residents/guests of April Inn. The parking is located on the developer's property. This easement agreement has been created but staff has held the document and not processed it until Council approves the development's other applications. The Cardinal Park plat was approved by City Council on June 4, 2015. Additionally, the steep slope CUP and the CUP for a parking area with five or more spaces is scheduled to be heard by the Planning Commission on September 23, 2015.

Analysis:

545 Street Holdings, LLC (the developer) currently owns lots 13, 14, 15, 32, 33, 34, and 35 of Block 9. April Inn is located on Lots 13, 14 and 15 (545 Main Street), Lots 34 and 35 are currently being developed as 550 Park Avenue. April Inn recently re-modeled their facility from 12 units down to 3 units.

The developer has submitted plans for the development of 550 Park Avenue. Their plans propose using one (1) of the six (6) parking spaces dedicated for use by April Inn residents/guests to be used to satisfy the parking requirements for 550 Park Avenue.

550 Park Avenue is required to provide two off-street parking spaces. One parking space is proposed to be accessed from Park Avenue while the other parking space is proposed to be accessed from Main Street.

The six (6) space parking facility is still located to the immediate west of the April Inn, and would still be accessible only from Main Street via the alley. Two of the parking spaces would still be surface while the other four will be covered. The covered parking spaces are proposed to be located under 550 Park Avenue.

Staff previously supported the vehicle and pedestrian easement for two reasons (from the February 26, 2015 staff report):

- April Inn had paid their parking assessment into China Bridge for their commercial uses but not for their residential uses. It is unclear as to where the previous residents/renters of the 12 units parked, but is assumed they were parking within the Main Street corridor. The vehicle and pedestrian easement allows parking for the residential uses of April Inn to be established,
- April Inn has reduced the number of residential units from 12 to 3 and has proposed satisfying their residential parking requirements on site. Staff anticipates a slight increase in trips generated from the immediate area near April Inn but an overall reduction in traffic impacts to the Main Street corridor due to the reduction in residential units.

Staff supports the amendment to the vehicle and pedestrian easement for two reasons:

- April Inn still meets their LMC parking requirement – The Planning Department had previously determined that the three (3) units in April Inn would require four (4) off-street parking spaces. With six (6) parking spaces proposed, two (2) of the spaces were not specifically dedicated to meeting a parking requirement so one (1) of the parking spaces could be dedicated to 550 Park Avenue,
- As noted in the paragraph above, due to the reduction in residential units in April Inn, the traffic impacts to Main Street should be reduced. Changing one parking space to being dedicated to 550 Park Avenue, staff still anticipates seeing an overall reduction in traffic impacts to Main Street.

Department Review:
This report has been reviewed by City Manager, Legal, Public Works and Planning. All concerns raised by these departments have been incorporated herein.

Alternatives:

A. Approve the Request:
Approving the amendment to the easement will allow April Inn (545 Main Street) and 550 Park Avenue to develop parking on their parcel. This is Staff's recommendation.

B. Deny the Request:
Denying the amendment to the easement will then require the developer to redesign 550 Park Avenue with two parking spaces accessed from Park Avenue.

C. Continue the Item:
If the Council desires more information about the easement, the item may be continued.

D. Do Nothing:
This would have the same affect as denying the request for the easement.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Safe community that is walkable and bike-able		+ Shared use of Main Street by locals and visitors + Physically and socially connected neighborhoods	
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Neutral ⇔	Positive ⇧	Neutral ⇔
Comments:				

There are no significant or financial impacts arising from the recommended action.

Consequences of not taking the recommended action:
If the amendment to the easement is not granted, the developer will need to redesign 550 Park Avenue with two parking spaces accessed from Park Avenue instead of their current proposal of one parking space accessed from Park Avenue and one parking space accessed from Main Street.

Recommendation:
Staff recommends that City Council grant an amendment to the recently approved non-exclusive vehicle and pedestrian easement across City property for the benefit of April Inn (545 Main Street) The amendment will allow 550 Park Avenue to also benefit from the non-exclusive vehicle and pedestrian easement across City property.

Attachments: February 26, 2015 Staff Report,
Exhibit of Easement and Property Ownership.
Draft Vehicle and Pedestrian Easement
Proposed Cardinal Park Plat

City Council Staff Report

Subject:	**Vehicle and Pedestrian Easement for 545 Main Street (April Inn)**
Author:	**Matthew Cassel, City Engineer**
Date:	**February 26, 2015**
Type of Item:	**Legislative**

Summary Recommendations:
Staff recommends that City Council grant a non-exclusive vehicle and pedestrian easement across City property for the benefit of April Inn (545 Main Street).

Description:
The Vehicle and Pedestrian Easement would allow the owners of April Inn (545 Main Street) to access the back lot of their property from the City owned alley located between the Cunningham Building (537 Main Street) and the General Store (541 Main Street).

Background:
On April 1, 1940, Summit County conveyed and quit claimed to Park City the alley located between the Cunningham Building (537 Main Street) and the General Store (541 Main Street). The legal description is as follows:

- The north 21.5 feet of Lot 11 and all of Lot 36 of Block 9, Park City Survey.

From Eric DeHaan's Memorandum dated October 11, 1999 (see attachments):

- As the Old Towne Shops and the two-level parking structure immediately west of Old Towne Shops were being developed in 1984, the City and property developer entered into an easement agreement providing for continued vehicular and pedestrian access within the alley,
- The upper level of the parking structure is accessed from Park Avenue while the lower level is accessed from Main Street. The easement agreement provides for the lower level access from Park Avenue if Main Street were ever to become a pedestrian mall.

Specifics of the Easement Agreement include:

- Old Towne Shops (537 Main Street) and Sierra Pacific (543 Park Avenue) entered into a parking agreement with each other which necessitated improvements to the alley,
- City granted a non-exclusive pedestrian and vehicular easement over the alley property to Old Towne Shops,
- City granted a non-exclusive pedestrian and vehicular easement over the alley

property to Sierra Pacific,

- Old Towne Shop and Sierra Pacific were responsible for improvements in the alley,
- The City would maintain the alley as required for safe pedestrian access. Old Towne Shop and Sierra Pacific may supplement the City's maintenance of the alley.

□ight-of-□ ay □ The non-exclusive easement agreement with Old Towne Shop and Sierra Pacific notes that the alley is a □ight-of-□ ay. Despite an through review, no records were found that indicated that the alley was ever formally dedicated as □ight-of-□ ay. Staff considers the alley to be City property and thus the requirement to provide a formal easement for April Inn (If the alley was a dedicated public □ight-of-□ ay, a vehicle and pedestrian easement would not be required).

Analysis:

April Inn currently owns lots 13, 14, 15, 32, 33, 34, and 35 of Block 9. April Inn is located on Lots 13, 14 and 15 (545 Main Street), Lots 32, 33, 34 and 35 are currently un-developed and front Park Avenue. April Inn is currently re-modeling their facility from 12 units down to 3 units. They have submitted plans for the development of the lots fronting Park Avenue and are requesting to build a 6 space parking facility to the immediate west of the April Inn, which would be accessible from Main Street via the alley. Two of the parking spaces will be surface while the other four will be covered. The covered parking spaces are proposed to be located under a house□the house's access will be from Park Avenue. These six parking spaces would be on April Inn property and would be dedicated for the use by residents□guests of the April Inn. This easement request would allow access to this parking facility through and across the alley. Because of the differential grade and proposed development, access from Park Avenue would be difficult.

Staff supports the vehicle and pedestrian easement for two reasons:

- April Inn had paid their parking assessment into China Bridge for their commercial uses but not for their residential uses. It is unclear as to where the previous residents□enters of the 12 units parked, but is assumed they were parking within the Main Street corridor. By allowing this vehicle and pedestrian easement, parking for the residential uses of April Inn will be established,
- April Inn has reduced the number of residential units from 12 to 3 and has proposed satisfying their residential parking requirements on site. If Council approves the vehicle and pedestrian easement for April Inn, staff anticipates a slight increase in trips generated from the immediate area near April Inn but an overall reduction in traffic impacts to the Main Street corridor due to the reduction in residential units.

A draft of the easement is included with this staff report. Easement specifics

- Language is inserted to address the closing of Main Street for special events,
- The 1984 easement agreement with Old Towne and Sierra Pacific includes a paragraph stating □City shall maintain the □ight-of-□ ay as required for safe

pedestrian access, but Old Towne and Sierra Pacific may supplement the City's maintenance as they deem necessary or appropriate. Staff interprets this paragraph to indicate that the City will maintain the alley to minimum safety standards for pedestrian access (but not vehicular access). If the grantee would like to add amenities such as more lighting, landscaping, signage, etc, they may upon City approval. A paragraph such as this one will be included in the vehicle and pedestrian easement for April Inn.

An alternative to granting the vehicle and pedestrian easement would be to sell the property to the parties and retain an easement for pedestrian use. Because of the significant grade difference, this alley will never be a thoroughfare and thus will not be part of the City's transportation network. Also, staff does not foresee the future use of this alley to change. The advantage of selling the property would be the shifting of current maintenance program for the alley to the parties purchasing the property. One disadvantage will be the ownership of this parcel by three separate entities and the City resources necessary for the parties to come to an shared ownership agreement.

Department Review:
This report has been reviewed by City Manager, Legal, Sustainability, Public orks, and Planning. All concerns raised by these departments have been incorporated herein.

Alternatives:

A. Approve the Request:
Approving the easement will allow April Inn (545 Main Street) to develop parking on their parcel. This is Staff's recommendation.

B. Deny the Request:
Denying the easement will then not allow April Inn to provide on-site parking accessed from Main Street.

C. Continue the Item:
If the Council desires more information about the easement, the item may be continued.

D. Do Nothing:
This would have the same affect as denying the request for the easement.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
hich Desired Outcomes might the ecommended Action Impact	Safe community that is walkable and bike-able		Shared use of Main Street by locals and visitors Physically and socially connected neighborhoods	
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	eutral ⇔	Positive ⇧	eutral ⇔
Comments:				

There are no significant or financial impacts arising from the recommended action.

Consequences of not taking the recommended action:
If the easement is not granted, vehicle and pedestrian access to the proposed on-site parking for the April Inn (545 Main Street) cannot occur.

Recommendation:
Staff recommends that City Council grant a non-exclusive vehicle and pedestrian easement across City property for the benefit of April Inn (545 Main Street).

Attachments: Draft Vehicle and Pedestrian Easement,
Exhibit of Easement and Property Ownership.
Eric Dehaan Memorandum dated October 11, 1999 including the on-Exclusive Easement Agreement between Park City, Old Towne Associates and Sierra Pacific

Property Map April Inn (545 Main) and 550 Park Ave

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
P.O. Box 1480
Park City, Utah 84060

NON-EXCLUSIVE VEHICLE AND PEDESTRIAN EASEMENT AGREEMENT

THIS NON-EXCLUSIVE VEHICLE AND PEDESTRIAN EASEMENTAGREEMENT (the "Agreement") is entered into this _____ day of _____, 2015, by and between 545 Main Street Holdings, LLC, an Oklahoma limited liability company ("545 Main") and Park City Municipal Corporation ("Park City"), a nonprofit corporation of Utah.

RECITALS

WHEREAS, 545 Main owns the real property located at 545 Main Street and certain property to the rear or west of 545 Main Street, Park City, Utah 84060, more particularly described in **Exhibit A** hereto ("Parcel 1"); and

WHEREAS, Park City owns lots of record generally known as the north 21 ½ feet of Lot 11 and all of Lot36, Block 9 of the Park City Survey, which fronts Main Street south of 545 Main Street over which 545 Main would like to access Parcel 1, which lots of record is more particularly described in **Exhibit B** hereto ("Parcel 2"); and

WHEREAS, on March 22, 1984, Old Towne Associates (537 Main Street) and Sierra Pacific (543 Park Avenue) entered into an agreement with Park City to use this Parcel 2 for pedestrian and vehicular access to their adjacent properties. The 1984 agreement allows Old Towne Associates and Sierra Pacific to improve Parcel 2 subject to City's prior approval and, while the City provides maintenance as required for safe pedestrian access, Old Towne Associates and Sierra Pacific may provide supplemental maintenance as deemed necessary and appropriate; and

WHEREAS, 545 Main desires a private, non-exclusive vehicle and pedestrian easement for ingress and egress over Parcel 2 for the benefit of Parcel 1, subject to closures from time of Parcel 2 by Park City in connection with various special events throughout the year.

AGREEMENT

NOW THEREFORE, in consideration of Ten Dollars ($10.00), the mutual promises and covenants made herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. GRANT OF EASEMENT. Park City hereby grants to the owner of Parcel 1, its successors and assigns, for the benefit of Parcel 1 its successors and assigns, a private, non-

DRAFT

exclusive vehicle and pedestrian easement over Parcel 2 for the purpose of pedestrian and vehicular ingress and egress to and from Parcel 1, which grant of easement is expressly made subject to Park City's right, in its sole discretion, to temporarily close Parcel 2 to vehicular access during special events. The easement granted herein shall be effective from and after the date of recording of this Agreement in the official records of the Summit County Recorder. This non-exclusive vehicle and pedestrian access granted to 545 Main Street shall be appurtenant to Parcel 1.

2. **GOVERNING LAW**. This Agreement shall be interpreted and governed by the laws of the State of Utah.

3. **FUTURE USE**. The City may, at some future date, elect to install utilities or other public improvements within this property and easement. To the extent that any utility work or public improvement requires the removal, relocation, replacement and/or destruction of any encroachments, 545 Main may have been using within the City's property, the City shall require 545 Main to remove such encroachments pursuant to the notice in paragraph 4 below. 545 Main acknowledge that 545 Main have no rights to compensation for the loss of the encroachments or loss of the use of the property and/or change in the grade and elevation of the easement. This acknowledgement, in the event the encroachments are removed for any reason whatsoever in the sole determination of the City, is the consideration given for the granting of this easement for the continued use.

4. **PUBLIC IMPROVEMENTS**. Prior to commencing public improvements in a manner that will require the removal or relocation of encroachments, the City will give 545 Main ninety (90) days prior written notice, in which time 545 Main shall make adjustments to and remodel their respective improvements as necessary to accommodate the changes in the property at 545 Main's cost.

5. **MAINTENANCE**. 545 Main or its successors shall, at their sole expense, maintain their encroachments in a good state of repair at all time, and upon notice from the City, will repair any damaged, weakened or failed sections. If a notice to repair is received from the City, 545 Main or its successors, Old Towne Associates or its successors and Sierra Pacific or its successors shall coordinate the repairs. 545 Main agrees to hold the City harmless and indemnify the City for any and all claims which might arise from third parties, who are injured as a result of 545 Main's use of the easement for private purposes, or from the failure of 545 Main's improvements. Nothing herein shall limit or waive any provision or defense of the Utah Government Immunity Act.

6. **AMENDMENT OR WAIVER**. This Agreement may be amended only by an instrument in writing signed by the parties hereto. No provision of this Agreement and no obligation of either party under this Agreement may be waived except by an instrument in writing signed by the party waiving the provision or obligation. The waiver of any breach of any of the terms, covenants or conditions hereof on the part of one party to be kept and performed shall not be a waiver of any preceding or subsequent breach of the same or any other term, covenant or condition contained herein.

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7. ENTIRE AGREEMENT. This Agreement, including exhibits, contains the entire Agreement and understanding between the parties with regard to the subject matter of this Agreement. All terms and conditions contained in any other writings previously executed by the parties and all other discussions, understandings or agreements regarding the subject matter of this Agreement shall be deemed to be superseded by this Agreement.

8. SUCCESSORS AND ASSIGNS. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties.

9. CONSTRUCTION OF AGREEMENT. The language and all parts of this Agreement shall be in all cases construed simply according to their fair meaning and not strictly for or against either of the parties hereto. Headings at the beginning of sections and subsections of this Agreement are solely for the convenience of the parties and are not part of this Agreement. When required by the context, whenever the singular number is used in this Agreement, the same shall include the plural, and the plural shall include the singular; the masculine gender shall include the feminine and neuter genders and vice versa; and the word "person" shall include corporations, partnerships or other forms of associations or entities.

10. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be an original and such counterparts shall together constitute but one and the same instrument.

11. SEVERABILITY. Invalidation of any one of the covenants or provisions of this Agreement or any part thereof by judgment or court order shall not affect any other covenant or provision of this Agreement, which shall remain in full force and effect. This agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City recording a notice of revocation with the Summit County Recorder and sending notice to 545 Main or their successors.

12. NOTICES. Any notices or requests to be made under this Agreement shall be by United States Mail, e-mail or facsimile, and sent

to 545 Main at:

545 Main Street Holdings, LLC
501 N. W. Grand Boulevard, 6th Floor
Oklahoma City, OK 73118
Fax: (925)938-3722
E-mail: billy.reed@sbcglobal.net

and to Park City at:

_____
_____
_____
E-mail: _____.

13. INCORPORATION OF RECITALS AND ATTACHMENTS. All Recitals in this Agreement and all attachments hereto are hereby fully incorporated by reference herein.

14. NO PARTNERSHIP. Neither this Agreement nor the acts of the parties is intended to create and does not create a joint venture or partnership between the parties.

15. FURTHER ASSURANCES. Each party shall execute and deliver any and all documents that may be reasonably requested by the other party in order to document and perform fully and properly the provisions of this Agreement.

16. COVENANTS TO RUN WITH THE LAND. The respective benefits and burdens of the easement granted herein and the terms hereof shall run with and be appurtenant to Parcel 1 and Parcel 2 and shall inure to the benefit of and be binding on their respective owners, successors in interest and assigns.

IN WITNESS WHEREOF, the undersigned have executed this Non-Exclusive Vehicle and Pedestrian Easement Agreement on the date first above written.

PARK CITY:

By: _____
City Manager

Attest:

_____
Marci Heil, City Recorder

APPROVED AS TO FORM

_____
City Attorney's Office

545 MAIN:

545 Main Street Holdings, LLC,
an Oklahoma limited liability company

By: W.R. Johnston & Co.
Its: Manager

By: _____
Print Name: _____
Its: Vice President

DRAFT

ACKNOWLEDGEMENTS

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 2015 before me personally appeared _____, who being by me duly sworn, acknowledged to me that he/she signed the foregoing instrument, as the duly appointed and authorized City Manager of PARK CITY MUNICIPAL CORPORATION.

_____
Notary Public
My Commission Expires: _____

DRAFT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2015 before me personally appeared _____, who being by me duly sworn, acknowledged to me that he/she signed the foregoing instrument, as the duly appointed and authorized signatory of 545 MAIN STREET HOLDINGS, LLC.

_____
Notary Public
My Commission Expires: _____

EXHIBIT A

Legal Description of Parcel 1

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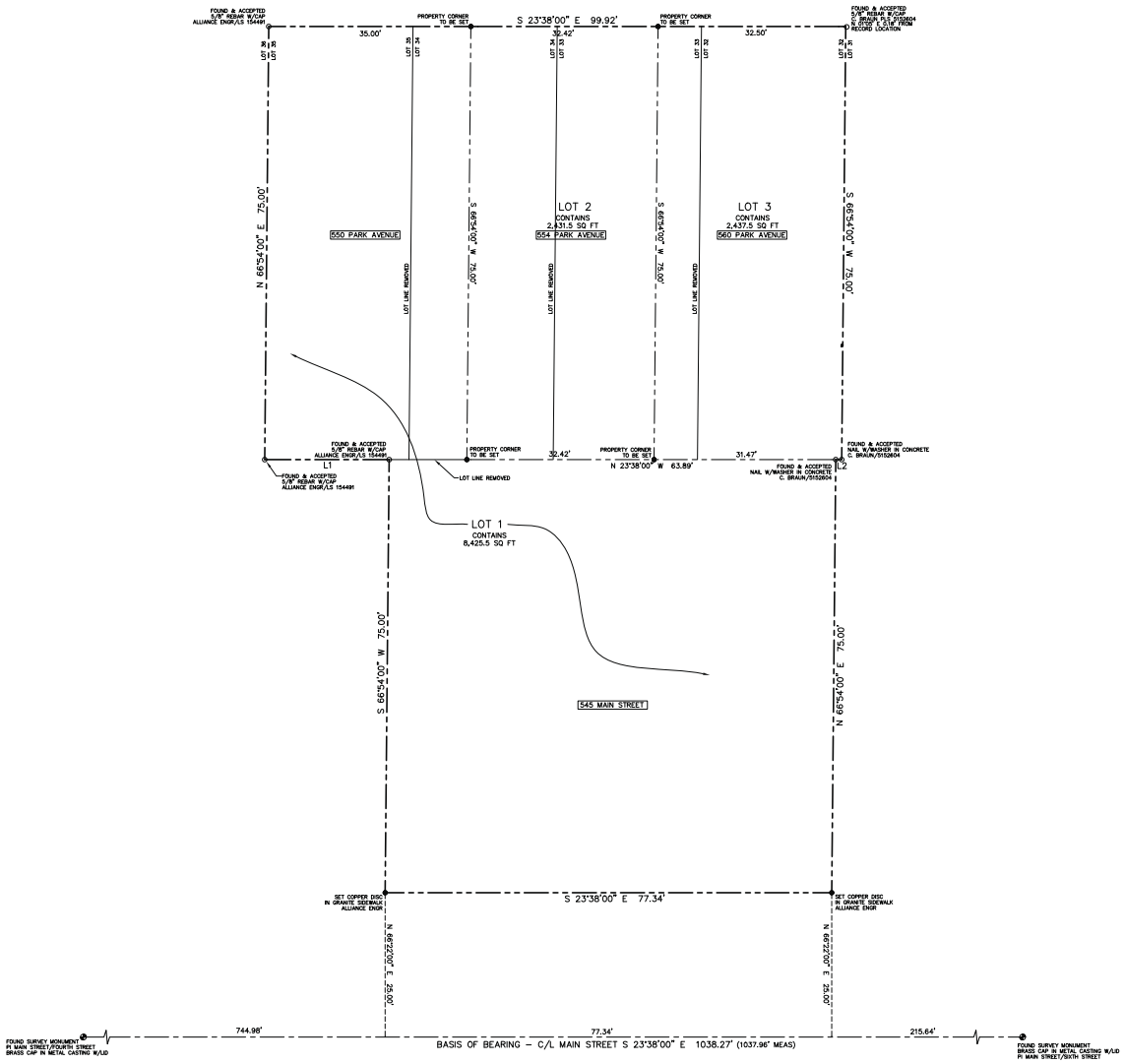
EXHIBIT B

Legal Description of Parcel 2



A PARCEL COMBINATION PLAT
IN BLOCK 9, PARK CITY SURVEY

CARDINAL PARK SUBDIVISION

LOCATED IN BLOCK 9, PARK CITY SURVEY AND ALSO IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR No.4938739 MARTIN A. MORRISON State of Utah

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners this Record of Survey map of the CARDINAL PARK SUBDIVISION has been prepared under my direction, and that the same has been or will be monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTIONS

PARCEL 1

LOT 1, 545 MAIN STREET, Lot Line Adjustment Plat, Park City, Utah, according to the official plat recorded October 21, 1997, as Entry No. 490199, thereof on file and of record in the Summit County Recorder's Office.

Also described as and being located within the following: All of Lots 13, 14 and 15, and the North 2.4 feet of Lot 12, Block 9, PARK CITY SURVEY OF BUILDING LOTS.

PARCEL 2

All of Lot 34, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereof on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

Also, commencing at the northeast corner of Lot 33, Block 9, PARK CITY SURVEY, AMENDED, and running thence Southwesterly along the boundary line between Lots 33 and 32, Block 9, PARK CITY SURVEY, AMENDED, a distance of 2.0 feet; thence Southeasterly and parallel to the easterly boundary line of said Lot 33 to the southerly boundary line of said Lot 33; thence northeasterly along the southerly boundary line of said Lot 33 to the easterly boundary line of said Lot 33; thence Northerly along the easterly boundary line of said Lot 33 to the point of beginning.

Also, commencing at the northeasterly corner of Lot 35, Block 9, PARK CITY SURVEY, AMENDED, thence Southeasterly along the said Lot 35 lot line, 2.4 feet; thence Southwesterly parallel to the lot line of Lot 35, 1.3 feet; thence Northwesterly to the northwesterly line of Lot 35, 2.4 feet; thence Northeasterly along said lot line 1.3 feet to the point of beginning.

Also, beginning at the northwest corner of said Lot 35, Block 9, PARK CITY SURVEY, AMENDED; and running thence Southerly 2.4 feet; thence Easterly 62 feet; thence Northerly 2.4 feet to the southerly side of Lot 34, Block 9; thence westerly 62 feet to the point of beginning.

PARCEL 3

All of Lots 32 and 33, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereof on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

Less and excepting therefrom the easterly 2 feet of said Lot 33, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereof on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

PARCEL 4

The southerly 22.6 feet of Lot 35, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereof on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that 545 MAIN STREET HOLDINGS, LLC, an Oklahoma limited liability company, the undersigned owner of the herein described tract of land to be known hereafter as CARDINAL PARK SUBDIVISION, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set her hand this _____ day of _____, 2015.

_____
Nichole Lipps, Manager
545 Main Street Holdings, LLC

ACKNOWLEDGMENT

State of: _____;
ss:
County of: _____;

On this _____ day of _____, 2015, Nichole Lipps personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Nichole Lipps acknowledged to me that she is a managing member of 545 Main Street Holdings, LLC, an Oklahoma limited liability company, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

NOTE

1. This condominium plat is subject to the Conditions of Approval in Ordinance 15-____.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 23°38'00" W	21.55
L2	N 23°48'44" W	1.03

10' 0 10' 20'

SHEET 1 OF 1

4/15/15 JOB NO.: 9-8-14 FILE: X:\ParkCitySurvey\dwg\srv\plat2014\090814_2015.dwg

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____
DAY OF _____, 2015
BY _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____
DAY OF _____, 2015
BY _____
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____
DAY OF _____, 2015
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____
DAY OF _____, 2015
BY _____
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2015
BY _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY
OF _____, 2015
BY _____
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO. _____
_____ _____
FEE RECORDER

IV. CONSIDERATION OF MINUTES FROM THE FEBRUARY 12, 2015 CITY COUNCIL MEETINGS

Council member Peek moved to approve the February 12, 2015 City Council minutes
Council member Beerman seconded
Approved unanimously

V. CONSENT*(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)*

1. Consideration of a request for a non-exclusive vehicle and pedestrian easement across City property for the benefit of April Inn (545 Main Street).

Council member Beerman stated that at the end of the staff report it mentioned selling the property, inquiring if that was something staff was in favor of. Cassel stated that staff is not in favor.

Council member Beerman moved to approve the consent agenda
Council member Simpson seconded
Approved unanimously

VI. NEW BUSINESS

1. Main Street Project Discussion

Matt Twombly, Project Manager, discussed the Main Street projects stating that the 2014 improvements have come in at the budget that was analyzed. Stating the streetscape projects are coming in under budget and the plazas are coming in over budget. Twombly will be coming to Council on March 5th with the 2015 Streetscape design plan. Council member Henney expressed frustration with the loss of parking with the City Hall plaza as well as this being a low priority on the HPCA list without addressing their main priority of the Brew Pub plaza. Council member Peek stated that Swede Alley does need the safety and face lift. Council member Matsumoto agreed with Peek that this area needs a face lift and softening the look of the area is a good idea. Council member Beerman stated that the work that has been done so far is great and is pleased with the plaza's so far but he too is frustrated that the HPCA priorities have been leap frogged. Council member Simpson stated that she does not recall this project leap frogging any other project, she agrees with Matsumoto and Peek. Mayor Thomas agrees with Matsumoto, Peek and Simpson.

Mayor Thomas opened the floor for public input.

Alison Butz, HPCA, stated that the biggest worry with the HPCA is that the Council has allocated a certain amount of money and it will run out. They were looking to book end Main

reviewing the municipal code, Stewart learned these trucks using their air brakes are in violation of the noise ordinance but that no one is willing to enforce it. A secondary complaint is noise in Swede Alley. After meeting with City employees, the City Attorney's office, emailing and working with police, Stewart and Cluff reiterate no one is willing to help them. Simpson explains the procedure for handling the matter and Diane Foster, City Manager, states she has addressed the issue with and will follow up with Stewart and Cluff.

Lauren Locke and Erin Brown of Sage Mountain, a local nonprofit, spoke on their advocacy for farm animals as they are currently building a small rescue facility for these animals. Brown states they are currently advocating a vegetarian diet as large-scale animal agriculture is the single most destructive industry facing the planet today. They urge Park City residents to adopt a non-animal diet.

Delphine Campes, 61 Daley Ave, states parking this year in Old Town has been the worst ever with all the events and rentors and property owenrs have decided to tear down historical lots and turn them in to parking lots. States there's nowhere to park and asks Council to do something about it as it is a disturbance to the neighborhood. Foster suggests Campes contact the Neighborhood Traffic Management Program where she can go to address all the right people at the same time. Kristin Whetstone, Planning, states they got a complaint that a parking lot was being made from a historical lot and that the first step is to apply for a historic design team pre-review, which will happen on Thursday and they will go from there.

IV. CONSENT AGENDA

1. Consideration of a Request for Use of Public Property to Display Public Art Near 638 Park Avenue

2. Consideration of a Request to Authorize the City Manager to Execute an Amendment to the Park Avenue Pathways 2015 Construction Agreement with B. Jackson Construction, in a Form Approved by the City Attorney, as Change Orders No. 1 and 2, for an Increase Not to Exceed $86,644.01, for a Total Not to Exceed $1,047,055.81

Approved unanimously

3. Consideration of an Amendment to the existing Vehicle and Pedestrian Easement for the April Inn located at 545 Main Street.

Council voted to pull this off the consent agenda.

Approved unanimously

Francisco Astorga, Senior Planner, reports the easement has not been written as they're waiting on Planning Commission to review the conditional use permit for the construction of the combination single family dwelling and parking structure. The reason for the amendment is because the applicant has requested to use one of six parking spaces for the benefit of Park Ave residents. City engineer decided to bring it back since there was no discussion about this in February. Simpson asks if this change is due to Planning Commission direction to the applicant. Astorga says no, that the placement of the garage next to the house was not meeting code. Beerman asks if moving a stairway is in question. Astorga states it is in question but the issues regarding the stairway are controlled by the city engineer's office. They are considering a proposal to realign the staircase.

<u>Public Hearing</u>
Ruth Menitane [sic], 305 Woodside, states the amendment to the original easement will create a possibility of changing the parking and the elimination of two garages on Park Avenue is monumental

and the entire project is moving in a positive direction.

Sanford Melville, 527 Park Avenue, states the alley is already pretty tight and what is being proposed is a six-car carport. Explains the difficulty of maneuvering around a carport in this space and expresses concern since this area also serves as a pedestrian thoroughfare.

Approved unanimously

V. NEW BUSINESS

1. Consideration of an Ordinance Adopting a Waste and Recycling Receptacle Ordinance for Old Town Park City, UT, and an Amendment to Park City Municipal Code for Waste and Recycling Receptacles Managed by Nightly Rentals in Old Town Park City, UT:

Matt Abbott, Sustainability, states the ordinance addresses consistency issues such as look, education and enforcement. Changes include starting curbside no earlier than 6:00 pm on collection day and include a fee change from $1000 to $750. If the ordinance is adopted, there will be a 90-day education period after which Staff will return with a Manager's Report. Beerman asks about labeling the toters, to which Abbott states receptacles should be labeled on both front and the top.

Public Hearing
Becca Gerber asked for clarification on the collection time.

Michael asked for a definition of "curbside." Staff explains curbside means where the actual collection takes place and traffic is not impeded. Michael asks about impeding bicycles on Park Avenue. Simpson and Peek clarify curbside and Beerman adds it's hard to make a clear definition in Old Town since every home is different. Abbott reminds us the educational period will address these questions.

Approved unanimously

2. Consideration of a Request to Move Current Dispatch Employees from the "Public Employee" Retirement System to the "Public Safety" Retirement System Offered by the State of Utah

Brooke Moss, Cherie Ashe and Police Captain Rick Ryan addressed the details of the change, emphasizing it means a higher benefit at a bigger cost to the city but one that is justified due to the dangerous nature of the jobs.

Approved unanimously

3. Consideration of a Resolution Designating September 26, 2015, as Park City Neighbor Day

Stuart Johnson, Anya Grahn and Marielle Pariseau, members of Leadership Park City Class 21, explain this is their class project, chosen because they feel the community needs to connect through smaller, more personal get togethers. Pariseau asks Council and residents to make the pledge of connecting with three neighbors this September 26th, and to do so every year.

Approved unanimously

4. Consideration of an Ordinance of the Bee Plat Amendment Located at 281 and 283 Deer Valley Drive, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney.

Hannah Turpin, Planning, states applicant will combine four lots in to two with a common wall

May 7, 2015

To: Park City Planning Commission

From: John Plunkett & Barbara Kuhr, 557 Park Avenue

Re: April Inn and Park Ave Plat Amendment and CUP Applications

Dear Planning Commissioners:

We live across the street from this project. We're glad that a single-family house has been proposed for one of the Park Avenue lots, but have some concerns that we hope the Planning Department and Commission can address as Conditions of Approval for both the Plat and CUP applications:

Plat Amendment

There are Special Requirements for CUPs in this Sub-Zone A of Park Avenue. We request that these Special Requirements be included on the Plat, to make enforcement clear for future owners of the property:

— Parking spaces accessed from Main Street are only for use by Residents of the April Inn, and only for parking, not HCB garbage collection.

— The April Inn emergency exit only door cannot be used as an entrance to the HCB building.

— The Park Avenue garage can only be used by the residents of the Park Ave house. This is important because the applicant owns both the Claim-jumper and April Inn buildings in the HCB, and all the Park Avenue lots behind them — The temptation to use Park Avenue for HCB parking or garbage collection is great, but is prohibited by the sub-zone restrictions.

The specific Sub-zone A restrictions include (edited excerpts):

15-2.3-8 (B)
(1)…Commercial Uses must be located…beneath the Main Floor of a residential structure facing Park Avenue
(4)…new Structures fronting on Park Avenue may not contain Commercial Uses…
(7)…emergency Access…onto the HR-2 portion of the Property must be designed…to absolutely prohibit non-emergency Use. Alarms shall be installed on all emergency doors that provide access to Park Avenue.

(9)…No loading docks, service yards, exterior trash equipment, exterior trash compounds, outdoor storage, ADA access, or other similar Uses are allowed within the HR-2 portion of the Property…

CUP Applications

We believe the double-tandem garages, and parking spaces in the rear-yard set-back violate the LMC, and we request that they be brought into compliance. Five Park Avenue parking spaces for a small, one-bedroom house seems excessive, and calls into question their Use by the HCB properties. There is also Significant Vegetation that is half on the City easement and half on the Park Ave lots, that is not shown on the development plans and should be taken into consideration.

The double garage doors violate two of the HR-2 Purposes:
15-2.3-1
(H) encourage and promote Development that supports and completes upper Park Avenue as a pedestrian friendly residential street in Use...
(J) minimize visual impacts of the automobile and parking by encouraging alternative parking solutions"

The parking spaces in the rear-yard setback are another violation, as the LMC states that parking cannot cover more than 50% of the rear-yard area.

Public Utility Boxes, Vegetation

There are several telephone utility boxes that will have to be moved from their Park Ave location behind the Claimjumper. We have been told they will be relocated on the City easement by the stairs, but this is not shown on the Landscape plans for the Park Avenue lot. We request that the plans be revised to include the utility boxes, as well as new Significant Vegetation to replace the mature trees that will be lost in construction.

Thank-you for your consideration.

Sincerely,

John Plunkett & Barbara Kuhr
557 Park Avenue

Francisco Astorga

From: Sanford Melville <smelville@outlook.com>
Sent: Thursday, September 17, 2015 12:01 PM
To: Council_Mail
Cc: Francisco Astorga; Matt Cassel
Subject: Public Comment on Consent Agenda Item Number 3 - Consideration of Amendment to Easement for April Inn Across City Alley

Dear Mayor and Council,

I see that City Council has on their agenda tonight as No. 3 on the "Consent Agenda" a request from the developer of 550 Park and 545 Main to modify their proposed easement in the City's alley for the April Inn -- they want one of the parking spaces for 550 Park to also be allowed as one of the 6 carport spaces they propose to build on the lower level of a structure at 550 Park, which will be accessed from the Alley. See packet at pp 50-67. I ask that you consider my comments below and further discuss this agenda item.

I do think there are issues with the City agreeing to an easement across the City's alley to allow a six-stall carport on the alley for several reasons. These include that it will essentially turn the alley into the carport's driveway since it is a carport of six spaces, which must be backed out of from each carport space. The proposal is not for access to a garage entrance, which would be like the Cunningham Building across the alley, and be just an garage entrance for cars to drive in and out of. Allowing an easement for purposes of a 6-stall carport on the alleyway will require far more intrusion on and use of the alley, and that seems to be a giving-away of a substantial portion of the City's alley to this developer, for which I see little public benefit.

Instead the developer could use more than one of his lots behind the April Inn for his proposed parking amenities for the April Inn and make an actual garage with access from the alley (like the Cunningham Bldg garage). While the developer may instead wish to utilize more of the City alley for purposes of building only a carport and not build an actual garage, it would seem more appropriate for the developer to use his own lots.

Although not shown in the current packet, this developer has also proposed that in order to accommodate the 6-stall carport, the public stairway up to Park Avenue be rebuilt to a configuration that will move across the alley and end blindly along the wall of the Cunningham Building garage right at the garage exit. This will be a potentially unsafe modification. Picture a family walking down the stairs, with a child running ahead and arriving at the bottom of the stairway just as a car pulls out of the garage. That child will not be visible until he steps into the path of the exiting vehicle. The developer has also proposed the removal of the beautiful mature trees on the Park Avenue side of the alley. In addition, the proposed stairway rebuild will jeopardize the historic stone retaining wall from which the current public stairway extends.

Also, I ask whether the neighboring property owners and holders of easements to the alley, such as the Cunningham building, have been consulted about the proposed easement.

Thank you for considering my comments.

Sanford Melville
527 Park Avenue

Also to accomodate the 6-stall carport the stairway will be modified to be unsafe since it will end blindly at the Cunningham bldg's garage entrance. The trees there will also go, and the historic stone wall probably also for this project.
Hope

Sent from Windows Mail

apply.

3. <u>545 Main Street & 550/554/560 Park Avenue – Plat Amendment to create four (4) lots of record from five (5) lots</u> (Application PL-15-02466)

4. <u>550 Park Avenue – Steep Slope CUP for construction of a new single-family dwelling and a CUP for a parking area with five or more spaces.</u> (Application PL-14-02541 and PL-15-02471)

Planner Astorga requested that the Planning Commission discuss the two items together, conduct a public hearing and take two separate actions.

Planner Astorga noted that there were two different □one districts within the plat amendment that includes 545 Main Street, which is the April Inn, and four lots on Park Avenue. He presented a slide showing that Lots 2 and 3 would become larger. Lot 3 would be 32.5 feet in width and the standard 75' deep lot. Lot 2 as proposed would be 32.42 x 75'. Lots 2 and 3 are on Park Avenue and the □oning district on that side of the block is H□-2. Historically the H□-2 was known as the HTO □one, which was the historic transitional overlay from the Main Street uses that tended to spill into the residential H□-1 □one.

Planner Astorga noted that the applicant submitted the plat amendment application, as well as a conditional use permit. He explained that the purpose of combining 550 and 545 Main Street is to accommodate a use that is listed in the H□-2 □one. Planner Astorga stated that the plat amendment and the C□P are related because the special criteria for the H□-2(A) □one applied to both. He stated that the reason for the plat amendment is to accommodate a structure on 550 Park Avenue with a conditional use permit for the structure and residential a parking area with five or more parking spaces for the associated use on the same lot.

Planner Astorga reported that the original application that was submitted was not a plat amendment. It rearranged the lot on Park Avenue but it did not combine the two lots. The applicant had to request a plat amendment to remove the lot line because the use would not work as the April Inn recently received a Historic District Design □eview approval to remodel 12 units into 3 units. Planner Astorga pointed out that the April Inn is not a historic building□however when it was approved there was no parking on site. The developer began working with the Staff and paid □14,000 per parking space in order to move forward with that specific remodel. Planner Astorga remarked that his unique concept was a conditional use permit based upon a building where the main floor and the upper floor would be the single family dwelling, and the lower level would be the parking structure for the uses associated in the HCB □oned lot. The Code allows for this type of request. The

Staff report contained the analysis regarding the special requirements for the H□-2(A). The Staff report for the conditional use permit application outlines the necessary criteria for the Steep Slope C□P, special conditional use requirements, as well as the H□-2(A) criteria. Planner Astorga reported that a few months ago the City Engineer, Matt Cassel, went before the City Council on behalf of the applicant to see if the Council would grant an easement on the alley to use the property for the lowest level of the structure. He noted that people mistakenly think it is a right-of-way because of the layout, but it is actually City owned property. The easement would allow the structure to only be accessed through Main Street. The City Council indicated that the easement would be granted and they were in the process of drafting the final language.

Planner Astorga reported on a letter he received from □ohn Plunkett that was included as public comment in the Staff report.

Chair Strachan understood that there would be six parking spaces in Lot 1□two would be uncovered and four would be covered. He asked if the uncovered spaces would be off of Park Avenue or toward Main Street.

□onathan DeGray, representing the applicant, replied that they would be toward Main Street. Planner Astorga reviewed the proposed site plan showing where the parking spaces would be located.

Commissioner Phillips thought the two uncovered spaces already exist because people park cars there. Chair Strachan asked if Lots 2 and 3 would eventually be single family homes. Mr. DeGray answered yes. Commissioner Strachan asked if those homes would have garages. Mr. DeGray answered yes. There would be space for one car in the garage and another car in the driveway. Chair Strachan assumed there would be no access from the easement to those lots. Mr. DeGray replied that this was correct. They would be independent lots accessed off of Park Avenue. Planner Astorga clarified that the six parking spaces belong to the April Inn. The main floor of the structure has separate parking for the house.

Chair Strachan referred to the letter from Mr. Plunkett and he asked if the applicants would be willing to a condition stating that none of the parking that may be built on Lots 1, 2, or 3 for the residential uses could ever be used for the April Inn or any commercial use. He noted that Mr. Plunkett was concerned that if the April Inn parking overflows they could potentially tell people to park in the Park Avenue residence parking.

Paul Colton, representing the applicant, noted that the Code already has that requirement and they were not opposed to adding it as a condition. Planner Astorga noted that per

Code the parking must be below the Park Avenue level. The Staff was comfortable adding a condition of approval to reiterate the Code requirement.

Assistant City Attorney McLean suggested a condition to read, "Parking for the April Inn may only be accessed from Main Street". Mr. Colton pointed out that the only physical access to the parking is off of Main Street.

Chair Strachan also favored some of the other conditions that were suggested by Mr. Plunkett. For example, a condition stating that the emergency exit door for the April Inn could not be used as an entrance. Planner Astorga clarified that he had not added language regarding the door because the building permit for the April Inn shows that the door would be eliminated. Chair Strachan asked if there was any access to the April Inn from the Park Avenue side. He was told there was not. Chair Strachan stated that the fine line between the H-1 and the HCB was difficult to work with and he felt this proposal actually works for the commercial side without impacting the residential on Park Avenue. Commissioner Worel thought it was a creative solution. Commissioner Phillips concurred. It also relieves some of the existing parking pressures.

Chair Strachan opened the public hearing for both the plat amendment and the CUP.

Sanford Melville, a resident at 527 Park Avenue, commented on the letter from John Plunkett and he stated for the record that he fully supported the comments and concerns that were raised in the letter. Mr. Melville was concerned about the four tandem parking spaces on the middle level of the Park Avenue home. A one-bedroom residence was being proposed and he thought it was unusual to have four-car parking for a one-bedroom house. He believed it called into question the ultimate use of the parking. If this is approved, Mr. Melville thought a condition of approval should include a statement that the four car parking could only be used for the Park Avenue residents. Mr. Melville was also concerned about the two garage doors facing Park Avenue for the tandem parking. He referred to the elevation on page 190 of the Staff report. He thought it presented a visual wall of garage doors on the street level which is something Park City has been trying to eliminate from recent projects. Mr. Melville found nothing in the proposal to protect the historic retaining wall at the top of the steps on Park Avenue on the City property. He suggested adding a provision to protect or damage or not undermine the historic wall. Mr. Melville was concerned about the re-routing of the steps leading from Park Avenue to the alley and the City property. He thought it appeared that the applicant was proposing to use almost all of the City property up to Park Avenue as entrances to the lower garage level. The exhibit on page 188 illustrates how they intend to re-route the steps. The existing steps go down into the alley. If the steps are re-routed he was concerned that they would become very steep. Mr. Melville was concerned that the public steps would be sacrificed for the project. He noted that the steps are heavily used by the residents of Park Avenue and re-routing them

would be unfortunate. Mr. Melville believed there were inconsistencies in the drawings as far as whether there would be doors on the six parking spaces or whether it would be an open space. It was unclear from the packet how that would look.

Mary □ int□er, a resident at 320 McHenry, stated that she had not studied this particular item□however, after listening to Mr. Melville she agreed that if this is a one bedroom structure it makes no sense to have the parking. She asked the Planning Commission to scrutini□e the pro□ect and consider the comment about the stairs being used by the public. If all of this is being facilitated by using City property, that also makes no sense because of the Visioning of small town and historic character. If the applicant has to use City property to facilitate all of this development, she would ask the Planning Commission to look at it carefully because that was not what the citi□ens in Old Town intended in the Visioning.

Chair Strachan closed the public hearing.

Chair Strachan asked if the four spaces built for the single family homes would only be used by the single family residents, or whether they could be used by April Inn. Planner Astorga stated that per Code, the parking spaces that access off Park Avenue could only be used for the single family dwelling. The HCB uses can only spill over into the H□-2 if it is below the Park Avenue level. Therefore the spaces cannot be used as parking for any of the HCB.

Chair Strachan asked the reason for having four spaces for a one-bedroom dwelling. Mr. DeGray explained that the two tandem garages are locked out. Two spaces are required and dedicated for the residents. The other two are for the building owner. □ hen he rents the building he wants to have a lockout to store his vehicles and other things.

Chair Strachan asked if Lots 2 and 3 would have tandem garages side by side. Mr. DeGray stated that Lots 2 and 3 are individual single family lots that have not been designed. Because of the loss of space on the lowest level to facilitate the parking for the residential units at the April Inn, it would be a very small house that would probably be used as a one-bedroom rental facility. Having extra storage for his uses made more sense than having a 1,000 square foot home.

Commissioner Phillips agreed that it was a lot of stalls for one unit, but he understood that the garage could be used for storage, table tennis, or other uses. However, the garage is supposed to be subordinate in design, but he sees a lot of garage doors facing the street with a subordinate entry. He personally did not believe the garages were subordinate.

Mr. DeGray stated that based on the Staff's input during the HDD□ review they created stepping in the front elevations and recesses at the entry and at the garage door to create

movement along the front elevation. Mr. Phillips noted that those techniques are typically used. He was unsure how to define subordinate and asked Planner Astorga if he was correct in understanding that the Code requires garages to be subordinate.

Planner Astorga replied that the General Plan defines the word subordinate, but he was unsure whether there was a specific regulation or policy requiring it. Planner □ hetstone noted that the Historic District Design □eview Guidelines address garages being subordinate.

Commissioner Phillips understood that the second half of the garage was for the building owner. He asked if it was the same owner of the Main Street property, and if so, whether he could park there and walk down the stairs into the other building. □egardless of whether it is the owner or a tenant they were trying to discourage that type of access. Planner Astorga replied that it was actually prohibited. Mr. DeGray noted that during the plat discussion the Planning Commission had talked about adding a condition limiting the use of the parking garage to the residents at 550 Park Avenue.

Assistant City Attorney McLean noted that Criteria □6 for a Steep Slope C□P outlined on page 170 of the Staff report specifically states that the garage must be subordinate in design to the main Building. Criteria □6 also states that in order to decrease the perceived bulk of the main building, the Planning Commission may require a garage separate from the main structure or no garage.

Mr. DeGray asked Planner Astorga to show the streetscape on page 191 of the Staff report because he thought the west elevation of the building was somewhat deceiving as what is seen from the street.

Commissioner Phillips noted that in the past the Planning Commission has requested that applicants step the garage. He referred to the three homes on page 191 and commented on the percentage of garage doors facing the street. He believed the intent of the word □subordinate□was to keep from having the whole face of the house be the garage. Commissioner Phillips pointed out that the existing house has a single car garage with a nice dominant entry. He was concerned that the entry door of the proposed house would not even be seen driving down Park Avenue because it is recessed, and only the garage doors would be visible. Commissioner Phillips felt strongly that the intent of the Code was to prevent that from occurring.

Assistant City Attorney McLean understood that Commissioner Phillips felt that the double garage door impacts the building form and scale. However, those impacts could be mitigated if, for example, there was one garage door. Commissioner Phillips understood the difficulty of having one garage door because there were two separate

garages. He thought adding windows to the side of the garage would help add some interest to the building driving down the street. Commissioner Phillips offered design suggestions for the applicant to consider. Planner □ hetstone suggested the possibility of flipping the entrance and the garage so the entrance would be to the front and the garage would be recessed.

Commissioner Campbell thought that because it was already stepped the two garage doors would not present the unified fa□ade that it appeared to be in the drawing. He believed the applicant had already complied with the intent of the Code by making that step and they were giving up garage space to do it. He suggested that they try to camouflage the garage doors in some way to make it look more like the siding of the house. Commissioner Campbell thought a 3-D model would help better visuali□e the true effect of the garage doors, because he believed the garages were stepped more than what was showing in the drawing.

Commissioner □ orel agreed that the garage doors were not subordinate to the house. She also thought a 3-D model would help.

Chair Strachan read from the Code regarding special requirements for MPDs and Conditional □se Permits in Sub□one A. □The commercial portions of a structure extending from the HCB to the H□-2 must be designed to minimi□e the commercial character of the building and use, and must mitigate all impacts on the ad□acent residential uses.□ He pointed out that it was not the classic □reasonably mitigate□the impacts. In these situations all the impacts must be mitigated. Chair Strachan remarked that the owner was using this as a personal garage to forward a commercial use of renting the unit. He pointed out that under that scenario it was a commercial use and not a residential use. The impact to the ad□acent residential uses would be the owner driving up and down Park Avenue to park in the garage when he does not live there. Chair Strachan did not believe the purpose and intent of the garage a residential use that complies with the Code.

Mr. DeGray thought Chair Strachan was misrepresenting the intent of the owner. The owner intended to use the garage purely for storage while he was renting the building whether nightly or monthly. The owner would not be using the garage daily. Chair Strachan remarked that the owner may not have that intent but he could use it on a daily basis. Mr. DeGray agreed, but the purpose is to use it as storage space, which is not prohibited by Code. He clarified that it was not for a commercial enterprise.

Chair Strachan clarified that if this was only for a residential unit, the person designing the residential unit would not opt for four parking spaces for a one-bedroom unit. He believed they would opt to have more bedrooms and two parking spaces. Chair

Strachan stated that the extra garage was obviously for the owner of the residential unit on Lot 1 so he could park there and use it for storage in con□unction with the commercial lot that he owns. He pointed out that in combining the lots Lot 1 becomes a commercial lot. It is residential on the top but the rest is commercial.

Assistant City Attorney McLean recommended that the Planning Commission look at Criteria. She understood that their concern was that the impacts of this design do not coordinate with ad□acent properties in terms of preserving of natural vegetation, minimi□ing driveway and parking areas and provide variation of the front yard. Those concerns were addressed in Criteria □5. She also heard concerns related to Criteria □6 regarding the garage must be subordinate in design to the main building. Another issue was addressed in Criteria 8, the dwelling volume.

Commissioner Campbell stated that the perceived bulk of the garage and the house were intertwined. He believed the only issue was the two garage doors. If one of the garage doors looked like siding you would not be able to tell it was a garage door unless you were up close to it.

Mr. DeGray summari□ed the direction from the Planning Commission for either re-designing the front of the garage or better portraying what was actually designed. He was willing to prepare a 3-D model showing the shade and shadow and how the garages are stepped back. He would look at creating even further stepping between the garage doors and making the entry to the building proud of the garage doors. He asked if that would be acceptable to the Planning Commission if he came back with a proposal that accomplished those three items.

Chair Strachan suggested that the Planning Commission could forward a positive recommendation for the plat amendment this evening because the design for Lot 1 design works as a good way to access the HCB □one. They should continue the C□P for the single family dwelling and approve the C□P for a parking area with five or more spaces.

Assistant City Attorney McLean pointed out that the Findings for both C□Ps were intertwined. She recommended that both C□Ps be continued and that the Staff draft separate Findings for each C□P application. She noted that the C□P for parking could be a Consent Agenda item at the next meeting.

Commissioner Campbell clarified that he was personally not opposed to having four cars in the garage. However, he would like the applicant to hide the fact that two-thirds of the front of the house is a garage door. Commissioner Phillips concurred.

Mr. DeGray commented on the landscaping element and noted that the curb cut is limited to the front of the northerly garage door. He would also show that as a street view on a 3-D model.

Chair Strachan requested that the applicant also address the public comments regarding the stairs and how they would be re-routed. Assistant City Attorney McLean stated that she was not aware that the stairs were moving. The stairs are on City property and she asked if they had obtained permission from the City engineer to re-route the stairs. Planner Astorga stated that a condition of approval states that any type of work or remodeling of the City stairs would have to be approved by the City Engineer. Planner Astorga understood that the reason for changing the stairs was to allow for a car to pull in and out of the first driveway.

Mr. DeGray stated that the bottom third of the stairs would be remodeled and the number of rise and run would remain the same. The steepness of the stairs would be the same. Mr. DeGray remarked that historic wall that was mentioned would not be affected at all. Planner Astorga noted that the landscaping would also have to be approved by the City Engineer through the encroachment agreement process. Chair Strachan asked Mr. DeGray to address those issues at the next meeting to allay their concerns and the public concerns.

Commissioner Phillips noted that the stairs are heavily used. He asked about the width of the existing paved area of the alley and whether it would be wide enough to paint a line for pedestrians. Assistant City Attorney McLean stated that they were working on the easement to allow the applicant to use the alley. As part of that they could require designating a pedestrian area to make is safer for pedestrians since they were adding parking for six additional cars.

MOTIO□: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Plat Amendment at Cardinal Park Subdivision based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

MOTIO□: Commissioner □ orel moved to CO□TI□□E the Steep Slope Conditional □se Permit for construction of a new single-family dwelling at 550 Park Avenue, as well as the Conditional □se Permit for a parking area of five or more spaces to □une 10, 2015. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact □ Cardinal Park Subdivision □ Plat Amendment

1. The property is located at 545 Main Street and 550, 554, 560 Park Avenue.

2. The property is in the Historic Commercial Business (HCB) and Historic □esidential-2 (H□-2) District, respectively.

3. The sub□ect property consists of Lot 1 of the 545 Main Street Plat and Lot 32, 33, 34, and 35 of Block 9 of the Amended Plat of the Park City Survey.

4. The Main Street lot has a non-historic building known as the April Inn and is recogni□ed by Summit County as Parcel 545-MAI□-1.

5. The four (4) Park Avenue lots are vacant and are recogni□ed by Summit County as Parcels PC-137 (lot 32 □ 33), PC-131 (lot 34), and PC-138 (lot 35).

6. The proposed Plat Amendment creates three (3) lots of record from the existing five (5) lots.

7. The four (4) existing Park Avenue lots are to be reconfigured into three (3) lots with a depth of seventy-five feet (75') and a width ranging from 32.42' to 35' and the April Inn lot would be combined with the newly reconfigured lot northwest of it.

8. Lot 1 would have two (2) addresses, one (1) for Main Street, the April Inn, 545 Main Street and one (1) for Park Avenue, 550 Park Avenue.

9. Lot 2 would be addressed 554 Park Avenue.

10.Lot 3 would be addressed 560 Park Avenue.

11.Lot 1 would retain the H□-2 District □oning on the Park Avenue side and the HCB District □oning on the Main Street side with all of their associated rights and restrictions.

12.There are no provisions in the Land Management Code (LMC) which prohibit the two (2) Districts within the same lot.

13.A single-family dwelling is an allowed use in the Historic □esidential-2 District.

14.The minimum lot area for a single-family dwelling is 1,875 square feet.

15.The area of proposed Lot 1 is 8,425.5 square feet.

16.The minimum lot are in the HCB District is 1,250 square feet.

17.The proposed area of lot 1 within the H□-2 District is 2,625 square feet.

18.The area of proposed Lot 2 is 2,431.5 square feet.

19.The area of proposed Lot 3 is 2,437.5 square feet.

20.The areas of proposed lots meet the minimum lot area for single-family dwellings in the H□-2.

21.A duplex dwelling is a conditional use in the Historic □esidential-2 District.

22.The minimum lot area for a duplex dwelling is 3,750 square feet.

23.The proposed lots, including the H□-2 portion of Lot 1, do not meet the minimum lot area for a duplex dwelling.

24.The minimum lot width allowed in the Historic □esidential-2 District is twenty-five feet (25').

25.The proposed lot width of Lot 1 within the H□-2 District is 35 feet.

26.The proposed lot width of Lot 2 is 32.42 feet.

27.The proposed lot width of Lot 3 is 32.5 feet.

28.The proposed lots, including the H□-2 portion of Lot 1, meet the minimum lot width requirement.

29. Any provisions regarding lot si□e regarding Lot 1 shall be governed by the rights and restrictions of their corresponding □oning Districts.

30.The maximum building footprint of lot 1 shall be 1,132.5 square feet. (H□-2 District).

31.The maximum building footprint of Lot 2 shall be 1,060.5 square feet.

32.The maximum building footprint of Lot 3 shall be 1,062.7 square feet.

33.The rear yard setback for Lot 1 shall be measured from the □one line.

34.The current property owner would own everything within these two areas, proposed lot 1, until a Condominium □ecord of Survey is submitted by the applicant, reviewed and approved by the City and recorded at the County.

35.The Property Owner must protect Significant Vegetation during any Development activity.

36.Significant Vegetation includes large trees six inches (6□) in diameter or greater measured four and one-half feet (4 □ □) above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

37.The Property Owner must demonstrate the health and viability of all large trees through a certified arborist.

38.The applicant must submit the required report by the certified arborist and that the loss of significant mitigation is replaced on a like per like basis.

39.LMC □15-2.3-8 indicates special requirements for Master Planned Development and Conditional □se Permits in Sub-□one A, consisting of lots in the H□-2 District that are west of Main Street, excluding those Lots within Block 13.

40.Special requirements apply to Lots in Sub-□one A that are part of a Plat Amendment that combines a Main Street, HCB □oned, Lot with an ad□acent Park Avenue, H□-2 □oned, Lot for the purpose of constructing a residential dwelling or Garage on Park Avenue.

41.The applicant requests to build a residential parking area for the April Inn below grade of Park Avenue pro□ected across the H□-2 and beneath the main floor of a single-family dwelling, a residential structure facing Park Avenue.

42.The proposed structure within the H□-2 portion of the lot meets the minimum side and front yard setbacks of the H□-2 District as stated.

43.The parking structure below the single-family dwelling does not occupy side yard setbacks other than the access leading to it.

44.The proposed structure within the H□-2 portion of the lot meets the building height

requirements of the H□-2 District as stated.

45.The new structure fronting on Park Avenue does not contain commercial uses.

46.Only the lot area within the HCB portion of the lot shall be used to calculate the commercial floor area.

47.The number of residential units allowed on the H□-2 portion of the Development is limited by the Lot and Site □equirements of the H□-2 District as stated in Section 15-2.3-4.

48.The access for the parking structure underneath the single-family dwelling is off Main Street, HCB District, through an easement. The applicant is not asking for a commercial structure. □o emergency access onto the H□-2 portion of the property is proposed.

49.□ext to the four (4) parking spaces are four (4) small storage areas and also a small mechanical room. The storage and mechanical areas cannot be seen from elevation except from the south side as they are indeed located on the lowest parking level and access from the interior part of this level.

50.The width of the proposed structure is twenty nine feet (29').

51.There are no historic sites or buildings within the proposed plat amendment.

52.The applicant controls the Claim□umper Building located at 573 Main Street, which already received a Plat Amendment approval by the City in 2012, and these same Special □equirements were analy□ed, reviewed, and applied, as findings of fact, conclusions of law, and conditions of approval were met.

53.□o density transfer is being proposed.

54.Maximum allowed Building Footprint for the H□-2 Lot is sub□ect to Section 15-6-5(B).

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

<u>Conclusions of Law □ Cardinal Park Subdivision □ Plat Amendment</u>

1. There is Good Cause for this Plat Amendment.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions.

3. □either the public nor any person will be materially in□ured by the proposed Plat Amendment.

4. Approval of the Plat Amendment, sub□ect to the conditions stated below, does not adversely affect the health, safety and welfare of the citi□ens of Park City.

<u>Conditions of Approval □ Cardinal Park Subdivision □ Plat Amendment</u>

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

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

3. A ten feet (10') wide public snow storage easement will be required along the front of the property along Park Avenue.

4. A note shall be added to the Plat Amendment to be approved in a form by the City Attorney which shall indicate that the any provisions regarding lot si□e regarding Lot 1 shall be governed by the rights and restrictions of their corresponding □oning Districts and for purposes of lot area shall not be added collectively.

5. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.

6. The applicant shall submit the report by a certified arborist per LMC □15-2.3-15 and that the loss of significant mitigation shall be replaced on a like per like basis.

5. <u>1893 Prospector Avenue – Master Planned Development for a new building containing 11 residential units on Lot 25b of the Giga plat Replat of Parking Lot F at Prospector Square</u> (Application PL-15-02698)

Planner □ hetstone stated that this pro□ect has two applications. One is a master planned development and the second is a conditional use permit. The property is located in

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **327 Woodside Avenue**
Project #: **PL-15-02861 & PL-15-02862**
Author: **Francisco J. Astorga, Senior Planner**
Date: **October 28, 2015**
Type of Item: **Administrative – Conditional Use Permit for Steep Slope Construction and for an Accessory Apartment**

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit for the construction of an addition at 327 Woodside Avenue AND a Conditional Use Permit for an Accessory Apartment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval for the Commission's consideration.

Description

Applicant/Owner:	Richard and Jill Lesh represented by Jonathan DeGray
Location:	327 Woodside Avenue
Zoning:	Historic Residential-1 (HR-1) District
Adjacent Land Uses:	Residential
Reason for Review:	Construction of structures with a building footprint greater than 200 square feet on a steep slope requires a Conditional Use Permit. An Accessory Apartment is a Conditional Use Permit.

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for an addition to an existing non-historic single-family dwelling in the form of an expansion and a CUP for an Accessory Apartment. An Accessory Apartment is a conditional use in the HR-1 District which requires Planning Commission review and approval.

Background

On August 16, 2015, the City received CUP applications for the proposal at 327 Woodside Avenue. After working with Staff, the plans were revised on October 12, 2015. The property is located in the HR-1 District. On May 27, 2015, the Planning Commission reviewed a Plat Amendment for the 327 Woodside Plat Amendment. The City Council reviewed and approved the plat on June 11, 2015. The Plat Amendment combined two (2) Old Town lots into one (1) lot of record. The applicant is currently working with Staff to record the approved lot combination which expires on June 11, 2016. Staff does not foresee any issues with the approved Plat as the applicant is nearing final stages before recordation.

The applicant requests to build an addition to their existing single-family dwelling. The existing single-family dwelling is 2,366 square feet, including the garage. The proposed addition is 1,968 square feet. The overall proposed square footage is 4,334 square

feet. The addition consisting of a building footprint of 719 square feet, takes place over slopes that are thirty percent (30%) or greater. The majority of the proposed addition totaling 1,359 square feet is an expansion to the existing single-family dwelling, including the garage. The remaining 609 square feet is an addition in the form of an Accessory Apartment.

Purpose

The purpose of the HR-1 District is to:

A. preserve present land Uses and character of the Historic residential Areas of Park City,
B. encourage the preservation of Historic Structures,
C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
D. encourage single family Development on combinations of 25' x 75' Historic Lots,
E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis- Steep Slope CUP

A single-family dwelling is an allowed use in the HR-1 District. The existing single-family dwelling is 1,841 square feet with a 525 square foot garage totaling 2,366 square feet. The proposed addition, house expansion and Accessory Apartment, is 1968 square feet. The proposed house expansion is 1359 square feet. The proposed garage expansion is 223. The proposed Accessory Apartment addition is 609 square feet. The proposed addition takes place on slopes that are approximately 66%.

Staff makes the following Land Management Code related findings:

LMC Requirements	Standard	Proposed
Building Footprint	1,519 square feet maximum, (based on lot area of the approved plat)	1,510 square feet, complies.
Front/Rear Yard Setbacks	10 feet, minimum	Front: 18' for the addition, complies. 10' for the existing structure, complies. Rear: 14½' for the addition and the existing structure, complies.
Side Yard Setbacks	3 feet, minimum	North: 7 feet, complies. South: 3 feet, complies.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing (natural) Grade.	Various heights all under 27 feet, highest at 24.75 feet, complies.

Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery […].	4 feet or less, complies.
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate […].	28.5 feet, complies.
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required […].	Complies.
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. A Green Roof may be below the required 7:12 roof pitch as part of the primary roof design.	Complies.

LMC § 15-2.3-6 provides for development on steep sloping lots in excess of a building Footprint in excess of 200 square feet within the HR-1 District, subject to the following criteria:

1. **Location of Development.** Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

   The proposed addition/expansion is sited towards the north of the existing single-family dwelling. The proposed combined footprint will resemble a U shape which creates an appropriate traditional driveway pattern as the proposal includes a parking space for the Accessory Apartment seventeen feet (17') away from the existing driveway to the south. The highest point of the addition/expansion is three feet (3') lower than the highest point of the existing structure. The front wall place of the addition is recessed eight feet (8') behind the front wall plane of the existing structure.

2. **Visual Analysis.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the proposed Access, and Building mass and design; and to identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities. **No unmitigated impacts.**

   The applicant submitted plans including a streetscape showing how the three (3) story structure will be observed when viewed from Woodside Avenue. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283.

3. **Access.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

   The proposed addition has another parking space accessed directly off Woodside Avenue. The proposed parking space is three feet (3') from the north property line and is twelve feet (12') wide. The parking space is eighteen feet (18') long. The proposed driveway slope is at nine percent (9%).

4. **Terracing.** The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

   The proposal includes three (3) series of retaining wall. All of the retaining walls were drafted as builder walls not to exceed four feet (4') from final grade. The first series straddles the north property line. The other two (2) retaining walls are along the rear yard setback area which retains the grade along the back to create a walk-out patio.

5. **Building Location.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

   The proposed structure is located on the north side of the combine lots. The footprint of the proposed addition resembles a U shape that makes the site look like the traditional Old Town development pattern. Due to the size of the Accessory Apartment, only one (1) parking space is required (based on the number of bedrooms). The maximum building height of 27 feet make the proposed structure follow the perceived natural topography of the site. The front façade is broken up which assists in providing front yard variation.

6. **Building Form and Scale.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

   Due to the natural topography of the site and the development parameter of Old Town the building mass orients against the lot's contours. The proposed addition and the existing building are designed in a manner that is broken into the

required series of individual smaller components. The applicant does not request to build a garage for the required parking space.

7. **Setbacks.** The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

   The existing structure has a front yard setback of ten feet (10'). The proposed addition has a front yard setback of eighteen feet (18'). The wall effect on the street is minimized due to the U shape footprint.

8. **Dwelling Volume.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in [LMC Chapter 2.2 – HR-1]. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

   The proposed structure is both horizontally and vertically articulated and broken into compatible massing components in order to minimize the visual mass. The design includes setback variations and lower building heights for portions of the structure on the front elevation. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area comprised of three (3) story dwellings.

9. **Building Height (Steep Slope).** The maximum Building Height in the HR-2 District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

   The entire building ranges in height as the maximum height found on site is 24½' measured from existing grade, as required by the HR-1 District.

<u>Analysis Accessory Apartment CUP</u>

LMC § 15-2.2-2(B)(4) lists an Accessory Apartment as a conditional Use in the HR-1 District. LMC § 15-15-1.2 defines an Accessory Apartment as the following below:

> *A self-contained Apartment, with cooking, sleeping, and sanitary facilities, created either by converting part of and/or by adding on to a Single-Family Dwelling or detached garage. Accessory Apartments do not increase the residential Unit Equivalent of the Property and are an Accessory Use to the primary Dwelling.*

The applicant proposes to allocate 609 square feet of the total building addition, consisting of 1,968 square feet, to the requested Accessory Apartment. The proposed

apartment fits the definition above as it is a self-contained apartment with a full kitchen, one bedroom, and one-and-a-half (1½) bathrooms. The proposed Accessory Apartment is part of the proposed addition.

LMC § 15-4-7(A) indicates that Accessory Apartments are subject to the following criteria:

1. Size. Accessory Apartments may be no more than one third (1/3) of the dwelling size, shall be limited to a maximum floor Area of 1,000 square feet and shall be no less than 400 square feet with no more than two (2) Bedrooms. An Accessory Apartment may not increase the floor Area of a Structure over the maximum floor Area as specified in the Land Management Code or Subdivision approval.
   Complies.

   The proposed Accessory Apartment is 609 square feet. The proposed addition will increase the existing structure to a total of 4,334 square feet. Accessory Apartment will be less than one third (1/3) or 0.33 as it will be 0.14 of the total dwelling size.

2. Parking. One (1) Parking Space per Bedroom must be provided in addition to the existing requirement for the primary residence. Parking Spaces for Accessory Apartments need not be covered and may be provided in tandem subject to one of the following criteria:
   a. One (1) Parking Space for an Accessory Apartment may be provided in tandem if the existing driveway length equals or exceeds twenty-five feet (25') as measured from the Property Line. Parking is permitted only within approved garages and on paved driveways.
   b. One (1) Parking Space for an Accessory Apartment may be provided in tandem in an effort to preserve existing Significant Vegetation and when all other parking alternatives are undesirable.
   c. Historic District Zones. One (1) tandem Parking Space, parking one vehicle behind another, for an Accessory Apartment proposed in any residential Historic District Zone may be provided when the Applicant has secured a Conditional Use permit and the Planning Commission has made the following findings:
      i. Tandem Parking will not create an undue hardship for the neighborhood.
      ii. Other parking options are less desirable than the proposed tandem space.
      iii. Reasonable efforts, such as automatic garage door openers, lease provisions and/or limitation of garage storage, have been made to encourage the Use of all Off-Street Parking.

   Complies.

   The Code requires one (1) parking space per bedroom for an Accessory Apartment. The applicant proposes a one (1) bedroom Accessory Apartment. The applicant requests to build one (1) parking space located on the northeast corner of the site.

3. Apartments per Lot. No more than one (1) Accessory Apartment may be located on a Lot. **Complies.**

   The applicant requests one (1) Accessory Apartment on the lot.

4. Requirements for Review. The Applicant for an Accessory Apartment must submit a floor plan, architectural elevations, and Site plan showing any proposed changes to the Structure or Site. **Complies.**

   The applicant submitted the required floor plan, architectural elevations, and site plan showing the proposed changes to the existing structure and site.

5. Density Limits. A permit for an Accessory Apartment may not be granted if more than three (3) of the homes within three hundred feet (300') of the Applicant's Property boundary contain other established Accessory Apartments. There may be no more than four (4) Accessory Apartments within a three hundred foot (300') radius. **Complies.**

   The Planning Department has verified City files regarding approved Accessory Apartments. There are no approved Accessory Apartments within the three hundred foot (300') radius.

6. Ownership. One (1) unit, either the main Dwelling Unit or the Accessory Apartment shall be occupied by the Owner of the Structure and the Accessory Apartment shall not be sold separately. **Complies as conditioned.**
   The current property owner lives onsite. See item 7 Deed Restriction below.

7. Deed Restriction. A deed restriction “Notice to Purchaser” must be filed with the County Recorder, which states: "A permit for an Accessory Apartment was issued to [Richard and Jill Lesh], the current Owner of this Property on [October 28, 2015]. This permit runs with the land and is automatically transferred to the new owner by the sale or Transfer of this Property, provided however, if the Use by the new Owner does not continue to comply with the conditions of approval, the permit may be invalidated by the Planning Department pursuant to Section 15-4-7(B)(1). Prospective purchasers should be advised that only one (1) unit on the Property may be rented; the other must be occupied by the Owner. The Owner shall strictly adhere to all the conditions of approval and the prohibition of the rental of either Dwelling Unit for short term rentals of less than thirty (30) days. **Complies as conditioned.**

   Staff recommends a condition of approval stating that “the required Deed Restriction language be executed before the Applicant can obtain Certificate of

Occupancy", should a CUP be granted by the Planning Commission, and a building permit be obtained through the Building Department for the requested Accessory Apartment.

8. Nightly Rentals. If an Accessory Apartment permit is granted, neither the main Dwelling Unit nor the Accessory Apartment may be rented for periods of time less than thirty (30) days. **Complies as conditioned.**

   Staff recommends a condition of approval that the applicant does not have the ability to use the main Dwelling Unit or the Accessory Apartment as a Nightly Rental. The deed restriction under item 7 above memorializes the Nightly Rental restriction in the "Notice to Purchasers" as it runs with the land.

9. Home Owner's Association Registration and Notification. All Accessory Apartments shall be subject to the Homeowners Association and notification requirements established in LMC Chapter 15-1-12 (E). **Not applicable.**

   The site is located in Old Town and is part of the Historic Park City Survey. The lot is not within a specific Subdivision.

LMC § 15-4-7(C) indicates that prior to issuance of a Conditional Use permit, the Planning Commission shall determine that parking and other impacts as outlined in LMC § 15-1-10 have been mitigated. The LMC also indicates that an Accessory Apartment permit may be revoked by the Planning Department for non-compliance with the criteria of LMC §15-4-7 and any additional conditions of approval. The permittee may appeal the determination to the Board of Adjustment, which will evaluate the Planning Department's determination of permit non-compliance and decide if permit revocation should occur.

LMC § 15-4-7(B) has specific language regarding allowed Accessory Apartments in other zoning Districts regulated by the Planning Department. LMC § 15-4-7(D) has specific language regarding existing non-conforming Accessory Apartments. See Exhibit I – LMC § 15-4-7 Accessory Apartment for specifics.

LMC § 15-1-10 indicates that the Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use mitigates impacts of and addresses the following items:

1. size and location of the Site;

   The proposed 609 square foot accessory apartment is located on a 3,750 square foot lot in compliance with the lot and site requirements of the HR-1 District.

2. traffic considerations including capacity of the existing Streets in the Area;

The use of an Accessory Apartment within the house and proposed addition requires one (1) additional parking space for the one (1) bedroom apartment over the two required spaces for the house.

3. utility capacity, including Storm Water run-off:

No additional utilities or increased storm water run-off will result from the accessory apartment.

4. emergency vehicle Access;

The existing house has emergency vehicle access directly to Woodside Avenue. No additional emergency vehicle access is required for the accessory apartment.

5. location and amount of off-Street parking;

Two (2) spaces are located onsite and one (1) space is proposed on the driveway completely on the subject property in compliance with the HR-1 District.

6. internal vehicular and pedestrian circulation system;

Not applicable.

7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses;

Not applicable.

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

The proposed mass, bulk, orientation, and location of the addition on the site is compatible with development in the District.

9. usable Open Space;

Not applicable.

10. signs and lighting;

No signs are permitted and all exterior lighting is conditioned to comply with the City's lighting ordinances.

11. physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

The proposed design is compatible in mass, scale, style, design with the existing structure and surrounding new construction.

12. noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

    Not applicable.

13. control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas;

    No additional trash receptacles are required for the accessory apartment.

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

    Owner shall occupy the accessory apartment or the main dwelling per the recorded deed restriction.

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

    The property is not within the Soils Ordinance boundary.

Staff finds that the requested Accessory Apartment does not have any unmitigated impacts when review against LMC § 15-1-10(E)(1-15) as noted above.

Process
Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in Land Management Code § 15-1-18.

Department Review
This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that would have to be addressed with conditions of approval and during building permit review.

Public Input
No public input has been received.

Alternatives
- The Planning Commission may approve the requested CUPs as conditioned or amended, or
- The Planning Commission may deny the requested CUPs and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

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

Consequences of not taking the Suggested Recommendation
The construction as proposed could not occur. The applicant would have to revise the plans.

Recommendation
Staff recommends that the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit for the construction of an addition to 327 Woodside Avenue AND a Conditional Use Permit for an Accessory Apartment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval for the Commission's consideration.

General Findings of Fact that apply to both CUPs

1. The site is located at 327 Woodside Avenue.
2. The site is located in the Historic Residential-1 (HR-1) District.
3. The applicant requests to build an addition to their existing single-family dwelling.
4. The existing single-family dwelling is 2,366 square feet, including the garage.
5. The proposed addition is 1,968 square feet.
6. The overall proposed square footage is 4,334 square feet.
7. The addition takes place over slopes that are thirty percent (30%) or greater.
8. The majority of the proposed addition totaling 1,359 square feet is an expansion to the existing single-family dwelling, including the garage.
9. The remaining 609 square feet is an addition in the form of an Accessory Apartment.
10. An Accessory Apartment is a conditional use which requires Planning Commission review and approval.
11. The proposed building footprint of 1,510 square feet meets the maximum building footprint of 1519 square feet.
12. The addition consisting of a building footprint of 719 square feet, takes place over slopes that are thirty percent (30%) or greater.
13. The proposed front yard setback of eighteen feet (18') meets the minimum front yard setback of ten feet (10').
14. The proposed rear yard setback of fourteen-and-half feet (14½') meets the minimum rear yard setback of ten feet (10').
15. The proposed north side yard setback of seven feet (7') meets the minimum north side yard setback of seven feet.
16. The existing building does not expand towards the south and therefore, the existing building maintains the minimum side yard setback of three feet (3') on the south side.
17. The proposed addition complies with the maximum building height, including the following provisions: final grade, thirty-five foot rule, vertical articulation, roof pitch.

Steep Slope CUP Findings of Fact:

1. The proposed addition/expansion is sited towards the north of the existing single-family dwelling.
2. The proposed combined footprint will resemble a U shape which creates an appropriate traditional driveway pattern.

3. The proposal includes a parking space for the Accessory Apartment seventeen feet (17') away from the existing driveway to the south.
4. The applicant submitted plans including a streetscape showing how the three (3) story structure will be observed when viewed from Woodside Avenue.
5. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283.
6. The proposed addition has an additional parking space accessed directly off Woodside Avenue.
7. The proposed parking space is three feet (3') from the north property line and is twelve feet (12') wide.
8. The parking space is eighteen feet (18') long.
9. The proposed driveway slope is at nine percent (9%).
10. The proposal includes three (3) series of retaining wall.
11. All of the retaining walls were drafted as builder walls not to exceed four feet (4') from final grade.
12. The footprint of the proposed addition resembles a U shape that makes the site look like the traditional Old Town development pattern.
13. Due to the size of the Accessory Apartment, only one (1) parking space is required (based on the number of bedrooms).
14. The maximum building height of 27 feet make the proposed structure follow the perceived natural topography of the site.
15. The front façade is broken up which assists in providing front yard variation.
16. The proposed addition and the existing building are designed in a manner that is broken into the required series of individual smaller components.
17. The applicant does not request to build a garage for the required parking space.
18. The existing structure has a front yard setback of ten feet (10').
19. The proposed addition has a front yard setback of eighteen feet (18').
20. The proposed structure is both horizontally and vertically articulated and broken into compatible massing components.
21. The design includes setback variations and lower building heights for portions of the structure on the front elevation.
22. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area comprised of three (3) story dwellings.
23. The entire building ranges in height and the maximum height found on site is 24½' measured from existing grade, as required by the LMC.

<u>Accessory Apartment Findings of Fact</u>:

1. An Accessory Apartment is a *self-contained Apartment, with cooking, sleeping, and sanitary facilities, created either by converting part of and/or by adding on to a Single-Family Dwelling or detached garage. Accessory Apartments do not increase the residential Unit Equivalent of the Property and are an Accessory Use to the primary Dwelling.*
2. The proposed apartment fits the definition above of an Accessory Apartment as it is a self-contained apartment with a full kitchen, one bedroom, and one-and-a-half (1½) bathrooms.
3. The proposed Accessory Apartment is 609 square feet.

4. The proposed addition will increase the existing structure to a total of 4,334 square feet.
5. The proposed Accessory Apartment will be less than one third (1/3) or 0.33 as it will be 0.14 of the total dwelling size.
6. The Land Management Code requires one (1) parking space per bedroom for an Accessory Apartment.
7. The applicant proposes a one (1) bedroom Accessory Apartment.
8. The applicant requests to build one (1) parking space located on the northeast corner of the site.
9. The applicant requests one (1) Accessory Apartment on the lot.
10. The applicant submitted the required floor plan, architectural elevations, and site plan showing the proposed changes to the existing structure and site.
11. The Planning Department has verified City files regarding approved Accessory Apartments.
12. There are no approved Accessory Apartments within the three hundred foot (300') radius.
13. The current property owner lives onsite.
14. Staff recommends a condition of approval be entertained that the required Deed Restriction language be executed before the Applicant can obtain Certificate of Occupancy and a building permit be obtained through the Building Department for the requested Accessory Apartment.
15. Staff recommends a condition of approval be entertained that the applicant does not have the ability to use the main Dwelling Unit or the Accessory Apartment as a Nightly Rental.
16. The site is located in Old Town and is part of the Historic Park City Survey. The lot is not within a specific Subdivision.
17. The requested Accessory Apartment does not have any unmitigated impacts when reviewed against LMC § 15-1-10(E)(1-15).

Conclusions of Law:

1. The Application complies with all requirements of this LMC;
2. The Use will be Compatible with surrounding Structures in Use, scale, mass and circulation;
3. The Use is consistent with the Park City General Plan, as amended; and
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.
7. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
8. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on October 28, 2016, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes made during the Historic District Design Review.
11. The required Deed Restriction language shall be executed before the Applicant can obtain Certificate of Occupancy from the City.
12. The applicant does not have the ability to use the main Dwelling Unit or the Accessory Apartment as a Nightly Rental.

Exhibits

Exhibit A – Sheet Aa Cover
Exhibit B – Record of Survey & As-Built Map
Exhibit C – Sheet AB.1 As-Built Plans and Elevations
Exhibit D – Sheet A0.1 Architectural Site Plan
Exhibit E – Sheets A1.1 - A1.3 Garage, Main, Upper Level, Attic, and Roof Plan
Exhibit F – Sheets A2.1 & A3.1 Exterior Elevations and Building Section
Exhibit G – Sheet A6.1 Door/Window Schedule
Exhibit H – Streetscape
Exhibit I – Vicinity Map
Exhibit J – Site Photographs
Exhibit K – LMC § 15-4-7 Accessory Apartment

327 WOODSIDE RESIDENCE

REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

CONSULTANTS

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LEGEND

- BRICK & STONE
- EARTH
- CONCRETE
- CONCRETE MASONRY UNIT
- STEEL (LARGE SCALE)
- RIGID INSULATION
- ROUGH WOOD
- BLOCKING
- ALUMINUM (LARGE SCALE)
- GRAVEL
- FINISHED WOOD
- BATT OR BLOWN INSULATION
- PLASTER, SAND, GROUT, MORTAR
- STEEL (SMALL SCALE)
- BITUMINOUS PAVING
- PLYWOOD
- GYPSUM BOARD

OFFICE 105	ROOM NAME / ROOM NUMBER
	FLOOR, POINT ELEV.
℄	CENTER LINE
∅	ROUND, DIA.
[	CHANNEL
∠	ANGLE
X/X	DETAIL
X/X	SECTION CUT, DETAIL
X/X	BUILDING SECTION
X	KEYED NOTES
X	WINDOW TYPE
X	DOOR NUMBER
3	REVISION
A B C D	INTERIOR WALL ELEV.
A	WALL TYPE

CODE ANALYSIS

APPLICABLE CODES
2012 IRC 2012 IBC
2012 IPC 2012 IMC
2011 NEC 2012 IFGC
2012 IECC 2012 IFC

OCCUPANCY: R2

CONSTRUCTION TYPE: VB
BUILDING TO BE FIRE SPRINKLED: CONTRACTOR TO PROVIDE APPROVALS PRIOR TO INSTALLATION.

BACKFLOW PREVENTERS (3 TOTAL)
1. LAWN SPRINKLER SYSTEM
2. BOILER
3. FIRE SPRINKLER SYSTEM

DEFERRED SUBMITTALS
1. PREFAB FIREPLACES & GAS LOG
2. RADIANT HEAT SUBMITTAL
3. FIRE SPRINKLER SUBMITTAL
4. HEATING & COOLING EQUIPMENT
5. BOILER OR FURNACE
6. STEAM SHOWER
7. HVAC LOAD CALCULATIONS
8. HVAC DUCT SYSTEMS
9. ROOF DECK SYSTEM INSTALLATION INSTRUCTIONS.
10. GAS PIPING SYSTEM.

AREA CALCULATIONS

	EXISTING	NEW	TOTAL
GARAGE LEVEL	281	461	742
MAIN LEVEL	826	684	1510
UPPER LEVEL	654	600	1254
ATTIC LEVEL	80		
TOTAL	1841	1745	3586
GARAGE	525	223	748
LOT AREA		3750	
ALLOWABLE FOOTPRINT			
PROPOSED FOOTPRINT	826		
LOD AREA		3750	

ACCESSORY AREA CALCULATIONS

	NET SQ/FT
GARAGE LEVEL	341
MAIN LEVEL	268
TOTAL	609

INDEX TO DRAWINGS

#	SHEET #	SHEET DESCRIPTION
1	Aa	COVER SHEET
		SURVEY
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		ARCHITECTURAL
3	AB.1	AS-BUILTS PLANS AND ELEVATIONS
4	A0.1	ARCHITECTURAL SITE PLAN
5	A1.1	BASEMENT LEVEL PLAN AND MAIN LEVEL PLAN
6	A1.2	UPPER LEVEL PLAN AND ATTIC LEVEL PLAN
7	A1.3	ROOF PLAN
8	A2.1	EXTERIOR ELEVATIONS
9	A3.1	BUILDING SECTION
10	A6.1	DOOR, WINDOW AND ROOM SCHEDULES

ABBREVIATIONS

A/C	AIR CONDITIONING	F.D.	FLOOR DRAIN	PR.	PAIR
ACOUST.	ACOUSTICAL	FND	FOUNDATION	R.D.	ROOF DRAIN
ADD.	ADDENDUM	FIN.	FINISH	REG.	REGULAR
ADJ.	ADJUSTABLE	FLR.	FLOOR	R.S.	ROUGH-SAWN
ALLOW.	ALLOWANCE	F.R.	FIRE RATED	RAD.	RADIUS
ALUM.	ALUMINUM	FTG.	FOOTING	REINF.	REINFORCING
APPROX.	APPROXIMATE	G	GAS	REQ'D.	REQUIRED
B.D.	BOARD	G.I.	GALVANIZED IRON	REV.	REVISED
B.U.	BUILT-UP	GA.	GAUGE	RM.	ROOM
B.W.	BOTH WAYS	GALV.	GALVANIZED	R.O.	ROUGH OPENING
BLDG.	BUILDING	GRD.	GRADE	S & R	SHELF AND ROD
BLK.	BLOCK	G.W.B.	GYPSUM WALL BOARD	S.C.	SOLID CORE
BRK.	BRICK	G.L.B.	GLU-LAM BEAM	SCHED.	SCHEDULE
C.I.	CAST IRON	H.B.	HOSE BIBB	SHT.	SHEET
C.J.	CONTROL JOINT	HD.	HEAD	SIM.	SIMILAR
C.M.U.	CONCRETE MASONRY UNIT	H.M.	HOLLOW METAL	SPEC.	SPECIFICATION
CLG.	CEILING	HOR.	HORIZONTAL	STD.	STANDARD
COL.	COLUMN	I.D.	INSIDE DIAMETER	STL.	STEEL
COMP.	COMPACTED/COMPOSITE	INT.	INTERIOR	STRUCT.	STRUCTURAL
CONC.	CONCRETE	IRRIG.	IRRIGATION	SYS.	SYSTEM
CONST.	CONSTRUCTION	INSUL.	INSULATION	T & B	TOP AND BOTTOM
CONTR.	CONTRACTOR	JB.	JAMB	T & G	TONGUE AND GROOVE
CONT.	CONTINUOUS	JNT.	JOINT	T.O.	TOP OF
D.F.	DRINKING FOUNTAIN/DOUGLAS FIR	M.R.	MOISTURE RESISTANT	T.O.F.	TOP OF FOOTING
DIA.	DIAMETER	MANF'R	MANUFACTURER	T.O.W.	TOP OF WALL
DIM.	DIMENSION	MAX.	MAXIMUM	TYP.	TYPICAL
DN.	DOWN	MECH.	MECHANICAL	T.S.	STEEL TUBE COLUMN
DWG.	DRAWING	MIN.	MINIMUM	U.N.O.	UNLESS NOTED OTHERWISE
DTL.	DETAIL	(N)	NEW	VERT.	VERTICAL
EA.	EACH	N.I.C.	NOT IN CONTRACT	V.T.R.	VENT THRU ROOF
E.F.	EXHAUST FAN	N.T.S.	NOT TO SCALE	W.	WATER
E.I.F.S.	EXT. INSUL. FINISH SYSTEM	NO.	NUMBER	WD.	WOOD
E.J.	EXPANSION JOINT	O.C.	ON CENTER	W/	WITH
ELEC.	ELECTRIC/ELECTRICAL	O.D.	OUTSIDE DIAMETER	WP.	WATERPROOF
ELEV.	ELEVATION	OF.D.	OVERFLOW DRAIN	W.R.	WATER RESISTANT
EQ.	EQUAL	OPNG	OPENING	W.H.	WATER HEATER
E.T.	EXPANSION TANK	PLYWD.	PLYWOOD	W.S.	WATER SOFTNER
EXIST. (E)	EXISTING	PNT.	PAINT	W.W.F.	WELDED WIRE FABRIC
EXT.	EXTERIOR	PNTD.	PAINTED	W.W.M.	WOVEN WIRE MESH

GENERAL NOTES

1. THIS DESIGN IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED AND/OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT/ENGINEER.

2. THESE SHEETS - LISTED BY DRAWING INDEX , ALL ACCOMPANYING SPECIFICATIONS FOR MATERIALS, WORKMANSHIP QUALITY, AND NOTES HAVE BEEN PREPARED SOLELY FOR THE CONSTRUCTION AND FINISH OF PROJECT IMPROVEMENTS, COMPLETE AND READY FOR OCCUPANCY AND USE.

3. ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH PERTINENT JURISDICTIONAL CODES, RESTRICTIONS, COVENANTS, AND/OR ORDINANCES. ANY CONFLICT BETWEEN DESIGN AND REQUIREMENT SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.

4. ANY AND ALL PROPOSED CHANGE, MODIFICATIONS AND/OR SUBSTITUTION SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.

5. IN THE EVENT OF CONFLICT BETWEEN THE DESIGN DOCUMENTS AND/OR JURISDICTIONAL REQUIREMENTS, THE MORE RESTRICTIVE FROM THE STANDPOINT OF SAFETY AND PHYSICAL SECURITY SHALL APPLY.

6. ANY INSTALLATION, FINISH, OR COMPONENT INTENDED TO PROVIDE ENCLOSURE, WEATHER ABILITY OR APPEARANCE QUALITY SHALL BE PRODUCED AS A REPRESENTATIVE SAMPLE PRIOR TO PROCEEDING WITH COMPLETION. WORK PERFORMED WITHOUT WRITTEN APPROVAL OF SUCH SAMPLE BY THE ARCHITECT/ENGINEER SHALL BE DONE AT THE RISK OF THE CONTRACTOR. A MINIMUM OF TWO (2) WORKING DAYS NOTICE SHALL BE GIVEN.

7. ALL WORK SHALL BE INSPECTED BY GOVERNING AGENCIES IN ACCORDANCE WITH THEIR REQUIREMENTS. JURISDICTIONAL APPROVAL SHALL BE SECURED BEFORE PROCEEDING WITH WORK.

8. BUILDING DESIGN IS GENERALLY PREDICATED UPON PROVISIONS OF THE 2012 IRC AND AMENDMENTS AS MAY HAVE BEEN LOCALLY ENACTED. ALL REQUIREMENTS OF THE JURISDICTIONAL FIRE SAFETY/PREVENTION DISTRICT SHALL BE ACCOMMODATED BY THE DESIGN AND ANY CONSEQUENT CONSTRUCTION.

9. ALL 2/5 lb. GAS PIPE SYSTEM METER SETS REQUIRES PRIOR APPROVAL FROM QUESTAR GAS COMPANY. PROVIDE A LETTER FROM QUESTAR APPROVING SYSTEM.

10. ALL FIELD WELDING OR TORCH WORK, WILL REQUIRE A SEPARATE "HOT WORK" PERMIT PRIOR TO BEGINNING WORK. IFC 105.6.11

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PROJECT DESCRIPTION:
327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
COVER SHEET

REVISIONS:
1 OCTOBER 08, 2015

DATE:
JULY 15, 2015

PROJECT NUMBER:
1506-02

SHEET NUMBER:
Aa

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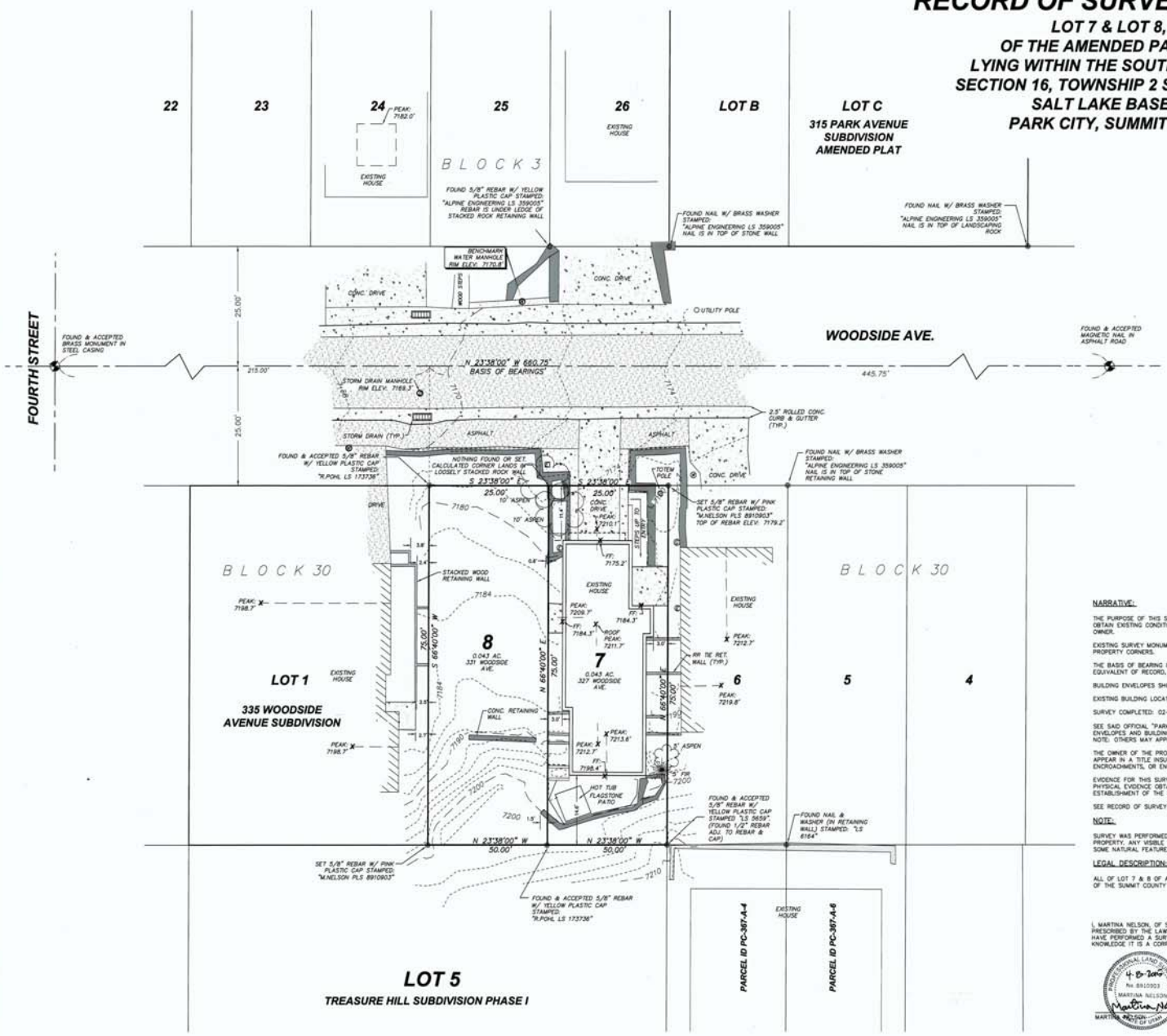
RECORD OF SURVEY & AS-BUILT MAP

LOT 7 & LOT 8, BLOCK 30
OF THE AMENDED PARK CITY SURVEY
LYING WITHIN THE SOUTHEAST QUARTER OF
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE
1 INCH = 10FEET

LEGEND

- FOUND STREET MONUMENT
- SET 5/8" REBAR W/ PINK PLASTIC CAP STAMPED: "M.NELSON PLS 8910903"
- FOUND REBAR W/ CAP (AS DESCRIBED)
- WATER MANHOLE
- STORM DRAIN MANHOLE
- CATCH BASIN
- WATER METER
- ELECTRIC METER
- ELECTRIC BOX
- GAS METER

TREE DIAMETER ANNOTATED TO EDGE OF DRIPLINE

- DECIDUOUS TREE
- EVERGREEN TREE
- RAILROAD TIE RETAINING WALL
- STACKED STONE RETAINING WALL
- CONCRETE
- ASPHALT

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN EXISTING CONDITION AND GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO DEVELOPMENT BY THE OWNER.

EXISTING SURVEY MONUMENTS IN ADJACENT ROADWAYS AND LOTS WERE USED TO REESTABLISH THE PROPERTY CORNERS.

THE BASIS OF BEARING IS SHOWN HEREON. ALL BEARING AND DISTANCES SHOWN HEREON ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

BUILDING ENVELOPES SHOWN HEREON WERE PROVIDED BY DEVELOPER.

EXISTING BUILDING LOCATION IS TO FASCIA. ACTUAL FOUNDATION LOCATION MAY DIFFER.

SURVEY COMPLETED: 02-15-2015. ADDITIONAL FIELD WORK 03-31-2015.

SEE SAID OFFICIAL "PARK CITY SURVEY" PLAT FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING ENVELOPES AND BUILDING LOT RESTRICTIONS.
NOTE: OTHERS MAY APPLY.

THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT. THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL FOUND EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

SEE RECORD OF SURVEY S-7249 FOR REFERENCE TO BASIS OF BEARINGS USED FOR THIS SURVEY.

NOTE:

SURVEY WAS PERFORMED WITH APPROXIMATELY TWO FEET OF SNOW ON THE GROUND COVERING THE ENTIRE PROPERTY. ANY VISIBLE UTILITIES OR IMPROVEMENTS ARE SHOWN HEREON, HOWEVER IT IS POSSIBLE THAT SOME NATURAL FEATURES, UTILITIES AND IMPROVEMENTS MAY HAVE BEEN OBSCURED.

LEGAL DESCRIPTION:

ALL OF LOT 7 & 8 OF AMENDED PLAT OF THE PARK CITY SURVEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, OF SANDY UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 8910903. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

PROFESSIONAL LAND SURVEYOR No. 8910903 MARTINA NELSON STATE OF UTAH
4-8-2015

MARTINA NELSON

APRIL 08, 2015
DATE:

Park City Surveying
P.O. Box 682903
Park City, UT 84068
(435)649-2918
(435)649-6637 fax

DATE	BY	REVISIONS COMMENTS
xx/xx/xxxx		

SURVEYED BY: MN/SC
DRAWN BY: MN
DATE: APRIL 2015

FOR: JILL LESH

RECORD OF SURVEY & AS-BUILT MAP
LOTS 7 & 8, BLOCK 30
AMENDED PLAT OF THE PARK CITY SURVEY

DWG: 327 WOODSIDE ROS-ASB

SHEET 1 OF 1

Exhibit C – Sheet AB.1 As-Built Plans and Elevations

WALL LEGEND

- EXISTING CONCRETE WALL
- EXISTING 2x FRAMED WALL
- (E) INDICATES EXISTING
- (N) INDICATES NEW

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

1. 2X4 STUDS @ 24" O.C
2. 1x12 VERTICAL PLANK - HISTORIC.
3. 1x HORIZ. LAP SIDING - NON-HISTORIC
4. VARIES; GYPSUM BOARD, LATH & PLASTER
5. BATT INSULATION @ EXTRIOR WALLS.
6. 1/2" GYPSUM BOARD.
7. STACKED STONE WALL - HISTORIC.
8. GAS METER
9. ELECTRICAL METER
10. 8" CMU WALL - NON HISTORIC.
11. 1x HARDWOOD FLOORING ON HISTORIC 2x4 FLOOR JOISTS @ 24" O.C.
12. STACKED STONE RETAINING WALL.
13. 2.5' CURB AND GUTTER.
14. ASPHALT SHINGLES OVER ROOF MEMBRANE OVER PLYWOOD OVER HISTORIC 1X SKIP PLANK OVER 2X4 JOISTS @ 24" O.C.
15. 1x HORIZONTAL (NON-HISTORIC) SIDING ON HISTORIC 1x12 VERTICAL PLANK ON 2x4 STUDS @ 24" O.C.
16. ALL ORIGINAL TRIM AROUND DOORS AND WINDOWS WERE REPLACED AFTER 1970.
17. ALL ORIGINAL DOORS AND WINDOWS WERE REPLACED AFTER 1970.
18. STACKED STONE WALL - HISTORIC.
19. METAL ROOF OVER ROOF MEMBRANE OVER PLYWOOD OVER HISTORIC 1X SKIP PLANK OVER 2X4 JOISTS @ 24" O.C.
20. 8" CMU WALL - NON HISTORIC.
21. WOOD STAIR AND RAILING.
22. 1x3 T&G WOOD SLATS ON 1x6 HISTORIC PLANKS ON 2x6 HISTORIC FLOOR JOISTS @ 24" O.C.

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PROJECT DESCRIPTION:
327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
AS-BUILTS
PLANS AND ELEVATIONS

REVISIONS:

DATE: JULY 15, 2015

PROJECT NUMBER: 1506-02

SHEET NUMBER: AB.1

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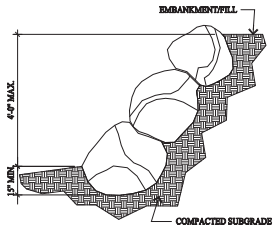


NOTES:
1. NOMINAL ROCK SIZE SHALL BE AT LEAST ONE THIRD THE HEIGHT OF THE EMBANKMENT (FIRST TWO COURSES).

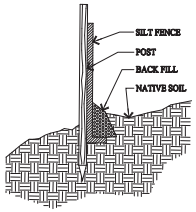
2. IN SANDY OR SILTY SOILS A FILTER FABRIC SHALL BE PLACED BEHIND THE ROCK FACED SLOPE.

3. SLOPE MAY BE INCREASED TO ½ (H) TO 1 (V) IF HEIGHT OF EMBANKMENT IS LESS THAN 4 FEET.

4. ROCK MUST BE ANGULAR AND FITTED TOGETHER TO INTERACT WITH ADJACENT ROCKS.

5. A MINIMUM SETBACK OF FOUR FEET FROM BUILDINGS OR STRUCTURES SHALL BE MAINTAINED ABOVE OR BELOW THE ROCK FACED SLOPE.

1 / A0.1 BOULDER RETAINING WALL
NO SCALE



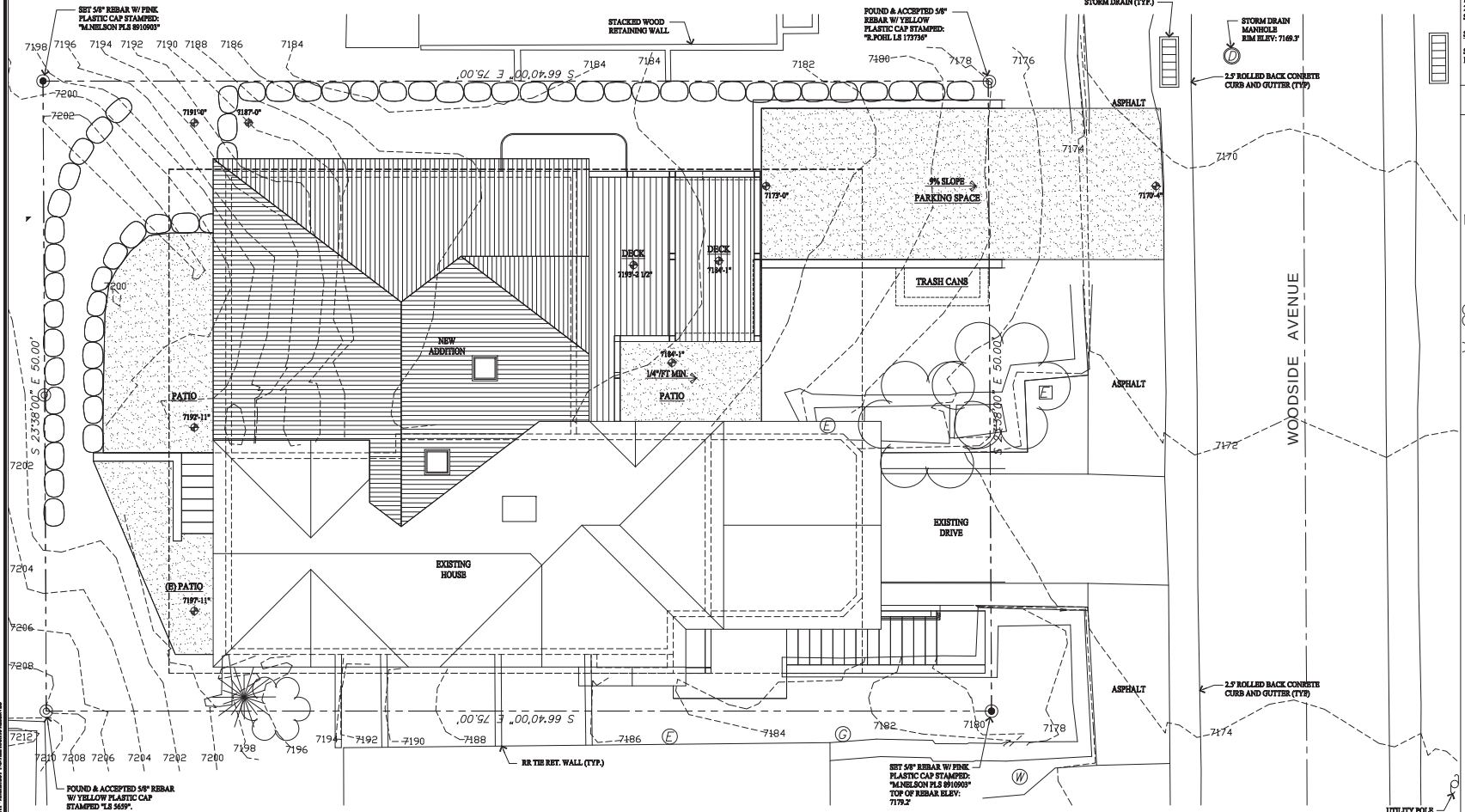
1. SANDBAGS WILL BE PLACED AT DISCHARGE LOCATIONS TO CONTAIN AND DIVERT STORM WATER THROUGH STRAW BALES.

2. AN EARTHEN BERM 6" HIGH WILL BE CONSTRUCTED TO CONTAIN THE STORM WATER AND DIVERT IT TO DISCHARGE AREAS.

3. STORM WATER WILL BE DISCHARGED INTO AN EXISTING DRAINAGE SYSTEM. EXISTING LINES SHALL BE INSPECTED PRIOR TO CERTIFICATE OF OCCUPANCY AND CLEANED IF NECESSARY.

4. THE STORM WATER PREVENTION PLAN SHALL CONFORM TO ALL STATE DIVISION OF ENVIRONMENTAL PROTECTION REGULATIONS.

2 / A0.1 SILT FENCE SECTION
NO SCALE



ARCHITECTURAL STIE PLAN
SCALE: 1/4" = 1'-0"

GENERAL NOTES

SITE PLAN NOTES:

1. ALL SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR AN APPROVED DRAINAGE COURSE BUT NOT ONTO THE NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10 FEET. -IRC R401.3

STABILIZATION CONSTRUCTION ENTRANCE

FOR A MINIMUM OF 50' FROM ROADWAY, A FILTER FABRIC SHALL BE INSTALLED OVER A COMPACTED SUBGRADE. A 6" LAYER OF 1"-2" AGGREGATE SHALL BE PLACED OVER THIS MEMBRANE. DAILY INSPECTION FOR SEDIMENT BUILD UP AND/OR LOSS OF GRAVEL WILL BE ENFORCED, AND REMEDIED AT ONCE.

GRADING NOTES

1. DRAINAGE TO COMPLY WITH IRC CHAPTER 4
2. MAXIMUM ALTERED SLOPES AT 2:1
3. MINIMUM SLOPE FOR DRAINAGE = 2%
4. DRAIN AWAY FROM BUILDING
5. CONTAIN DRAINAGE ON PROPERTY
6. BOULDER RETAINING WALLS NOT TO EXCEED 4'-0" EXPOSED HEIGHT

UTILITY NOTES

1. ALL UTILITY LINES TO BE UNDERGROUND.
2. ABOVE GRADE UTILITY BOX TO BE IN SCREENED LOCATION.

SNOW REMOVAL

SNOW PLOWED FROM DRIVE SHALL NOT BE PUSHED ONTO THE STREET.

LEGEND

- SET REBAR W/ PINK CAP
- FOUND REBAR W/ CAP AS DESCRIBED
- WATER SERVICE LID
- UTILITY POLE
- WATER MANHOLE
- STORM DRAIN MANHOLE
- CATCH BASIN
- WATER METER
- ELECTRIC METER
- ELECTRIC BOX
- GAS METER
- DECIDUOUS TREE
- EVERGREEN TREE

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327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
ARCHITECTURAL SITE PLAN

REVISIONS:
1 OCTOBER 08, 2015

DATE:
JULY 15, 2015

PROJECT NUMBER:
1506-02

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A0.1

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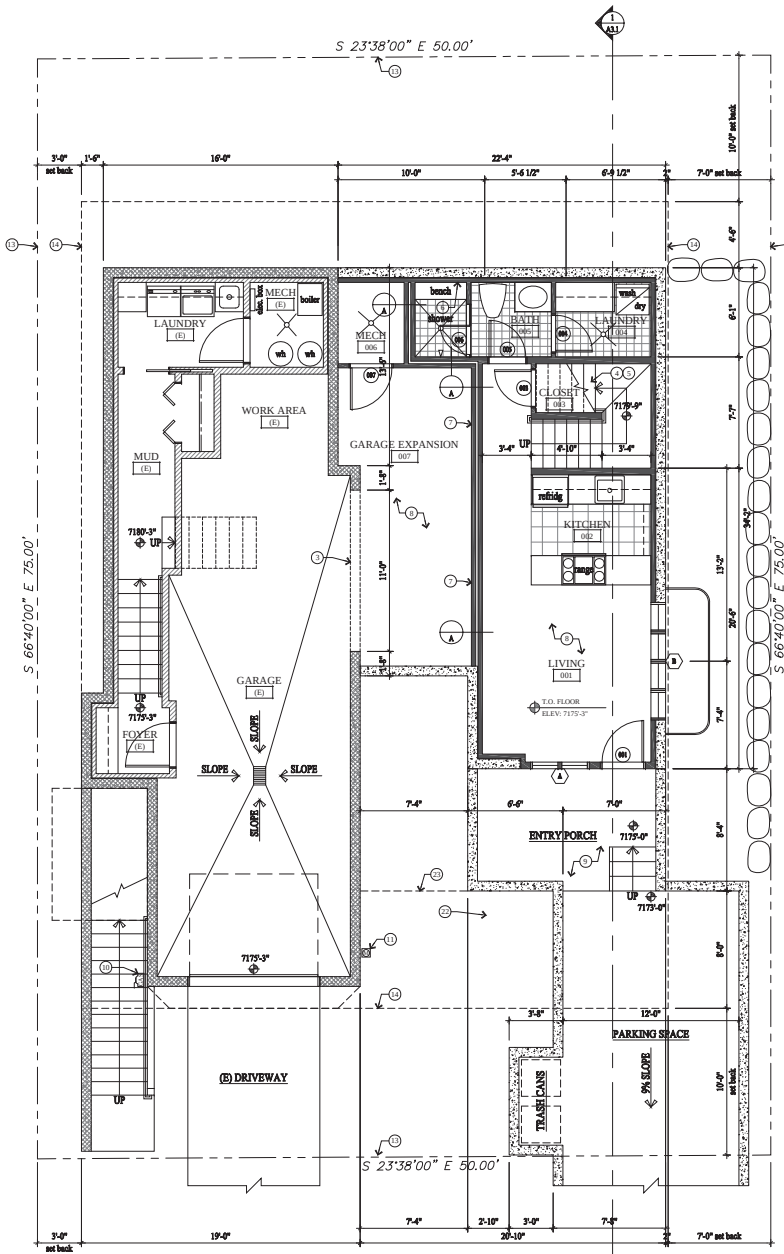
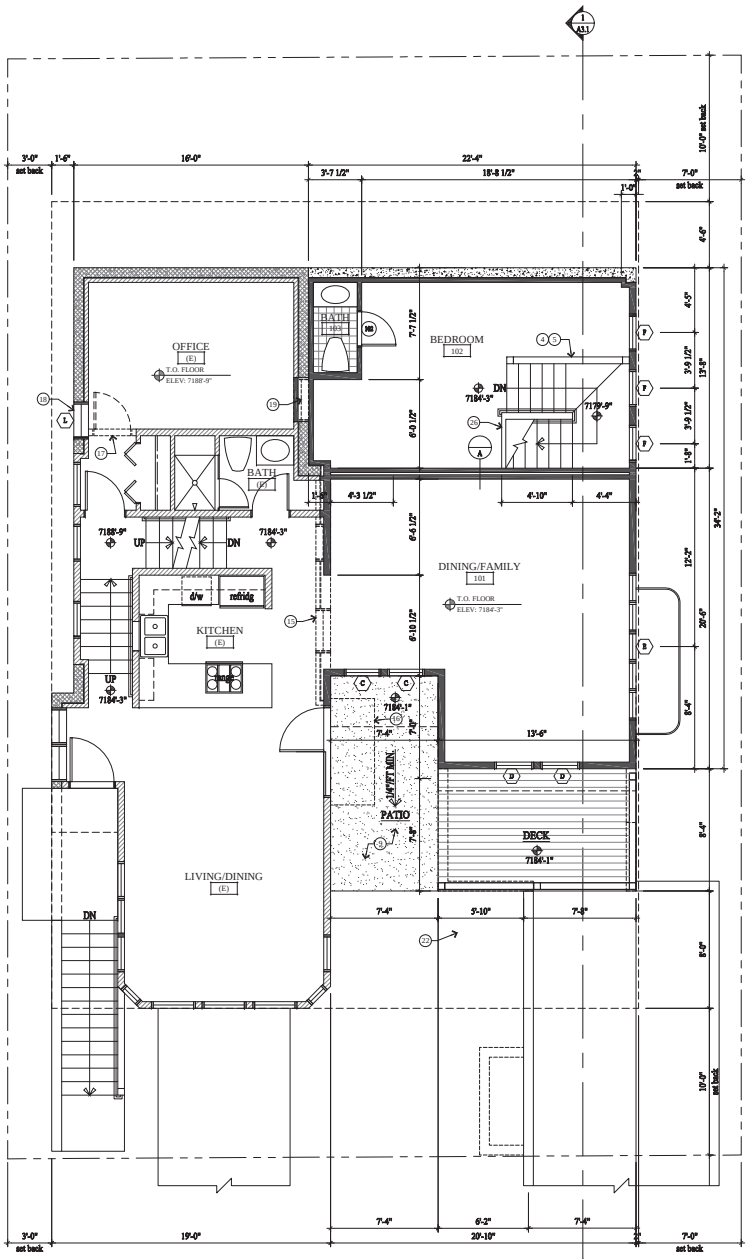


GARAGE LEVEL PLAN
SCALE: 1/4" = 1'-0"



MAIN LEVEL PLAN
SCALE: 1/4" = 1'-0"

WALL LEGEND

- EXISTING CONCRETE WALL
- EXISTING 2x FRAMED WALL
- EXISTING WALL TO BE REMOVED
- NEW CONCRETE WALL
- NEW 2x FRAMED WALL
- (E) INDICATES EXISTING
- (N) INDICATES NEW

1. EXTERIOR WALLS TO BE 2x6 FRAMING W/ R19 INSULATION R-23 - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING, U.N.O. W/ R19 INSULATION R-15 - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING, U.N.O. W/ R19 INSULATION R-23 - TYP. ALL FLOOR JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R19 INSULATION R-47 - TYP. ALL ROOF JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R19 INSULATION R-47 - TYP.

2. FIRE SPRINKLERS TO BE ON THE WARM SIDE OF THE BUILDING ENVELOPE. ANTIFREEZE WILL NO LONGER BE ALLOWED IN FIRE SPRINKLER SYSTEMS

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

1. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (555# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE, SOLD MEMBRANE 12" DOWN FROM RIDGE FOR VENTILATION.
2. COMPOSITE RIDGE VENT; CORRA OR EQUAL.
3. SAW CUT EXISTING FOUNDATION FOR NEW OPENING; 11'-0" WIDE x 7'-0" HIGH.
4. 36" HIGH WOOD HANDWGUARD RAILING TO BE STANDARD MILL SHAPE W/ 1/2" DIA. METAL BALLAST SPACED SO NO 4" SPHERE CAN PASS THROUGH.
5. FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET A5.1.
6. TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER; GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
7. 5/8" TYPE "X" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
8. 4" REINFORCED CONCRETE SLAB ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED.
9. 4" REINFORCED CONCRETE PATIO ON 4" GRAVEL BASE.
10. EXISTING GAS METER, UNDER STAIRS.
11. EXISTING ELECTRICAL METER.
12. 2x6 DECKING - STAINED ON 2x10 JOIST - SEE STRUCTURAL FOR SPACING AND DETAILS.
13. PROPERTY LINE.
14. SET BACK LINE.
15. REMOVE THIS SECTION OF WALL, SAW CUT TOP OF FOUNDATION FOR A FLOOR PLY-OVER. FIELL VERIFY TOP OF FOUNDATION.
16. REMOVE EXISTING CONCRETE PORCH.
17. REMOVE EXISTING DOOR/WALL, REPAIR AS NEEDED.
18. SAW CUT FOUNDATION FOR NEW WINDOW, MATCH HEAD HEIGHT OF EXISTING WINDOWS.
19. REMOVE EXISTING WINDOW, REPAIR WALL AS NEEDED.
20. REMOVE THIS SECTION OF WALL WINDOWS.
21. REMOVE EXISTING WINDOWS, REPAIR WALL AS NEEDED. FRAME IN NEW HIGH WINDOW.
22. 6" REINFORCED CONCRETE CAP, WATERPROOF, OVER TRASH CAN AREA.
23. LINE OF CONCRETE ABOVE.
24. LIGHT WEIGHT REINFORCED CONCRETE ON WATERPROOF MEMBRANE. SEE STRUCTURAL FOR SIZE AND REINFORCING.
25. NEW SKY LIGHT ABOVE - SEE SCHEDULE.
26. 48" HIGH WALL.

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PROJECT NUMBER: 1506-02

SHEET NUMBER: A1.1

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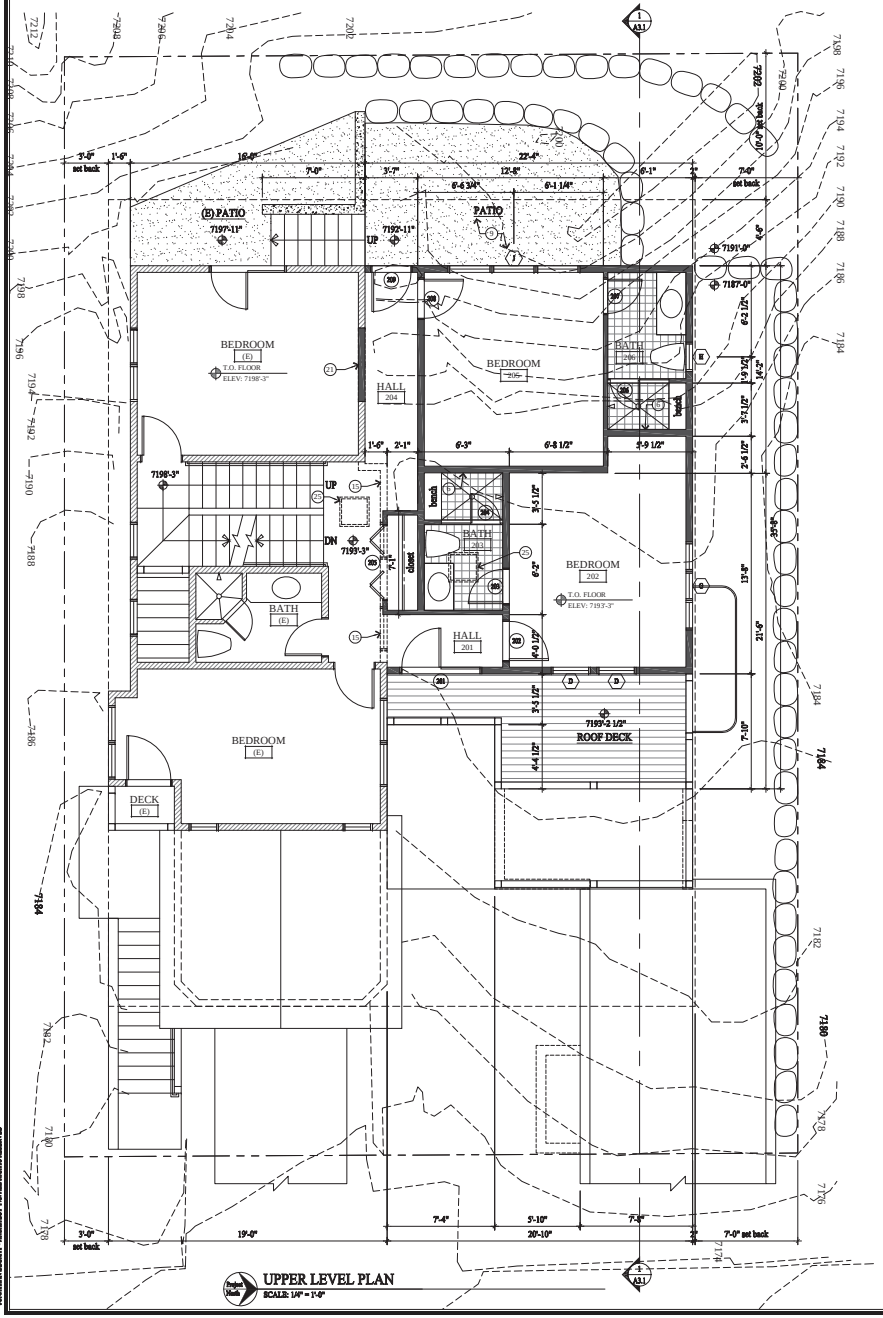
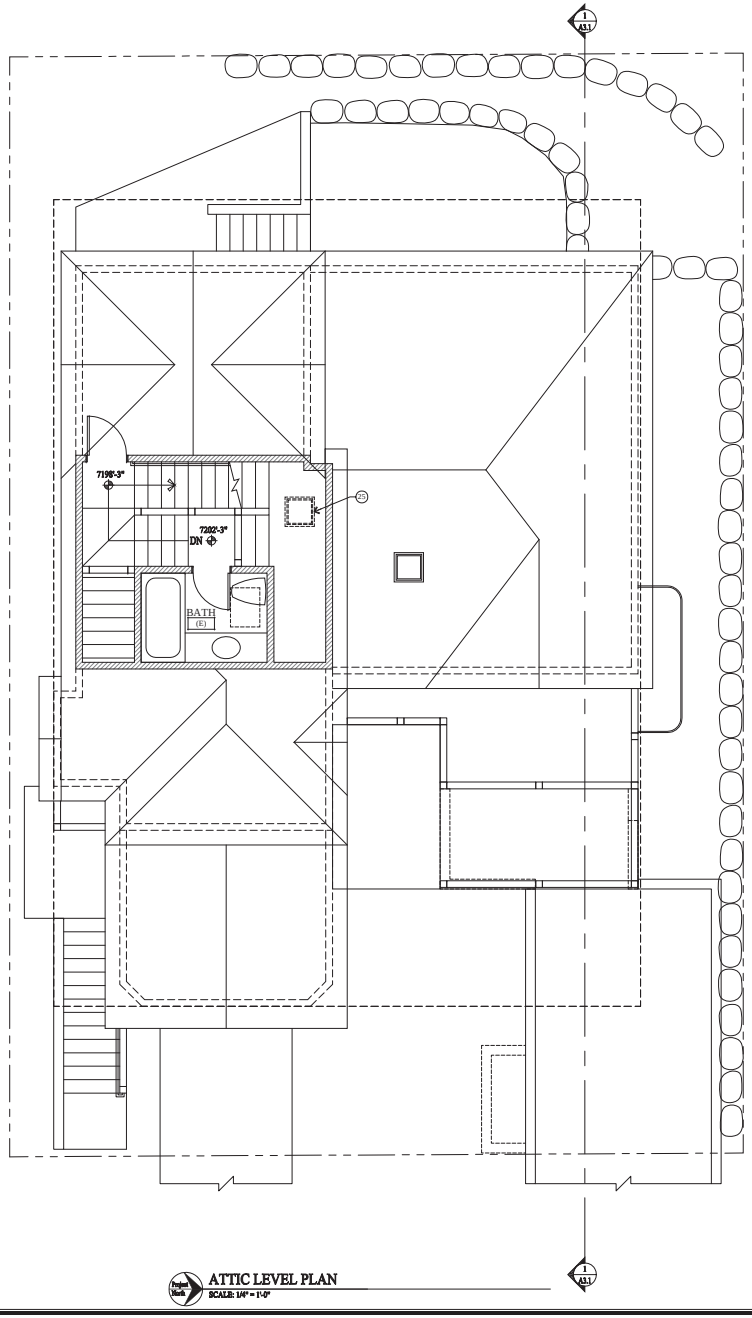


UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



ATTIC LEVEL PLAN
SCALE: 1/4" = 1'-0"

WALL LEGEND

- EXISTING CONCRETE WALL
- EXISTING 2x FRAMED WALL
- EXISTING WALL TO BE REMOVED
- NEW CONCRETE WALL
- NEW 2x FRAMED WALL
- (E) INDICATES EXISTING
- (N) INDICATES NEW

1. EXTERIOR WALLS TO BE 2x6 FRAMING W/ R19 INSULATION R-23 - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING, U.N.O. W/ R19 INSULATION R-15 - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING, U.N.O. W/ R19 INSULATION R-23 - TYP. ALL FLOOR JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R19 INSULATION R-47 - TYP. ALL ROOF JOIST TO BE 11 7/8" TJI FRAMING U.N.O. W/ R19 INSULATION R-47 - TYP.

2. FIRE SPRINKLERS TO BE ON THE WARM SIDE OF THE BUILDING ENVELOPE. ANTIFREEZE WILL NO LONGER BE ALLOWED IN FIRE SPRINKLER SYSTEMS

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

1. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (555# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE, SOLD MEMBRANE 12" DOWN FROM RIDGE FOR VENTILATION.
2. COMPOSITE RIDGE VENT; COBRA OR EQUAL.
3. SAW CUT EXISTING FOUNDATION FOR NEW OPENING; 11'-0" WIDE x 7'-0" HIGH.
4. 36" HIGH WOOD HANDGUARD RAILING TO BE STANDARD MILL SHAPE W/ 1/2" DIA. METAL BALLAST SPACED SO NO 4" SPHERE CAN PASS THROUGH.
5. FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET A5.1.
6. TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER; GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
7. 5/8" TYPE "X" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
8. 4" REINFORCED CONCRETE SLAB ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED.
9. 4" REINFORCED CONCRETE PATIO ON 4" GRAVEL BASE.
10. EXISTING GAS METER, UNDER STAIRS.
11. EXISTING ELECTRICAL METER.
12. 2x6 DECKING - STAINED ON 2x10 JOIST - SEE STRUCTURAL FOR SPACING AND DETAILS.
13. PROPERTY LINE.
14. SET BACK LINE.
15. REMOVE THIS SECTION OF WALL, SAW CUT TOP OF FOUNDATION FOR A FLOOR PLY-OVER. FIELD VERIFY TOP OF FOUNDATION.
16. REMOVE EXISTING CONCRETE PORCH.
17. REMOVE EXISTING DOOR/WALL, REPAIR AS NEEDED.
18. SAW CUT FOUNDATION FOR NEW WINDOW, MATCH HEAD HEIGHT OF EXISTING WINDOWS.
19. REMOVE EXISTING WINDOW, REPAIR WALL AS NEEDED.
20. REMOVE THIS SECTION OF WALL WINDOWS.
21. REMOVE EXISTING WINDOWS, REPAIR WALL AS NEEDED. FRAME IN NEW HIGH WINDOW.
22. 6" REINFORCED CONCRETE CAP, WATERPROOF, OVER TRASH CAN AREA..
23. LINE OF CONCRETE ABOVE.
24. LIGHT WEIGHT REINFORCED CONCRETE ON WATERPROOF MEMBRANE. SEE STRUCTURAL FOR SIZE AND REINFORCING.
25. NEW SKY LIGHT ABOVE - SEE SCHEDULE.
26. 48" HIGH WALL.

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PROJECT DESCRIPTION:
327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
UPPER LEVEL PLAN
ATTIC LEVEL PLAN

REVISIONS:
1 OCTOBER 08, 2015

DATE:
JULY 15, 2015

PROJECT NUMBER:
1506-02

SHEET NUMBER:
A1.2

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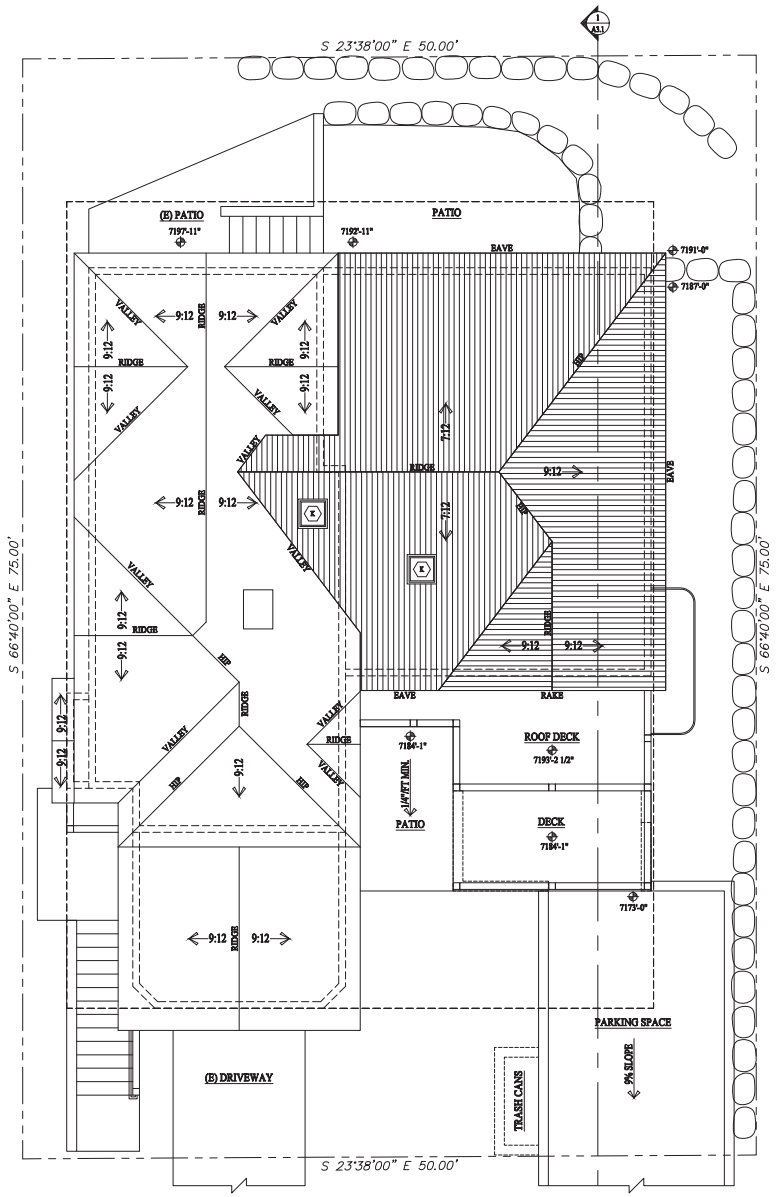

ROOF PLAN
SCALE: 1/4" = 1'-0"

WALL LEGEND

- EXISTING CONCRETE WALL
- EXISTING 2x FRAMED WALL
- EXISTING WALL TO BE REMOVED
- NEW CONCRETE WALL
- NEW 2x FRAMED WALL
- (E) INDICATES EXISTING
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KEY NOTES

1. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR, RESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE, SOLD MEMBRANE 12" DOWN FROM RIDGE FOR VENTILATION.
2. COMPOSITE RIDGE VENT; COBRA OR EQUAL.
3. SAW CUT EXISTING FOUNDATION FOR NEW OPENING; 11'-0" WIDE x 7'-0" HIGH.
4. 36" HIGH WOOD HANDGUARD RAILING TO BE STANDARD MILL SHAPE W/ 1/2" DIA. METAL BALLAST SPACED SO NO 4" SPHERE CAN PASS THROUGH.
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6. TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER; GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
7. 5/8" TYPE "X" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
8. 4" REINFORCED CONCRETE SLAB ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED.
9. 4" REINFORCED CONCRETE PATIO ON 4" GRAVEL BASE.
10. EXISTING GAS METER, UNDER STAIRS.
11. EXISTING ELECTRICAL METER.
12. 2x6 DECKING - STAINED ON 2x10 JOIST - SEE STRUCTURAL FOR SPACING AND DETAILS.
13. PROPERTY LINE.
14. SET BACK LINE.
15. REMOVE THIS SECTION OF WALL, SAW CUT TOP OF FOUNDATION FOR A FLOOR PLY-OVER. FIELL VERIFY TOP OF FOUNDATION.
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REMODEL/ADDITION
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PARK CITY, UTAH 84060

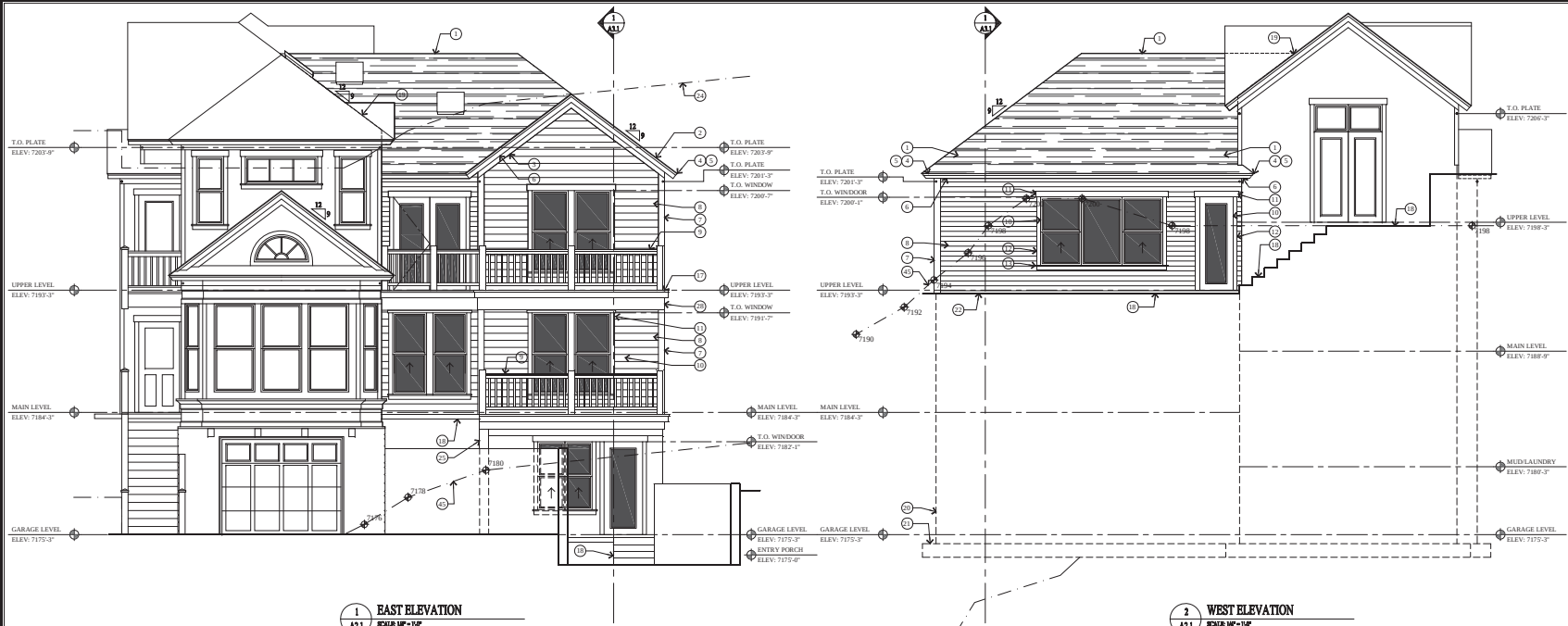
SHEET DESCRIPTION:
ROOF PLAN

REVISIONS:
1 OCTOBER 08, 2015

DATE:
JULY 15, 2015

PROJECT NUMBER:
1506-02

SHEET NUMBER:
A1.3



1 A2.1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

2 A2.1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

3 A2.1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

KEY NOTES

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2. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR. RESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE HOLD MEMBRANE 12" DOWN FROM RIDGE.
3. 2x6 TRIM BOARD - STAINED (MATCH EXISTING).
4. 1x6 FASCIA - STAINED (MATCH EXISTING).
5. 1 1/2" x 3" CONTINUOUS METAL DRIP EDGE.
6. 1x CEDAR SOFFIT - STAINED W/ CONTINUOUS SOFFIT VENT.
7. 2x6 CEDAR OUTSIDE CORNER BOARD, (MATCH EXISTING) 2x5 CEDAR INSIDE CORNER BOARD - STAINED
8. 1x6 CEDAR BEVELED LAP SIDING (MATCH EXISTING) ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING.
9. 36" HIGH RAILING: 2x6 SHAPED TOP RAIL ON 2x3 W/ 2x2 BALLAST SPACED LESS THAN 4" W/ 2x3 BOTTOM RAIL.
10. WOOD ALUMINUM CLAD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE.
11. 2x6 WINDOW/DOOR HEAD - PAINTED W/ METAL FLASHING. (MATCH EXISTING).
12. 2x4 WINDOW/DOOR JAMB - STAINED. (MATCH EXISTING).
13. 1"x3" STOOL ON 2x4 WINDOW SILL - STAINED. (MATCH EXISTING).
14. 6x6 COLUMN - STAINED.
15. STONE SILL TO MATCH EXISTING.
16. STONE VENEER TO MATCH EXISTING - SEE SHEET S1.1 GENERAL STRUCTURAL NOTE FOR INSTALLATION.
17. 2x6 DECKING ON 2x TAPERED SLEEPERS ON REINF. EPDM ON 3/4" EXTERIOR PLYWOOD ON 2x12 TAPERED JOIST @ 16" O.C.
18. REINFORCED CONCRETE STEPS/PORCH/PATIO ON 4" GRAVEL BASE CLEANED/GRADED - SEE STRUCTURAL FOR REINFORCING.
19. REMOVE EXISTING ROOF WHERE NEW ROOF OCCURS - SEE STRUCTURAL FOR SIZES AND DETAILS.
20. FOUNDATION - SEE STRUCTURAL FOR SIZE AND REINFORCING.
21. FOOTING - SEE STRUCTURAL FOR SIZE AND REINFORCING.
22. FINISH GRADE TO SLOPE AWAY FROM HOUSE A MIN. OF 6" WITHIN THE FIRST 10'. IRC R401.3
23. BOULDER RETAINING WALL.
24. LINE 27'-0" HEIGHT ABOVE EXISTING GRADE.
25. CONCRETE RETAINING WALL - SEE STRUCT. FOR SIZE AND REINFORCING.
26. ARCHITECTURAL GRADE GLB - STAINED - SEE STRUCTURAL FOR SIZE AND DETAILS.
27. ROOF TO WALL SURFACE, EXTEND BUTYLTHANE MEMBRANE OVER ROOF DECK & UP WALL SURFACE 24".
28. 2x BUILT UP TRIM BOARD - STAINED.
29. 2x4 RAFTER TAIL @ EACH ROOF JOIST. SEE STRUCTURAL FOR JOIST SIZE AND SPACING.
30. ALL LUMBER IN CONTACT WITH CONCRETE OR MASONRY INCLUDING LEDGERS AND FURRING WALLS MUST BE PRESERVATIVELY TREATED OR FOUNDATION GRADE REDWOOD.
31. COPPER FLASHING.
32. 1 1/2" GYPCRETE W/ HYDRAUNIC HEATING ON 3/4" PLYWOOD ON FLOOR JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
33. 1/2" GYPSUM BOARD ON P.A. MEMBRANE (SMART VAPOR RETARDER) AT ROOF TRUSS/JOIST.
34. HURRICANE HOLD DOWN AT EACH RAFTER/TRUSS OR SIMPSON VPA.
35. 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
36. 1/2" GYPSUM BOARD ON 4 MIL POLYETHYLENE VAPOR RETARDER AT FLOOR JOIST AND EXTERIOR WALLS.
37. 5/8" TYPE "X" GYPSUM BOARD ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
38. FIRE BLOCK STUD SPACES AT SOFFIT, FLOOR AND CEILING JOIST LINES, AT 10 FT. VERTICALLY AND HORIZONTALLY, AND AT ANY OTHER LOCATIONS NOT SPECIFICALLY MENTIONED THICH COULD AFFORD PASSAGE FOR FLAMES. - IRC R302.11
39. TREATED WOOD SILL PLATE W/ 1/2" ANCHOR BOLTS EMBEDDED 7" INTO CONCRETE, SPACED 32" O.C. U.N.O. ON PLANS. PLATE WASHERS SHALL 3"x3"x1/4" AND USED ON EACH BOLT. SEE STRUCTURAL SHEAR WALL SCHEDULE.
40. 6" PERF. DRAIN PIPE WRAPPED IN FILTER FABRIC IN 18" OF FREE DRAINING GRAVEL TIED INTO STORM DRAIN.
41. DRAINAGE MATT ON WATERPROOF MEMBRANE
42. 2" RIGID INSULATION. R-14 MIN.
43. STONE SUPPORT; 6"x6"x $\frac{1}{4}$" CONTINUOUS ANGLE W/ $\frac{3}{4}$" DIA HEXXY BOLTS x 5" EMBED @ 24" O.C. WITH MASTIC AROUND ANGLE & BOLTS. $\frac{3}{8}$" DIA WEEP HOLS @ 32" O.C.
44. 4" REINFORCED CONCRETE SLAB ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAPPED 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED - SEE STRUCT. FOR REINFORCING.
45. EXISTING GRADE LINE.
46. PRE-FAB. WINDOW WELL.

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PROJECT DESCRIPTION:
327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
EXTERIOR ELEVATIONS

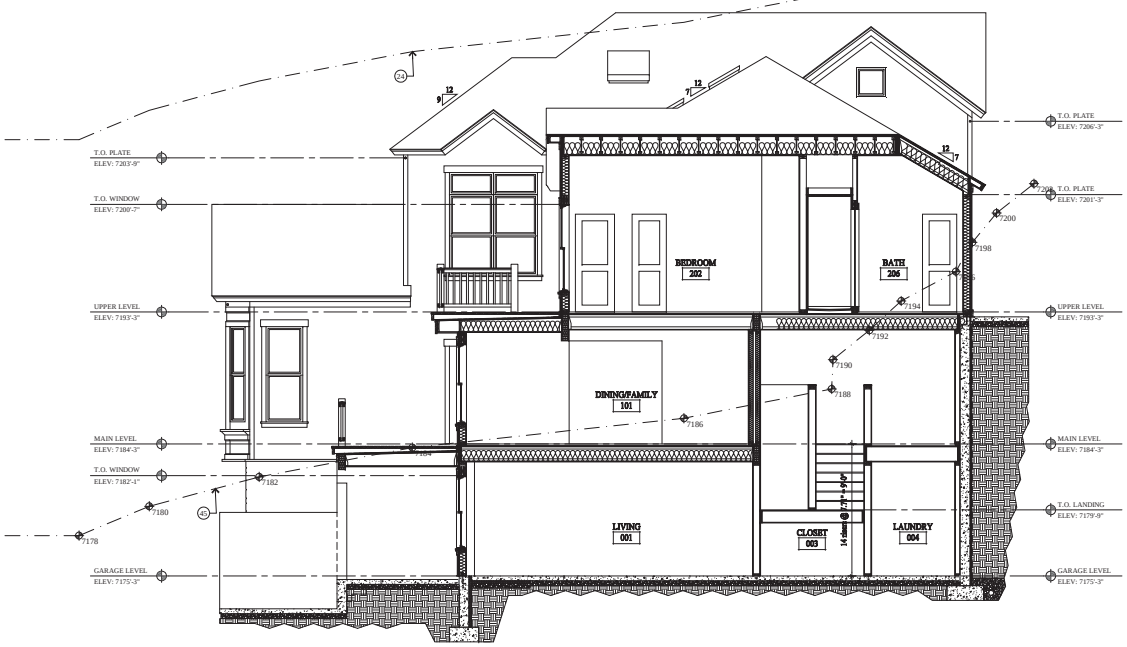
REVISIONS:
1 OCTOBER 08, 2015

DATE: JULY 15, 2015

PROJECT NUMBER: 1506-02

SHEET NUMBER: A2.1

2 A3.1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 A3.1 BUILDING SECTION
SCALE: 1/8" = 1'-0"

KEY NOTES

1. COMPOSITE RIDGE VENT; COBRA OR EQUAL.
2. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR. RESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE HOLD MEMBRANE 12" DOWN FROM RIDGE.
3. 2x6 TRIM BOARD - STAINED (MATCH EXISTING).
4. 1x6 FASCIA - STAINED (MATCH EXISTING).
5. 1 1/2" x 3" CONTINUOUS METAL DRIP EDGE.
6. 1x CEDAR SOFFIT - STAINED W/ CONTINUOUS SOFFIT VENT.
7. 2x6 CEDAR OUTSIDE CORNER BOARD, (MATCH EXISTING) 2x5 CEDAR INSIDE CORNER BOARD - STAINED
8. 1x6 CEDAR BEVELED LAP SIDING (MATCH EXISTING) ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING.
9. 36" HIGH RAILING: 2x6 SHAPED TOP RAIL ON 2x3 W/ 2x2 BALLAST SPACED LESS THAN 4" W/ 2x3 BOTTOM RAIL.
10. WOOD ALUMINUM CLAD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE.
11. 2x6 WINDOW/DOOR HEAD - PAINTED W/ METAL FLASHING. (MATCH EXISTING).
12. 2x6 WINDOW/DOOR JAMB - STAINED. (MATCH EXISTING).
13. 1"x3" STOOL ON 2x6 WINDOW SILL - STAINED. (MATCH EXISTING).
14. 6x6 COLUMN - STAINED.
15. STONE SILL TO MATCH EXISTING.
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19. REMOVE EXISTING ROOF WHERE NEW ROOF OCCURS - SEE STRUCTURAL FOR SIZES AND DETAILS.
20. FOUNDATION - SEE STRUCTURAL FOR SIZE AND REINFORCING.
21. FOOTING - SEE STRUCTURAL FOR SIZE AND REINFORCING.
22. FINISH GRADE TO SLOPE AWAY FROM HOUSE A MIN. OF 6" WITHIN THE FIRST 10'. IRC R401.3
23. BOULDER RETAINING WALL.
24. LINE 27'-0" HEIGHT ABOVE EXISTING GRADE.
25. CONCRETE RETAINING WALL - SEE STRUCT. FOR SIZE AND REINFORCING.
26. ARCHITECTURAL GRADE GLB - STAINED - SEE STRUCTURAL FOR SIZE AND DETAILS.
27. ROOF TO WALL SURFACE; EXTEND BUTYHANE MEMBRANE OVER ROOF DECK & UP WALL SURFACE 24".
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45. EXISTING GRADE LINE.

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327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
SOUTH ELEVATION
BUILDING SECTION

REVISIONS:
1 OCTOBER 08, 2015

DATE:
JULY 15, 2015

PROJECT NUMBER:
1506-02

SHEET NUMBER:
A3.1

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WINDOW SCHEDULE

MARK (S)	SIZE WIDTH	SIZE HEIGHT	TYPE	FRAME MAT'L	EXTERIOR FINISH	INTERIOR FINISH	GLAZING	REMARKS
A	4'-0"	3'-0"	DOUBLE HUNG	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	(1) 2'-0"x 3'-0" DOUBLE HUNG MULLED
B	3'-0"	2'-0"	AWNING	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	(6) 2'-0"x 2'-0" AWNING MULLED
C	2'-0"	6'-0"	DOUBLE HUNG	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	
D	2'-0"	6'-0"	DOUBLE HUNG	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	
E	10'-0"	3'-0"	CASEMENT	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	(3) 2'-0"x 3'-0" CASEMENT MULLED
F	2'-0"	4'-0"	CASEMENT	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	
G	6'-0"	3'-0"	CASEMENT	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	(3) 2'-0"x 3'-0" CASEMENT MULLED
H	2'-0"	4'-0"	DOUBLE HUNG	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	
J	9'-0"	3'-0"	BAY/BOW	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	(3) 3'-0"x 3'-0" DOUBLE HUNG MULLED TO EACH SIDE OF (1) 3'-0"x 3'-0" FIXED
K	2'-0"	2'-0"	SKY LIGHT	ALUMINUM	MANUFACTURE	MANUFACTURE	INSULATED - LOW E - TEMP	SEE ELEVATIONS
L	2'-0"	3'-0"	DOUBLE HUNG	WOOD ALUM. CLAD	MANUFACTURE	STAIN & VARNISH	INSULATED - LOW E - TEMP	

WINDOW NOTES

1. ALL WINDOWS OPENINGS TO BE FIELD VERIFIED BY CONTRACTOR BEFORE INSTALLATION.

2. GLAZING IN HAZARDOUS LOCATION IS REQUIRED TO BE GLAZED WITH SAFETY MATERIAL. IRC SECTION R308.3 AND R308.4.

3. ALL WINDOWS IN BATHROOMS MUST BE TEMPERED GLASS

4. TEMPERED GLASS SHALL BE PROVIDED IN: FRAMELESS GLASS DOORS, GLASS IN DOORS, GLASS WITHIN A 24" ARC OF DOORS, GLAZING LESS THAN 60" ABOVE A WALKING SURFACE THAT IS WITHIN 5 FEET STAIRS, OR GLAZING WITHIN 5 FEET OF SPAS OR POOLS, CERTAIN FIXED PANELS, AND SIMILAR GLAZED OPENINGS SUBJECT TO HUMAN IMPACT. IRC R308

5. EGRESS WINDOWS: FINISH SILL HT. MIN 44" FROM FLOOR MIN. CLEAR OPENING OF 5.7 S/F MIN NET CLEAR OPENING 20" WIDTH AND 24" HT.

6. ALL WINDOWS TO HAVE A MIN. U-VALUE OF .31

ROOM FINISH SCHEDULE

ROOM NO.	ROOM NAME	FLOOR MAT'L	FLOOR BASE	WALLS NORTH	WALLS EAST	WALLS SOUTH	WALLS WEST	CEILING HEIGHT	CEILING MAT'L	REMARKS
GARAGE LEVEL										
001	LIVING	CARPET	WOOD	GYP	GYP	GYP	GYP		GYP	
002	KITCHEN	TILE	WOOD	GYP	GYP	GYP	GYP		GYP	
003	CLOSET	CIMENT	WOOD	GYP	GYP	GYP	GYP		GYP	
004	LAUNDRY	TILE	WOOD	GYP	GYP	GYP	GYP		GYP	
005	BATH	TILE	WOOD	GYP	GYP	GYP	GYP		GYP	
006	MECH	CIMENT	WOOD	GYP	GYP	GYP	GYP		GYP	
007	GARAGE EXPANSION	CIMENT	WOOD	GYP	GYP	GYP	GYP		GYP	
MAIN LEVEL										
101	DINING/FAMILY	WOOD	WOOD	GYP	GYP	GYP	GYP		GYP	
102	BEDROOM	CARPET	WOOD	GYP	GYP	GYP	GYP		GYP	
103	BATH	TILE	TILE	GYP	GYP	GYP	GYP		GYP	
UPPER LEVEL										
201	HALL	CARPET	WOOD	GYP	GYP	GYP	GYP		GYP	
202	BEDROOM	CARPET	WOOD	GYP	GYP	GYP	GYP		GYP	
203	BATH	TILE	TILE	GYP	GYP	GYP	GYP		GYP	
204	HALL	CARPET	WOOD	GYP	GYP	GYP	GYP		GYP	
205	BEDROOM	CARPET	WOOD	GYP	GYP	GYP	GYP		GYP	
206	BATH	TILE	TILE	GYP	GYP	GYP	GYP		GYP	

DOOR SCHEDULE

MARK (S)	TYPE	SIZE WIDTH	SIZE HEIGHT	THICK.	DOOR MAT'L	DOOR FINISH	FRAME MAT'L	FRAME FINISH	HDWR TYPE	REMARKS
GARAGE LEVEL										
006	FRENCH	2'-10"	6'-0"	1 3/4"	WOOD/GLASS	STAIN & VARNISH	WOOD	STAIN & VARNISH	LOCKSET	ENTRY - BRASS - LOW E - TEMP - WEATHER STRIP - THRESHOLD
MAIN LEVEL										
001	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PASSAGE	
004	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PASSAGE	
005	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PRIVACY	
006	SHOWER	2'-0"	6'-0"	1/2"	GLASS	CLEAR	GLASS		SHOWER	TEMP - EURO GLASS ENCLOSURE
007	STYLE & RAIL	2'-10"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PASSAGE	
101	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PRIVACY	
UPPER LEVEL										
201	TERRACE	5'-0"	6'-0"	1 3/4"	WOOD/GLASS	STAIN & VARNISH	WOOD	STAIN & VARNISH	LOCKSET	ENTRY - BRASS - LOW E - TEMP - WEATHER STRIP - THRESHOLD
202	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PRIVACY	
203	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PRIVACY	
204	SHOWER	2'-0"	6'-0"	1/2"	GLASS	CLEAR		SHOWER	TEMP - EURO GLASS ENCLOSURE	
205	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PASSAGE	BIFOLD DOOR
206	SHOWER	2'-0"	6'-0"	1/2"	GLASS	CLEAR	GLASS		SHOWER	TEMP - EURO GLASS ENCLOSURE
207	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PRIVACY	
208	STYLE & RAIL	2'-0"	6'-0"	1 3/4"	WOOD	STAIN & VARNISH	WOOD	STAIN & VARNISH	PRIVACY	
209	FRENCH	2'-0"	6'-0"	1 3/4"	WOOD/GLASS	STAIN & VARNISH	WOOD	STAIN & VARNISH	LOCKSET	ENTRY - BRASS - LOW E - TEMP - WEATHER STRIP - THRESHOLD

DOOR NOTES

1. ALL DOOR OPENINGS TO BE FIELD VERIFIED BY CONTRACTOR BEFORE INSTALLATION.

2. ALL DOORS TO BE 1 3/4" SOLID CORE UNLESS NOTED OTHERWISE.

3. ALL SHOWER DOORS AND GLASS SHOWER ENCLOSURES SHALL BE TEMPERED GLASS. IRC SECTION R308.3 AND R308.4

4. FRENCH/PATIO/TERRACE DOORS TO BE SUPPLIED BY WINDOW MANUFACTURE TO HAVE A U-VALUE OF .31 MINIMUM.

5. AUTOMATIC GARAGE DOOR OPENERS SHALL BE TESTED IN ACCORDANCE WITH UL325. - IRC 309.4.

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Jonathan DeGray
A r c h i t e c t
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Tel. 435-649-7283, E-mail: degrayarch@qwest.net

PROJECT DESCRIPTION:
327 WOODSIDE RESIDENCE
REMODEL/ADDITION
327 WOODSIDE AVENUE
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
DOOR, WINDOW AND ROOM SCHEDULES

REVISIONS:
1 OCTOBER 08, 2015

DATE:
JULY 15, 2015

PROJECT NUMBER:
1506-02

SHEET NUMBER:
A6.1

Exhibit H – Streetscape

427 WOODSIDE

STREETSCAPE - PROPOSED

NO SCALE

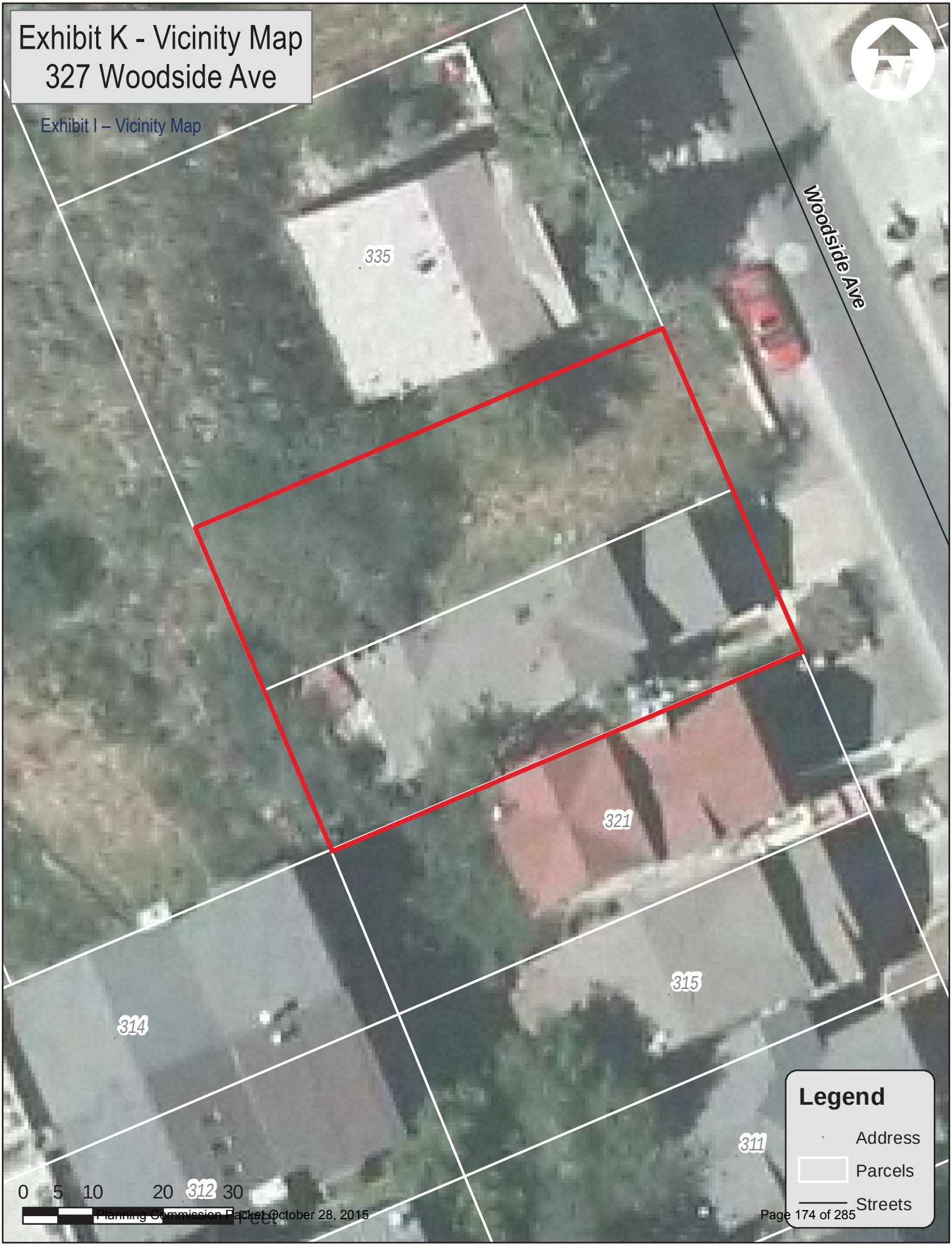
427 WOODSIDE

STREETSCAPE - EXISTING

NO SCALE

Exhibit K - Vicinity Map
327 Woodside Ave

Exhibit I – Vicinity Map



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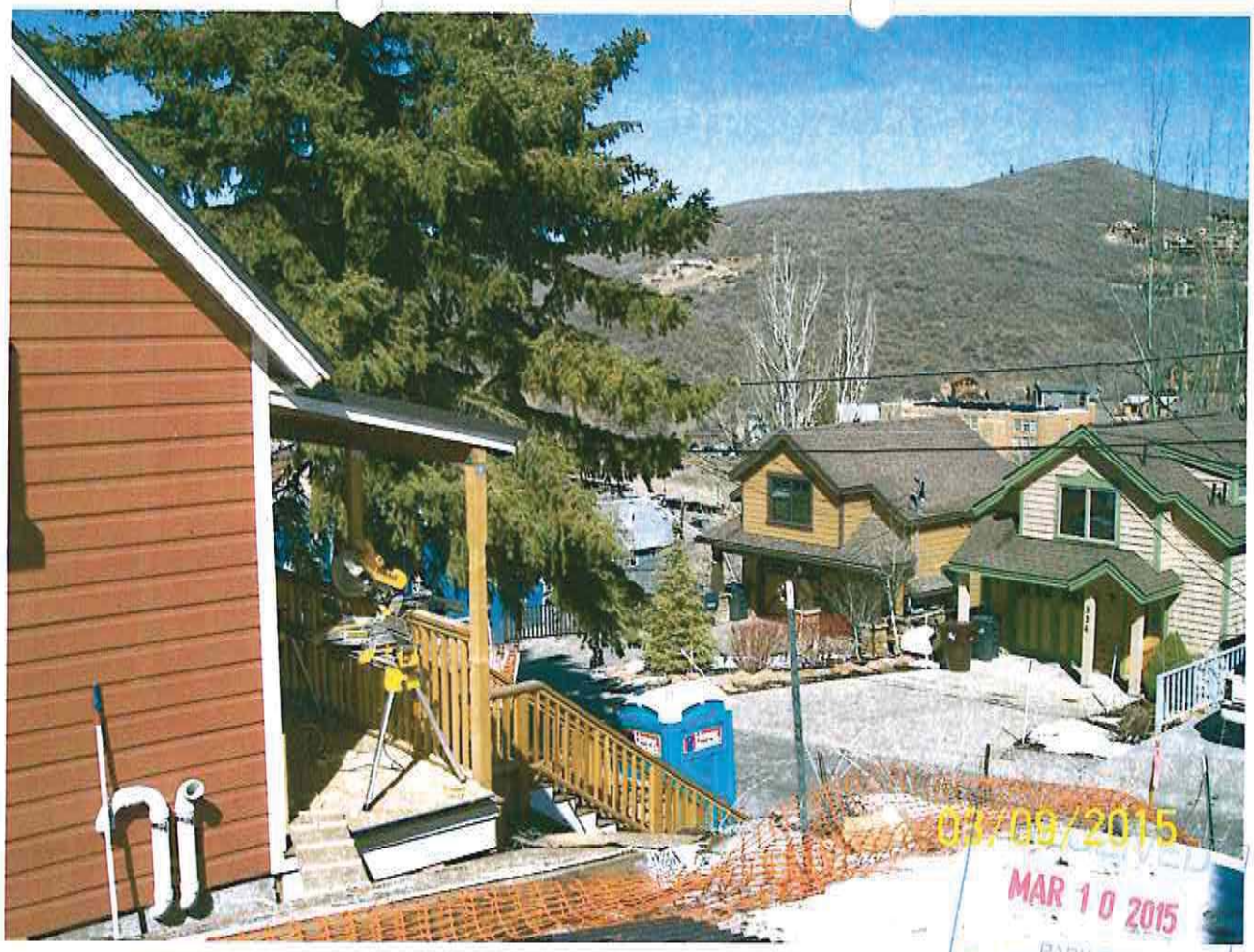
PARK CITY

3/9/2015

3/9/2015



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Guest Houses may be attached or detached from the main house and may not be sold or leased separate from the main house. Prior to Building Permit or Certificate of Occupancy issuance, a deed restriction "Notice to Purchaser" stating that the Guest House may not be sold or leased separate from the main house, shall be recorded at the County Recorders Office.

(Amended by Ord. No. 06-22)

15-4 - 7. ACCESSORY APARTMENTS.

Accessory Apartments are subject to the following criteria:

(A) **CRITERIA FOR USE**.

(1) **SIZE**. Accessory Apartments may be no more than one third (1/3) of the dwelling size, shall be limited to a maximum floor Area of 1,000 square feet and shall be no less than 400 square feet with no more than two (2) Bedrooms. An Accessory Apartment may not increase the floor Area of a Structure over the maximum floor Area as specified in the Land Management Code or Subdivision approval.

(2) **PARKING**. One (1) Parking Space per Bedroom must be provided in addition to the existing requirement for the primary residence. Parking Spaces for Accessory Apartments need not be covered and may be provided in tandem subject to one of the following criteria:

(a) One (1) Parking Space for an Accessory Apartment may be provided in tandem if the existing driveway length equals or exceeds twenty-five feet (25') as measured from the Property Line. Parking is permitted only within approved garages and on paved driveways.

(b) One (1) Parking Space for an Accessory Apartment may be provided in tandem in an effort to preserve existing Significant Vegetation and when all other parking alternatives are undesirable.

(c) **Historic District Zones**. One (1) tandem Parking Space, parking one vehicle behind another, for an Accessory Apartment proposed in any residential Historic District Zone may be provided when the Applicant has secured a Conditional Use permit and the Planning Commission has made the following findings:

(i) Tandem Parking will not create an undue hardship for the neighborhood.

(ii) Other parking options are less desirable than the proposed tandem space.

(iii) Reasonable efforts, such as automatic garage door openers, lease provisions and/or limitation of garage storage, have been made to encourage the Use of all Off-Street Parking.

(3) **APARTMENTS PER LOT**. No more than one (1) Accessory Apartment may be located on a Lot.

(4) **REQUIREMENTS FOR REVIEW**. The Applicant for an Accessory Apartment must submit a floor plan, architectural elevations, and Site plan showing any proposed changes to the Structure or Site.

(5) **DENSITY LIMITS**. A permit for an Accessory Apartment may not be granted if more than three (3) of the homes within three hundred feet (300') of the Applicant's Property boundary contain other established Accessory Apartments. There may be no more than four (4) Accessory Apartments within a three hundred foot (300') radius.

(6) **OWNERSHIP**. One (1) unit, either the main Dwelling Unit or the Accessory Apartment shall be occupied by the Owner of the Structure and the Accessory Apartment shall not be sold separately.

(7) **DEED RESTRICTION**. A deed restriction “Notice to Purchaser” must be filed with the County Recorder, which states:

"A permit for an Accessory Apartment was issued to _____, the current Owner of this Property on _____. This permit runs with the land and is automatically transferred to the new owner by the sale or Transfer of this Property, provided however, if the Use by the new Owner does not continue to comply with the conditions of approval, the permit may be invalidated by the Planning Department pursuant to Section 15-4-7(B)(1). Prospective purchasers should be advised that only one (1) unit on the Property may be rented; the other must be occupied by the Owner.

The Owner shall strictly adhere to all the conditions of approval and the prohibition of the rental of either Dwelling Unit for short term rentals of less than thirty (30) days.

(8) **NIGHTLY RENTALS**. If an Accessory Apartment permit is

granted, neither the main Dwelling Unit nor the Accessory Apartment may be rented for periods of time less than thirty (30) days.

(9) **HOMEOWNERS ASSOCIATION REGISTRATION AND NOTIFICATION**. All Accessory Apartments shall be subject to the Homeowners Association and notification requirements established in LMC Chapter 15-1-12 (E).

(B) **REGULATED USE REVIEW**. The Planning Department shall review Accessory Apartments in those zones where the Apartments are a Regulated Use. This includes all Zoning Districts where Accessory Apartments are an Allowed Use and not a Conditional Use. After submission of a complete Application and payment of the Application fee as established by the fee schedule, the Planning Department shall approve a permit if the requested Accessory Apartment complies with the criteria for Use in Section 15-4-7 (A), established herein. The Planning Department shall impose reasonable conditions to mitigate any impacts to the surrounding neighborhood.

(1) **PERMIT REVOCATION**. The Accessory Apartment permit may be revoked by the Planning Department for non-compliance with the criteria of this Chapter. The permittee may appeal the determination to the Board of Adjustment, which will evaluate the Planning Department's determination of permit non-compliance and decide if permit revocation should occur.

(C) **CONDITIONAL USE REVIEW**. In those zones where Accessory Apartments are subject to a Conditional Use permit, the Planning Commission shall review the requested Use. After submission of a complete Application and payment of the Application fee as established by the fee schedule, the Planning Commission shall approve a permit if the requested Accessory Apartment complies with the criteria established in Section 15-4-7 (A) herein. In addition, prior to issuance of a Conditional Use permit, the Planning Commission shall determine that parking and other impacts as outlined in LMC Chapter 15-1-10 have been mitigated.

(1) **PERMIT REVOCATION**. The Accessory Apartment permit may be revoked by the Planning Department for non-compliance with the criteria of this Chapter and any additional conditions of approval. The permittee may appeal the determination to the Board of Adjustment, which will evaluate the Planning Department's determination of permit non-compliance and decide if permit revocation should occur.

(D) **EXISTING NON-CONFORMING ACCESSORY APARTMENTS**. Existing non-conforming Accessory Apartments may be approved by the Planning Department provided that the Accessory Apartment meets all of the criteria outlined in Section 15-4-7 (A). If the existing Accessory Apartment does not meet the criteria as specified, the Planning Commission shall review the Use. The Planning Commission

shall approve the request only if the following findings can be made:

(1) The Apartment contains no more than two (2) Bedrooms;

(2) One (1) Parking Space per Bedroom is provided for Use by the Accessory Apartment occupants. On-Street parking shall not be counted to fulfill parking requirements;

(3) One (1) unit is Owner-occupied;

(4) Impacts of the Use can be mitigated;

(5) Neither Dwelling Unit is proposed to be rented for periods less than thirty (30) days; and

(6) All significant impacts to the surrounding neighborhood are reasonably mitigated and continue to be mitigated.

(Amended by Ord. Nos. 06-22; 07-49)

15-4-8. GROUP CARE FACILITIES.

(A) **PURPOSE**. To ensure that Group Care Facilities do not have an adverse impact on the character of adjacent neighborhoods and to ensure that issues of public safety, traffic and parking are mitigated, permitting of these facilities is governed by the following regulations. The intent of these regulations is to locate such Group Care Facilities where the adjacent Street system is sufficient to accommodate the traffic impacts generated by the Group Care Facilities; where the Site can accommodate adequate Off-Street parking; where the Structures are designed to be Compatible with the character of the adjacent neighborhood; and where the type of Use, activities, and services provided by the Group Care Facility are substantially consistent with the activities otherwise permitted in the district.

(B) **PERMIT REQUIRED**. All Group Care Facilities require a Conditional Use permit prior to occupancy. A business license and Certificate of Occupancy for the Group Care Facility is also required. No Certificate of Occupancy will be issued by the City for a Group Care Facility until the Applicant has submitted a valid license, or other appropriate authorization, or copy thereof, from a governmental agency having proper jurisdiction.

Family foster homes are exempt from these regulations.

Child Care homes and facilities are regulated in Section 15-4-9.

Elder Care homes are exempt from these regulations, provided that the maximum number of elderly Persons receiving care, protection and supervision in any such home shall not exceed eight (8) at any given time.

Dependent on the review criteria herein, the maximum permissible number of residents, excluding supervisors, is eight (8) in the R-1, HRC and HCB Zoning Districts; twelve (12) in the RCO, GC, and LI Zoning Districts; and six (6) in all other Districts

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Application #: **PL-15-02695**
Subject: **Intermountain Healthcare Hospital**
Author: **Kirsten Whetstone, Sr. Planner**
Date: **October 28, 2015**
Type of Item: **Master Planned Development Pre-application public hearing and discussion**

Summary Recommendations

Staff recommends the Planning Commission discuss and provide input regarding the Pre-Master Planned Development application for proposed amendments to the Intermountain Health Care (IHC) Master Planned Development (MPD) and conduct a public hearing. Finding a Pre-MPD application meets the general purposes of the zone and "initially complies with the General Plan" does not indicate approval of the MPD Amendment application but allows an MPD Amendment application to be filed for further consideration. Staff requests direction and continuation to November 11, 2015.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant:	IHC Hospital, Inc. represented by Morgan D. Busch
Location:	900 Round Valley Drive
Zoning District:	Community Transition MPD (CT-MPD)
Adjacent Land Uses:	Park City Recreation Complex, USSA training facility, US 40, and Round Valley open space
Reason for Review:	Pre-Applications for MPD amendments require Planning Commission review and a finding of initial compliance with the Park City General Plan prior to submittal of a full Master Planned Development application.

Proposal

This is a request for review of a pre-MPD application for two amendments to the Intermountain Health Care Master Planned Development (aka Park City Medical Center) located at 900 Round Valley Drive. On September 21, 2015, the applicant submitted a revised application requesting pre-MPD review of two proposed amendments (Exhibit A):

1. Subdivision of Lot 8 into two lots, allocating 3.6 acres to Peace House and creating an open space lot (Lot 12) from the remaining 6.33 acres.

2. Inclusion of additional density up to the maximum allowed in the CT Zoning District (up to 3.0 units per acre) for non-residential uses by incorporating an additional 50,000 sf of Support Medical Offices into the MPD to be allocated to either Lot 1 or Lot 6, or some combination thereof.

Background

On February 18, 2015, the Planning Department received a Master Planned Development pre-Application meeting application and letter from the applicant describing various MPD Amendments contemplated by IHC (Exhibit A). The application was considered complete on February 18, 2015, and scheduled for a Planning Commission meeting on April 8, 2015. At the April 8, 2015 Planning Commission meeting a public hearing was held and the item was continued to a date uncertain to allow Staff additional time to address the requested amendments in more detail. No staff report was provided for the April 8th meeting and there was no discussion or public input.

On August 26, 2015, the Planning Commission (see Exhibit B) reviewed a revised pre-MPD application and took action on the following pre-MPD items:

1. A request to locate the Peace House on the eastern portion of Lot 8 as partial fulfillment of the affordable housing obligation for the Medical Campus.

2. Location of a Fire Station was deemed appropriate within the IHC MPD with a final location to be determined during the full MPD amendment process.

3. Various administrative clarifications to the findings of fact and conditions of approval of the First Amended MPD (October 8, 2014).

4. A Development Agreement, reflecting the Annexation Agreement and the First and Second MPD Amendments, will be prepared by the Planning Staff, ratified by the Planning Commission, and recorded at Summit County.

Two additional items were briefly discussed at the August 26th meeting. These items were continued to a date uncertain. These two items are the subject of this Staff report:

1. Subdivision of Lot 8 into two lots, allocating 3.6 acres to Peace House and creating an open space parcel or Lot from the remaining lot 6.33 acres.

2. Pursue additional density up to the maximum allowed in the CT Zoning District of 3.0 units per acre (for non-residential uses) by incorporating an additional 50,000 sf of Support Medical Offices into the MPD for either Lot 1 or Lot 6, or some combination thereof.

Background of IHC Annexation and MPD Approvals

The property consists of the 157 acre IHC/USSA/Burbidge Annexation approved by the City Council in 2006. The property is subject to the IHC/USSA/Burbidge Annexation (Development) Agreement recorded at Summit County on January 23, 2007 (Exhibit C). The Agreement describes conditions and parameters of the annexation and future development of the property. On May 23, 2007, the Planning Commission approved an application for the Intermountain Healthcare Hospital MPD (aka Park City Medical Center) as well as a Conditional Use Permit for Phase 1 construction. Phase 1 included a 122,000 square foot hospital building (with an additional 13,000 square feet of

constructed, unfinished shell space) with 50,000 square feet of Support Medical Offices. Phase 1 was constructed and certificates of occupancy were issued. The final unfinished shell space is currently being finished with an active building permit.

Two separate medical support buildings were proposed in the initial phase of development, including the Physician's Holding building on Lot 7 and the People's Health Center/ Summit County Health offices building on Lot 10 (both approximately 25,000 sf). These buildings have their own CUPs, are constructed, and certificates of occupancy have been issued. Additionally, the USSA Center of Excellence building was approved with a CUP and constructed utilizing all 85 unit equivalents allocated to Lot 3.

On November 25, 2008, a final subdivision plat known as the Subdivision Plat (Amended) for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility was approved and recorded at Summit County (Exhibit D).

On October 8, 2014, the Planning Commission approved a request for MPD amendments for Phase 2 construction. The 2014 MPD Amendments transferred a total of 50,000 sf of Support Medical Offices to Lot 1 from Lots 6 and 8 (25,000 sf each) to be incorporated within the Medical Center Building. A Conditional Use Permit for the Phase 2 addition to the Hospital building on Lot 1 was also approved on October 8, 2014 that included construction of this Support Medical Offices as an addition to the existing hospital building on Lot 1. Building permits were issued in late 2014 and construction of Phase 2 is underway.

Pre-Application process

A requirement for an amendment to a Master Planned Development is review of a pre-application by the Planning Commission at a public meeting and a determination of initial compliance with the Park City General Plan and the general purposes of the Zoning District (CT zone in this case). The Land Management Code (LMC 15-6-4(B)) describes the pre-Application process as follows:

> At the pre-Application public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development. This preliminary review will focus on identifying issues of compliance with the General Plan and zoning compliance for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.
>
> The Planning Commission shall review the preliminary information to identify issues on compliance with the General Plan and will make a finding that the project initially complies with the General Plan. Such finding is to be made prior to the Applicant filing a formal MPD Application. If no such finding can be made, the applicant must submit a modified Application or the General Plan would have to be modified prior to formal acceptance and processing of the Application. For larger MPDs, it is

recommended that the Applicant host additional neighborhood meetings in preparation of filing of a formal Application for an MPD.

The full MPD is reviewed for compliance with the MPD requirements as outlined in LMC Chapter 6, the Annexation Agreement, the CT zone requirements, as well as any additional items requested by the Planning Commission at the pre-MPD meeting. Finding that a Pre-MPD application meets the general purpose of the zone and "initially complies with the General Plan" does not imply blanket approval of the requested MPD amendments and specific conditions may be required. If the pre-MPD is found to not comply, the applicant can amend the application, request an amendment to the General Plan or LMC, or abandon the request.

Density calculations (see Table 1 below)

Total approved density within the IHC MPD is 535,000 SF gross floor area which equates to a total of 415 UE, including 85,000 SF allocated for the USSA Center of Excellence constructed on Lot 3. The lots and current allocated density are identified below and in Table 3. See also Exhibit J- Annexation/MPD area map and lots.

Lot 1 (99.06 acres) is allocated a total of 180 UE of Hospital uses and 100 UE of Support Medical Offices uses for a total of 280 UE as described below.

Lots 6 (3.04 acres)**, 7** (3.40 acres)**, 8** (9.93 acres)**, and 10** (3.09 acres) are allocated density as described below.

The IHC MPD allows a total of 300,000 sf (180 UEs) of Hospital Uses on Lot 1 (one Hospital UE= 1666.67 sf per a formula agreed to and documented in the Annexation Agreement). Completion of all on-going construction will yield a total of 137,800 sf of Hospital Uses with 162,200 sf of Hospital Uses remaining to be constructed in future phases, subject to approval of a Conditional Use Permit.

A total of 150,000 sf (150 UEs) of Support Medical Office Uses (one Support Medical Office UE = 1,000 sf) were allowed on Lots 1, 6, 7, 8, and 10. Construction is underway for the remaining Support Medical Offices on Lot 1, including the 50,000 sf transferred from Lots 6 and 8, per the current MPD approvals. Construction of approximately 25,000 sf on each of Lots 7 and 10 is complete and no changes are proposed to these lots. Upon completion of the current construction on Lot 1, a total of 150,000 sf of Support Medical Office Uses will be complete (on Lots 1, 7, and 10). The 50 UE of Support Medical Uses on Lots 6 and 8 were transferred to Lot 1 during the First Amended IHC MPD.

Lot 3 (5 Acres) is identified on the plat for 85 UE (85,000 sf) for USSA.

The remaining lots (**Lots 2, 4, 5, 9, and 11**) were not allocated density in terms of Unit Equivalents through the Annexation Agreement:

Lot 2 (8.492 acres) is identified on the plat as an open space lot and no UEs are allocated to this lot.

Lot 4 (5 acres) is referred to as the "City Donated Parcel" and is referred to in Sections #11 (a and d) and #17 of the IHC MPD findings of fact attached as Exhibit A of the Annexation Agreement (Exhibit C) as the parcel donated to Park City and identified as the location of 28 townhouse units to satisfy a portion of the IHC affordable housing obligation. These units were transferred to the Park City Heights Master Planned Development to be incorporated within that residential neighborhood. The November 6, 2013, Park City Heights Amended MPD (Exhibit E) includes the following language as finding of fact #1g:

> #1g. An additional 5 acres of deeded open space is provided on Round Valley Drive adjacent to US 40 south of the Park City Medical Center. This open space is not included in the 72% (*open space for PC Heights MPD*) figure. This is in exchange for transferring the 28 IHC deed restricted townhouse units to the PC Heights neighborhood. This parcel is deed restricted per requirements of the Burbidge/IHC Annexation and Development Agreements.

Section 11 of the IHC Annexation (Development) Agreement specifies language regarding the situation, design, and construction of affordable units on the parcel; discusses proceeds from the sale or lease of the "Units"; describes extension of utilities to this parcel; and describes any obligation, cost or otherwise for water rights or interests and also describes public fees necessary for construction of the "Units" on the City Donated Parcel. The City is looking into agreements and process associated with this parcel in light of the Fire District's interest in a portion of it.

Lot 5 (15 acres) is a 15 acre parcel donated to the City for "public recreation and open space purposes" per the Annexation Agreement. This parcel is located adjacent to the City's Ice Rink, within the Quinn's Recreation Complex MPD and is being studied for a variety of possible recreational uses. No UEs or density is allocated to Lot 5 in the Annexation Agreement. If density, in terms of UEs, is required for construction of a similarly sized public recreation facility (45-50 UEs), which is a Conditional Use in the CT Zoning District, and this additional density is granted to the IHC MPD and utilized on Lot 5, then there would be little to no UEs available for expansion of the hospital (and vice versa).

Lot 9 is the location of a Questar Gas regulating station on 0.174 acres and no UEs are allocated.

Lot 11 contains 0.951 acres and wraps the gas regulating station lot. The Annexation does not identify a use or UEs for Lot 11. Lots 9 and 10 are located adjacent to the Quinn's Recreation complex at the south end of the MPD.

In order to understand the density allowed by the Annexation Agreement Staff created the following tables. Table 1 identifies the allocated density per Lot as well as identifies the remaining allocated density still to be built and includes the 50,000 square feet of requested additional density in the last column. Table 2 is a breakdown of the Support Medical Office density allocation.

Table 1

Density of IHC MPD	**Approved per IHC MPD and 1st Amendment**	**Approved and built or under construction**	**Remaining to be built (includes possible SF if MPD is amended)**
Hospital Uses On Lot 1	300,000 SF (square feet) (180 UE)*	137,800 SF (82.68 UE)	**162,200 SF (97.32 UE)**
Total Support Medical Offices on Lots 1, 6, 7, 8, and 10	150,000 SF (150 UE)**	150,000 SF (150 UE) (68,000 SF existing with 82,000 SF under construction.)	**0 SF to 50,000 SF (50 UE)*** **
Lots 2, 3, 4, 5, 9, and 11	85 Unit Equivalents identified for Lot 3, 28 affordable units on Lot 4, 0 UE identified for Lots 2, 5, 9, and 11	85,000 SF (85 UE) for USSA Center of Excellence on Lot 3 28 affordable units on Lot 4 - transferred to Park City Heights and under construction.	**0 SF- (UE needed for for a public recreation facility?)**
Total Includes Hospital Uses/ Support Medical Office on Lots 1, 6, 7, 8 and 10 and USSA on Lot 3	**535,000 SF (415 UE)** **450,000 SF (330 UE) plus 85,000 SF (85 UE)**	**287,800 SF (232.68 UE)**	**162,200 SF (97.32 UE) of Hospital Uses 0-50,000 SF (50 UE) Support Medical Office Uses*** **

Table 2

Medical Support Offices on Lot 1	100,000 SF (100 UE)	100,000 SF (100 UE)	**0 SF to 50,000 SF (50 UE) *** **
Support Medical office Lots 7 and 10	50,000 SF (50 UE)	50,000 SF (50 UE)	**0 SF**
Support Medical office Lot 6	25,000 SF (25 UE) transferred to Lot 1 with 1st MPD Amendment)	0 SF	**0 SF to 50,000 SF (50 UE) *** **
Support Medical office Lot 8	25,000 SF (25 UE) transferred to Lot 1 with 1st MPD Amendment)	0 SF	**0 SF (Peace House UE for portion of Summit CO affordable units)**

*1 UE= 1666.67 sf of hospital use per the annexation agreement.
**1 UE= 1,000 sf of Support Medical Office Use.
*** Subject to approval of MPD Amendment for additional 50 UE as 50,000 sf of Support Medical Office Uses.

The overall density of the Annexation area is 2.64 UE per acre for the allocated Unit Equivalents identified in the Annexation Agreement. There are a total of 415 UE specified on the 157.243 acres of the entire Annexation area. If an additional 50,000 sf (50 UE) of Support Medical Office Uses are approved, then the overall density would be 2.957 UE per acre (465 UE on 157.243 acres). Hospital Use at 50 UE would result in 83,333.5 sf; however this use is no longer being requested. Density is discussed in greater detail in the Analysis section below.

Density Allocation of Annexation/MPD
Table 3

Lot #	Lot Area (acres)	Density (UE)	Ownership
1	99.06	280	IHC
2	8.49	n/a (open space)	IHC
3	5.0	85	USSA
4	5.0	n/a (was affordable housing parcel)	PCMC
5	15.0	n/a (open space and recreation uses)	PCMC
6	3.04	0 (25 were transferred to Lot 1)	IHC
7	3.40	25	IHC/MOB
8	9.93	0 (25 were transferred to Lot 1)	IHC
9	0.17	n/a	Questar
10	3.09	25	IHC (Summit CO/Peoples Health)
11	0.95	n/a	IHC
Roads	4.11	n/a	PCMC- ROW
TOTAL	157.24	415 UE	

Proposed MPD Amendments

1. Subdivision of Lot 8
The applicant is requesting an MPD amendment to allow a subdivision of the existing 9.934 Lot 8 into two lots (Exhibit F). Lot 8 is located directly north of the Summit County Health Department Building. The 3.6 acre eastern portion of Lot 8 would remain as Lot 8 and a new Lot 12 would be created from the remaining 6.334 acres. IHC would retain ownership of Lot 12 as a dedicated open space lot and Lot 8 would be encumbered with a ground lease for the Peace House. The western portion (Lot 12) is primarily wetlands and wetlands buffer. There is no minimum lot size in the CT zone and setback requirements of the zone can be met. A formal plat amendment application is necessary to split the existing lot into 2 lots, with review and recommendation by Planning Commission and final action by the City Council. The applicant has revised the pre-MPD application to stipulate that Lot 12 would be deeded as an open space Lot as an additional public benefit for the MPD.

Staff requests discussion of the request to subdivide Lot 8 into two separate lots to allow IHC to provide a ground lease on a portion of Lot 8 for the Peace House.

Is this subdivision of Lot 8 consistent with the General Plan and general purposes of the CT Zone? Would dedication of the new 6.334 acre Lot 12 be considered an additional public benefit that would in part support the request for additional density?

2. Request for 50 UE of additional Support Medical Offices

Lots 1 and 6 - Density
The applicant is requesting consideration of an MPD amendment to allow an additional 50 UE of density to be identified for the Medical Campus. The applicant is requesting consideration of this additional density for Lots 1 and/or 6 depending on future needs of the hospital. The applicant is requesting 50 UE of additional density, in the form of 50,000 sf of Support Medical Office uses (1 UE= 1,000 sf). This is approximately a 12% increase in the allocated density. Lot 6 currently has no density associated with it, as the 25UE of Support Medical Offices allocated during the Annexation/MPD were transferred to Lot 1 with the First IHC MPD Amendment. See Exhibit J for the site plan of approved existing and future expansion of Hospital and Support Medical Office uses.

Final allocation could be determined at the time of review of the MPD amendment or at the time of a Conditional Use Permit as a future phase of construction. Staff recommends that a Development Agreement should indicate total density and how it can allocated.

The Annexation Agreement states that the approved density is 2.64 UE per acre. There are a total of 415 UE approved on the 157.243 acres of the entire Annexation area (see Density and Square footage Table 1 above). If an additional 50 UE of Support Medical Offices is approved, the resulting density would be 2.957 UE per acre (465 UE on 157.243 acres).

Maximum base density allowed in the Community Transition (CT) Zoning District is 1 UE per 20 acre. A bonus density up to a maximum of 3 UE per acre may be approved provided that all Density bonus requirements set forth in LMC Section 15-2.23A (Exhibit G) are met and the additional standards are incorporated into the Master Planned Development. Those standards include:

1) Minimum of 80% Open Space
2) 300’ Frontage Protection Zone (FPZ) no-build Setback from US 40.
3) Minimum of 60% of the required parking located in structured or tiered parking
4) Additional Enhanced Public Benefit Dedication
5) 5% additional Affordable Housing commitment

A detailed density analysis is required with the full MPD application to identify open space calculations, FPZ setbacks, parking plan layout and phasing of structured and tiered parking, description of enhanced public benefit dedication, and to identify how the

affordable housing obligations will be met and phased. Additionally the full MPD application would need to include updated traffic and utility capacity studies.

During the Annexation discussion the intent was to include in the 3 units/acre ratio density all of the medical support uses. Also, there was a preference for institutional uses (i.e. Hospital, County Health, and USSA) focusing on support for the hospital and not for more private clinics and offices.

Any additional density allowed through an amendment to the MPD would have an additional affordable housing obligation. For example an additional 50,000 sf of medical offices would trigger an additional 11.66 AUE based on the 17-99 Resolution which defines an AUE as a two-bedroom unit of 800 square feet (and allows for equivalent housing types and sizes based on the 800 square feet).

The full MPD amendment application should identify phasing for the remaining affordable housing obligation, including a plan for any additional density that may be granted during the MPD process. The Park City Housing Authority indicated that if additional density is granted that a portion of that density shall be allocated to Lot 8 for that portion of the Peace House that satisfies Affordable Housing for uses not within this MPD.

<u>Lot 5- Density</u>
Staff requests the Commission discuss the issue of density for Lot 5. Lot 5 was dedicated to the City for public recreation and open space uses as part of an MPD requirement for additional public benefits per the CT zoning district. The IHC Annexation Agreement does not allocate density, in terms of unit equivalents (UEs) or square footage of construction Lot 5. LMC Section 15-2.23-4(B) includes the following language for density greater than one (1) unit per acre:

> **ADDITIONAL ENHANCED PUBLIC BENEFIT DEDICATION**. The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional Uses reasonably related to the General Plan goals for the Area, and impacts of the Development beyond that provided to achieve a project Density of up to one (1) unit per acre by a factor reasonably related to the Density increase sought.

Additionally, LMC Section 15-6-8 states that “in order to allow for, and to encourage, a variety of unit configurations, Density shall be calculated on the basis of Unit Equivalents. Unless otherwise stipulated, one (1) Unit Equivalent equates to one (1) single family Lot, 2,000 square feet of Multi-Family Dwelling floor area, or 1,000 square feet of commercial or office floor area”.

In residential projects the LMC states that “common outdoor facilities, such as pools, spas, recreation facilities, ice-skating rinks, decks, porches, etc. do not require the Use of Unit Equivalents.

The LMC also states that “Commercial spaces, approved as a part of a Master Planned Development, shall be calculated on the basis of one (1) Unit Equivalent per 1000

square feet of Net Leasable Floor Area, exclusive of common corridors, for each part of a 1,000 square foot interval. For example: 2,460 square feet of commercial Area shall count as 2.46 Unit Equivalents.

Staff requests discussion regarding the request for an additional 50 UE of Support Medical Offices for the IHC Medical Campus.

Does the Commission find that this additional density is consistent with the intent of the Annexation Agreement and the CT Zone?

If approved, should the uses for this density be spelled out in detail at the time of the MPD to ensure that it is support for the Hospital?

If approved, should the location of these uses be identified with the Second Amended MPD to specific lots (Lots 1 or 6)? Or should the location of the additional Support Medical Offices be left flexible to be determined during the CUP process prior to permit issuance?

Staff also requests discussion related to density for public recreation facilities and essential public facilities, e.g. whether public ice rinks, public indoor fields and recreation facilities, fire stations, police stations, etc. along with support administrative uses, locker rooms, maintenance and storage facilities, etc. should be required to utilize density? If an expanded public recreation facility on Lot 5 is required to utilize density (likely 40-50 UE), then little to no density would be available for the Medical Campus and vice versa.

Analysis

The purpose of the MPD pre-application public meeting is to have the applicant present preliminary concepts and give the public an opportunity to respond to those concepts prior to submittal of the complete MPD amendment application. Staff provided the Community Transition (CT) Zoning district Chapter from the Land Management Code (Exhibit G) as well as relevant Goals and Strategies, and the Quinn's Neighborhood Section, of the General Plan (Exhibit H).

Community Transition (CT) Zone

The CT zone per LMC Section 15-2.23-2 allows for a variety of uses including hospital, health related services, and support medical offices. It was determined at the time of the annexation and approval of the MPD that the Intermountain Healthcare Hospital (aka Park City Medical Center) was consistent with the purpose and uses of the zone. Lots 1 and 6 are of sufficient size to accommodate additional building square feet and meet required CT zone setbacks (30'). It was determined that Support Medical Office uses would utilize density at the same rate as Commercial Uses in other zoning districts and that Hospital Uses would be calculated using a modified formula based on the specific requirements and nature of Hospital construction

Does the Planning Commission find the proposed MPD amendments are consistent with the CT Zone in terms of purpose and uses?

General Plan Review

The IHC MPD (aka Park City Medical Center Campus) is located in the Quinn's Junction neighborhood, as described in the new Park City General Plan. Specific elements of the General Plan that apply to this project include the following: (*Staff analysis and comments in italics)*

Quinn's Junction Neighborhood- Park City Medical Center is listed as a neighborhood icon in the Quinn's Junction Neighborhood section of the General Plan. The Joint Planning Principles for the Quinn's Junction (Exhibit H) area recommend development patterns of clustered development balanced with preservation of open space. Public preserved open space and recreation is the predominant existing land use, including the Round Valley and Quinn's Complex open spaces.

Development should be designed to enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas. New development should be set back in compliance with the Entry Corridor Protection Overlay. Sensitive Lands should be considered in design and protected.

In Volume 2 of the Park City General Plan, Section 10.1 (Quinn's Junction Neighborhood: Regional Planning to guide future development along the City Boundary) and Section 10.2 (Quinn's Junction Neighborhood: An area for Regional Institutional Uses) provides support for the proposed Support Medical Office uses, as well as other institutional uses, such as hospital, educational facilities, recreation, sports training, arts, cultural heritage, etc. (see Exhibit H).

The proposed amendments to the IHC MPD include a request to subdivide an existing lot to construct, on a separate leasable lot, transitional housing as well as an emergency shelter. The proposed amendments also include allocating an additional 50 UE of density of Support Medical Office uses to enable the Medical Center to address short term growth for support medical uses in Summit and Wasatch Counties.

There is already a significant amount of projected growth that the Medical Center has become aware of from recent presentations from Envision Utah and the State. IHC sees the additional 50 UE of density as a short term (5-10 years out) as opposed to a long term future as they previously thought. The applicant will provide additional information on this item at the meeting.

For long term future needs IHC already anticipates the need to become part of a TDR program due to constraints of the allowed density in the CT Zoning District.

Development location of any additional UEs is required to be setback from the Entry Corridor and building placement and architecture would be similar to the Medical Office Building to the north and to the Summit County Health Building to the south. Views from Highway 248 would be studied and presented with the full MPD as

required in the LMC. Sensitive wetland areas will have to be protected and dividing Lot 8 could facilitate this.

Staff recommends that transit options be studied and presented with a full MPD application. The Commission can request an analysis of uses at the time of the MPD application, to determine impacts on traffic, parking, utilities, etc.

Maximum base density allowed in the Community Transition (CT) Zoning District is 1 UE per 20 acres. A bonus density up to a maximum of 3 UE per acre (maximum of 1 UE per acre for residential uses) may be approved provided that all Density bonus requirements set forth in LMC Section 15-2.23A (Exhibit G) are met and the additional standards are incorporated into the Master Planned Development. Those standards include:

- *Minimum of 80% Open Space*
- *300' Frontage Protection Zone (FPZ) no-build Setback*
- *Minimum of 60% of the required parking located in structured or tiered parking*
- *Additional Enhanced Public Benefit Dedication*
- *Additional Affordable Housing commitment*

Staff requests the Planning Commission discuss whether the General Plan supports or does not support additional density for support medical uses within the IHC MPD? Does the General Plan provide enough guidance to answer this question and if so, does the General Plan provide guidance as to what are acceptable community benefits that should be provided in exchange for the additional density (12% overall increase in density for the MPD). Should the General Plan be amended to provide better direction?

Small Town- Goals include protect undeveloped land; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. Goals also include encourage alternative modes of transportation.

Quinn's Junction is identified as a Development Node. The proposed MPD amendments include uses to support the existing Hospital uses and mission. By providing additional square footage within an existing campus, IHC believes that there are opportunities to co-utilize space to provide for more efficient medical care in one campus. There is existing City bus service to the area on an as needed basis and additional uses will help to validate additional transit services. The IHC MPD is located on the City's trail system and adjacent to Round Valley open space and Quinn's Recreation Complex. The location is convenient to medical services and recreation. If the additional 50 UE can be incorporated within the developed area of Lot 1undeveloped lands in other areas could be protected, such as Lot 6.

Natural Setting- Goals include conserving a healthy network of open space for continued access to and respect for the natural setting. Goals also include energy efficiency and conservation of natural resources.

The proposed MPD amendments include expansions of existing uses by requesting additional density for future hospital expansion and by relocating the existing Peace House to a location where their mission can be expanded. The MPD application will need to analyze open space requirements taking into consideration building footprint, parking, and driveways for the proposed uses. Green building requirements are part of the existing Annexation Agreement and would continue to apply to any future hospital expansion.

Staff requests discussion regarding the location of any additional density and whether that should be restricted to Lot 1 as opposed to the options of Lot 1 or Lot 6 in order to cluster the additional density.

Sense of Community- Goals include creation of diversity of housing, including affordable housing; provision of parks and recreation opportunities; and provision of world class recreation and infrastructure to host local, regional, national, and international events while maintaining a balance with the sense of community.

A primary reason for the proposed MPD amendments is to ensure that this community amenity has the ability to address short term needs as they arise. It is important to IHC to know far enough in advance what their future development potential is, both in terms of additional UEs and that they have an updated Development Agreement that spells out agreed upon expectations and requirements for future expansion. IHC is part of Park City's world class recreation and infrastructure and will need to continue to balance their development with the needs of the community.

Are there additional items that the applicant should submit with the MPD application or that should be included in the amended Development Agreement to clarify any specific issues or concerns regarding housing, recreation, open space, or enhanced public benefits that would allow the MPD to be more consistent with the General Plan?

Notice

A legal notice of this public hearing was published in the Park Record on October 10, 2015. The property was re-posted and notice letters were mailed out on October 14, 2015 according to requirement of the LMC.

Public Input

No public input has been received by the time of this report.

Alternatives

- The Planning Commission may find that all or some of the proposed MPD amendments presented in the Pre-MPD application are consistent with the Park City General Plan and general purposes of the CT Zone; or
- The Planning Commission may find that all or some of the proposed MPD amendments are not consistent with the Park City General Plan and may provide direction to the applicant to make modifications to render the MPD application consistent with the General Plan and general purposes of the CT Zone; or

- The Planning Commission may continue the discussion on all or portions of the MPD amendments and request additional information on specific items.

Future Process

If the pre-MPD application is found to be initially compliant with the General Plan and purposes of the CT Zone the applicant may submit a full and complete MPD Application for review by the Staff and Planning Commission. The Planning Commission takes final action on the MPD application and that action may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Review and approval of a Conditional Use Permit application by the Planning Commission is required prior to building permit issuance for construction of future phases of development within the MPD.

Summary Recommendations

Staff recommends the Planning Commission discuss and provide input regarding the Pre-Master Planned Development application regarding proposed amendments to the IHC Master Planned Development (MPD) and conduct a public hearing. Staff has provided findings of fact and conclusions of law for the Commission's consideration. Finding a Pre-MPD application consistent with the General Plan and general purposes of the LMC, allows an MPD Amendment application to be filed for further consideration. Staff requests discussion and continuation to November 11, 2015 to make any requested changes to the findings, conclusion, and conditions.

Findings of Fact

1. On September 21, 2015, the City received a revised application for a Pre-Master Planned Development application for amendments to the IHC Master Planned Development.
2. The proposed MPD Amendments include the following requests:
   - Subdivision of Lot 8 into two lots, Lot 8 would become 3.6 acres to provide a separate lot for the Peace House and Lot 12, created from the remaining 6.33 acres, would be dedicated as an open space lot, preserving wetlands and open space within the MPD.
   - Additional 50 units of density (12% increase) for Medical Support Office uses increasing the density of the MPD from 2.64 units/acre to 2.96 units/acre, with the additional density proposed to be constructed on Lots 1 and/or 6.
3. The property is zoned Community Transition- Master Planned Development (CT-MPD).
4. There is no minimum lot size in the CT zone.
5. The base density in the CT Zone is 1 unit per 20 acres. Maximum density allowed in the Community Transition (CT) Zoning District for non-residential projects is 3 units per acre provided that all Density bonus requirements set forth in LMC Section 15-2.23-4 are met and the additional standards are incorporated into the amended Master Planned Development and Development Agreement.
6. The approved MPD was required to provide various bonuses per Section 15-2.23-4 (B) because it included density of greater than 1 unit per acre.
7. Access to the property is from Round Valley Drive, a public street.
8. The property is subject to the IHC/USSA/Burbidge Annexation plat and

Annexation Agreement recorded at Summit County on January 23, 2007.

9. On May 23, 2007, the Planning Commission approved a Master Planned Development for the IHC aka Park City Medical Center as well as a Conditional Use Permit for Phase One construction.
10. On November 25, 2008, a final subdivision plat known as the Subdivision Plat (Amended) for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility was approved and recorded at Summit County.
11. On October 8, 2014, the Planning Commission approved MPD amendments for Phase 2 construction. These MPD Amendments transferred 50,000 sf of support medical office uses to Lot 1 from Lots 6 and 8 (25,000 sf each).
12. An amendment to the IHC Master Planned Development (MPD) requires a Pre-MPD application and review for initial compliance with the Park City General Plan and the purpose and uses of the CT Zoning District as described in Land Management Code (LMC 15-6-4(B)).
13. The CT zoning district, per LMC Section 15-2.23-2, allows for a variety of uses including conservation and agriculture activities; different types of housing and alternative living situations and quarters; trails and trailhead improvements; recreation and outdoor related uses; public, quasi public, civic, municipal and institutional uses; hospital and other health related services; athlete training, testing, and related programs; group care facilities, ancillary support commercial uses; transit facilities and park and ride lots; small wind energy systems; etc.
14. Public and private recreation facilities are a Conditional Use in the CT zoning district.
15. General Acute Hospital and Accredited Medical Clinics and Medical Offices and support uses are a Conditional Use in the CT zoning district.
16. It was determined at the time of the annexation and approval of the MPD that the Intermountain Healthcare Hospital (aka Park City Medical Center) and the associated support medical office uses are consistent with the purpose and uses of the zone.
17. The purpose of the pre-application public meeting is to have the applicant present preliminary concepts and give the public an opportunity to respond to those concepts prior to submittal of the MPD amendment application.
18. IHC is located in the Quinn's Junction neighborhood, as described in the Park City General Plan.
19. The Joint Planning Principles for the Quinn's Junction area recommend development patterns of clustered development balanced with preservation of open space. Public preserved open space and recreation is the predominant existing land use. Clustered development should be designed to enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas. New development should be set back in compliance with the Entry Corridor Protection Overlay. Sensitive Lands should be considered in design and protected. Sensitive wetland areas should be protected and taken into consideration in design of driveways,

parking lots, and buildings, as well as protected from impacts of proposed uses.

20. Uses contemplated in the Joint Planning Principles for this neighborhood include institutional development limited to hospital, educational facilities, recreation, sports training, arts, cultural heritage, etc.
21. The proposed MPD amendments are consistent with the intent of the Joint Planning Principles for the Quinn's Junction area and are a compatible use in this neighborhood as the development will be located on existing lots, setback from the Entry Corridor to preserve the open view from SR 248, and the impacts of parking and traffic can be mitigated per requirements of the CT zone, pedestrian connections can be maintained and enhanced by providing additional trails and open space, and the architectural character can be maintained with authentic materials and building design required to be compatible with the existing buildings.
22. Small Town Goals of the General Plan include protection of undeveloped land; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. Alternative modes of transportation are encouraged.
23. Quinn's Junction is identified as a Development Node. The proposed MPD amendments include uses to ensure that the Medical Campus can continue to serve the needs of the community into the future.
24. There is existing City bus service to the area on an as needed basis and additional uses will help to validate additional services as a benefit for all of the uses in the area. Studies of transit and transportation in the Quinn's area will be important in evaluating the merits of the MPD amendments and considerations for permanent bus routes in the area.
25. The Medical Campus is located on the City's trail system and adjacent to Round Valley open space.
26. Natural Setting Goals of the General Plan include conserving a healthy network of open space for continued access to and respect for the natural setting. Goals also include energy efficiency and conservation of natural resources.
27. With the proposed changes the MPD would require a minimum of 80% open space, excluding all hard surface areas, parking, driveways, and buildings.
28. Green building requirements are part of the existing Annexation Agreement and the CT Zone density bonus requirements and would continue to apply.
29. On August 26, 2015, the Planning Commission conducted a public hearing and discussed the pre-MPD application. The Commission continued discussion on the proposed amendments described in this report to a date uncertain.
30. On October 14, 2015, the property was re-posted and letters were mailed to neighboring property owners per requirements of the Land Management Code.
31. On October 10, 2015, a legal notice of the public hearing was published in the Park Record and placed on the Utah public meeting website.
32. At the pre-Application public meeting, the Applicant presented preliminary concepts for the proposed Master Planned Development. This preliminary

review focused on identifying issues of compliance with the General Plan and zoning compliance for the proposed MPD.

Conclusions of Law

1. The proposed MPD Amendments to the Intermountain Healthcare Hospital MPD initially comply with the intent of the Park City General Plan and general purposes of the Community Transition (CT) zone.
2. These findings are made prior to the Applicant filing a formal MPD Application.
3. The proposed MPD amendments are consistent with the intent of the Joint Planning Principles for the Quinn's Junction area and are a compatible use in this neighborhood.
4. Finding a Pre-MPD application consistent with the General Plan and general purposes of the zone, does not indicate approval of the full MPD or subsequent Conditional Use Permits.

Conditions of Approval

1. A full MPD application is required to be submitted and reviewed by City Staff with a recommendation provided to the Planning Commission prior to issuance of any building permits for construction related to these amendments.
2. The full MPD application will include typical MPD studies such as an updated traffic/intersection study, updated utility capacity study (including water, sewer, gas/electric, communications, etc.), a revised phasing plan, an affordable housing plan for remaining and new obligation, reports on any additional mine hazard or soils issues for revised building footprints, open space calculations, updated sensitive lands and wildlife reports, Frontage Protection Zone setback exhibit, parking analysis, and public benefits analysis.
3. The MPD will be reviewed for compliance with the MPD requirements as outlined in LMC Chapter 6, the Annexation Agreement, the CT zone requirements, as well as any additional items requested by the Planning Commission at the pre-MPD meeting.
4. The plat amendment to subdivide Lot 8 will include dedication of Lot 12 as an open space lot.
5. The Park City Housing Authority indicated that if additional density is granted to IHC then a portion of that density shall be allocated to Lot 8 for the portion of the Peace House that satisfies Affordable Housing for uses not within this MPD.
6. At the time of the MPD the Planning Commission should make a determination as to the location of any additional density allocated for the Medical Campus.

Exhibits

Exhibit A-- Applicant's revised MPD Amendment request (September 21, 2015)
Exhibit B-- Minutes of August 26, 2015 Planning Commission meeting
Exhibit C-- IHC Annexation Agreement (not exhibits) (January 23, 2007)
Exhibit D-- Second Amended IHC/USSA Subdivision plat (November 25, 2008)
Exhibit E--Findings from the Park City Heights Amended MPD
Exhibit F-- Proposed concept for subdivision of Lot 8
Exhibit G-- Community Transition (CT) Zoning District language from the LMC
Exhibit H-- General Plan sections
Exhibit I – Annexation/MPD area map
Exhibit J– Lot 1 Site Plan of MPD approved Hospital/Support Medical Office Uses

EXHIBIT A

PARK CITY MEDICAL CENTER
MEDICAL CAMPUS

MASTER PLAN DEVELOPMENT CHANGES
PARK CITY PLANNING COMMISSION

AFTER FIRST PRE-MPD HEARING
SEPTEMBER 21, 2015

Background

The Park City Planning Commission approved an MPD amendment for the Park City Medical Center on October 8, 2014. This MPD amendment was made to facilitate the building of the Medical Support Building attached to the hospital. One of the conditions of approval was for Intermountain Healthcare to return to the Planning Commission within 6 months with a revised affordable housing phasing plan to address options for the location of the remaining approximately 23.3 affordable housing units associated with the MPD.

This MPD amendment will address the affordable housing phasing plan, as well as other issues; lot subdivision, density, and conditions of approval from October 8th.

The Park City Planning Commission on August 26th held a public meeting and approved part of the pre-MPD application.

Affordable Housing

Intermountain Healthcare is working with Peace House to develop a new shelter. Intermountain is providing the location for the shelter on part of lot 8 of the subdivision at a cost of $1 per year. Peace House is planning to build a facility with transitional housing, shelter housing and support services. The total project would be about 25,000 square feet. Part of the funding for the Peace House project is coming from Summit County to fulfill other affordable housing requirements. Peace House's agreement with Summit County requires them to start construction by March 1, 2017.

Since Peace House is proposed as an affordable housing project, the density needed for Peace House should be granted as additional density above the already approved density granted to Intermountain Healthcare in the annexation agreement, and in addition to the permitted density in the CT zone.

The remainder of transitional housing, the shelter housing, and employee housing components of the Peace House project would qualify as affordable housing for Intermountain Healthcare future phases on the Medical Campus. It is estimated that the

Intermountain portion of the transitional housing is 2 affordable housing units, the shelter housing is 8.75 affordable housing units, and the employee housing is 1 affordable housing unit. So Peace House would meet all of Intermountain's affordable housing for the next phase of campus development (9.5 affordable housing units), currently planned for 2019 to 2025, and part of the full build out phase as well.

The remaining affordable housing obligation of 11.3 affordable housing units is tied to the full build out phase of the campus development after 2025. Intermountain's plan for any remaining affordable housing AUEs would be to have these units developed off-campus. One option under consideration is to participate with Park City Municipal Corporation if the city develops a shared equity program or other affordable housing assistance program for employees. The other option would be to participate with a private housing development off campus.

The Planning Commission approved this request that the Peace House project on Lot 8 is fulfillment of the affordable housing requirement for the next phase of development.

Intermountain is offering to Peace House 3.6 acres of buildable land on the eastern portion of lot 8, immediately north of the Summit County Public Health Building. Therefore, lot 8 will need to be subdivided so that the remainder of lot 8 (the wetlands and the portion of the lot west of the trail become a new lot 12) can be retained by Intermountain Healthcare. Intermountain Healthcare is not requesting that any of the additional density under consideration in this application be considered for the new Lot 12. From a practical standpoint, the wetlands west of the trail would need to be mitigated with the Corps of Engineers before that part of the proposed lot could be considered for development. Intermountain is not pursuing such mitigation.

The attached exhibit from Great Basin Engineering shows the current Lot 8 with the proposed new lots described as parcels. Parcel 1 on the exhibit is the land that would be named Lot 8 and used by Peace Lot. Parcel 2 on the exhibit is the new lot, to be named Lot 12 and retained by Intermountain Healthcare.

Intermountain is requesting approval of subdividing lot 8 into an eastern portion to be ground leased to Peace House, and a western portion to be retained by Intermountain.

Density

The current approved density for Intermountain Healthcare is 330 units. This represents 2.64 units per acre of density. This is the total amount approved in the annexation agreement. The CT zone has a maximum density bonus of 3 to 1, if all the conditions of the CT zone are met.

Intermountain is requesting approval of 50 additional units of density for the campus. This would bring Intermountain to the maximum density bonus of 3 to 1.

- ***These units would be medical support (ie. 50,000 square feet). These units would permit additional physicians to locate their offices on the campus after the North Building is filled. The North Building is anticipated to be filled around 2020.***

- ***These units would be built on Lot 1 or Lot 6 based on the future needs of the physicians wishing to move to Park City.***

October 8th, 2014 Conditions of Approval

In the published conditions of approval there were a few items that Intermountain Healthcare feels were inaccurate and would like the Planning Commission to correct as part of this application.

Condition #16 – This condition states that staff and the applicant shall verify that all items agreed to by the applicant listed in Findings of Fact #21, as mitigation for the loss of the use of a planned ball field have been completed.

During the hearing, staff acknowledged that Intermountain had completed all the items. This condition was part of the original staff report and not corrected in the final report.

Condition #17 – This condition states that the applicant shall conduct and present to the Planning Commission, a parking study of the Medical Center site.

During the hearing, the Planning Commission stated that such a parking study was not needed. This condition was part of the original staff report and not corrected in the final report.

The Planning Commission approved changing condition 16 and condition 17 as discussed during the meeting on August 26th.

Condition #18 – This condition states that a development agreement specifically for the IHC Master Planned Development, as amended, shall be ratified by the Planning Commission prior to the issuance of a building permit for the next phase of development.

Intermountain requests that the proposed Development Agreement also cover the items raised by this MPD amendment request, so there is one document for both the city and Intermountain to manage going forward.

Additional Request

On June 17th, representatives of Intermountain Healthcare met with Park City Planning Department Staff and representatives of the Park City Fire District. The Fire District has been interested in locating a fire station in the Quinn's Junction area. The Fire District has been discussing the potential of using part of Lot 4 (city owned) as the site of the new fire station.

Intermountain Healthcare supports the Fire District's proposal to place a fire station on the campus. It is clearly a public and civic use contemplated by the CT Zone and is the consistent with the intents of the existing MPD. Since this is a public and civic use, Intermountain believes the Planning Commission should not count the building for purposes of density on the campus.

The Fire District's proposed location on the south end of Lot 4 clusters the public use buildings on the campus and preserves the rest of the Lot 4 as open space adjacent to Intermountain's open space on Lot 1 next to Highway 40.

The Planning Commission approved the concept of the fire station on the campus, and that the fire station would be considered a community benefit.

1. <u>900 Round Valley Drive – Pre-Master Planned Development review for an amendment to the IHC Master Planned Development</u> (Application PL-15-02695)

Commissioner Worel disclosed that her office is located on the IHC Campus; however, that would not affect her ability to discuss and vote on this item.

Planner Whetstone reviewed the request for an amendment to the Intermountain Healthcare MPD. This was a MPD pre-application, which IHC is required to present to the Planning Commission and the public prior to submitting a formal Master Planned Development amendment application. Planner Whetstone explained that the Code tasks the Staff and the Planning Commission with finding that the requested concept is generally consistent with the zone, the existing Master Plan and Development Agreement, and with the General Plan. She noted that the IHC Campus is located in the Commercial Transition (CT) Zone. Planner Whetstone remarked that this pre-application request was being reviewed under the newly adopted General Plan. The Staff had conducted an analysis for compliance with the General Plan.

Planner Whetstone noted that the Staff report outlined five amendments; two of which the Staff was requesting to be continued. The three items for consideration this evening were 1) the Affordable Housing Plan and the question of locating the Peace House on Lot 8; 2) The subdivision of Lot 8 in to two lots; and 4) Administrative adjustments to conditions and the Development Agreement. The Staff report contained background information on the action the Housing Authority took in terms of the Peace House and how it could satisfy a portion of the remaining affordable housing obligation. Planner Whetstone commented on the request to subdivide Lot 8, which is where the Peace House is proposed to be located. It is a large lot and the request is to subdivide Lot 8 into one smaller parcel and one larger parcel; and to provide a lease on the smaller portion for the Peace House. The last item for discussion this evening related to the previous Master Planned Development approval amendment and the Conditional Use Permit that the Planning Commission recently approved. She noted that currently there is only an Annexation Agreement and they would like to turn that into a Development Agreement in order to address all of the issues on the campus.

Planner Whetstone stated that the Staff was requesting continuance on Item 3) a request for an additional 50,000 square feet of density for the Park City Medical Center for support medical uses; and 5) the appropriateness of a Park City Fire District station within the MPD. The Staff needed additional time to research these items and would bring them back to the Planning Commission on September 9th with Findings.

The Staff recommended that the Planning Commission conduct a public hearing on Items 1, 3 and 4 and discuss these items to determine whether or not there is consistency with the General Plan.

Morgan Bush, representing IHC, referred to page 101of the Staff report regarding the Affordable Housing component. He stated that during a meeting last Fall the Planning Commission requested that IHC do more due diligence and talk about affordable housing for future phases of expansion on the hospital campus. Mr. Bush reported that since that meeting they have been working with Peace House to consider locating Peace House on a portion of the hospital campus. IHC has signed a lease with Peace House for Lot 8. It is a 40 year ground lease with a ten year extension for $1 a year. He explained that the intent is to use 3.6 acres of Lot 8 on Round Valley Drive, the back loop road that is the fire road that should not be used by the public. They would like to eventually subdivide that portion and retain it as part of IHC property.

Mr. Bush stated that IHC went to the Park City Housing Authority to get questions clarified as to how much affordable housing credit IHC could get for the Peace House. He understood that because Peace House received $980,000 funding from the County as part of the Tanger Outlet Mall, that portion of the project could not be used by IHC for affordable housing because it was already satisfying another affordable housing obligation. Mr. Bush stated that for the remainder of the project the Housing Authority determined that there were 12.5 affordable housing units that would be available for IHC to use as part of their additional affordable housing. Mr. Bush proposed that those 12.5 units be considered as the next phase of their Affordable Housing; and that it be the only affordable housing placed on this campus. He emphasized that IHC would not want to provide additional residential units on-site because it is not consistent with how the campus works.

Mr. Bush stated that the 12.5 units would meet all of the projected need. As the hospital plans for future expansion in the next three to ten years, they have identified up to 90,000 square feet of additional hospital expansion, and that density already exists under the annexation agreement. However, the affordable housing needs to be provided before IHC can proceed with that expansion. Mr. Bush remarked that IHC was proposing that Peace House be allowed to proceed and be the affordable housing component of the plan for Phase 2 of the hospital expansion projects. In terms of the remaining affordable obligations that would be required for full buildout after 2025, IHC has been talking with the City Sustainability Department regarding the possibility of either participating in an employee support program for affordable housing, or they would have to purchase units in another housing project to satisfy those requirements. Therefore, the intent would be that the remaining 10.8 units of affordable housing associated with the full buildout phase would be provided off campus. Mr. Bush remarked that this was the affordable housing concept

they were proposing in fulfillment of the request by the Planning Commission last fall.

Doug Clyde, representing Peace House, stated that he has been involved in developing the site plan for Peace House. He remarked that it has been a long and cooperative relationship with IHC that meets the needs of the future of the Peace House. Mr. Clyde explained that the mission of the Peace House was changing going forward. Peace house is currently a small 3,000 square foot facility at an undisclosed location. It has been there over 20 years and it works well for the current need of interrupting violence. Mr. Clyde stated that the future of organizations like the Peace House is to provide a more complete facility. The Peace House plan for the IHC campus is to provide a facility that provides not only a short-term interruption of violence, but to also provide a platform for a transition back to normal life. Mr. Clyde stated that in addition to the current short-term component where people stay two weeks to two months, there would also be a larger component of transitional housing in which they would stay one to two years. Transitional housing and the associated support elements do more than just interdict immediate violence. It enables people to put their lives back together.

Mr. Clyde stated that under the proposed plan the emergency shelter portion would move out and expand, there would be twelve units of transitional housing, and a larger amount of support, which includes child care, counseling, recreation facilities, staff for the Peace House, as well as other uses. Mr. Clyde pointed out that it would be a different Peace House in a 40,000 square foot facility.

Mr. Clyde provided a handout outlining the Mission of Peace House, as well as the Overview of the Peace House Community Campus. The back page of the handout contained a site plan for the Peace House. Mr. Clyde explained the process up to this point. They were now selecting a final architect and getting ready to do hard architecture. They would be coming back to the Planning Commission with a conditional use permit application.

Mr. Clyde reviewed the site plan and noted that the space on Lot 8 would give Peace House a public face. People from the street can learn about who they are and it will be a place where their Boards could meet. It will be a place to educate the public as well as protect and transition the victims. Mr. Clyde stated that being in a location with public access is important, but it is also important to be in a location with safe surroundings. He noted that a potential fire station is under consideration, which would be another benefit in terms of safety and security.

Mr. Bush commented on the three conditions from the last MPD meeting. He noted that Condition #16 states that, “The Staff and the applicant shall verify that all items relating to the planned ballfield mitigation had been completed”. Mr. Bush stated that it was noted

during the meeting that it had been completed; however, the Condition did not match what was discussed in the hearing. He requested that it be corrected for the record.

Mr. Bush noted that Condition #17 states, “The applicant shall conduct and present a parking study one year after occupancy of the north building”. He recalled that it was recommended by Staff, but based on their discussion he understood that instead of doing the parking study now, it should be done in conjunction with the next hospital expansion. Mr. Bush requested that it be corrected for the record.

Mr. Bush stated that Condition #18 relates to a Development Agreement. IHC supports having a Development Agreement that incorporates the Annexation Agreement, the MPD and the two amendments so everything is in one document. It would make it easier for IHC and the Staff to monitor to make sure they were fulfilling all the obligations that were agreed to.

Mr. Bush summarized that the items for discussion this evening were the Peace House, Affordable Housing and the corrections to the Conditions of Approval from October 2014.

Commissioner Worel stated that in looking at the proposed site plan the campus appeared to be fenced. Mr. Clyde replied that there would be multiple layers of security but there would be no perimeter fencing.

Commissioner Joyce wanted to know what would happen with the building if for any reason the Peace House might go away in the future. Mr. Clyde stated that if Peace House were to fail the facility would default to the landlord, and they would be responsible to continue using it to fulfill their affordable housing obligation.

Commissioner Joyce questioned why Peace House had chosen this location for transitional housing when there were no support services in the area other than medical. Mr. Clyde stated that it was a complicated issue. They want a public face but it still needs to be sequestered from the general public. It would be impractical to implement the type of security that Peace House needs inside an urban environment. Transitional housing is a secure site and no outside visitors are allowed, except under special circumstances. In many respects they have to blend the need for different levels of security with how to interface with the public.

Chair Strachan understood that 40,000 square feet was the intended structure. He asked for the number of total AUs. Mr. Clyde replied that without having a hard number on the square footage he estimated approximately 20 AUs. There would be 12 transitional studio units with lockout bedrooms, which would be slightly over 1 UE; and eight emergency shelter units with lockouts as well. However, the emergency shelter units would not have

cooking facilities. Chair Strachan clarified that 12 units would go to the Hospital and 8 units would go to Summit County for a total of 20 AUs. Mr. Clyde answered yes.

Commissioner Joyce noted that the Hospital has been operational for quite a while and the second phase was fast approaching; however, they have not built any of the 28 affordable housing units that IHC was putting in Park City Heights to fulfill their obligation. He understood that part of the delay was tied to delays in Park City Heights. Commissioner Joyce remarked that a few months ago he heard that some of the Park City Heights units were starting to be sold, and that the affordable housing units would be sold over the next five to ten years. Commissioner Joyce found it unacceptable to have a hospital project with an affordable housing commitment that goes from being built and open for years to being expanded without seeing one unit of affordable housing. The Peace House would be the first affordable component primarily because Peace House has a deadline to meet.

Commissioner Joyce understood that the City was doing a lot of work with Affordable Housing, but he was frustrated with the process. Another example was the obligation for worker housing for PCMR that was never built. Commissioner Joyce suggested that the City should begin to require that the affordable housing be built and occupied before a certificate of occupancy is issued for the remainder of the project.

Mr. Bush recalled that Commissioner Joyce had made this same comment at the October meeting. He understood that moving forward IHC needs to have the affordable housing projects or programs in place before they bring plans for any future hospital expansion. Mr. Bush stated that IHC was committed to working with partners in the community to meet their affordable housing obligation.

Commissioner Joyce appreciated that Mr. Bush understood his concern. He emphasized that the problem was not just with the Hospital, and that it was important to establish a policy that would apply to every project with an affordable housing obligation.

Mr. Erickson reported that he and Planner Whetstone were already looking into the delays at Park City Heights. He asked Mr. Bush to explain IHC's agreement with Park City Heights on building the first set of affordable units. Mr. Morgan stated that it goes back to the Annexation Agreement and the agreement that was struck as part of the Annexation. He explained that the IHC Board has said that Intermountain Health Care is not in the housing business and they should partner with other entities to build the affordable housing units. Mr. Bush stated that Burbidge and Ivory Development took the responsibility for the required 44.78 affordable units as part of the Annexation and Sales Agreement for the land. Therefore, IHC has not been involved in the actual Park City Heights projects. He noted that Burbidge had to put up a bond as part of the Park City Heights project, and Lot 4

of the IHC campus was deeded to the City as part of the affordable housing contribution. That was the extent of what IHC was obligated to do under the Annexation.

Mr. Erickson stated that building the affordable housing required of this project was critical and it would be resolved before the City allows the next phase of this pre-master plan. He offered to come back with more specific information for the Planning Commission at the next meeting. In addition, the Commissioners were welcome to visit the Planning Department to discuss the matter. Mr. Erickson agreed with Commissioner Joyce's suggestion to amend the LMC to build the affordable housing units early in the project; and he was willing to have that discussion.

Planner Whetstone noted that the Annexation Agreement was included in the Staff report, and pages 130 and 131contained a section on affordable housing. Planner Whetstone reported that she was currently working with Rhoda Stauffer, the City Affordable Housing Specialist, on a training program for the Planning Commission regarding the affordable housing resolutions and the program itself. She thought it would be helpful for the Planning Commission to understand the resolutions and all the amendments, and they would schedule that training as soon as possible. Chair Strachan thought it would be helpful if Ms. Stauffer could attend the next scheduled meeting with IHC.

Chair Strachan referred to Ms. Stauffer's report in the Staff report, and noted that the City Council, as the Housing Authority, was asked whether they supported granting the exemption of density for the Summit County units with the understanding that any future density granted would be reduced by those units. He wanted to know how the Housing Authority had responded. Planner Whetstone replied that the Housing Authority agreed that if IHC is successful in gaining density, the County units should be taken from that density. However, it was only their recommendation and the Planning Commission would make the final decision.

Mr. Clyde pointed out that money from Summit County was building some of the density. In looking at the global picture, he thought the City might want to take a more generous view on that issue. The County is spending money to put affordable housing in the City that would service the City and the County. He suggested that it may be unreasonable to tell the County that they need to spend money to buy units to transfer in to cover the affordable housing units the County was building for the City's benefit. He thought there might be a more cooperative way to handle the issue.

Mr. Erickson bifurcated the Lot 8 and Peace House issues this evening. The remaining items would be continued to a future meeting.

Chair Strachan thought the Lot 8 subdivision was tied to the Summit County units and the two could not be separated. Mr. Clyde stated that based on the nature of the lease, Peace House is not dependent on the subdivision of Lot 8. If the subdivision is not approved, Peace House has the entire lot. Mr. Bush remarked that the only entitlement that Peace House is required to get for the lease is the MPD amendment making it a permitted use for affordable housing, and approval of the CUP. Mr. Bush explained that IHC would like to subdivide Lot 8, but it would not affect the lease with Peace House.

Chair Strachan agreed with Mr. Clyde that the City needs to give a little as well. He was concerned about double-dipping where IHC would benefit from both the County and the City's affordable housing obligations. Chair Strachan was uncomfortable with the language in the Staff report stating, "Through agreements with other entities and transfer of development on certain parcels, the housing obligation was reduced by 22.37 AUEs." He thought it emphasized Commissioner Joyce's point about building the affordable units. Chair Strachan understood the give and take between the City and County, but at the same time IHC needed to understand that the Planning Commission expected to see built units. They cannot keep shifting things around and transferring parcels. Chair Strachan anticipated a problem with the subdivision because it could increase the density.

Mr. Bush clarified that the purpose of the subdivision was to enable them to keep the required 80% open space on site. It was not planned for development. Planner Whetstone pointed out that the parcel was mostly wetlands. Mr. Bush reminded the Commissioners that the density on Lot 8 was transferred last Fall; therefore, there is no density on Lot 8. The request for additional density for support medical was an item for a future conversation. Chair Strachan believed the two were intertwined. By giving the Peace House a generous lease of $1 per year, he assumed that IHC would need to recoup the money somehow by finding additional square footage on a different piece of the campus.

Chair Strachan pointed out that this was a pre-MPD and there would be time to have the necessary in-depth discussions. At this point he could not find anything that would deny their request, but there was still a lot of work to resolve the issues.

Commissioner Thimm referred to a number of places in the report indicating that the Staff was seeking commentary. Mr. Erickson stated that if the Commissioners provided commentary this evening it should focus on Lot 8 and Peace House. He was also interested in hearing their comments regarding affordable housing. Planner Whetstone provided some background on deferments and transfers related to the affordable housing obligation.

Commissioner Band asked Planner Whetstone to walk through the site plan to orient the Commissioners to the entire site and the lots. Planner Whetstone did not have a site plan available, but she reviewed the plat and identified the specific lots and general layout of the site.

Per the questions on page 102 of the Staff reports, Chair Strachan asked if anyone had concerns regarding the location of the Peace House. The Commissioners had no issues. Chair Strachan asked if the Commissioners thought the Peace House was consistent with the General Plan. Commissioner Thimm supported the use. The Commissioners had no issues. Based on previous comments, Chair Strachan tabled the questions regarding the subdivision of Lot 8 to another meeting. The Commissioners concurred.

Chair Strachan reviewed the Conditions of Approval of the October 8th, 2014 approval. Condition #16 addressed the mitigation for the loss of use of the planned ballfield. The Staff report indicated that the Condition was a carryover from the MPD and that the applicant had satisfied the Condition as stated in Finding of Fact #21. The Commissioners were comfortable with the Staff's response.

Condition #17 related to the parking study. Commissioner Joyce recalled a lengthy discussion regarding the parking study. The question at that time was whether the applicant should come back in one year with a traffic study. During that discussion the Planning Commission determined that nothing would change in a year and a study would be pointless. He recalled that the Planning Commission decided not to require a parking study until IHC comes back with a relevant proposal to expand the hospital. IHC would be required to submit a parking study as part of the application for the next expansion. The Commissioners had the same recollection.

Mr. Erickson thought they should include a time threshold when they write the Master Planned Development Agreement and incorporate the Annexation. Mr. Bush suggested that they tie the parking study to the next Hospital CUP. Commissioner Joyce favored that approach because it was more in line with their previous decision. The Commissioners concurred.

Chair Strachan noted that Condition #18 was a Development Agreement question with affordable housing obligations. He suggested that they table the discussion until they have the affordable housing discussion at the next meeting. Mr. Bush was not opposed to tabling the discussion. He remarked that the intent is to have a Development Agreement at the conclusion of this MPD amendment process. He thought it was better to wait until they could have a more detailed discussion and talk about all the potential elements of amending the MPD.

Chair Strachan asked the Commissioners for their thoughts on the question about locating a Park City District fire station within the IHC MPD. Commissioner Band stated that she has been talking to Paul about this for over a year. As a real estate agent she was trying to help him find a parcel because the District is in desperate need of a fire station. They need a lot of space, but they also need to be close to roads and intersections. The Fire District found space on City property but she believed they would rather deal with a private entity if possible. Commissioner Band personally did not think the fire station should be counted as density because it is a public service.

Commissioner Thimm agreed that essential public services should be located when and where they are needed. He noted that part of the question is whether or not the CT zone allows for a fire station use. His reading of the zone is that it allows public and quasi-public, civic and municipal uses; and he believed that a fire station would fall somewhere within that category. Commissioner Thimm stated that it would be a conditional use that would come before the Planning Commission and he would support it. Commissioner Thimm did not think the area of the fire station should detract from the allowed density that was approved.

Mr. Erickson believed the density issue required cross discussion with other City departments and the people who crafted the density equation. The Staff would bring this back to the Planning Commission for further discussion. Commissioner Band wanted to know why the Annexation Agreement had a different density number than the MPD. Mr. Erickson stated that he and the Staff were looking into why that happened. He did not have an answer this evening, but he hoped to be able to answer that question at a later date. Another question he would like to be able to answer is how many unit equivalents are in the Quinn's Junction area total, and how many have been used up by the hospital in this particular development. Mr. Erickson remarked that the Staff would research the background on the UEs and report back to the Planning Commission.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

The Commissioners were prepared to make a motion but needed guidance on how to phrase it.

Based on their discussion, Mr. Erickson suggested that the Planning Commission motion should be to find that the Pre-MPD application was consistent with the General Plan and Zoning for the location and use of the Peace House on Lot 8; Administrative adjustments to

Conditions #16 and #17 in the Development Agreement, but not Condition #18; and for a Park City fire station generally within the MPD as discussed this evening.

MOTION: Commissioner Joyce made the motion as phrased by the Interim Planning Director Bruce Erickson, to find that the Pre-MPD application was consistent with the General Plan and Zoning for the location and use of the Peace House on Lot 8; Administrative adjustments to Conditions #16 and #17 in the Development Agreement, but not Condition #18; and for a Park City fire station generally within the MPD as discussed this evening. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Items 1, 2 and 4

1. On February 18, 2015, the City received a completed application for a pre-Application for a Master Planned Development amendment located at 750 Round Valley Drive.
2. The proposed MPD Amendment includes the following main items:
   - Fulfillment and phasing of the IHC MPD Affordable Housing Obligation
   - Subdivision of Lot 8 into two lots
   - Additional 50 units of density to bring total density to 3 units/acre from the existing density of 2.64 units/acre (continue to Sept 9)
   - Corrections to conditions of the October 8, 2014 approvals (MPD Amendment)
   - Amendment to the Development Agreement
   - Consideration of inclusion of a Fire Station within the MPD (Continue to September 9)

3. A full MPD application, and a Conditional Use Permit for construction of the Peace House, will be required to include a site plan, landscaping plan, a phasing plan, utility and grading plans, traffic and parking study updates, open space calculations, architectural elevations, view shed studies, sensitive lands analysis, affordable housing mitigation plan, soils/mine hazard studies as applicable, density analysis, and other MPD requirements as outlined in LMC Chapter 6, including any additional items requested by the Planning Commission at the pre- MPD meeting.
4. The property is zoned Community Transition (CT).
5. There is no minimum lot size in the CT zone.
6. The base density in the CT Zone is 1 unit per 20 acres. Maximum density allowed in the Community Transition (CT) Zoning District for non-residential projects is 3 units per acre provided that all Density bonus requirements set forth in LMC Section 15-

2.23A are met and the additional standards are incorporated into the amended Master Planned Development.

7. The MPD Amendment includes a proposal to locate the Peace house, with transitional housing, shelter housing and support services, to the eastern 3.6 acres of Lot 8 to satisfy 12.5 AUEs of remaining 23.32 AUEs of housing obligation (not including any additional requirements associated with any approved additional density). IHC offers the lot for Peace House use at a nominal cost of $1 per year as a “ground” lease.
8. The above affordable housing strategy for the Peace House was approved by the Park City Housing Authority on June 4, 2015.
9. Access to the property is from Round Valley Drive, a public street.
10. The property is subject to the IHC/USSA/Burbidge Annexation plat and Annexation Agreement recorded at Summit County on January 23, 2007.
11. On May 23, 2007, the Planning Commission approved a Master Planned Development for the IHC aka Park City Medical Center as well as a Conditional Use Permit for Phase One. Phase One included a 122,000 square foot hospital building (with an additional 13,000 square feet of constructed, unfinished shell space) with 50,000 square feet of medical offices. Two separate medical support buildings were proposed in the initial phase of development, including the Physician’s Holding building on Lot 7 and the People’s Health Center/ Summit County Health offices building on Lot 10 (25,000 sf each).
12. On November 25, 2008, a final subdivision plat known as the Subdivision Plat (Amended) for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility was approved and recorded at Summit County
13. On October 8, 2014 the Planning Commission approved MPD amendments for Phase 2 construction. These MPD Amendments transferred 50,000 sf of support medical clinic uses to Lot 1 from Lots 6 and 8 (25,000 sf each).
14. A requirement for any Master Planned Development (MPD) (or amendment to an MPD) is a pre-application public meeting and determination of compliance with the Park City General Plan and the purpose and uses of the zoning district (CT) in this case.
15. The CT zone per LMC Section 15-2.23-2 allows for a variety of uses including conservation and agriculture activities; different types of housing and alternative living situations and quarters; trails and trailhead improvements; recreation and outdoor related uses; public, quasi public, civic, municipal and institutional uses; hospital and other health related services; athlete training, testing, and related programs; group care facilities, ancillary support commercial uses; transit facilities and park and ride lots; small wind energy systems; etc.
16. It was determined at the time of the annexation and approval of the MPD that the Intermountain Healthcare Hospital (aka Park City Medical Center) and associated support medical offices are consistent with the purpose and uses of the zone.

17. The proposed Peace House use is consistent with existing uses and is consistent with the CT Zone and Goals of the General Plan for the Quinn's Junction Neighborhood.
18. The Land Management Code (LMC 15-6-4(B)) describes the pre- Application process for MPDs and MPD amendments.
19. The purpose of the pre-application public meeting is to have the applicant present preliminary concepts and give the public an opportunity to respond to those concepts prior to submittal of the MPD amendment application.
20. IHC is located in the Quinn's Junction neighborhood, as described in the new Park City General Plan.
21. The Joint Planning Principles for the Quinn's Junction area recommend development patterns of clustered development balanced with preservation of open space. Public preserved open space and recreation is the predominant existing land use. Clustered development should be designed to enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas. New development should be set back in compliance with the Entry Corridor Protection Overlay. Sensitive Lands should be considered in design and protected. Uses contemplated for this neighborhood include institutional development limited to hospital, educational facilities, recreation, sports training, arts, cultural heritage, etc.
22. The proposed MPD amendments are consistent with the intent of the Joint Planning Principles for the Quinn's Junction area.
23. Amendments to the IHC MPD are a compatible use in this neighborhood. Development is setback from the Entry Corridor to preserve the open view from SR 248. Sensitive wetland areas should be protected and taken into consideration in design of driveways, parking lots, and buildings, as well as protected from impacts of proposed uses.
24. Small Town Goals of the General Plan include protection of undeveloped land; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. Alternative modes of transportation are encouraged and the MPD/CUP for the Peace House will need to describe alternative transportation related to the Peace House operations and residents.
25. Quinn's Junction is identified as a Development Node. The proposed MPD amendments include uses to provide a public location for the Peace House and support the existing IHC uses and mission. The housing proposed is short term transitional housing and emergency shelter housing in support of the Peace House mission.
26. There is existing City bus service to the area on an as needed basis and additional uses will help to validate additional services. Studies of transit and transportation in

the Quinn's area will be important in evaluating the merits of the MPD amendments and considerations for permanent bus routes in the area.

27. The IHC and proposed Peace House Lot 8 are located on the City's trail system and adjacent to Round Valley open space and medical services.
28. Natural Setting Goals of the General Plan include conserve a healthy network of open space for continued access to and respect for the natural setting. Goals also include energy efficiency and conservation of natural resources.
29. With the proposed changes the MPD would require a minimum of 80% open space, excluding all hard surface areas, parking, driveways, and buildings.
30. The proposed MPD amendments include relocating the existing Peace House to a location where the mission can be expanded and enhanced.
31. Green building requirements are part of the existing Annexation Agreement and would continue to apply to the Peace House facility.
32. Sense of Community Goals of the General Plan include creation of diversity of housing, including affordable housing; provision of parks and recreation opportunities; and provision of world class recreation and infrastructure to host local, regional, national, and international events while maintaining a balance with the sense of community.
33. A primary reason for the proposed MPD amendments is to provide improvements and enhancements to allow the Peace House to relocate to a public location to continue to be successful and to carry out their mission. The proposed transitional housing will complement the shelter.
34. On April 8, 2015, the Planning Commission opened a public hearing and continued the item to a date uncertain to allow City Staff to work out issues related to the affordable housing obligation. No public input was provided at the meeting.
35. On August 12, 2015 the property was re-posted and letters were mailed to neighboring property owners per requirements of the Land Management Code.
36. On August 8, 2015 a legal notice of the public hearing was published in the Park Record and placed on the Utah public meeting website.
37. On August 26, 2015, the Planning Commission conducted a public hearing and discussed the pre-MPD for the IHC MPD amendment.
38. At the pre-Application public meeting, the Applicant presented the preliminary concepts for the proposed Master Planned Development. This preliminary review focused on identifying issues of compliance with the General Plan and zoning compliance for the proposed MPD.

<u>Conclusions of Law – Items 1, 2 and 4</u>

1. The proposed MPD Amendments to the Intermountain Healthcare Hospital MPD initially comply with the intent of the Park City General Plan and general purposes of the Community Transition (CT) zone.

2. A full MPD application is required to be submitted and reviewed by City Staff with a recommendation provided to the Planning Commission prior to issuance of any building permits for construction related to these amendments.
3. The full MPD application will include typical MPD studies such as an updated traffic/intersection study, updated utility capacity study (including water, sewer, gas/electric, communications, etc.), a revised phasing plan, an affordable housing plan for remaining and new obligation, reports on any additional mine hazard or soils issues for revised building footprints, open space calculations, updated sensitive lands and wildlife reports, Frontage Protection Zone setback exhibit, parking analysis, and public benefits analysis.
4. A Conditional Use Permit application for construction of any phase of development within the MPD will be required prior to issuance of a building permit.
5. Typical CUP requirements include site plan, landscaping plan, phasing of construction, utility and grading plans, storm water plans, parking and circulation plans, open space calculations, architectural elevations and visual studies, materials and colors, specific geotechnical studies, etc.).
6. The MPD will be reviewed for compliance with the MPD requirements as outlined in LMC Chapter 6, the Annexation Agreement, the CT zone requirements, as well as any additional items requested by the Planning Commission at the pre-MPD meeting.
7. Finding a Pre-MPD application consistent with the General Plan and general purposes of the zone, does not indicate approval of the full MPD or subsequent Conditional Use Permits.
8. These findings are made prior to the Applicant filing a formal MPD Application.

The Park City Planning Commission Meeting adjourned at 7:10 p.m.

Approved by Planning Commission: _____

2

EXHIBIT C

When recorded, please return to:

PARK CITY MUNICIPAL CORPORATION
City Recorder
P O Box 1480
Park City UT 84060

and to:

Guy P. Kroesche, Esq.
STOEL RIVES LLP
201 South Main Street, Suite 1100
Salt Lake City, Utah 84111

and to:

Charles R. Brown, Esq.
CLYDE SNOW SESSIONS & SWENSON
201 South Main Street, Suite 1300
Salt Lake City, Utah 84111

and to:

Ira B. Rubinfeld, Esq.
RAY QUINNEY & NEBEKER
36 South State Street, Suite 1400
Salt Lake City, Utah 84145

ENTRY NO. 00802747
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Agreement PAGE 1 / 40
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE $ 0.00 BY PARK CITY MUNICIPAL CORPORATION

ANNEXATION AGREEMENT

This ANNEXATION AGREEMENT (this "Annexation Agreement") is made by and between Park City Municipal Corporation (hereinafter, the "City") and Burbs, L.L.C., a Utah limited liability company (hereafter, the "Petitioner") to set forth the terms and conditions under which the City will annex certain land owned by the Petitioner, consisting of approximately 157 acres and located in unincorporated Summit County, Utah, at the northwest corner of State Road 248 and Highway 40 (as further defined below, the "Property"), into the corporate limits of the City and extend municipal services to the Property. This Annexation Agreement is made under authority of §§ 10-2-401 et. seq. of the Utah Code, Annotated 1953, as amended, and shall serve as a supplemental annexation policy declaration when executed by all parties.

WHEREAS, the Petitioner entered into that certain Real Estate Acquisition Agreement, dated as of October 21, 2004, as amended by that certain Amendment to Real Estate Acquisition Agreement, dated as of October 21, 2005, as further amended by that certain Second Amendment to Real Estate Acquisition Agreement, dated as of October 27, 2005, as amended by that certain Third Amendment to Real Estate Acquisition Agreement, dated as of April 27, 2006, as amended by that certain Fourth Amendment to Real Estate Acquisition Agreement, dated as of August 11, 2006, as amended by that certain Fifth Amendment to Real Estate Acquisition Agreement, dated as of August 25, 2006, as amended by that certain Sixth Amendment to Real Estate Acquisition Agreement, dated as of September 27, 2006, as amended by that certain Seventh Amendment to Real Estate Acquisition Agreement, dated as of October 27, 2006, and as amended by that certain Eighth Amendment to Real Estate Acquisition Agreement, dated as of November 30, 2006, (collectively, the "Real Estate Acquisition Agreement"), for the sale of a portion of the Property (the "Intermountain Healthcare Property") to IHC Health Services, Inc., a Utah nonprofit corporation ("Intermountain Healthcare");

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WHEREAS, the Petitioner has previously notified to the United States Ski and Snowboard Association, a Utah nonprofit organization (the "USSA"), that the Petitioner desires to donate five (5) acres of the Property (the "USSA Property") to USSA, and USSA is willing to accept such donation;

WHEREAS, in furtherance of the foregoing, the Petitioner desires to annex the Property into the corporate limits of the City and, to that end, an annexation petition (the "Annexation Petition") for the Property was filed with the City on November 3, 2004, and accepted by the City on November 18, 2004;

WHEREAS, in connection with any such annexation (the "Annexation"), the Property is proposed to be zoned Community Transition District - Master Planned Development ("CT-MPD"), a new City zoning district that allows for a community hospital/medical facility, support medical offices, public/quasi-public institutional uses, United States Ski and Snowboard headquarters and a sports training complex, public recreation uses, affordable/employee housing, and open space land uses on the Property;

WHEREAS, to these ends, the City has issued certain Findings and Conditions with respect to the Property, which are attached as Exhibit "A" (the "Findings and Conditions");

WHEREAS, the parties understand, acknowledge and agree that the Annexation of the Property is conditioned upon, among other matters, the satisfaction of the terms and conditions set forth in the Findings and Conditions and this Annexation Agreement, as well as the completion of the master plan development for the Intermountain Healthcare Property or the USSA Property, as the case may be (in either case an "MPD") and subdivision (the "Subdivision") of the Property, all to the satisfaction, in their respective discretion, of the Petitioner, Intermountain Healthcare, USSA, and the City, as applicable, and as evidenced by the Subdivision plat for the Property (as accepted by the City and filed in the official real estate records of Summit County, Utah, the "Subdivision Plat"); and

WHEREAS, except as otherwise defined herein, capitalized terms shall be as defined in the Findings and Conditions;

NOW, THEREFORE, in furtherance of the Annexation Petition, in consideration of the City's agreement to annex the Property and in consideration of the mutual promises contained herein, as well as the mutual benefits to be derived herefrom, the parties agree that the terms and conditions of Annexation shall be as follows:

1. **Property.** The Property to be annexed is approximately 157 acres in size, as depicted on the annexation plat attached as Exhibit "B" (the "Annexation Plat") and as more fully described in the legal description attached as Exhibit "C."

2. **Zoning.** Upon Annexation, the Property will be zoned CT-MPD, as shown on Exhibit "B."

3. **Master Plan Approval; Phasing.** Pursuant to Land Management Code Section 15-8-3 (D), an application for a Master Planned Development of the Property (as submitted, the "MPD"), a copy of which is attached as Exhibit "D," was filed with the City on November 3, 2004, and accepted by the City on November 18, 2004. This Annexation Agreement does not represent approval or vesting of the MPD. Rather, the MPD and the use and development of the Intermountain Healthcare Property and the USSA Property shall be governed by the zoning designations provided herein and, consistent with this Annexation Agreement and the Findings and Conditions, shall be finalized (and, as necessary, amended) as soon as reasonably practicable following completion of the Annexation pursuant to Utah Code Annotated § 10-2-425(5) (as applicable to the Intermountain Healthcare Property, the USSA Property or the remainder of the Property, the "Final MPD").

Any substantive amendments to the MPD or this Annexation Agreement shall be processed in accordance with the Park City Land Management Code. Further, as part of the MPD review and approval process, again consistent with this Annexation Agreement and the Findings and Conditions, the phasing of the development of the Intermountain Healthcare Property or the USSA Property, as the case may be, shall be determined, to ensure the adequacy of public facilities that may be required to support any such development.

4. **Trails.** A condition precedent to the Annexation and the Final MPD for the Intermountain Healthcare Property or the USSA Property, as the case may be, is the grant to the City of public easements (collectively, the "Trail Easements") for the construction of non-vehicular pedestrian trails (collectively, the "Trails"), the location, width and use of which shall be determined during the MPD review and approval process, and which shall be documented in one or more development agreements for the Intermountain Healthcare Property the USSA Property, as the case may be, or any portions thereof (in any case, a "Development Agreement"). The Trail Easements shall include, but are not limited to, those easements necessary to extend and/or relocate certain of the existing non-vehicular pedestrian trails to connect to other public trail easements existing on adjacent properties. Any obligations with respect to the construction of any such trails shall be governed by the terms and conditions of the Development Agreement for the USSA Property, the Intermountain Healthcare Property or any other part of the Property, as the case may be, and, further, unless otherwise provided in any such Development Agreement, shall be the responsibility of the owner of the USSA Property, the Intermountain Healthcare Property, or any other part of the Property, as the case may be.

5. **Fire Prevention Measures.** Because of significant wild land interface issues on the Property, the Petitioner (or, as specified in connection with any such assignment, its assigns) agrees to implement a fire protection and emergency access plan, to be submitted prior to the issuance of any building permits, and to be reviewed and approved by the Fire Marshall and Chief Building Official for compliance with applicable building and fire codes.

6. **Roads, Road Design and Access**. All streets and roads within the Property shall be designed according to the City's road design standards and, as soon as reasonably practicable following the construction thereof (to the extent, as determined during the MPD review and approval process, to be dedicated to the City), shall be dedicated to the City for purposes of public thoroughfares and, upon acceptance thereof by the City, the maintenance and repair thereof by the City. Until such time as any such streets and roads shall be dedicated to, and accepted by, the City pursuant to the City's applicable ordinances governing any such dedication, maintenance and repair of all such streets and roads shall remain with the Petitioner (or, as specified in connection with any such assignment, its assigns). All roads and streets within the Property shall be not less than thirty feet (30') wide, back of curb to back of curb, unless, consistent with this Annexation Agreement, applicable City ordinances and the Findings and Conditions, otherwise reduced by the City for pedestrian traffic calming or other public purposes. The terms and conditions of grading and constructing access roads and streets across any City property shall be agreed to as part of the MPD review and approval process.

Notwithstanding any other term or condition of this Annexation Agreement and as and to the extent reasonably necessary or appropriate for, consistent with this Annexation Agreement and the Findings and Conditions, use of the Intermountain Healthcare Property, the City, without additional consideration therefor, agrees to (a) by means of (i) a publicly-dedicated roadway and/or (ii) a nonexclusive, perpetual easement and right of way for the benefit of the Intermountain Healthcare Property, provide access to and from the Intermountain Healthcare Property to State Road 248 in Summit County, Utah (all as shown on attached Exhibit "E" road design plan, prepared by Horrocks Engineers on November 6, 2005, and approved by the City Engineer), for main and primary vehicular and pedestrian access (the "Main Access Roadway"), and (b) by means of a nonexclusive, perpetual easement and right of way for the benefit of the Intermountain Healthcare Property, provide access to and from the Intermountain Healthcare Property for emergency and secondary vehicular and pedestrian access (the "Secondary Access

Easement"). The Main Access Roadway and the Secondary Access Easement each shall be not less than thirty feet (30') wide, back of curb to back of curb, exclusive of any sidewalks or other improvements and, further, shall be in such locations as shall be mutually acceptable to the City and Intermountain Healthcare. Except as and to the extent consistent with the use of the Intermountain Healthcare Property (and as, to the extent practicable, confirmed in connection with the sale and acquisition of the Intermountain Healthcare Property), neither the Main Access Roadway nor the Secondary Access Easement shall be subject to any use restrictions, conditions, limitations, or encumbrances (other than, to the extent the Secondary Access Easement shall not be on the City's property, general property taxes or assessments not yet due and payable) and, in addition, shall provide insurable access to and from the Intermountain Healthcare Property; provided, however, that, as specified during the MPD review and approval process, a locked gate may restrict use of the Secondary Access Easement to emergency and fire use only.

The Petitioner (or, except as otherwise may be agreed in writing in connection with any such assignment, its assigns) shall not have any obligation or liability for the Main Access Roadway or the Secondary Access Easement until review and approval by the City of the Final MPD. The City further agrees that roadway and street construction costs and expenses incurred by the Petitioner (or its assigns) shall be credited against any other impact or other development fees and costs for which the Petitioner (or its assigns) may be liable by reason of this Annexation Agreement or, consistent with the Findings and Conditions, otherwise with respect to the Intermountain Healthcare Property, the improvement of State Road 248, or the USSA Property, including without limitation any costs or expenses incurred in connection with the obligations under Section 17, below. The Petitioner (or, as specified in connection with any such assignment, its assigns) may require other or third parties to enter into a latecomer's agreement to reimburse the Petitioner for a portion of its costs in extending roads, traffic infrastructure and access to the Property.

7. **Sanitary Sewer, Line Extensions and Related Matters.** Construction and alignment of the sanitary sewer shall be determined as part of the MPD review and approval process. The preferred alignment of the sanitary sewer shall be that which results in the least visual impact and site disturbance while meeting the site design and construction requirements of the Snyderville Basin Water Reclamation District. Further, as part of a Development Agreement, the Petitioner (or, as specified in connection with any such assignment, its assigns) shall enter into a latecomer's agreement to reimburse the City for a portion of its costs in extending sewer facilities adjacent to the Intermountain Healthcare Property or the USSA Property, as the case may be.

8. **Water Rights and Water Source Capacity.** The Petitioner (or, as specified in connection with any such assignment, its assigns) hereby agrees to purchase culinary water and, as appropriate, irrigation water from the City, subject to the provisions of this Section 8. The City shall and hereby agrees, upon payment therefor as specified in and contemplated under this Section 8, to provide such culinary water and, as appropriate, irrigation water, as shall be sufficient to meet the projected peak daily water demand for (a) the Intermountain Healthcare Property, which the parties understand, acknowledge and agree is 101,528 gallons per day at full build-out (the "Intermountain Healthcare Peak Water Demand") and (b) the USSA Property, which the parties understand, acknowledge and agree is 8,759 gallons per day at full build-out (the "USSA Peak Water Demand"). The Petitioner (or, as specified in connection with any such assignment, its assigns) agrees to pay the City for such water in the amount of SIXTEEN THOUSAND AND NO/100 DOLLARS ($16,000) per Equivalent Residential Unit ("ERU"), inclusive of (i) a proportionate share of any capital costs incurred by the City through the Snyderville Importation Project, (ii) any water share acquisition costs for water from the Weber Basin Water Conservancy District, (iii) a proportionate share of any water treatment costs based on the Intermountain Healthcare Peak Water Demand and the USSA Peak Water Demand, (iv) any City water impact fees therefor, and (v) any City water connection impact fees (collectively, the "Water Cost").[1] Such Water Cost, respectively, shall be paid to the City within ten (10) business days following the Final MPD. Based

[1] The Water Cost was calculated by the City, as shown on attached Exhibit "G."

upon the peak water demand figures submitted to the City by Intermountain Healthcare and the USSA, at the City's request, the City calculated and hereby confirms that, the number of ERUs respectively, is equivalent to 63.455 ERUs and 5.47 ERUs.

The City shall not be obligated to provide any water in excess of (A) the Intermountain Healthcare Peak Water Demand for the Intermountain Healthcare Property and (B) the USSA Peak Water Demand for the USSA Property and, notwithstanding any other term or condition hereof, the Petitioner (or, as specified in connection with any such assignment, its assigns) shall not be obligated to pay any amounts in excess of SIXTEEN THOUSAND AND NO/100 DOLLARS ($16,000) per ERU. Further, the Petitioner (or, except as otherwise may be agreed in writing in connection with any such assignment, its assigns) and the City agree to enter into a separate agreement, mutually acceptable to the parties thereto, which shall document and provide for the implementation of the material terms of Sections 8, 9, and 10 of this Annexation Agreement, before the Final MPD; provided, however, that the Petitioner (or its assigns) shall not have any obligation or liability to purchase any water from the City until after the Final MPD. The Petitioner (or, as specified in connection with any such assignment, its assigns) is separately responsible for any redundant water rights, source capacity and/or systems as may be required in connection with the use and development of the Intermountain Healthcare Property or the USSA Property, as the case may be, and as required by applicable laws, rules or regulations relating thereto.

In conjunction with the construction of the Units by Petitioner on the City Donated Parcel or the Alternative Affordable Housing Location, as further described in Section 11, the City agrees that it will provide culinary water and, as appropriate, irrigation water, as shall be sufficient to meet the projected peak daily water demand for the Units, as ultimately determined by Petitioner and the City and approved for construction by the City. Petitioner agrees to pay to the City normal and customary charges for such water, which Water Cost shall not be in excess of the Water Cost to be paid the City for water to the Intermountain Healthcare Property and USSA Property, as set forth above in this Section 8.

9. **Water Impact Fees and Credits.** The City confirms that the total water impact fee was calculated by the City in the same manner and in the same comparative amount as with other developments within municipal boundaries. Any applicable credits that the Petitioner (or its assigns) may be eligible for will be determined by the City in the same manner and in the same comparative amount as with other developments within the City.

10. **Other Water Facilities, Infrastructure and Systems Costs.** As a condition precedent to the effectiveness of this Annexation Agreement, certain water facilities and systems, including an upgrade to the Fairway Hills pump station, shall be required to be constructed to service the Intermountain Healthcare Property and the USSA Property, and, to the extent to be dedicated to the City, easements therefor granted to the City, all of which shall be determined, and agreed to, by the affected parties and the City during the MPD review and approval process (the "Water Facilities and Systems"). Any and all such Water Facilities and Systems shall be constructed in accordance with specifications reasonably required by the City Engineer. Notwithstanding any term or condition of this Annexation Agreement, the City shall be responsible for the cost of any over-sizing of any Water Facilities and Systems, and, as and to the extent the Petitioner (or its assigns) shall pay or be liable for any such costs, the Petitioner (or, as applicable, Intermountain Healthcare or USSA) shall receive an appropriate credit or contribution from the City (as determined during the MPD review and approval process) for any over-sized Water Facilities and Systems designed, constructed or configured for the benefit of or to accommodate the needs of the City or any other person or entity.

In connection with the MPD and the Subdivision[2] review and approval processes, on-site storm runoff detention facilities, or approved alternatives, as approved by the City Engineer, may be required. The timing for the construction of such storm run-off improvements shall be determined during the MPD review and approval process (the "Storm Detention Facilities"). The City shall be responsible for the cost of any over-sized on-site Storm Detention Facilities required as determined as part of the MPD (as sized and located to the reasonable satisfaction of Intermountain Healthcare and USSA), and, as and to the extent the Petitioner (or its assigns) shall pay or be liable for any such costs, the Petitioner (or, as applicable, Intermountain Healthcare or USSA) shall receive an appropriate credit or contribution from the City (as determined by the Petitioner and the City during the MPD review and approval process) for any such facilities designed, constructed or configured for the benefit of or to accommodate the needs of the City or any other person or entity.

As part of the MPD review and approval process, the Petitioner (or, as specified in connection with any such assignment, its assigns), the City and the affected parties shall determine and agree on the proportionate costs and/or appropriate credits or contributions from the City for the installation, construction, repair, and maintenance of any excess length, size or capacity storm sewer and/or sanitary sewer lines, power, sewer, and other utility line extensions and related facilities (including without limitation the Storm Retention Facilities and the Water Facilities and Systems, the "Sewer and Related Facilities"), which may be required for the use and development of the Property, or any part thereof, and the provision of municipal services related thereto (with the understanding that the Petitioner (or, as applicable, the respective owners of the Intermountain Healthcare Property or the USSA Property) shall receive an appropriate credit or contribution from the City for the cost of any Sewer and Related Facilities designed, constructed or configured for the benefit of or to accommodate the needs of the City or any other person or entity. The extent to which such Sewer and Related Facilities shall be dedicated to the City, and the required granting of easements therefor, shall also be determined, and agreed to, by the Petitioner (or, as specified in connection with any such assignment, its assigns), the affected parties and the City during the MPD review and approval process.

11. **Affordable Housing Requirement.** Affordable/employee housing shall be provided in a manner consistent with the Findings and Conditions (the "Employee/Affordable Housing"), with the understanding and agreement of the parties that:

a. The Employee/Affordable Housing requirement for development associated with the Intermountain Healthcare hospital (300,000 square feet) is 44.78 "Affordable Unit Equivalents" (as defined in the City's Land Management Code) (the "Units"). Petitioner previously notified the City that it desires to and will donate five (5) acres of the Property (the "City Donated Parcel") to the City. Intermountain Healthcare, the City and the Petitioner have agreed that the foregoing Employee/Affordable Housing requirement shall be satisfied by the Petitioner's donation of the City Donated Parcel to the City as previously committed to by Petitioner, and the other terms and conditions of this Section 11. Within twelve (12) months of the effective date of this Agreement, the City shall determine if the Units are to be located on the City Donated Parcel or at some alternate location within the City, as agreed to by Petitioner (or its assignees), which agreement shall not be unreasonably withheld, conditioned or delayed, (an "Alternate Affordable Housing Location"); provided that, in the event of an Alternate Affordable Housing Location, the Petitioner (and any assignee thereof) shall not have any obligation, cost or otherwise, for the acquisition of any such Alternate Affordable Housing Location; and provided that, in the event the Units are located on any Alternate Affordable Housing Location, the Petitioner (or any assignee thereof) shall not

[2] The Subdivision review and approval process will be a two-part process. The first part of the Subdivision review and approval process will establish the lot lines of the Intermountain Healthcare Property, the USSA Property, the City Donated Parcel, and the City Recreation/Open Space Parcel and, in that connection, allow for the recording of the Subdivision Plat in the official real estate records of Summit County, Utah. The second part of the Subdivision review and approval process will include an amendment to the Subdivision Plat, which will be processed during the MPD review and approval process and, to the extent appropriate, will incorporate any necessary requirements of this Section 10.

incur, or be obligated for, any costs or
expenses in excess of those that would be incurred if the Units were located and constructed on the City Donated Parcel. Subject to the foregoing, within twenty-four (24) months of the effective date of this Agreement, the Petitioner (or any assignee thereof) shall either (i) begin construction of the Units on the City Donated Parcel or at the Alternate Affordable Housing Location or (ii) post a financial guarantee in favor of the City in a form, on terms and in the amount set forth in attached Exhibit "F" (the "Financial Guarantee").[3]

The City shall not issue building permits for development of the Intermountain Healthcare hospital in excess of 149,000 square feet until (A) the commencement of construction of the Units on the City Donated Parcel or an Alternate Affordable Housing Location within twenty-four (24) months following the Annexation, (B) a decision is made to locate the Units on property other than the City Donated Parcel, (C) the satisfaction of the Employee/Affordable Housing requirement for development associated with the Intermountain Healthcare hospital by financing or some other arrangement, or (D) the delivery by Petitioner (or its assigns) and acceptance by the City of the Financial Guarantee.[4] Any such Units constructed shall be sold or rented by the Petitioner (or any assignee thereof) at deed restricted prices or otherwise financed consistent with the City affordable housing guidelines.

b. The Employee/Affordable Housing requirement for development associated with the a proposed United States Ski and Snowboard Association, a Utah nonprofit organization ("USSA") facility (85,000 square feet) is 10.71 Affordable Unit Equivalents. The Petitioner previously notified USSA that it desires to and will donate the USSA Property, upon which USSA intends to construct its facilities, to USSA. A total deferral of the required 10.71 Affordable Unit Equivalents will be granted by the City upon, and in exchange for, the donation of the USSA Property by the Petitioner to USSA as previously committed to by Petitioner. The deferral is contingent upon continued ownership and occupancy by the facility by USSA or another community-based nonprofit organization. Any change in use to a non-community-based nonprofit organization may require that the deferred Employee/Affordable Housing requirements be met by the owner of the USSA Property as contemplated under the Affordable Housing Guidelines and Standards Resolution 10-06.

c. The Employee/Affordable Housing requirement for development associated with the Support Medical Office area (150,000 square feet) is 34.98 Affordable Unit Equivalents. This requirement shall be satisfied with either on-site or off-site units as determined in connection with the development of the Property to which such area relates and, in any case, shall not reduce the square footage available for the Support Medical Office area. The units shall be sold or rented at deed restricted prices or otherwise financed consistent with the City's affordable housing guidelines. Construction of the affordable units may be phased with the construction of the Support Medical Office area; provided that no certificate of occupancy for the Support Medical Office area in excess of 25,000 square feet shall be issued unless construction has commenced on the required Affordable Unit Equivalents hereunder or a financial guarantee (see footnote no. 2, above) has been posted therefor in a form and in an amount acceptable to the City.

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[3] The form and amount of any bond or other financial assurance required by the City hereunder shall be determined by reasonably estimating the City's administrative costs (which are estimated to be ten percent (10%) of the total cost of construction of the Units), if the City were required to proceed with construction of the Units or any other affordable housing units/equivalents hereunder, and no more.

[4] By the execution hereof, the City hereby acknowledges and confirms, as of the Effective Date, the delivery by the Petitioner and the acceptance by the City of the Financial Guarantee for the Units, which is in the form, on terms and in an amount required by the City. With the Financial Guarantee, the Employee/Affordable Housing requirement for development associated with the Intermountain Healthcare hospital has been satisfied in its entirety and, as such, is not a condition precedent to the issuance of building permits for development of the Intermountain Healthcare hospital in excess of 149,000 square feet.

d. If the "Units" (as defined in subsection 11(a), above), in fact, are located on the City Donated Parcel, the "Units" will be situated, designed and constructed on the City Donated Parcel in a manner approved, in writing and in advance, by Intermountain Healthcare, in Intermountain Healthcare's reasonable discretion. Any proceeds from the sale or lease of the "Units" on the City Donated Parcel or any Alternate Affordable Housing Location, following their design and construction, shall be retained by and constitute the exclusive property of the entity which constructs the "Units," being either the Petitioner, or any assignee thereof, as the case may be. All utilities shall be stubbed to the City Donated Parcel or any Alternate Affordable Housing Location, on which the Units may be constructed, at no cost to Petitioner (or its assigns) or any other party hereto. Further, neither the Petitioner (and its assigns) nor any other party hereto shall have any obligation, cost or otherwise, for any water rights or interests, nor for any other public fees, except for standard planning review and building permit fees necessary for construction of the Units on the City Donated Parcel (or any Alternate Affordable Housing Location).

12. **Planning Review Fees.** Except as otherwise agreed by the City, otherwise specified in a Development Agreement or in this Annexation Agreement, or as part of the MPD review and approval process (including without limitation any applicable credits and/or "in lieu of tax payments"), the Petitioner (or its assigns) shall be responsible for all standard and customary, and generally-applicable planning, building, subdivision and construction inspection fees imposed by the City from time to time.

13. **Impact and Building Fees.** Except as otherwise agreed by the City, otherwise specified in a Development Agreement or in Sections 8, 9 and 10 of this Annexation Agreement, or as part of the MPD review and approval process (including any applicable credits and/or "in lieu of tax payments"), the Petitioner (or its assigns) shall be responsible for all standard and customary, and generally-applicable, fees, such as development, impact, park and recreation land acquisition, building permit and plan check fees due and payable for construction on the Intermountain Healthcare Property, the USSA Property or the remainder of the Property at the time of application for any building permits.

14. **Acceptance of Public Improvements.** Subject to fulfillment of all the conditions of the applicable City ordinances and, further, the City's final approval of the construction of any such public improvements, those roads, streets, water facilities, utilities, and easements as may be agreed by the City, Intermountain Healthcare and/or USSA in connection with the MPD review and approval process (the "Public Improvements"), shall be conveyed and dedicated to the City, for public purposes. Following any such dedication, the City shall be responsible for the maintenance, repair and replacement of any and all such Public Improvements.

15. **Snow Removal and Storage.** Other than as the City may determine necessary or appropriate for the Trails, the City shall not be obligated to remove snow from roads, streets or similar improvements within the Property, until acceptance of the dedication thereof pursuant to the applicable City ordinances or this Annexation Agreement.

16. **Fiscal Impact Analysis.** The fiscal impact analysis prepared by the City Budget, Debt and Grants Department was reviewed, accepted and approved by the City Planning Commission on November 10, 2005. The analysis includes revenue and cost assumptions related to the Annexation and development of the Property and it is hereby accepted and approved by the City as part of this Annexation Agreement.

17. **Traffic Mitigation.** A comprehensive traffic review and analysis of the surrounding properties and jurisdictions was performed by a traffic consultant, Horrocks Engineers, and additional analysis was performed by the City's consultant, Rosenthal and Associates (together referred to herein as the "Traffic Studies"). Any such mitigation measures (inclusive of the "Roadway Access Costs" (as defined below and contemplated under the Findings and Conditions, the "Traffic Mitigation Measures") shall be implemented in a manner consistent with the Findings and Conditions; provided that any costs or expenses shall be proportionately allocated among all affected persons and entities, including without limitation the City; and provided that neither the Petitioner nor its assigns shall be obligated to take or

cause to be taken any such measures until such time as they shall be satisfied that the measures shall have been adequately specified, the costs (and the allocation) thereof determined, the persons and entities participating therein identified, and the payment of any such costs assured to the reasonable satisfaction of the City and the Petitioner (and, as specified in connection with any such assignment, its assigns). Subject to the Findings and Conditions, the parties anticipate that the Petitioner (or, as specified in connection with any such assignment, its assigns) shall incur the financial costs, except land acquisition costs, for the construction of a signalized intersection on State Road 248 and the connection of that intersection with a roadway to the Property, all as shown in the analysis of Horrocks Engineers. The total cost of any and all Traffic Mitigation Measures shall not exceed TEN MILLION AND NO/100 DOLLARS ($10,000,000), and the Petitioner's (or, as specified in connection with any such assignment, its assigns') proportionate share of the Traffic Mitigation Measures shall be between eleven percent (11%) and twenty-one percent (21%) and, further, shall be determined and documented as part of the MPD review and approval process.

18. **Effective Date.** This Annexation Agreement is effective as of the date the City Council adopts a resolution authorizing the execution of this Annexation Agreement and, further, the City provides notice of the adoption of such resolution to the parties to this Annexation Agreement.

19. **Governing Law; Jurisdiction and Venue.** The laws of the State of Utah shall govern this Annexation Agreement. Jurisdiction and venue are proper in Summit County.

20. **Real Covenant, Equitable Servitude.** This Annexation Agreement constitutes a real covenant and an equitable servitude on the Property. The terms of this Annexation Agreement touch and concern and both benefit and burden the Property. The benefits and burdens of this Annexation Agreement run with the land, and are intended to bind all successors in interest to any portion of the Property. This Annexation Agreement, a certified copy of the ordinance approving the Annexation (the "Annexation Ordinance"), and the Annexation Plat shall be recorded in the official real estate records of Summit County, Utah.

21. **Assignment.** Neither this Annexation Agreement nor any of the provisions, terms or conditions hereof may be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Annexation Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed. Any such request for assignment may be made by letter addressed to the City and the prior written consent of the City may also be evidenced by letter from the City to the Petitioner or its successors or assigns; provided that, notwithstanding the foregoing, the City hereby consents to the assignment of the rights and responsibilities, and the benefits, of this Annexation Agreement, in whole or in part, to Intermountain Healthcare (or any affiliate thereof) or to USSA, upon written notice to the City; and provided that, in connection with and to the extent specified in any such assignment, the Petitioner shall not have any further rights or responsibilities under this Annexation Agreement as and to the extent accruing from and after the date of any such assignment.

22. **Compliance with the City Code.** Notwithstanding Section 18 of this Annexation Agreement, from the time of the City Council (the "City Council") approves of this Annexation Agreement and upon completion of the Annexation, the Property shall be subject to compliance with any and all of the City's Codes and Regulations pertaining to the Property.

23. **Full Agreement.** This Annexation Agreement, together with the recitals and exhibits attached to this Annexation Agreement (which are incorporated in and made a part of this Annexation Agreement by this reference), contains the full and complete agreement of the City and the Petitioner regarding the Annexation of the Property into the City. Only a written instrument signed by all parties hereto, or their successors or assigns, may amend this Annexation Agreement.

24. **No Joint Venture, Partnership or Third Party Rights**. This Annexation Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto. Except as otherwise specified herein, this Annexation Agreement, the rights and benefits under this Annexation Agreement, and the terms or conditions hereof, shall not inure to the benefit of any third party.

25. **Vested Rights.** Subject to the provisions of this Annexation Agreement, the Petitioner (or its assigns) shall have the right to use and develop the Intermountain Healthcare Property, the USSA Property or the remainder of the Property, as the case may be, in accordance with the uses, densities, intensities, and general configuration of development approved by these Findings and Conditions and, subject to the Findings and Conditions unless otherwise agreed by any affected parties, the Final MPD, subject to and in compliance with other applicable ordinances and regulations of the City.

26. **Reserved Legislative Powers.** The Petitioner acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited, and the Petitioner shall ensure that each of its assigns is aware of such restriction in connection with any assignment of any rights or obligations hereunder. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the Land Management Code and zoning Map of the City, as in existence on the date hereof, copies of which have been provided or otherwise made available by the City to the Petitioner, Intermountain Healthcare and USSA on or before the date hereof, and which are applicable to the Property under the terms of this Annexation Agreement based upon policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Property and terms and conditions of this Annexation Agreement applicable to the Property shall be of general application to all development activity in the City; and, unless the City declares an emergency, the Petitioner, Intermountain Healthcare and USSA (and their respective assigns) shall be entitled to the required notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine.

27. **Severability**. If any part or provision of this Annexation Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Annexation Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Annexation Agreement shall be deemed invalid due its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law. Notwithstanding the foregoing, given the interdependence of many of the provisions of this Annexation Agreement, this Section 26 shall only be applied to the extent the purpose and intent of this Annexation Agreement is not frustrated.

28. **Quinn's Junction Area Study**. The City hereby confirms that the Property is located within the Quinn's Junction Area Study ("QJAS") and the findings and conclusions of the QJAS are consistent with the provisions of this Annexation Agreement and the Findings and Conditions.

IN WITNESS WHEREOF, the parties hereto have executed this Annexation Agreement as of the 1st day of January, 2007.

[signature pages follow]

PARK CITY MUNICIPAL CORPORATION

By: _____
Dana Williams, Mayor

DATED this 1st day of January, 2007.

ATTEST: City Clerk

By: _____
Janet Scott, City Recorder

DATED this 1st day of January, 2007.

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

DATED this 1st day of January, 2007.

PETITIONER:

Burbs, L.L.C., a Utah limited liability company

_____
By: Vaughn Burbidge
Title: Manager

DATED this 1 day of January, 2007.

_____
By: David Burbidge
Title: Manager

DATED this 1 day of January, 2007.

ACKNOWLEDGEMENT AND CONSENT TO AGREEMENT

By the execution hereof and as of the 27 day of November, 2006, the undersigned, hereby acknowledges and consents to the terms of this Annexation Agreement, with the understanding and agreement of the City, USSA and the Petitioner that (a) Intermountain Healthcare shall have the right to review and approve, in advance, any matters which affect any part or all of the Intermountain Healthcare Property and any adjacent property to be owned, used and/or developed by the undersigned, (b) Intermountain Healthcare shall not have any liability or obligation of any kind or nature under this Annexation Agreement except as and to the extent specified and agreed by Intermountain Healthcare in a partial assignment from the Petitioner of the Annexation Agreement (the "Assignment"), and (c) Intermountain Healthcare shall not have any obligation under the Assignment until the terms and conditions thereof shall have been agreed to by Intermountain Healthcare, the Petitioner and USSA.

IHC HEALTH SERVICES, INC., a Utah nonprofit corporation

By: Jon D. Hodges
Name: Jon D. Hodges
Title: Regional Vice President

DATED this 27 day of November 2006

ACKNOWLEDGEMENT, CONSENT AND JOINDER TO AGREEMENT

By the execution hereof and as of the ___ day of _____, 2006, the undersigned, hereby acknowledges, consents to and joins in the terms of this Annexation Agreement, with the understanding and agreement of the City, USSA and the Petitioner that (a) USSA shall have the right to review and approve, in advance, any matters which affect any part or all of the USSA Property, (b) USSA shall not have any liability or obligation of any kind or nature under this Annexation Agreement except as and to the extent specified and agreed by USSA in a partial assignment from the Petitioner of the Annexation Agreement (the "Assignment"), and (c) USSA shall not have any obligation under the Assignment until the terms and conditions thereof shall have been agreed to by Intermountain Healthcare, the Petitioner and USSA.

UNITED STATES SKI AND SNOWBOARD ASSOCIATION, a Utah nonprofit organization

By:_____
Name:_____
Title:_____

DATED this ___ day of _____, 2006

Exhibits:
A) Findings and Conditions
B) Annexation Plat
C) Legal Descriptions
D) Copy of MPD Application
E) Road Design Plans
F) Form, Terms and Amount of Financial Guarantee

ACKNOWLEDGEMENT AND CONSENT TO AGREEMENT

By the execution hereof and as of the ___ day of _____, 2006, the undersigned, hereby acknowledges and consents to the terms of this Annexation Agreement, with the understanding and agreement of the City, USSA and the Petitioner that (a) Intermountain Healthcare shall have the right to review and approve, in advance, any matters which affect any part or all of the Intermountain Healthcare Property and any adjacent property to be owned, used and/or developed by the undersigned, (b) Intermountain Healthcare shall not have any liability or obligation of any kind or nature under this Annexation Agreement except as and to the extent specified and agreed by Intermountain Healthcare in a partial assignment from the Petitioner of the Annexation Agreement (the "Assignment"), and (c) Intermountain Healthcare shall not have any obligation under the Assignment until the terms and conditions thereof shall have been agreed to by Intermountain Healthcare, the Petitioner and USSA.

IHC HEALTH SERVICES, INC., a Utah nonprofit corporation

By:_____
Name:_____
Title:_____

DATED this ___ day of _____, 2006

ACKNOWLEDGEMENT, CONSENT AND JOINDER TO AGREEMENT

By the execution hereof and as of the ___ day of _____, 2006, the undersigned, hereby acknowledges, consents to and joins in the terms of this Annexation Agreement, with the understanding and agreement of the City, USSA and the Petitioner that (a) USSA shall have the right to review and approve, in advance, any matters which affect any part or all of the USSA Property, (b) USSA shall not have any liability or obligation of any kind or nature under this Annexation Agreement except as and to the extent specified and agreed by USSA in a partial assignment from the Petitioner of the Annexation Agreement (the "Assignment"), and (c) USSA shall not have any obligation under the Assignment until the terms and conditions thereof shall have been agreed to by Intermountain Healthcare, the Petitioner and USSA.

UNITED STATES SKI AND SNOWBOARD ASSOCIATION, a Utah nonprofit organization

By: William C. Marolt
Name: William C. Marolt
Title: President CEO

DATED this 22 day of November, 2006

Exhibits:
A) Findings and Conditions
B) Annexation Plat
C) Legal Descriptions
D) Copy of MPD Application
E) Road Design Plans
F) Form, Terms and Amount of Financial Guarantee

Intermountain Healthcare/USSA/Burbs Annexation Agreement

Findings/Annexation Agreement Points[4]

1. Burbs, L.L.C. (the "Petitioner"), IHC Health Services, Inc. ("Intermountain Healthcare"), and the United States Ski and Snowboard Association ("USSA") filed an Annexation Petition on November 3, 2004.

2. The City Council of Park City Municipal Corporation (the "City Council") accepted the Annexation Petition on November 18, 2004.

3. The City Council established the Intermountain Healthcare/USSA/Petitioner Annexation Task Force on July 14, 2005 (Resolution No. 21-05) for purposes of formulating specific recommendations relating to the annexation's proposed zoning, land uses, affordable housing, transportation, and community economics/fiscal impacts.

4. On October 27, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on a new zoning district to apply to the annexation area, the Community Transition District - Master Planned Development ("CT-MPD"), which includes specific provisions addressing affordable housing.

5. On November 10, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on the economic impact/fiscal analysis relating to the Annexation.

6. On December 8, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on traffic and transportation impacts and mitigation.

7. The Property subject to the Annexation Petition (the "Annexation Property") is currently vacant, 157 acres in size, and located in unincorporated Summit County, Utah, at the northwest corner of the State Road 248/Highway 40 interchange.

8. The Annexation Property currently is zoned in Summit County Developable Lands (DL), with a base density of 1 unit/20 acres and 1 unit/40 acres (depending on the extent of any environmentally sensitive lands, which need to be managed or preserved in compliance with any applicable laws, rules and regulations, including without limitation the City's Sensitive Lands Overlay code.

9. The Annexation Property is to be zoned, as shown on the attached Annexation Plat, Community Transition District-Master Planned Development ("CT-MPD"). The CT-MPD has a base density of 1 unit/20 acres. The Community Transition District permits density bonuses up to a maximum of 3 units/acre provided specific standards are met relating to open space, Frontage Protection Zone (FPZ) setbacks, parking, affordable housing, and public land/facilities.

10. The land uses proposed on the Annexation Property include a community hospital/medical facility; support medical offices; public/quasi-public and institutional uses; United States Ski and Snowboard (USSA) headquarters and sports training complex; public recreation uses; affordable/employee housing; and open space.

11. The MPD shall substantially comply with the Annexation Plat. The proposed total density at build-out for the Annexation area is 535,000 square feet (gross), equates to 2.64 units/acre and consists of the following:

Intermountain Healthcare Hospital: 300,000 square feet (180 Unit Equivalents)

[4] Except as otherwise defined herein, capitalized terms shall be as defined in the Annexation Agreement.

United States Ski and Snowboard Offices and Training Center:	85,000 square feet (85 Unit Equivalents)
Support Medical Office:	150,000 square feet (150 Unit Equivalents)

12. The City has agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City identified a public policy preference that up to 50,000 square feet of the Support Medical Office area should primarily be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area, including without limitation, athletic national governing body offices, non-profit community wellness facilities, and/or education uses. A specific allocation of such uses shall be determined and agreed to by the Petitioner (or its assigns) and the City as part of the MPD review and approval process.

13. The Petitioner has previously notified the United States Ski and Snowboard Association (USSA) that the Petitioner desires to donate five (5) acres of the Property (the "USSA Property") to USSA for the purposes of developing an 85,000 square foot athletic national governing body (NGB) and training complex. Land uses within the USSA Property are limited to USSA administrative, athlete training, and/or other national governing body uses, with deed restrictions to that effect to be recorded against such property. Subject to any such deed restrictions, the City shall have the right of first refusal to purchase the USSA Property and facilities in the event that, as an authorized assignee of the Petitioner, USSA sells and/or relocates from such property. In addition to the deed restrictions, any change of use will require approval of an amended Master Planned Development and Conditional Use Permit. Further, any uses other than athletic national governing body office/training facilities, public/quasi-public, institutional, and/or recreation uses will require employee/affordable housing mitigation conforming to the Affordable Housing Guidelines and Standards Resolution in effect at the time of application.

14. The Property is subject to the Employee/Affordable Housing requirements of the Affordable Housing Guidelines and Standards Resolution 17-99, as amended. The base employee/affordable housing requirement for development associated with the Intermountain Healthcare hospital (300,000 square feet) is 44.78 Affordable Unit Equivalents. The base employee/affordable housing requirement for development associated with USSA (85,000 square feet) is 10.71 Affordable Unit Equivalents. The base employee/affordable housing requirement for development associated with the Support Medical Office (150,000 square feet) is 34.98 Affordable Unit Equivalents. The total Affordable Unit Equivalents required for the Property is 90.47. Intermountain Healthcare, as an authorized assignee of the Petitioner, shall be entitled to, and has received, a reduction of 27.49 Affordable Unit Equivalents for the hospital portion of the development of the Intermountain Healthcare Property, in recognition of the non-commercial, non-residential nature of the hospital portion of the development. One Affordable Unit Equivalent equals 800 square feet.

15. The City agrees that a deferral of the required 10.71 Affordable Unit Equivalents of employee/affordable housing for the USSA Property will be granted to USSA in consideration of, as previously agreed to by the Petitioner, the donation by the Petitioner of five (5) acres of the Property to USSA, as a community-based nonprofit organization, upon which USSA intends to construct its facilities. This deferral is contingent upon the continued ownership and occupancy of the facility by USSA or another community-based nonprofit organization approved by the City. Any change in use to a non-community-based nonprofit organization may require USSA to meet the deferred employee/affordable housing requirements. In addition, any change in use or redevelopment of the USSA Property that creates additional presumed "employee generation" on the USSA Property (as contemplated under the Affordable Housing Guidelines and Resolution 10-06) may require an employee/affordable housing contribution to address that increment of presumed employee generation.

16. The City agrees that the 44.78 Affordable Unit Equivalent requirement associated with the Intermountain Healthcare hospital (300,000 square feet) shall be satisfied by, as previously agreed to by the Petitioner, the donation by the Petitioner of a five (5) acre parcel of the Property to the City and the other terms and conditions of Section 11 of the Annexation Agreement, in any case, shall conform to the Affordable Housing Guidelines and Standards Resolution 17-99, as amended. Further, with the City's approval, as part of the MPD review process or otherwise, additional Affordable Unit Equivalents may be included in the five (5) acre parcel and shall be applied toward the 34.98 Affordable Unit Equivalents associated with the Support Medical Office.

17. In addition to the five (5) acre donation referenced in Section 11 of the Annexation Agreement and Section 16 herein above, the Petitioner has previously notified the City that the Petitioner desires to and will donate a separate, additional fifteen (15) acres of the Annexation Property to the City for public recreation and open spaces purposes (the "City Recreation/Open Space Parcel").

18. On December 8, 2005, the Task Force forwarded a unanimous recommendation to the Planning Commission on traffic and transportation mitigation. The Task Force recommendation is based, in part, on an access study provided by the Petitioner's traffic consultants--Horrocks Engineers (dated November 6, 2005) and additional analysis prepared by the City consultant, Rosenthal and Associates (dated November 7, 2005). It was the Task Force recommendation that it is reasonable for all developers within the City Annexation boundary to pay for or otherwise offset their share of costs (to the City) of all roadway and other necessary traffic mitigation improvements. The Task Force determined that the proposed medical campus, offices, and athletic training complex require access to SR248 intersection improvements. The current design and anticipated traffic generation from the City recreation and ice rink complex does not warrant a signalized intersection.

19. Except as otherwise specified in the Annexation Agreement, the Petitioner (or, as specified in connection with any such assignment, its assigns) will be responsible for providing all necessary access to the property from SR 248 and all necessary intersection improvements including, but not limited to, one (1) signalized intersection at SR 248. The Petitioner (or, as specified in connection with any such assignment, its assigns) will be responsible for all coordination and costs associated with providing access to the Property, other than land acquisition costs for the Main Access Roadway and Secondary Access Easement (the "Roadway Access Costs"), as required in the Subdivision Chapter of the LMC Sections 15-7.2 & 15-7.3, including the Traffic Mitigation Measures, all of which shall be determined and agreed to as part of the MPD review and approval process. The total cost of the Traffic Mitigation Measures shall not exceed TEN MILLION AND NO/100 DOLLARS ($10,000,000) and the Petitioner's (or, as specified in connection with any such assignment, its assigns) proportionate share shall be between eleven percent (11%) and twenty-one percent (21%). To the extent the Property is adjacent to a frontage road to Silver Summit, the Petitioner (or, as specified in connection with any such assignment, its assigns) shall cooperate with the City in the dedication of a nonexclusive right-of-way over and across the Property to access such frontage road.

20. The Petitioner (or, as specified in connection with any such assignment, its assigns) will proportionally share in the cost for future necessary road improvements to SR 248, as and to the extent specified and agreed by the Petitioner or any affected parties from time to time. In addition to the cost of any Traffic Mitigation Measures, the City agrees to apply the costs associated with installing the traffic signal at the future Annexation Property access/SR 248 intersection towards the proportional share of future overall SR 248 improvements.

21. The Petitioner (or, as specified in connection with any such assignment, its assigns), in addition to the other reimbursement, credit or contribution rights, reserves the right to develop a latecomers agreement or take or cause to be taken such other actions as may be necessary or appropriate to recover and/or ensure reimbursement for any costs incurred by in connection with the Traffic Mitigation Measures, the Main Access Roadway, the Secondary Access Easement, the Roadway Access Costs, as well as the cost of any

water impact fees and any water connection fees, and, further (as confirmed by the City's execution of the Annexation Agreement), any obligation of the Petitioner (or, as specified in connection with any such assignment, its assigns) in this regard shall be subject thereto.

22. The City has agreed to consider other potential cost-sharing traffic and transportation mitigation strategies which may include, but are not limited to the development of additional employee/affordable housing linked to the community transit system; physical improvements such as, but not limited to a transit hub, park and ride lot, and van/shuttle programs; and/or employee traffic/transit programs, adjusted shift times and ridesharing incentives, without any obligation, cost or otherwise, to the Petitioner (or its assigns).

23. The Petitioner, Intermountain Healthcare, USSA, and the City have agreed that, as contemplated hereunder, final approval of detailed traffic and transportation mitigation and any cost sharing for road/highway improvements shall be agreed to by the affected parties and approved through a technical report approved by the Planning Commission and the City Council as a part of the MPD review and approval process.

24. The Planning Commission held a public hearing on the Annexation Agreement on May 10, 2006.

25. The City, the Petitioner and any affected parties, including Intermountain Healthcare and USSA, shall and hereby acknowledge and agree that, except as may be otherwise specified in the Annexation Agreement with respect to the Annexation, the vested uses, densities, intensities, and general configuration of development approved in the Annexation, the Annexation Agreement and these Findings and Conditions, the Water Rights, the Main Access Roadway and the Secondary Access Easement, the Annexation, the Annexation Agreement and the obligations of the Petitioner (and its successors or assigns) hereunder are subject to, all as acceptable to the parties in their respective, reasonable discretion, confirmation, determination and agreement of the parties with respect to the Final MPD and Subdivision Plat; any necessary Development Agreements for each parcel of the Property; Construction Mitigation; Landscaping Plans; Lighting; and Related Access, Development and Use Matters.

EXHIBIT D

Subdivision Plat (Second Amended) for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility

A part of the West 1/2 of Section 35, T1S, R4E, Salt Lake Base & Meridian, U.S. Survey
Park City, Summit County, Utah

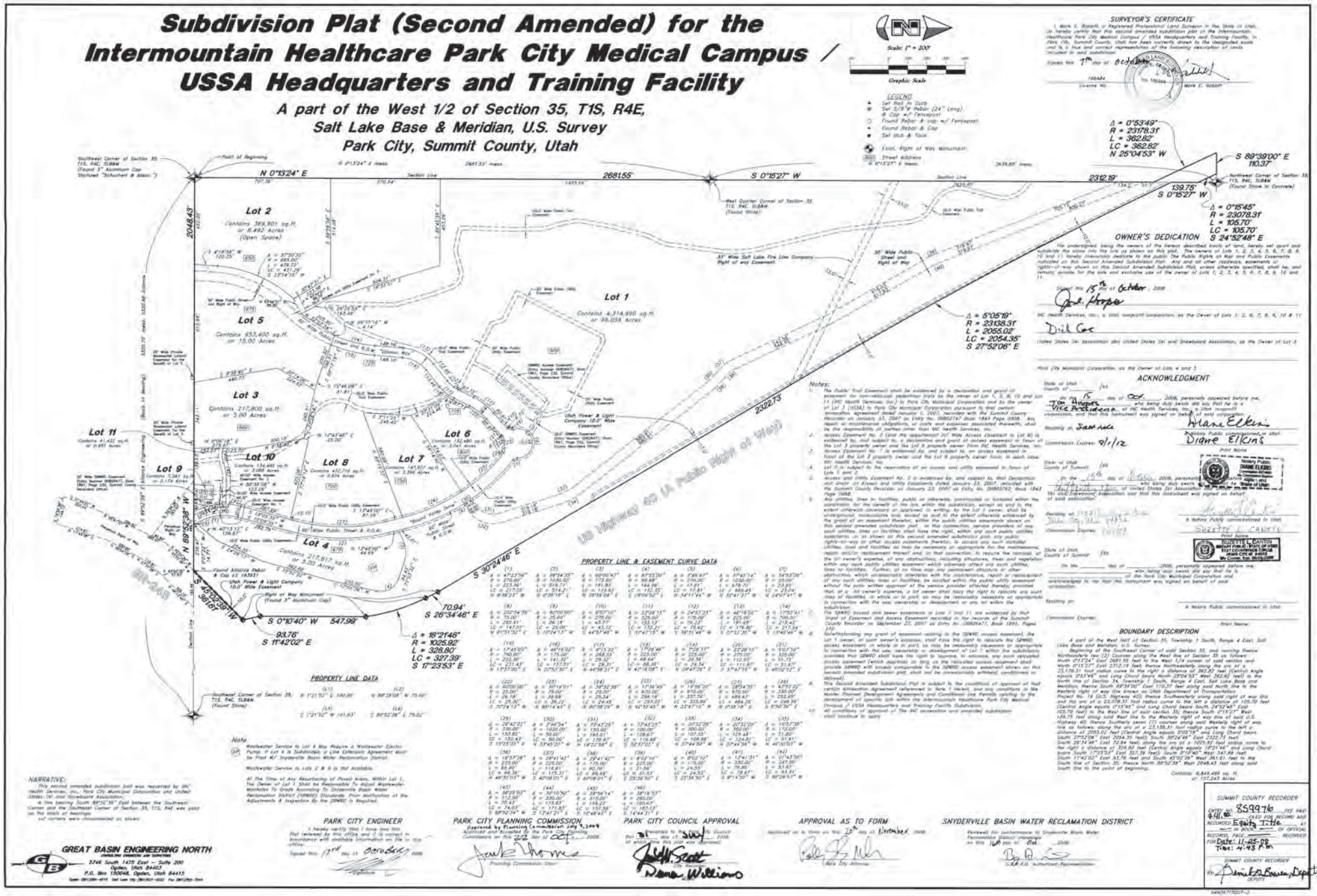


EXHIBIT E

(Amended April 23, 2014)

November 18, 2013

Brad Mackay
Ivory Development
978 Woodoak Lane
Salt Lake City, UT 84117

NOTICE OF PLANNING COMMISSION ACTION

Project Description:	Park City Heights MPD amendment and preliminary plat revision
Project Numbers:	PL-13-02009
Project Address:	Richardson Flat Road
Date of Final Action:	November 6, 2013

Action Taken
The Planning Commission conducted a public hearing and approved the Park City Heights MPD amendment and revisions to the preliminary plat. Approval was granted in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact
1. The Park City Heights MPD includes the following:

a. 160 market rate units distributed in a mix of: cottage units on smaller lots (lots are approximately 6,000 to 8,600 sf in size); single-family detached units on approximately 8,000 sf to 27,000 sf lots; and single family detached on two upper lots which are approximately 44,000 and 48,000 sf each. The approximate distribution of types of product is identified in the Design Guidelines.

b. 28 deed restricted townhouse units (44.78 affordable unit equivalents or AUE). These 28 units meet the required IHC affordable units under their affordable housing obligation and are configured as seven four-plexes.

c. 16 deed restricted units (32 AUE). These 16 units meet the affordable housing required by the CT zone (LMC 15-2.23-4(A) (8)) and the Affordable Housing Resolution 17-99. These units are configured as a mix of single-family detached, cottage homes, and townhouse units. These units will be configured as Single Family Detached Cottage Homes and dispersed throughout the cottage homes area.

d. 35 additional non-required deed restricted affordable units in a mix of unit types. These units will be configured as small lot Single Family Detached Park Homes.

e. All units (including all deed restricted units) will be constructed to, National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification or LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.

In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either: 1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score. Third party inspection will be provided. An industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to building permit issuance.

f. A total of 171.5 acres of open space (not including open space within individual lots) is provided. This is approximately 72% of the entire 239 acres. This total includes the 24 acre parcel located adjacent to Highway 248 that is deeded to the City for open space.

g. An additional 5 acres of deeded open space is provided on Round Valley Drive adjacent to US 40 south of the Park City Medical Center. This open space is not included in the 72% figure. This is in exchange for transferring the 28 IHC deed restricted townhouse units to the PC Heights neighborhood. This parcel is deed restricted per requirements of the Burbidge/IHC Annexation and Development Agreements.

h. A dedicated 5.70 acres () of public neighborhood parklands with fields, tot lot and playground equipment, shade structure, paths, natural areas, and other amenities to be designed and constructed by the developer and maintained by the City. This parkland is included in the open space calculations. Bathrooms are proposed in the club house with exterior access for the public park users. Community gardens may be developed by the HOA in close proximity to the parkland within open space areas adjacent to the small lot Park Homes or the Park Homes.

i. intentionally left blank

j. 3 to 4 miles of soft surface trails within and around the property and an additional mile or so of hard surfaced sidewalks and paths along the Project's streets.

k. Trail connections to the Rail Trail and Quinn's trail, including trail on the north side of Richardson Flat Road from the 248 underpass to the Rail Trail and trail on the south side of the Road from the project to the Rail Trail. Trail connections to the south property line for future connections to the Jordanelle area. Trail easements on north side of Richardson Flat Road from Rail Trail to the east property line. Trail connections to the Park City and Snyderville Basin back country trails system. Trails are further described in Finding #11.

l. A Transit bus shelter along Richardson Flat road including "dial-a-ride signs" (City bus service is expected to be extended to Park City Heights and the Park and Ride).

m. Bike racks at the club house and Public Park.

n. Cross walk across Richardson Flat road at the rail trail.

o. A 3,000 sf community center/club house shall be constructed by the developer; Exterior access bathrooms will be available for park users.

p. Water infrastructure improvements that enhance the City's overall water system and provide redundancy as required by the Water Agreement executed as part of the Annexation Agreement. Water shares were dedicated to the City as part of a pre-annexation agreement.

q. Transportation improvements to the Richardson Flat/248 intersection including lane improvements and installation of a traffic signal to provide intersection safety (controlled left turn) and putting the Park and Ride facility and Park City Heights on the City bus route. These transportation improvements meet the requirements in the Annexation Agreement.

r. Following Wildlife recommendations as identified in the Biological Resources Overview prepared by Logan, Simpson Design, Inc. amended March 17, 2011.

s. Design Guidelines approved as part of this MPD apply to all lots, with the exception of the 2 upper lots proposed to be subject to the CCRs for the Oaks at Deer Valley, or equivalent.

t. No sound barrier walls or structures along US 40 within or related to the MPD.

u. Construction of support commercial such as a daycare facility, café, or other support commercial/offices would be the responsibility of the owner/developer of said property.

2. The Park City Heights MPD is subject to the Park City Heights Annexation Agreement approved by the City Council on May 27, 2010. The Annexation Agreement sets forth terms and conditions of annexation, zoning, affordable housing, land use, density, transportation and traffic, phasing, trails, fire prevention, road and road design, utilities and water, fiscal impact analysis, snow removal, fees, and sustainable development requirements for the 239 acre Park City Heights MPD. The MPD as conditioned is in compliance with the requirements of the Annexation Agreement.

3. The Park City Heights Annexation Agreement includes a Water Agreement as an integral component. The Water Agreement sets forth terms and conditions related to water facilities, restrictions regarding water, and phasing of development as it relates to completion of water infrastructure. The MPD as conditioned is in compliance with the Water Agreement.

4. On June 17, 2010, the applicants submitted a pre-MPD application based on the annexation approval and agreement. The Planning Commission reviewed the pre-MPD application at two (2) meetings (July 14 and August 11, 2010) and found the application to be in initial compliance with applicable elements of the Park City General Plan.

5. On June 30, 2010, the applicants submitted a complete MPD application.

6. The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record as required by the Land Management Code.

7. Public hearings on the MPD were held on October 13th, November 10th, and December 8th, 2010 and on February 9th, February 23rd, March 9th and March 23rd, 2011 and on April 27, 2011.

8. The property is located within the Community Transition (CT) zone. The MPD is in compliance with all applicable requirements of the CT zone, including density, uses, building setbacks, building height, parking, open space, affordable housing, and sustainable development requirements.

9. Access to the site is from Richardson Flat Road, a public road previously known as Old Dump Road. No access is proposed to the currently unimproved US 40 frontage road (UDOT) along the east property line. No roads are provided through the Park City Heights MPD to the Oaks, Royal Oaks, or any other neighborhood within the Deer Valley MPD, consistent with the Annexation Agreement.

10. Utilities are available in the area, however extension of utilities or utility upgrades to the development site are required. A final utility plan will be submitted with the final subdivision plats to be reviewed by the Interdepartmental and Utility Service providers Development Review Team. City Staff will provide utility coordination meetings to ensure that utilities are provided in the most efficient, logical manner and that comply with best practices, including consideration of aesthetics in the location of above ground utility boxes. Location of utility boxes shall be shown on the final utility plans. The MPD phasing plan shall be consistent with conditions of the Annexation Agreement related to provision of public services and facilities.

11. The MPD includes 1) a paved connector trail on the south side of and separated from Richardson Flat Road, from the project to the Rail Trail, 2) a paved connector trail on the north side of and separated from Richardson Flat Road, from the SR 248 underpass to the Rail Trail, 3) a trail connection from trails within the project to the south property boundary line, 4) a trail easement along the north side of and separated from Richardson Flat Road from the Rail Trail to the east property boundary line, and 5) several miles of paved and soft surfaced trails throughout the development. All trails will be constructed by the developer consistent with the Park City Trails Master Plan.

12. The MPD includes a dedicated neighborhood public park to be constructed by the developer according to the City's parks plan, and as further directed by the City Council. Bathrooms are provided at the clubhouse with exterior access for the park users.

13. Parking within the MPD is proposed at two spaces per unit within private garages. Additional surface parking is provided for guests, the community garden/park areas, and the neighborhood clubhouse/meeting area. The streets have been designed to allow for parking on one-side per the City Engineer. Final street design will be determined at the time of the final plat and additional off-street guest parking areas will be incorporated into the design.

14. The proposed MPD density of 1 unit per acre complies with the density allowed by the CT zone. (239 units on 239 acres) The net density is 0.82 units per acre (195 units on 239 acres), excluding the 44 required deed restricted housing units. The density is consistent with the Annexation Agreement. If the additional 35 deed restricted affordable units are excluded in this analysis the net density is 0.67 units per acre (160 units on 239 acres).

15. The LMC requires a Sensitive Lands Analysis for all Master Planned Development applications. The MPD application included a Sensitive Lands Analysis.

16. A portion of property is located within the designated SR 248 Entry Corridor. This area is identified in the MPD as open space and all required entry corridor setbacks of 200' are complied with.

17. The property contains SLO designated steep slopes, ridgelines and wetland areas. These areas are identified in the MPD as open space areas and all required wetland and stream setbacks are complied with.

18. A wildlife study was conducted and a report (December 2010) was prepared by Logan Simpson Design, Inc. A revised report was prepared on March 17, 2011. The wildlife study

addresses requirements of the Land Management Code and provides recommendation for mitigation of impacts on wildlife. An updated report was submitted by Logan Simpson Design, Inc. on July 7, 2011. The purpose of the updated report was to provide additional recommendations on mitigating impacts of the development on the wildlife in the area; to validate the observations of the earlier biological reports; to further study and identify wildlife movement corridors, evidence of species of high public interest such as Elk, Moose, Deer, and other small mammals; locations of dens or nesting sites; and to identify any areas of high native species diversity.

19. The site plan complies with the minimum MPD required 25' setback around the perimeter of the property. Setbacks range from 25' to 690' (greater to the south property line).

20. The locations of the proposed units are consistent with the MPD site planning and Sensitive Lands Overlay criteria.

21. The property is visible from the designated LMC Vantage point along State Road 248 and a visual analysis was conducted by the applicant from this Vantage point. Additional visual analysis was provided from the intersection of Richardson Flat Road and SR 248. Units along the western perimeter are most visible along the minor ridge from SR 248. Any units along this perimeter that are over the 28' height limit as measured in the zone will be required to obtain an Administrative Conditional Use Permit.

22. Intentionally left blank.

23. Design Guidelines for the Park City Heights MPD address site planning, setbacks, house sizes, architecture and design, sustainability and best practices, landscaping and water conservation, and other requirements of the Annexation Agreement.

24. A comprehensive traffic study and analysis of the Property and surrounding properties, including existing and future traffic and circulation conditions was performed by the Applicant's traffic consultant, Hales Engineering, dated June 7, 2007, on file at the Park City Planning Department. An updated traffic volume and trip generation report was provided by Hales Engineering on September 27, 2010. An additional traffic update was provided in 2008 by InterPlan Co at the request of the City Transportation Department. The Hales Engineering study was utilized during the annexation process in the determination of density and requirements for traffic and transportation related impact mitigations. The City's Transportation Department prepared a Short Range Transit Development Plan to study demand for transit, routes, efficiency of the transit system, etc. This Transit Plan addresses the timeline for bus service in the Quinn's Junction area. The City's Transportation Master Plan update will include the projected traffic from Park City Heights MPD in the recommendations for transportation improvements within the City.

25. Construction traffic is required to be addressed in the Construction Mitigation Plan.

26. A Geotechnical Study for the Park City Heights Development was provided by Gordon, Spilker Huber Geotechnical Consultants, Inc. (June 9, 2006). Expansive clay soils were encountered across the site in the upper two and one-half to nine and one-half feet. Shallow bedrock was found within portions of the site. Special construction methods, removal of these unsuitable soils, and other mitigations are spelled out in the Study. An additional geotechnical report was prepared by AGEC dated December 20, 2011 and submitted to the City.

27. A Fire Protection Report (March 2011) identifies potential Wildland urban interface areas within the MPD. Prior to issuance of building permits the Building Department will review individual building fire protection plans for compliance with recommendations of the Fire

Protection Report and applicable building and fire codes. The fire protection component of the plan shall ensure that Park City's ISO rating is not negatively affected by development of the site.

28. Affordable housing obligations of the MPD are consistent with the affordable housing described by the Park City Heights Annexation Agreement, Housing Resolution 17-99 and as required by the CT zone. The MPD provides up to an additional 35 deed restricted housing units over the 28 deed restricted townhouse units (44.78 affordable unit equivalents (AUE) required by the IHC MPD and the 16 deed restricted units (32 AUE) required by the CT zone for the 160 market rate units). These affordable units are configured as a mix of single-family detached, cottage units, and attached townhouse units. The additional 35 non-required deed restricted affordable units are proposed to be configured as the small lot Park homes as part of this MPD consistent with the needs described in Housing Market Assessment for Park City, dated September 2010. All units are proposed as for sale units. Defining the configuration of units to be as follows:

a. 35 Deed restricted units will be configured as Small Lot Single Family Detached Park Homes.
b. 28 Deed restricted townhouse units will be configured as attached Four-plex Park Homes.
c. 16 Deed restricted units will be configured as Single Family Detached Cottage Homes dispersed throughout the development.

29. No building height exceptions have been requested and all buildings will comply with the height limitations of the CT zone.

30. Lots have been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation, have been mitigated to the extent possible as further described in the Park City Heights Design Guidelines.

31. Utilities must be extended to the site to sustain the anticipated uses. Thirty (30') foot wide non-exclusive utility easements are generally necessary for long term maintenance and shall be dedicated on the final subdivision plats. Off-site improvements are necessary to serve the site with utilities.

32. Off-site trail and intersection improvements may create traffic delays and potential detours, short term access and private driveway blockage, increased transit time, parking inconveniences, and other impacts on the adjacent neighborhoods and to the community in general. Construction Mitigation Plans are required and shall be required to include mitigation for these issues.

33. A Construction Mitigation Plan (CMP) is necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control and storm water management.

34. Final road designs will be provided to the Planning Commission for review with the final subdivision plats. To minimize visual impacts and to minimize disturbance of existing vegetation due to large areas of cut and fill slopes, low retaining structures (in steps of 4' to 6') are recommended. These low retaining structures may be stepped to minimize their height. Design of these retaining structures is included in the PC Heights Design Guidelines to ensure consistency of design, materials, and colors throughout the development.

35. A storm water run-off and drainage plan is necessary to ensure compliance with Park City's Storm Water Management policies and plans and storm water Best Management Practices for storm water during construction and post construction with special considerations to protect the wetlands delineated on and adjacent to the site.

36. A financial guarantee for all landscaping and public improvements 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 in a timely manner. This financial guarantee is required prior to building permit issuance.

37. Intentionally deleted.

38. A master sign plan is required for Planning Department review and approval and all individual signs, including subdivision identification signs, require a sign permit prior to installation.

39. Sound mitigation may be desired by owners of units along US 40. Conditions of approval prohibit sound barrier walls within the MPD. However, other sound mitigation measures may be accomplished with landscaping, berming, smart housing design and insulation, and sound barriers constructed as part of the dwelling units.

40. Section 15-6-4 (G) of the LMC states that once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement.

41. The applicant stipulates to the conditions of approval.

42. The discussion in the Analysis sections of the March 23, 2011, October 9, 2013, and November 6, 2013 Planning Commission Staff Reports are incorporated herein.

43. The applicants have met with Rocky Mountain Power and have increased the Rocky Mountain Power line setbacks as required by this Utility.

44. The site plan for the proposed MPD has been designed to minimize the visual impacts of the development from the SR 248 Entry Corridor and has preserved, through open space, the natural views of the mountains, hillsides and natural vegetation consistent with Park City's "resort character".

45. The 171.5 acres of open space adjacent the development, the trail connections and improvements, and proposed neighborhood public park, as conditioned, will provide additional recreational opportunities to the Park City community and its visitors, which strengthens and enhances the resort character of Park City.

46. The opportunities for mixed affordable housing types, including rental units, within the development will strengthen the resort economy by providing attainable housing options in a sustainable and energy efficient community for workers in Park City's tourism/resort based industries.

47. Surrounding uses include open space, Highway 248, US 40, the Rail Trail, the Municipal Water Treatment Plant, Quinn's recreation complex (fields and ice rink), and the IHC medical center and offices.

48. The MPD provides direct connection to and critical improvements of the Rail Trail and provides alternative transportation opportunities for recreation and commuting, such as biking,

walking, in-line skating, and cross country skiing to Park City's business district at Prospector Square (within 2 miles) and to the IHC medical complex.

49. The MPD provides for remediation of historic mine soils for the good of the greater Park City community.

50. Further soils investigation work was conducted and a Site Characterization Report was prepared by IHI Environmental (May 6, 2013) to identify and locate historic mine soils and to draft a remediation plan to submit to the State Department of Environmental Quality as part of the Voluntary Cleanup Program.

Conclusions of Law

1. The amended MPD, as conditioned, complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Chapter 6- Master Planned Developments Section 15-6-5.

2. The amended MPD, as conditioned, is compatible with surrounding structures in use, scale, mass, and circulation.

3. The amended MPD, as conditioned, is consistent with the Park City General Plan.

4. The amended MPD, as conditioned, is consistent with the Park City Heights Annexation Agreement in terms of uses, density, housing types, site plan, affordable housing, open space, trail connections, road and intersection improvements, interconnectivity within the neighborhood, and provided neighborhood amenities.

5. The amended MPD, as conditioned, strengthens and enhances the resort character of Park City by providing a residential neighborhood of mixed housing types and prices connected by trails to parks, schools, recreation facilities, employment centers, medical facilities, and commercial areas and that is buffered by larger interconnected areas of open space that preserve entry corridor views of the resort areas and provide wildlife movement corridors.

6. The amended MPD, as conditioned, is Compatible in use, scale and mass with adjacent properties, and promotes neighborhood Compatibility.

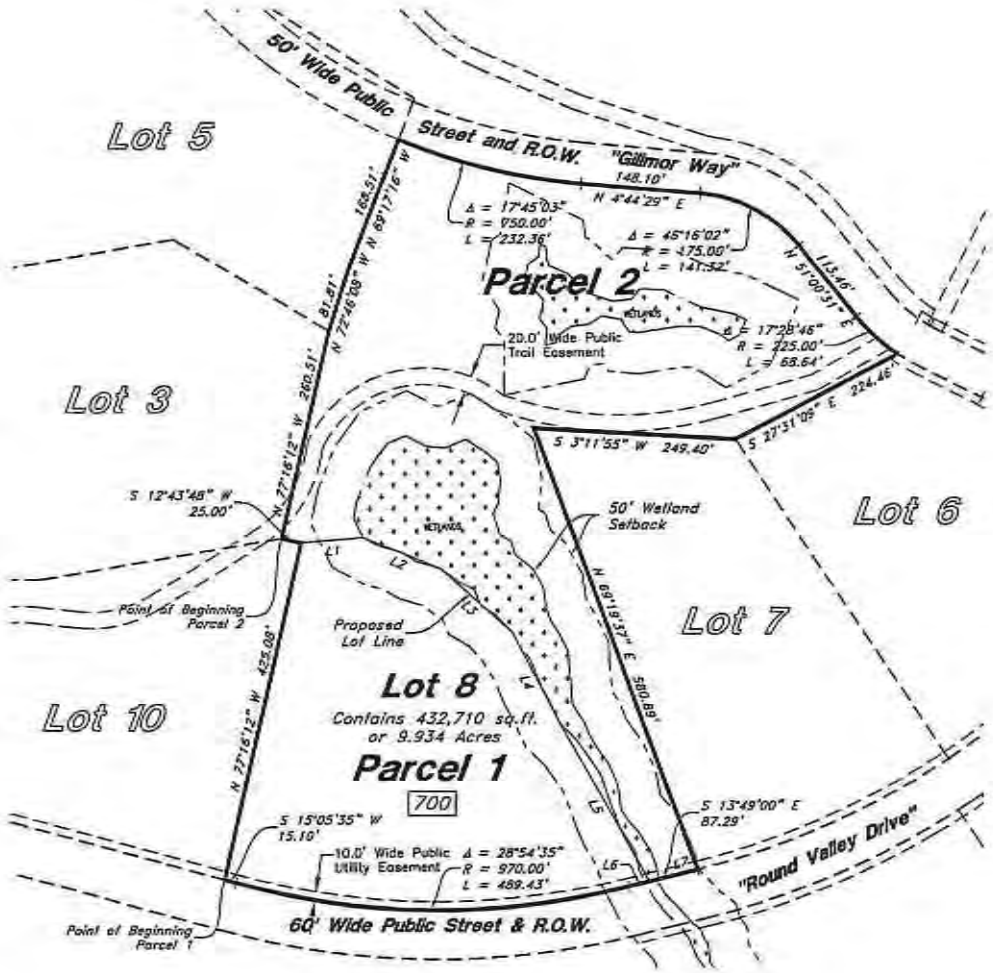
7. The amended MPD provides amenities to the community so that there is no net loss of community amenities in that trail improvements, parkland, affordable housing, potential for neighborhood support daycare/commercial are provided, and remediation of historic mine soils on the site will be undertaken at a benefit to the community at large.

8. The amended MPD is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed. Additional affordable house, above that required is provided within the neighborhood.

9. The amended MPD has been designed to place Development on the most Developable Land and preserves significant features and vegetation to the extent possible. Seventy percent of the property remains in open space, with much of the undeveloped land containing significant vegetation and characterized by steeper slopes, visible hillsides, and sensitive ridgeline areas.

10. The amended MPD promotes the Use of non-vehicular forms of transportation through the pedestrian friendly site design and by providing trail connections, sidewalks, access to the Rail Trail, and easy access to parks and open space areas.

EXHIBIT F



Scale: 1" = 150'

0 150 180 210 240 270 300

Graphic Scale

LINE DATA		
Line	Bearing	Length
L1	N 4°45'05" W	76.55'
L2	N 21°59'07" E	102.66'
L3	N 41°50'31" E	118.44'
L4	N 62°24'38" E	125.55'
L5	N 60°04'52" E	225.33'
L6	S 13°49'00" E	25.92'
L7	S 13°49'00" E	61.37'

PROFESSIONAL LAND SURVEYOR
1-28-15
No. 6242920
ANDY HUBBARD
STATE OF UTAH

RECEIVED
FEB 18 2015
PARK CITY PLANNING DEPT.

Job Name: Lot 6, Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility
Job No: 04N267
Date: 2 Dec., 2014

Sheet No. 1
Sheet Subtotal 1

GREAT BASIN ENGINEERING

EXHIBIT G

PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.23 – COMMUNITY TRANSITION (CT) DISTRICT

Chapter created by Ordinance No. 06-48

15-2.23-1. PURPOSE.

The purpose of the Community Transition (CT) District is to:

(A) Encourage low-Density public, quasi-public, and/or institutional Uses relating to community open space, recreation, sports training and Development, tourism, and community health;

(B) Encourage low Density Development designed in a manner so as to cluster Uses in the least visually sensitive Areas and maximizes open space;

(C) Enhance and expand public open space and recreation Uses Compatible with the adjacent public deed-restricted open space;

(D) Prohibit highway service commercial, regional-commercial, and limit residential land Uses;

(E) Require Building and Site design solutions that minimize the visual impacts of parking and parking lot lighting from the entry corridor and adjacent neighborhoods and land Uses;

(F) Preserve and enhance environmentally Sensitive Lands such as wetlands, Steep Slopes, ridgelines, wooded Areas, and Stream Corridors;

(G) Preserve Park City's scenic entry corridor by providing significant open space and landscape buffers between Development and the highway corridor;

(H) Encourage transit-oriented Development and Uses;

(I) Promote significant linkages to the broader community open space and trail network;

(J) Encourage the Development of high quality public places such as parks, trails, and recreation facilities;

(K) Encourage Development which preserves the natural setting to the greatest extent possible; and

(L) Minimize curb cuts, driveways, and Access points to the highway.

(M) Encourage sustainability, conservation, and renewable energy.

(Amended by Ord. No. 09-10)

15-2.23-2. USES.

Uses in the Community Transition District are limited to the following:

(A) **ALLOWED USES.**

(1) Conservation Activities
(2) Home Occupation
(3) In-home Babysitting
(4) Family Child Care
(5) Secondary Living Quarters
(6) Agriculture

(B) **ADMINISTRATIVE CONDITIONAL USES.**

(1) Trails and Trailhead Improvements
(2) Outdoor Recreation Equipment
(3) Essential Public Utility Use, Service or Structure less than 600 sf
(4) Accessory Buildings less than 600 sf
(5) Parking Areas with 4 or fewer spaces
(6) Outdoor Events and Outdoor Music, see Section 15-4
(7) Temporary Improvement
(8) Outdoor Dining and support retail associated with support Uses with an MPD
(9) Special Events
(10) Fences and Walls, see Section 15-4
(11) Anemometer and Anemometer Towers

(C) **CONDITIONAL USES.**

(1) Master Planned Developments (MPDs)
(2) Public, Quasi-Public, Civic, Municipal Uses
(3) General Acute Hospital
(4) Alternative Professional Health-related Services
(5) Athletic Training and Testing Offices and Facilities
(6) Athletic Program Administrative Offices
(7) Support Short-Term Athlete Housing or lodging associated with an approved recreation facility (within an approved MPD)
(8) Accredited Physician Office Space
(9) Accredited Medical & Dental Clinics
(10) Medical Heliport
(11) Group Care Facility
(12) Ancillary Support Commercial (within an approved MPD)
    (a) Gift Shop
    (b) Dispensing pharmacy
    (c) Medical supply
    (d) Restaurant
    (e) Deli
    (f) Outdoor Grills/ Beverage Service Stations
    (g) Child Care Center

(13) Recreation Facility, Public and Private
(14) Recreation Facility, Commercial
(15) Park and Ride Lot
(16) Municipal/Institutional Accessory Building and Use
(17) Parking Lot, Public or
(18) Public Utility or Essential Services
(19) Single Family Dwelling (with an approved MPD[1])
(20) Duplex Dwelling (with an approved MPD[1])
(21) Multi-Unit Dwelling (with an approved MPD[1])
(22) Telecommunication Antenna
(23) Transit Facilities
(24) Parking Areas, Lots, and Structures with more than five (5) Parking Spaces
(25) Raising and Grazing of Horses
(26) Commercial Riding Stables
(27) Small Energy Wind Systems

(C) **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 07-25; 09-10)

15-2.23-3. LOT AND SITE REQUIREMENTS.

Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(A) **LOT SIZE**. There is no minimum Lot size in the CT District.

(B) **FRONT, REAR AND SIDE YARDS**. The minimum Front, Side, and Rear Yards for all Structures is twenty-five feet (25'). The Planning Commission may vary required yards in Subdivisions and Master Planned Developments. In no case shall the Planning Commission reduce Side Yards to allow less than ten feet (10') between Structures. Setbacks may be further restricted by Frontage Protection Overlay (FPZ) standards and/or Master Planned Development conditions of approval.

(C) **FRONT, SIDE, AND REAR YARD EXCEPTIONS**. Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, and approved Parking Areas are allowed as exceptions in the Front, Side, and Rear Yards. Screened mechanical and utility equipment, hot tubs, and decks are allowed as exceptions in the Side and Rear Yards provided that a minimum five feet (5') Setback is maintained.

(D) **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A

[1] Residential Uses cannot exceed 1 unit/acre

reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

(Amended by Ord. No. 09-10)

15-2.23-4. DENSITY.

The base Density of the CT District is one (1) unit per twenty (20) acres. Residential Uses cannot exceed one (1) unit/acre.

(A) **DENSITY BONUS – ONE (1) UNIT/ACRE**. The base Density of the CT District may increase up to one (1) unit per acre provided the following standards are incorporated through a Master Planned Development:

(1) **OPEN SPACE**. The Master Planned Development shall provide seventy percent (70%) open space on the project Site.

(2) **FRONTAGE PROTECTION ZONE NO-BUILD SETBACK**. The Master Planned Development shall include a two hundred foot (200') Frontage Protection Zone no-build Setback measured from the closest edge of the highway Right-of-Way.

(3) **PARKING**. Parking for the Master Planned Development is subject to the requirements set forth in Section 15-3. A minimum of forty percent (40%) of the Master Planned Development's required project parking shall be in structured/tiered parking so as to limit the visibility of Parking Areas and parking lot lighting. The Planning Commission may consider reducing the forty percent (40%) minimum structured/ tiered parking requirement based on existing Site topography in locating exterior surface parking to achieve maximum screening of parking from entry corridor Areas and/or to achieve optimum Site circulation and/or shared parking.

(4) **PUBLIC TRANSIT FACILITIES**. The Master Planned Development shall include the Development of a public transit hub facility within the Development Area. The Planning Commission may consider waiving this requirement if a Developer/ Applicant contributes funding for an existing or proposed transit hub that is located within a close walking distance from a proposed Development.

(5) **ENHANCED PUBLIC BENEFIT DEDICATION**. The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional Uses reasonably related to the General Plan goals for the Area, and impacts of the Development activity.

(6) **PUBLIC TRAILS AND PEDESTRIAN**

IMPROVEMENTS. The Master Planned Development shall provide public dedicated pedestrian improvements and enhanced trail connections to adjacent open space and/or public ways.

(7) **SENSITIVE LANDS OVERLAY STANDARDS**. The Master Planned Development shall comply with the Development standards set forth in Section 15-2.21 Sensitive Lands Overlay. Density is determined by compliance with the criteria in Section 15-2.23-4.

(8) **AFFORDABLE HOUSING**. The Master Planned Development shall provide an additional five percent (5%) Affordable Housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of Application. The Planning Commission may consider alternative housing Uses for the additional five percent (5%) Affordable Housing commitment.

(9) **SUSTAINABLE-GREEN DEVELOPMENT DESIGN**. All Development within the proposed Master Planned Development shall implement City-approved sustainable green Building practices and Site design practices in effect at the time of Application.

(B) **DENSITY BONUS – THREE (3) UNITS/ACRE**. The base Density of the CT District may increase up to three (3) units per acre for non-residential Uses provided that all Density bonus requirements set forth in Section 15-2.23-4(A) Density Bonus – One (1) Unit/Acre are met and the following additional standards are incorporated into the Master Planned Development.

(1) **OPEN SPACE**. The Master Planned Development shall provide eighty percent (80%) open space on the project Site.

(2) **FRONTAGE PROTECTION ZONE NO-BUILD SETBACK**. The Master Planned Development shall include a three hundred foot (300') Frontage Protection Zone no-build Setback measured from the closest edge of the highway Right-of-Way. The Planning Commission may consider allowing encroachments into the three hundred foot (300') Frontage Protection Zone requirement based on existing Site topography in locating roads and other infrastructure in order to achieve optimum Site circulation.

(3) **PARKING**. Parking for the Master Planned Development is subject to the requirements set forth in Section 15-3. A minimum of sixty percent (60%) of the Master Planned Development's required project parking shall in structured/tiered parking so as to limit the visibility of Parking Areas and parking lot lighting. The Planning Commission may consider reducing the sixty percent (60%) minimum structured/

tiered parking requirement based on existing Site topography in locating exterior surface parking to achieve maximum screening of parking from entry corridor Areas and/or to achieve optimum Site circulation and/or shared parking.

(4) **ADDITIONAL ENHANCED PUBLIC BENEFIT DEDICATION**. The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional Uses reasonably related to the General Plan goals for the Area, and impacts of the Development beyond that provided to achieve a project Density of up to one (1) unit per acre by a factor reasonably related to the Density increase sought.

(5) **AFFORDABLE HOUSING**. The Master Planned Development shall provide an additional five percent (5%) Affordable Housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of Application. This is in addition to that provided in Section 15-2.23-4(A)(8). Total is 110% of base requirement.

15-2.23-5. MAXIMUM BUILDING HEIGHT.

The maximum zone Building height is twenty eight feet (28') from Existing Grade.

(A) **MAXIMUM BUILDING HEIGHT EXCEPTIONS**. The following exceptions apply:

(1) Gable, hip, or similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

(2) Antennas, chimneys, flues, vents, or similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

(3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.

(4) An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

(5) Anemometers and Anemometer Towers used to measure wind energy potential may extent above the maximum Zone Height subject to a visual analysis and Conditional Use approval by the Planning Commission.

(6) Wind turbines may extend above the maximum Zone Height subject to a visual analysis and Conditional Use approval by the Planning Commission of a Small Wind Energy System. Height is measured from Natural Grade to the

tip of the rotor blade at its highest point or top of tower, whichever is greater.

(Amended by Ord. Nos. 07-25; 09-10)

15.-2.23-6. ARCHITECTURAL REVIEW.

(A) **REVIEW**. Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with the Architectural Review standards, Chapter 15-5 and compliance with any additional architectural design guidelines approved by the Planning Commission as part of the Master Planned Development.

15-2.23-7. PARKING REGULATIONS.

Off-Street parking shall be provided per the LMC parking standards set forth in Chapter 15-3.

15-2.23-8. MECHANICAL SERVICE.

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to eliminate visual impacts on nearby Properties, including those Properties located above the roof tops of Structures in the adjacent district.

All mechanical equipment must be shown on the plans prepared for architectural review by the Planning and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

15-2.23-9. ACCESS, SERVICE AND DELIVERY.

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible from a Public Street. Refuse storage must be fully enclosed and properly ventilated. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.

15-2.23-10. GOODS AND USES TO BE WITHIN ENCLOSED BUILDING.

(A) **OUTDOOR DISPLAY OF GOODS PROHIBITED**. Unless expressly allowed as an Allowed or Conditional Use, or allowed with an Administrative Permit, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration, which exceeds a wall-to-window ratio of thirty percent (30%). See Section 15-2.6-12(B)(3) for outdoor display of bicycles, kayaks and canoes.

(B) **OUTDOOR USES PROHIBITED/ EXCEPTIONS**. The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Conditional Use permit or an Administrative Permit as described herein. The Applicant must submit the required Application, pay all applicable fees, and

provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

(1) **OUTDOOR DINING.** Outdoor dining requires an Administrative Conditional Use permit and is subject to the following criteria:

(a) The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.

(b) The proposed seating Area does not impede pedestrian circulation.

(c) The proposed seating Area does not impede emergency Access or circulation.

(d) The proposed furniture is Compatible with the Streetscape.

(e) No music or noise is in excess of the City Noise Ordinance.

(f) No Use after 10:00 p.m.

(g) Review of the Restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.

(2) **OUTDOOR GRILLS/ BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations require an Administrative Permit and are subject to the following criteria:

(a) The Use is on private Property or leased public Property, and does not diminish parking or landscaping.

(b) The Use is only for the sale of food or beverages in a form suited for immediate consumption.

(c) The Use is Compatible with the neighborhood.

(d) The proposed service station does not impede pedestrian circulation.

(e) The proposed service station does not impede emergency Access or circulation.

(f) Design of the service station is Compatible with the adjacent Buildings and Streetscape.

(g) No violation of the City Noise Ordinance.

(h) Compliance with the City Sign Code, Title 12.

(3) **OUTDOOR EVENTS AND MUSIC**. Outdoor events and music require an Administrative Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

(a) Notification of adjacent Property Owners.

(b) No violation of the City noise ordinance.

(c) Impacts on adjacent residential Uses.

(d) Proposed plans for music, lighting, Structures, electrical signs, etc.

(e) Parking demand and impacts on neighboring Properties.

(f) Duration and hours of operation.

(g) Impacts on emergency Access and circulation.

15-2.23-11. ANEMOMETERS AND ANEMOMETER TOWERS.

(Created by Ord. No. 09-10)

Anemometers and Anemometer Towers require an Administrative Conditional Use permit for temporary installation, for up to three (3) years, to measure wind energy potential for a Site. The Use must comply with Section 15-1-10, Conditional Use Review. The Applicant must submit a Site plan, Limits of Disturbance plan for all construction, including Access roads, a description and photos of the tower, manufacturers cut sheet and certification information for the Anemometer, an Application for and all other submittal requirements for Administrative Conditional Use permits and a narrative addressing the following:

(A) No violation of the City noise ordinance.

(B) Notification of adjacent Property Owners.

(C) Compliance with Setbacks and height requirements, see Height Exceptions. Setbacks may be decreased if a signed encroachment agreement with the affected Property Owner is provided, and public Rights-of-Way and power lines are not impacted by the location.

(D) Compliance with FAA regulations.

(E) Compliance with the International Building Code.

(F) At the time of Application for an Administrative Conditional Use permit, standard engineering drawings for the tower, base, and footings shall be submitted.

(G) **BUILDING PERMIT**. Prior to issuance of a Building Permit, the plans shall comply with all applicable sections of the International Building Code, including electric codes and all requirements and criteria of this section.

(H) Requests for temporary Anemometer Towers that exceed the Zone Height by more than five feet (5') shall provide a visual analysis from all applicable LMC Vantage Points described in Section 15-15.1 to determine visual impacts on Ridge Line Areas and entry corridors.

(I) **REMOVAL AND DECOMMISSIONING**. Anemometers and Anemometer Towers shall be removed after the temporary period has expired or if the Use is abandoned. A Use shall be considered abandoned when it fails to operate for a period of one (1) year or more.

In no case shall the temporary Use continue beyond the permitted time frame to be identified during review of the Administrative CUP, unless an extension is requested. Upon a notice of abandonment from the Building Department, the system Owner shall have sixty (60) days to provide sufficient evidence that the system has not been abandoned, or the City shall have the authority to enter the Property and remove the system at the Owner's expense.

The Owner is responsible for reclaiming the land using natural vegetation. To the greatest extent possible, the land shall be fully returned to its natural state within three (3) years of the removal of the installation.

15-2.23-12. SMALL WIND ENERGY SYSTEMS.

(Created by Ord. No. 09-10)

Small Wind Energy Systems (system) require a Conditional Use Permit. The Use must comply with Section 15-1-10, Conditional Use Review, and the following review criteria. The Applicant must submit a Site plan; Limits of Disturbance plan for all construction, including all Access roads and installation details, such as Grading and erosion control; a description and photos of the tower and turbine; manufacturers cut sheets and certification information for the tower and turbines; Property survey showing size of Property and location of Structures, utilities, easements, Streets and Rights-of-Way on the Property and on adjacent Properties within a horizontal distance equivalent to 110% of the proposed height; an Application for and all other submittal requirements for Conditional Use Permits; and a narrative addressing the following review criteria:

(A) **LOCATION**. Location on the Property and associated wind data shall indicate the optimum citing location for highest wind energy potential and lowest air turbulence from the ground and surrounding objects; measured distances to adjacent habitable Structures, Property lines, power lines, and public and private Streets and Right-of-Ways; and trails. Systems shall not be installed in known migratory bird flyways, unless a wildlife study indicates that the proposed system due to the configuration, location, height, and other

characteristics, will not negatively impact the flyway.

(B) **SETBACKS AND HEIGHT**. See Section 15-2.23-5, Height Exceptions. Small Wind Energy Systems shall not exceed the Setback requirements of the zone and shall be set back a minimum distance equal to 110% of the total height of the system. **EXCEPTION**: Setbacks may be decreased if a signed encroachment agreement with the affected Property Owner is provided, and the public Rights-of-Way and power lines are not impacted by the location.

(C) **LOT SIZE**. Small Wind Energy Systems that are greater than eighty feet (80') in height shall be located on a Lot size of one (1) acre or more.

(D) **DESIGN**. Wind Energy Systems shall be a neutral color that blends with the environment. Gray, beige, and white are recommended and all paint and finishes shall be non-reflective.

(E) **LIGHTING**. Small Wind Energy Systems shall be lighted only if required by the FAA and shall comply with all applicable FAA regulations.

(F) **NOISE**. No violation of the City noise ordinance.

(G) **SIGNS**. Signs shall be restricted to reasonable identification of the manufacturer, operator of the system, utility, and safety signs. All signs shall comply with the Park City Sign Code.

(H) **BUILDING PERMIT**. Prior to issuance of a Building Permit the system shall comply with all applicable sections of the International Building Code, including electric codes and all requirements and criteria of this section.

(I) **VISUAL ANALYSIS**. A visual analysis from all applicable LMC Vantage Points as described in Section 15-15.1 for all Small Wind Energy Systems is required to determine visual impacts on Ridge Line Areas and entry corridors.

(J) **SYSTEM CONDITIONS**. The Applicant/system Owner shall maintain the system in good condition. Maintenance shall include, but not be limited to, painting, mechanical and electrical repairs, structural repairs, and security measures.

(K) **REMOVAL AND DECOMMISSIONING**. Any Small Wind Energy System, that has reached the end of its useful life or has been abandoned, shall be removed. A system shall be considered abandoned when it fails to operate for a period of one (1) year or more.

Upon a notice of abandonment from the Building Department, the system Owner shall have sixty (60) days to provide sufficient evidence that the system has not been abandoned and request an extension, or the City shall have the authority to enter the Property and remove the system at the Owner's expense.

The Owner is responsible for reclaiming the land using natural vegetation and to the greatest extent possible the land shall be

fully returned to its natural state within five (5) years of the removal and decommissioning of the system.

(L) **REPLACEMENT**. Replacement of an already permitted turbine with a similar size and height will not require a permit modification.

15-2.23-13. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½') above the ground, groves of small trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning, Building, and Engineering Departments shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with landscape criteria in LMC Chapter 15-3-3(D) and Title 14.

15-2.23-14. CRITERIA FOR RAISING AND GRAZING OF HORSES.

(Created by Ord. No. 09-10)

The raising and grazing of horses may be approved as a Conditional Use by the Planning Department. In making a determination whether the raising and grazing of horses is appropriate, the Planning Commission shall consider the following criteria:

(A) Any barn must be located a minimum of seventy-five feet (75') from the nearest Dwelling Unit.

(B) There shall be a maximum of two (2) horses per acre.

(C) Terrain and Slope of the Property must be suitable for horses.

(D) The Applicant must submit an Animal Management Plan outlining the following:

(1) waste removal/odors;

(2) drainage and runoff;

(3) bedding materials;

(4) flies; and

(5) feed/hay.

15-2.23-15. SIGNS.

Signs are allowed in the CT District as provided in the Park City Sign Code, Title 12.

(Renumbered by Ord. No. 09-10)

15-2.22-16. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Park City Sign Code. Title 12.
- Architectural Design. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

(Renumbered by Ord. No. 09-10)

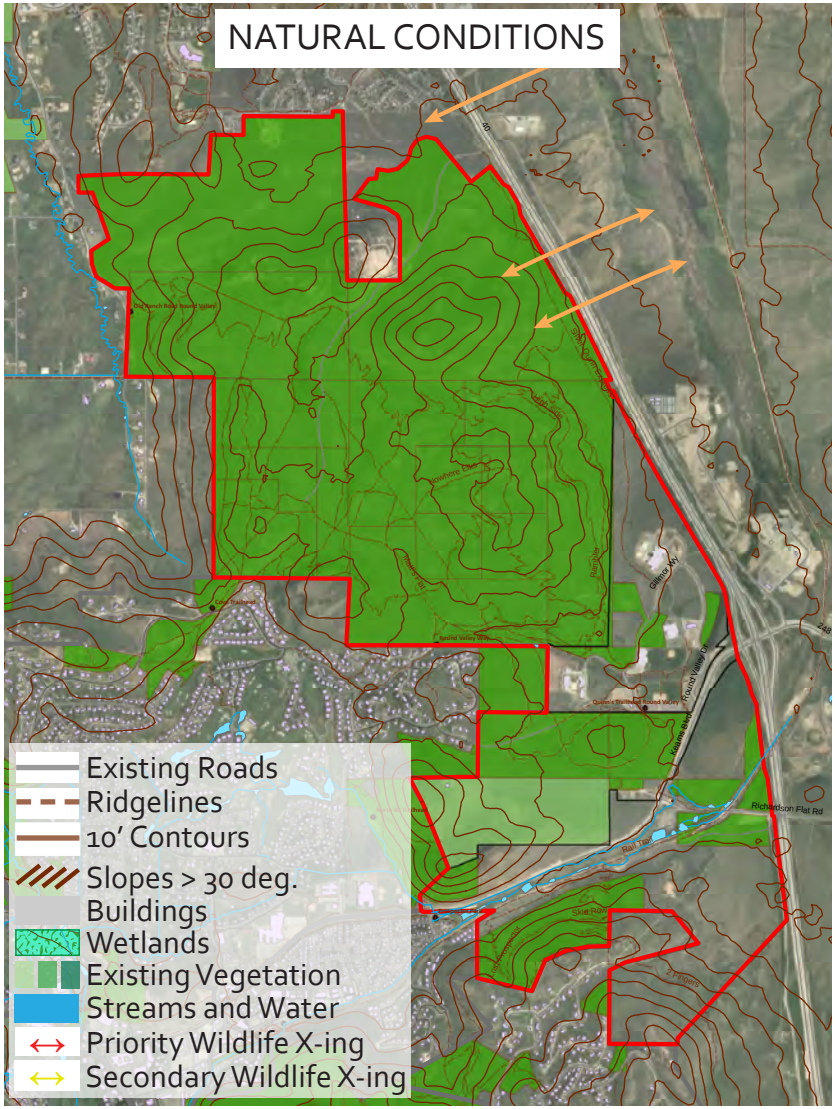
EXHIBIT H

QUINN'S JUNCTION

NEIGHBORHOOD 10: QUINN'S JUNCTION

QUINN'S JUNCTION

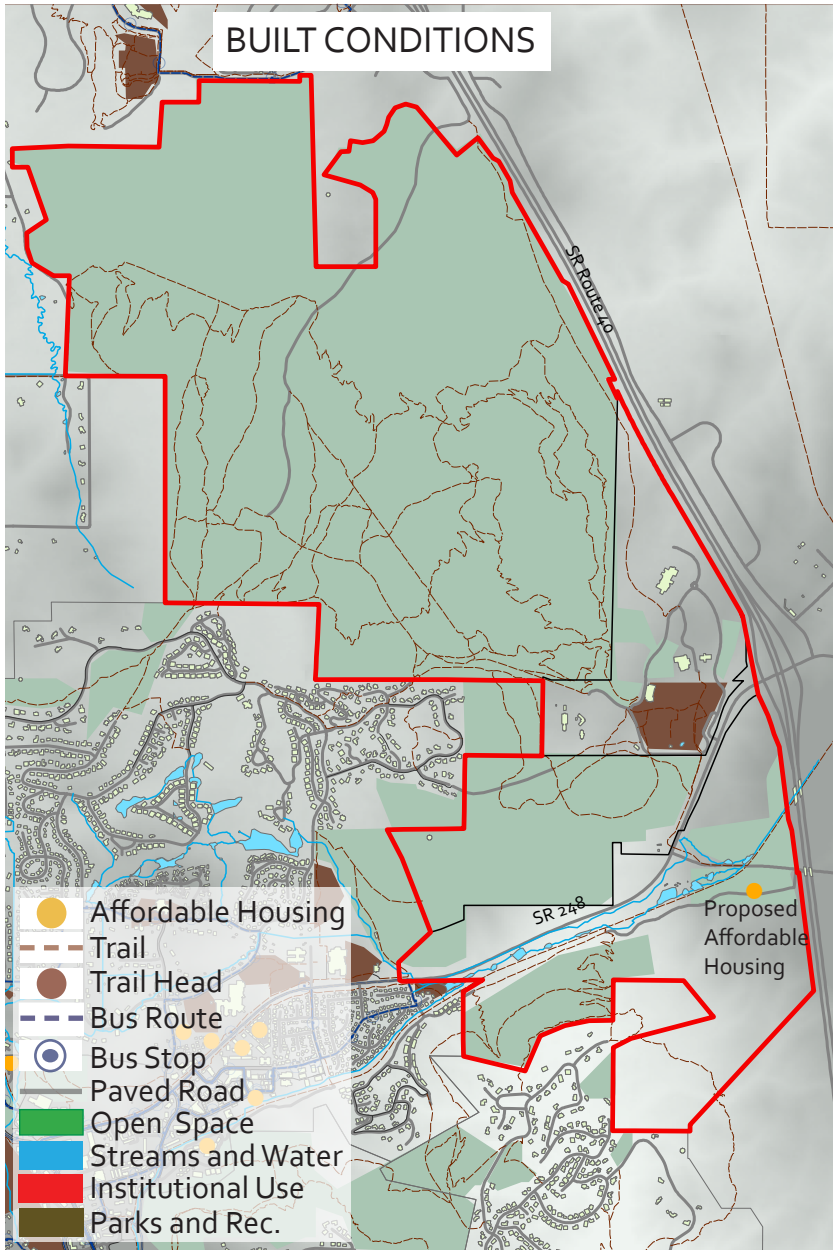
Map 1



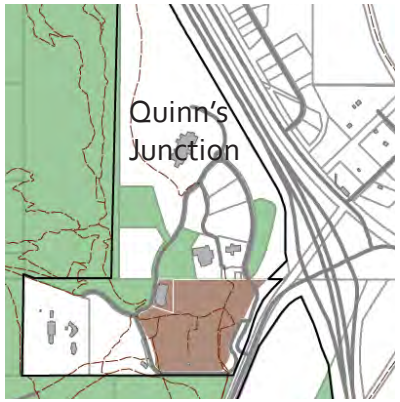
Total Area (sq. miles)	1.20 square miles
Total Area (acres)	1,009.61 acres
Total Built Residential Units	0
Unbuilt Units	239 Residential
% of Total Park City Units	0%
Average Density	3.22 units per acre
Range of Density	0.18 - 33.3 units per acre
Population	3
Number of Businesses	5
% of Park City Businesses	1%
Housing Type	Single Family and Multifamily
Historic Sites	None
Affordable Housing	PC Heights (including IHC units) proposed
Occupancy	None
Neighborhood Icons	National Ability Center US Ski Association Training Center People's Health Clinic PC Ice Arena and Sports Center IHC Hospital Summit County Health
Parks	Sports Center
Amenities	Round Valley trail and cross country ski network, Rail Trail
Trails	Round Valley
Walkability	Extremely Low. Regional destination with no built housing

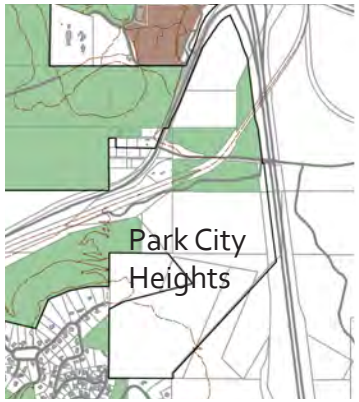
* HOAs may exist in this neighborhood; please refer to page 10.

Map 2


BUILT CONDITIONS
SR Route 40
SR 248
Proposed Affordable Housing
Affordable Housing
Trail
Trail Head
Bus Route
Bus Stop
Paved Road
Open Space
Streams and Water
Institutional Use
Parks and Rec.

Quinn's Junction is dominated by open space with Round Valley as the vast backyard to the existing development. On the north-west corner, regional institutional uses are located on large lots with on-grade parking. Future clustered residential development will occur on the south-west corner within Park City heights.





10.1. Quinn's Junction Neighborhood: Regional Planning to guide future development along a City boundary.

Between July 2002 and October of 2004, Park City and Summit County worked together to create a shared land use plan for future development of the area between SR-248 and Highway 40 to the Silver Summit intersection. During the collaborative public planning process, input from stake holders was collected. Also, the planning staff of both entities reviewed the two general plans to identify commonalities. The result of the combined efforts is the Quinn's Junction Joint Planning Commission Principles. On October 11, 2004, the Planning Commission adopted the planning principles with the understanding that the shared principles were not intended to be a formal land use plan and the adoption of the principle did not modify the general plans or development codes. The stated purpose for the draft principles was to provide a higher level of detail or a greater resolution between the two existing general plans and provide guidance during future amendments to the general plan.

The Quinn's Junction Joint Planning Principles are separated into two categories: Development Densities and Land Use and Development Patterns. The Principles are noted in detail after the following page. A series of maps representing the Quinn's Area follow the Principles.

The area has evolved since the creation of the 2004 Quinn's Joint Planning Commission Principles. Development over the past decade within Park City includes many institutional uses including IHC Hospital, PC Ice Arena and Sports Center, the People's Health Clinic, Summit County Health Center, and the United States Ski Association Training Center. The City reviewed two master planned development projects on the south side of SR 248 during this time frame as well. The approved Park City Heights residential Master Planned Development includes 239 new residential units and the Quinn's Junction Partnership Annexation consists of 1 movie studio complex, a hotel with up to 100 rooms, and a retail area. Concurrently, approximately 1365 acres within Round Valley were purchased as open space, preserving the view corridors on the west side of Highway 40 between Silver Summit and Quinn's Junction in perpetuity.

The following Joint Planning Principles recommend development patterns of clustered development balanced with preservation of open space:

1. Cluster in identified areas and around exiting development maintaining consistency among uses.

2. Public preserved open space and recreation is the predominant existing land use in the study area. Clustered development should be designed to: enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas.

3. Preserve a substantial open space corridor through the study area.

The West side of Highway 40 has built out following the Quinn's Junction Joint

Planning Commission Principles with clustered development at the interchanges and protected open space between the two development nodes. The East side of the highway has followed the same development pattern on the with clustered development at the Silver Summit and the Quinn's Junction interchange, with the exception of protecting the undeveloped land in-between. The City should continue to work with the County to maintain the view corridors along the East side to mirror the preserved open space to the West. The open space of Round Valley protects a wider expanse of land than originally identified within the Quinn's Junction Joint Planning Commission map. The Quinn's Junction Joint Planning Commission Principles map should be amended to reflect the protect lands and to create protected east-west wildlife corridors. Protected wildlife corridors not only prevents fragmentation of ecosystems but also benefits the community with protected view corridors and sensitive lands and increased low-impact recreational activities. Soil contamination in this area is also of concern and under the jurisdiction of the federal government.

In an agreement called an Administrative Settlement Agreement and Order on Consent (AOC) for EE/CA (Engineering Evaluation/ Cost Analysis) Investigation and Removal Action, the Environmental Protection Agency, Region 8 (EPA) published its revised cleanup area for the Richardson Flats Tailings Superfund Site in Park City and Summit County. It is anticipated that EPA will oversee the development of a cleanup plan to address historic mine tailings in the Silver Creek floodplain, which is on Utah's list of impaired waters due to contamination from cadmium, zinc and arsenic. An EPA cleanup plan would involve design and cost analysis, public comment, implementation and long-term maintenance. Federal law provides that such an EPA cleanup plan would not require state and local permitting.

Quinn's Junction Joint Planning Commission Principles (2004)

Development Densities and Land Uses

1. Initial project analysis should commence with a review of property's base density (subtracting wetlands, slopes, wildlife areas, flood plain, etc.)

2. Consider density bonuses for preservation of key open spaces identified in the study area.

3. Density should result in significant public benefits that promote Park City's resort, recreation, tourism and resort-based, second home economy.

4. Highway service commercial / convenience retail and regional/big-box retail commercial will not be considered in/along the Highway 40/SR 248 corridor.

5. A site for institutional development will be considered in the study area with the potential institutional uses limited to: a hospital, educational facility, recreation / sports training facility, or an arts / cultural heritage / history based institution.

6. A limited expansion of the existing light industrial/incubator service commercial uses along the east side of Highway 40 should be considered. Said expansion should be clustered to the greatest degree possible to minimize sprawl and should include re-development / clean-up of existing businesses, land use patterns, circulation, etc., that have been detrimental to the environment, aesthetics, or function of the area. Density incentives would be considered for preservation of key open space areas within the boundaries of the study, particularly those advancing the goals of the study for preservation of the 248 entry corridor. It should be noted that many of the above principles will be further specified by forthcoming amendments to the Snyderville Basin Development Code, which will more serve as the actual governing document for proposals including these types of uses in the study area.

7. Neighborhood Commercial uses will be considered in the Silver Summit area east of Highway 40 and a more limited (in use and overall density) neighborhood commercial node could be considered on the west side of Highway 40. Potential for expansion of these uses may be through density receiving mechanisms to be identified in forthcoming Development Code changes.

8. Recreation and Open Space will be the encouraged use in the Richardson's Flat area. The majority of this area is governed by and

must be reviewed for consistency with the 1999 Flagstaff Mountain Development Agreement, which stipulates golf course, active recreation, equestrian and preserved open space as allowed uses.

9. Clustered residential development may be considered in areas indicated on the accompanying map of the study area and specified for base density. Initial evaluation of density for projects in the study area shall be based on Summit County Base Density allowances as specified in the Code in effect at the time of application. The maximum density tat will be considered in Base Density areas for projects complying with all preferred development patterns and principles will be limited to the densities specified for rural areas in the Summit County Development Code or where applicable the Estate Zoning provisions of the Park City Land Management Code. Code provisions in effect at the time of application will apply. Only potential receiving areas or the parcel identified for potential employee housing in the existing Flagstaff Mountain Development Agreement will be considered at higher densities.

Development Patterns

1. Cluster in identified receiving areas and around existing development maintaining consistency among uses.

2. Public preserved open space and recreation is the predominant existing land use in the study area. Clustered development should be designed to: enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas.

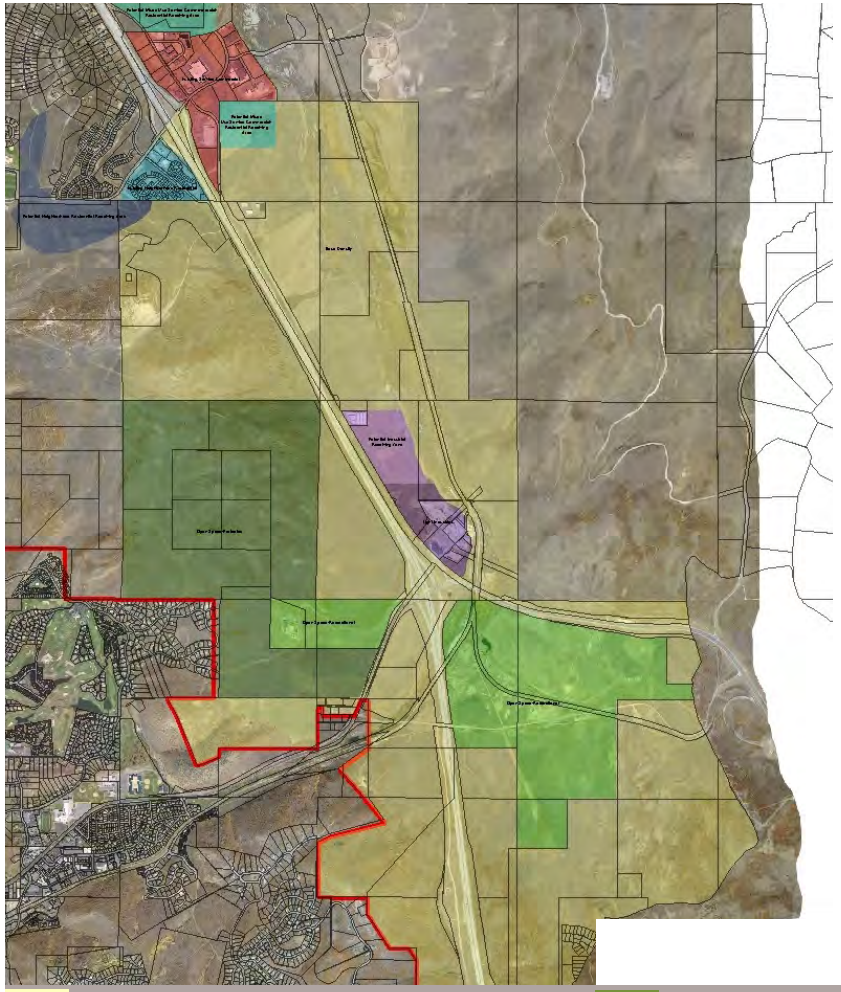
3. Apply Sensitive Land standards from City and County ordinances for all development design. This includes recreational and institutional development, which should incorporate and preserve important topographical features, natural areas and view sheds, and be of a scale and scope consistent with the primary goal of preserving the function and aesthetics of an important resort entry corridor. Planning efforts for projects in this corridor should continue to involve both City and County staff for input.

4. Large expanses of surface parking areas with high visibility from the entry corridor will not be allowed. Surface parking shall be buffered from the entry corridor and utilize existing topography for screening purposes whenever possible. Sub-surface and well designed structured parking will be encouraged whenever possible.

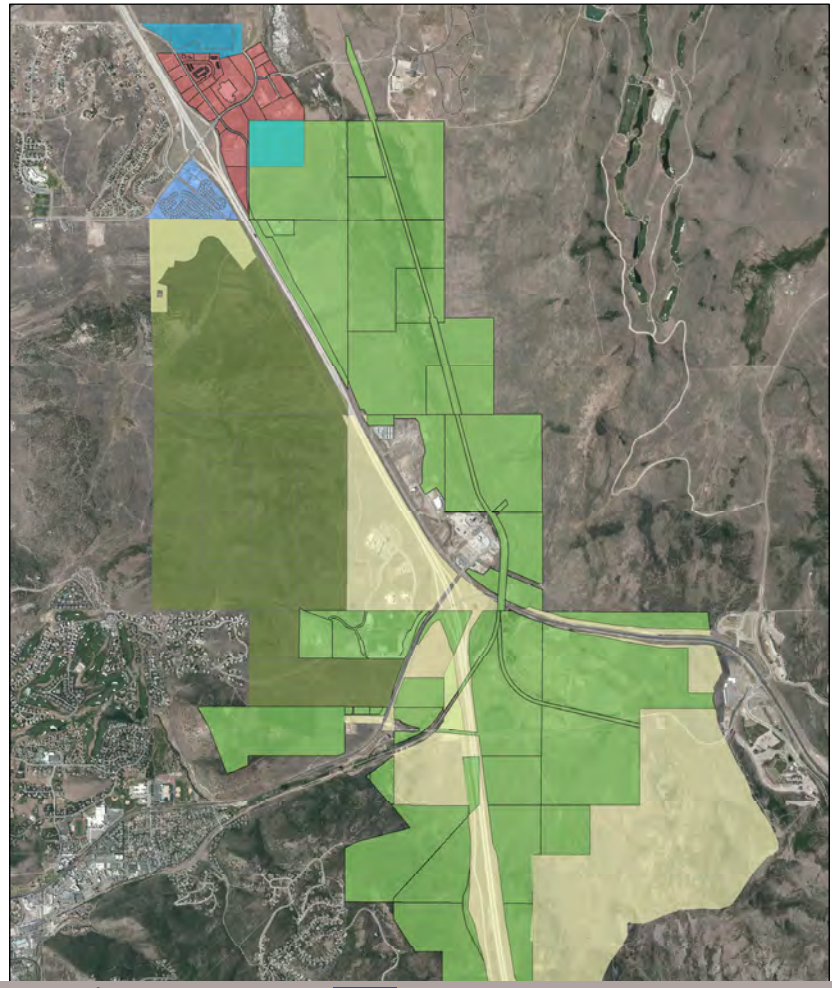
5. Preserve a substantial open space corridor through the study area.

6. New Development (including institutional and recreational) should be transit-oriented and linked to broader community open space and trail networks.

2004 QUINN'S JUNCTION JOINT PLANNING COMMISSION MAP

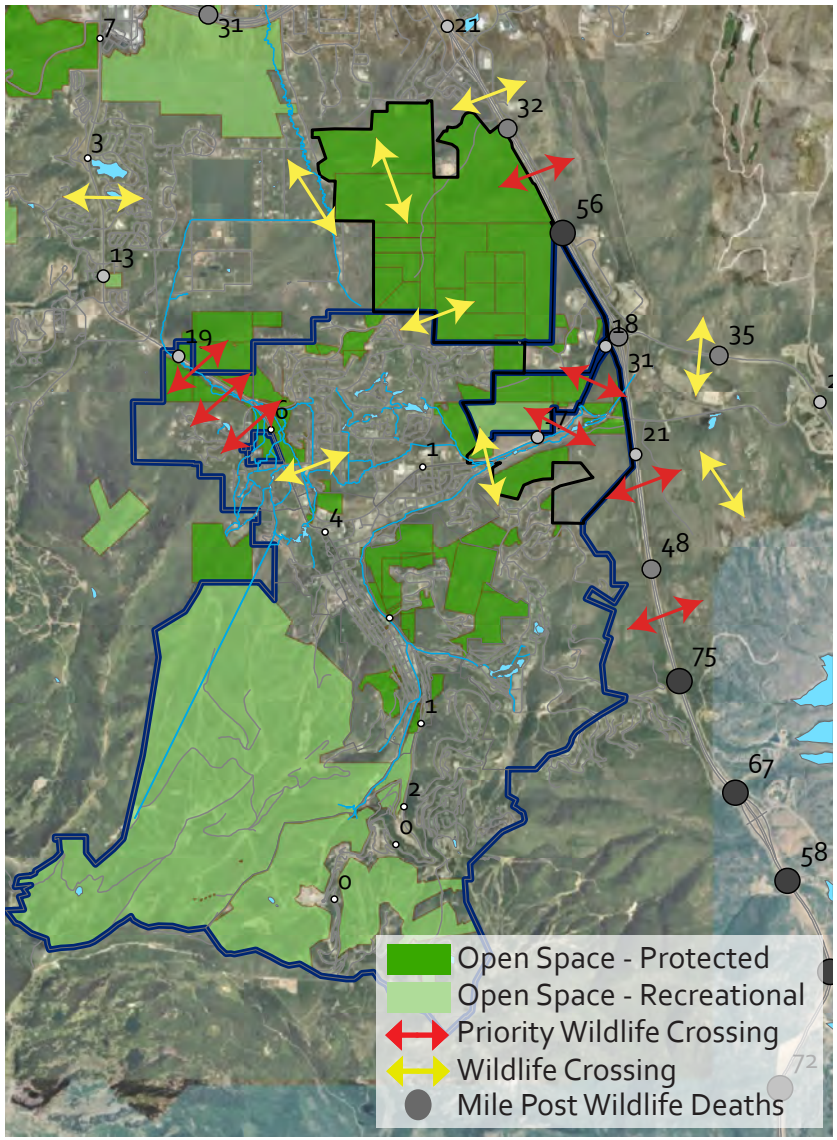


UPDATED QUINN'S JUNCTION AREA MAP

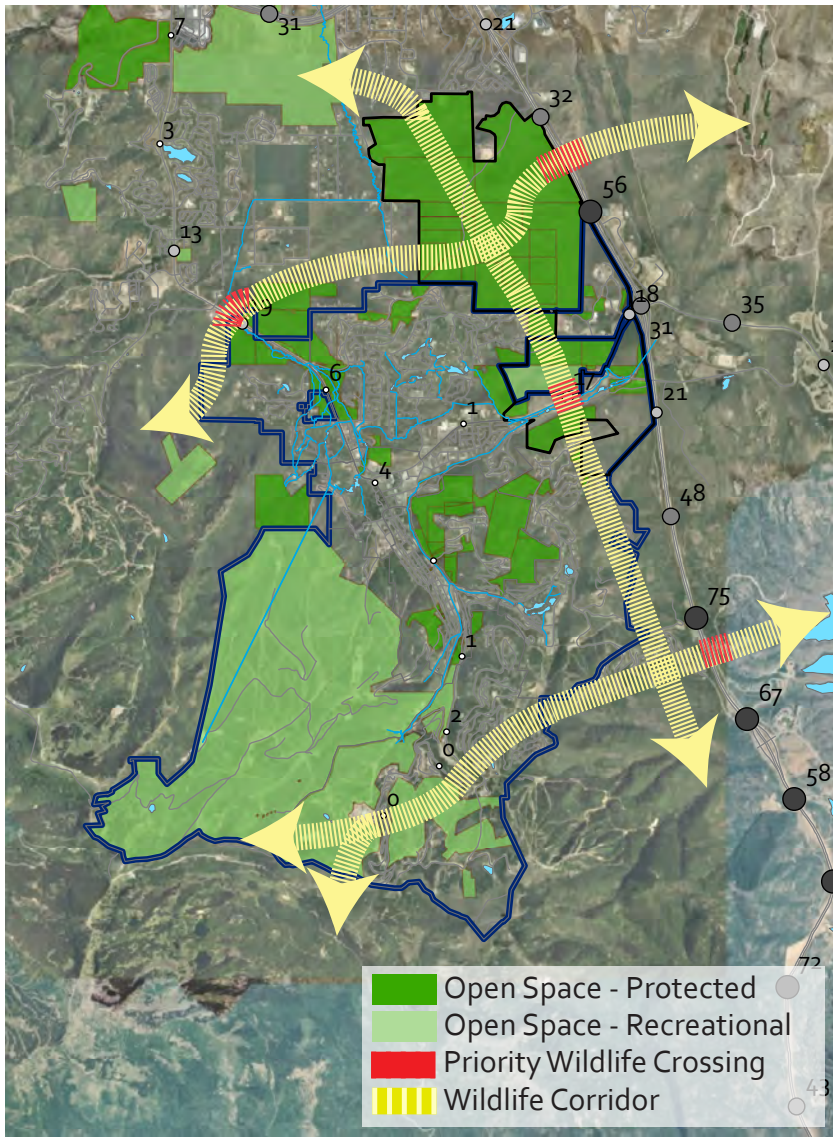


- Base Density
- Existing Neighborhood Residential
- Existing Service Commercial
- Light Industrial
- Open Space - Protected
- Open Space - Recreational
- Potential Industrial Receiving Zone
- Potential Neighborhood Residential Receiving Area
- Potential Mixed Use Service - Residential Receiving Area

2012 PC NATURAL RESOURCE INVENTORY WILDLIFE CROSSINGS



WILDLIFE CORRIDORS

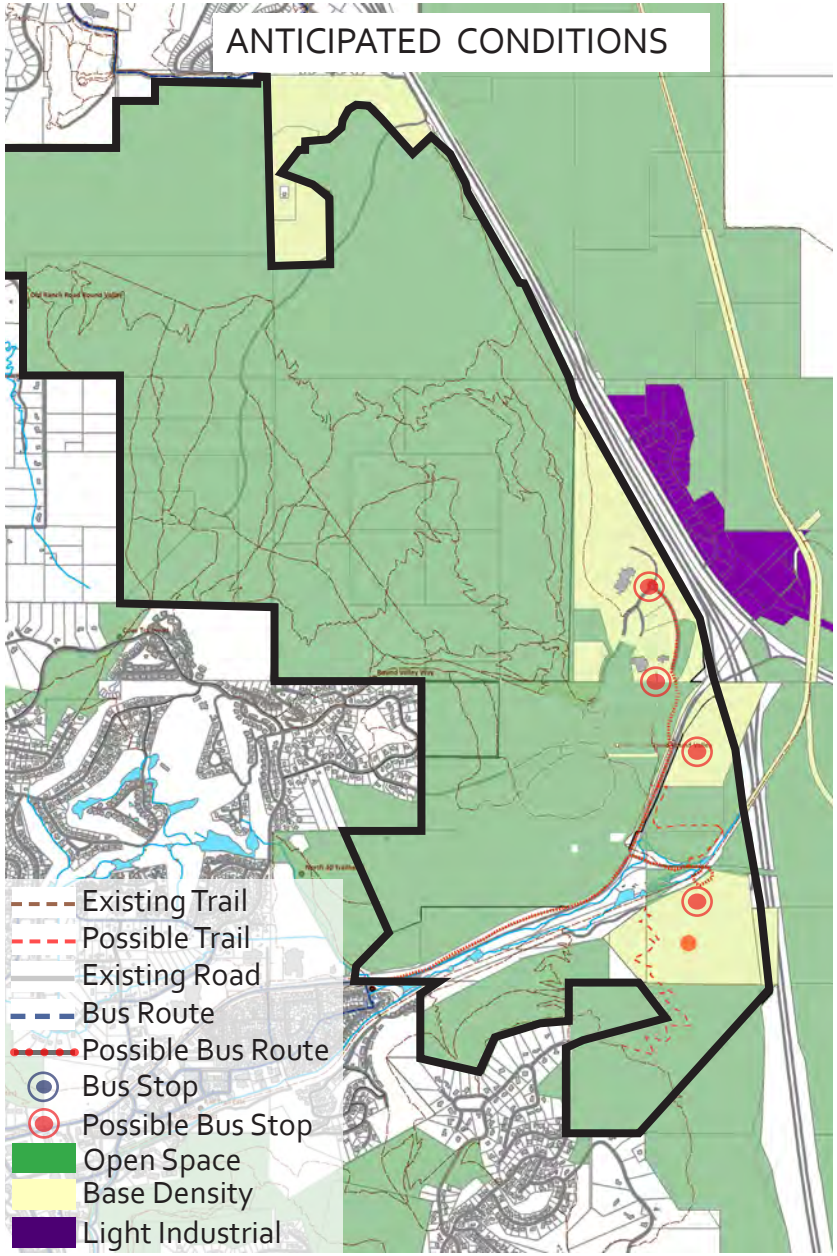


10.2. Quinn's Junction Neighborhood: An area for Regional Institutional Uses.

New development within the Park City limit in Quinn's Junction has occurred primarily along Round Valley Drive and Gillmore Way within the north-west corner of the Quinn's Junction interchange. The area was identified within the Quinn's Junction Joint Planning Commission Land Use Principle #5 as "appropriate for institutional development with the potential institutional uses limited to: a hospital, educational facility, recreation / sports training facility, or an arts / cultural heritage / history based institution." The north-west corner should continue to build-out as a regional node for institutional development due to the location on the edge of the Park City. Institutional development in this location can serve the population of the Wasatch Back and are designed to accommodate populations greater than Park City. An additional 250,000 sf of development is planned around the hospital.

This area is not suitable for everyday needs of Parkites, such as a grocery store or post office due to increased dependency on personal vehicles. Big box commercial is not appropriate either as it will conflict with the purpose of the area, create increased vehicle trips, and compete with the existing commercial nodes within the City and County.
The new development in the north-west corridor is linked to the broader community through trails and the existing road network. To complement the City's goals of decreasing dependence on the automobile, the area should be considered as a destination within the public transportation network.

Map 3


ANTICIPATED CONDITIONS
Existing Trail
Possible Trail
Existing Road
Bus Route
Possible Bus Route
Bus Stop
Possible Bus Stop
Open Space
Base Density
Light Industrial

10.4: The aesthetic of the Quinn's Junction shall preserve the natural setting.

As Quinn's Junction introduces 239 new residential units within the Park City Heights subdivision, an evolution will take place in the built environment. Most commonly, the aesthetic of arriving at Quinn's junction is experienced through the car to either visit a large institution or to recreate. In the future, the neighborhood should evolve to accommodate increased multi-modal transportation options. Sidewalks, trails, bus shelters, and benches will become common place.

The most character defining feature of the Quinn's neighborhood is the plentiful natural setting. View corridors welcome residents and guest, and must be preserved. New development should be set back in compliance with the Entry Corridor Protection Overlay. Open space requirements within developable lots should preserve the natural setting through limits of disturbance.

Goal 1

Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.

Our community is faced with the decision of *how* the City should grow in the face of development pressures. Simply saying NO to development and redevelopment is not an option in light of existing development agreements, Master Planned Developments (MPD), redevelopment areas, and development rights allowed by current zoning. The current estimate is that at least 3,444 residential unit equivalents (UEs) and 2,357 commercial UEs remain unbuilt within Park City limits. These numbers indicate that Park City is only 73% built out for residential development and 43% built out for commercial development. Simply stated, there is a significant amount of growth that is yet unrealized within the City.

Park City understands the development pressures that are placed not only on the City but the entire region as well. As Park City goes, so goes the region. At the present, the pace of development continues to increase significantly within the City and that increase is also being felt in the surrounding area within the County.

The protected open space of Round Valley defines the Park Meadows neighborhood boundary while providing recreation opportunities for Parkites as well as habitat for wildlife.

While Park City could choose to look inward and ignore the rapid pace of development within the County, we should collaborate with our regional partners (Summit and Wasatch counties) to develop a regional plan for the next 20 years: a plan that envisions interjurisdictional TDRs in appropriate areas for density increases, a plan that addresses our growing regional transportation problem and dependency on the automobile, a plan that defines the gives/gets of density transfers whether from the City to the County or vice versa.

The undeveloped land representative of the community's core values includes the expansive vistas, open space, sensitive lands, and wildlife corridors which are irreplaceable. For our guests and residents alike, it is the areas that

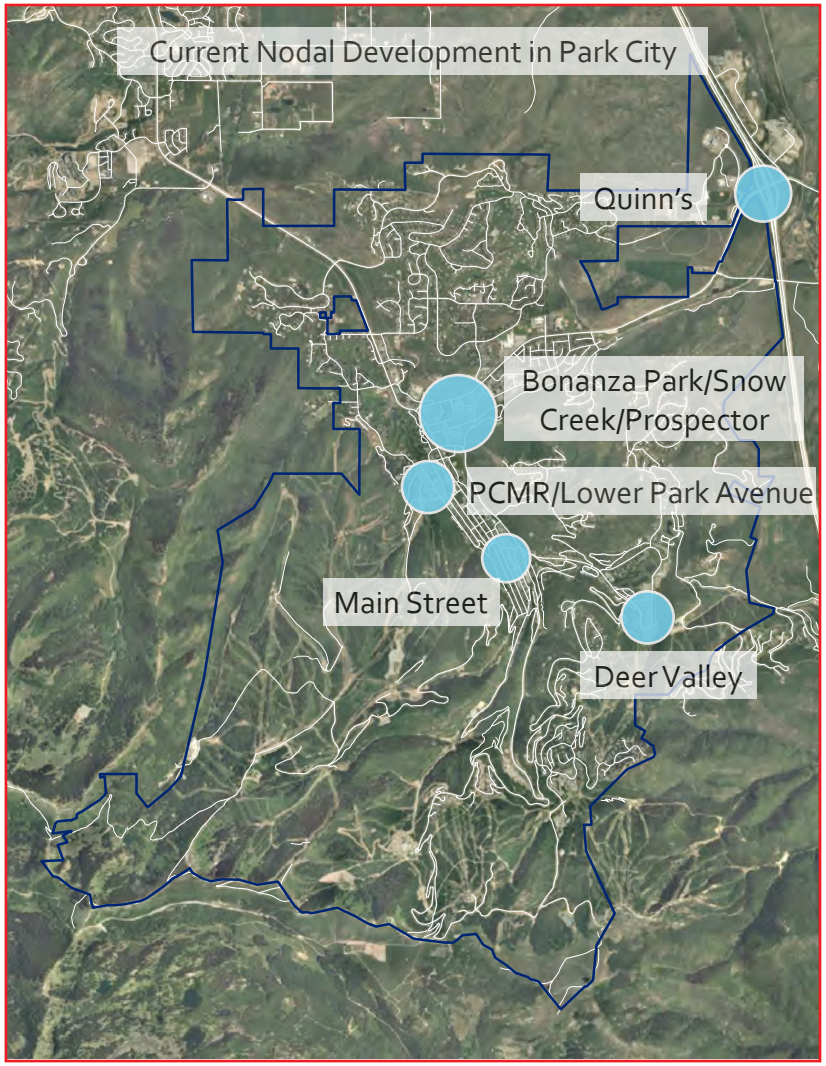
Objectives

1A Direct complimentary land use and development into existing neighborhoods that have available infrastructure and resource capacity.

1B Each neighborhood should have a well-defined edge, such as open space or a naturally landscaped buffer zone, permanently protected from development, with the exception of the transition areas where two adjacent neighborhoods merge along an established transportation path.

1C Primary residential neighborhoods should encourage opportunities to enhance livability with access to daily needs, including: a mini market, a neighborhood park, trails, community gardens, walkability, bus access, home business, minor office space, and other uses that are programmed to meet the needs of residents within the neighborhood and complement the existing context of the built environment.

1D Increase neighborhood opportunities for local food production within and around City limits. Sustainable agriculture practices should be considered within appropriate areas.



Directing growth patterns away from large areas of undeveloped land and toward existing compact, mixed-use centers along priority transit corridors; this focus will help prevent sprawl, protect the City's quality of life through decreased vehicle miles traveled (VMT), improve air quality, and increase utilization of public transportation.

Goal 10

Park City will provide world-class recreation and public infrastructure to host local, regional, national, and international events that further Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community.

Park City's economy is dependent on recreation tourism. The City should continue to improve recreational infrastructure as an economic development tool to remain competitive as a world-class multi-season destination resort community. Professional fields, ice rinks, and recreation courts enable Park City to host large professional level events. Implementing current industry standards permits the Park City facilities to be utilized for regional, national, and international competitions. This can improve the economic health of the City year round and especially during the shoulder season by populating hotels, restaurants, and shops. The larger events also help to subsidize local recreation programs. As Park City continues to prioritize recreation tourism with infrastructure improvements, hosting another winter Olympics may become a reality.

Infrastructure that supports training activities should also be improved as such facilities can be used on a year-round basis and are attractive to individuals and groups seeking to train at the highest level possible. A great example is the Utah Olympic Park, above, which serves as a training facility for freestyle skiers, bobsledders, etc.

Objectives

10A Remain competitive as a world-class, multi-season, destination resort community by increasing year-round recreation events and demand for resort support services, such as hotels and restaurants.

10B Balance tourism events with preservation of small town character and quality of life. Locate larger tourist activities close to resorts and/or existing facilities. Locate community facilities close to primary residential areas.

10C Public infrastructure improvements and programming should consider the visitor experience to Park City during large events and master festivals.

PARK CITY HAS A GOLD RATED TRAIL SYSTEM ACCORDING TO INTERNATIONAL MOUNTAIN BIKE ASSOCIATION - THE FIRST IN THE WORLD

Community Planning Strategies

10.1 Adopt City policy to include consideration of current industry standards for new recreation facilities and remodels to enable hosting world-class events while benefiting the locals' quality of life.

10.2 Support opportunities for high altitude training centers. Allow short term housing opportunities for visiting teams and athletes.

10.3 Research opportunities for the location of a high altitude training center.

10.4 Allow cutting edge, green technology in appropriate areas to visually represent Park City's commitment to sustainable tourism.

In 2009, the USSA Center of Excellence opened at Quinn's Junction. Future Olympians utilize the facility to train year round.

SENSE OF COMMUNITY

City Implementation Strategies

10.5 Maintain policies within each public recreation facility to manage local use and non-resident use.

10.6 Collaborate with local hosts to attract additional national and international sporting events year round.

10.7 Support a study to research benefits and impacts of a connected regional ski lift system.

10.8 Support future efforts to host a second Winter Olympics.

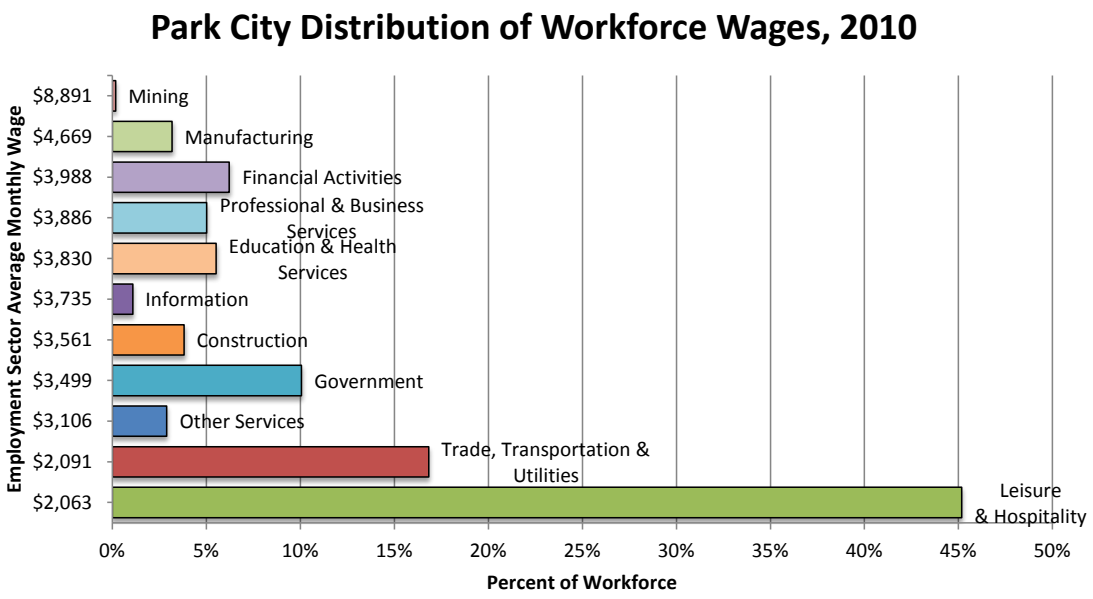
10.9 Public infrastructure policy should provide visitors with the Park City experience, including cutting edge technology which exhibits Park City's commitment to the visitor experience and the environment.

OLYMPIC PARK OFFERS EXCITING OUTDOOR RECREATIONAL ACTIVITIES AND CULTURAL EVENTS YEAR-ROUND FOR BOTH RESIDENTS AND VISITORS.

Goal 12

Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.

The largest employment sector in Park City during 2010 was the leisure and hospitality industry, which includes jobs in the arts, entertainment, recreation, accommodation, and food services sectors. Approximately 5,700 people had jobs in this industry, accounting for nearly 45 percent of all employment in Park City[7]. In addition to being the largest employment industry in Park City, workers in the leisure and hospitality sectors are also the lowest paid, receiving an average income of $2,063 per month. Over the past decade, wages in this industry have remained roughly the same, increasing only 1%, in real terms[8]. Park City's high real-estate costs combined with low paying jobs results in spatial mismatch (separating where people live from where they work), for both residents of Park City and employees within the City limits. By diversifying the local job market, more opportunities will be created for residents of Park City to make a living locally.



The 2010 US Census data reveals the significant percent of Park City's workforce that is concentrated in the hospitality industry. While typical of a resort destination, the large number of employees that are employed in this industry tend to have significantly lower incomes than other industries. This disparity creates an environment that does not allow for many private housing opportunities in Park City. As a result, many of the City's workers live in outlying areas - in Summit County, Snyderville Basin, Heber, and even Salt Lake City. The commute to work adds to our traffic congestion as well as creates environmental challenges. Park City should continue to actively create workforce/affordable housing to keep this workforce living locally.

Objectives

12A Retain and expand existing Park City businesses.

12B Improve the balance of jobs-to-housing ratio in Park City through efforts to attract higher paying jobs and workforce housing strategies.

12C Support local owned, independent businesses that reflect the core values of Park City and add to the Park City experience.

12D Minimize commercial retail chains on Main Street and the impacts of big box and national chains on the unique *Park City experience*.

PARK CITY IS HOME TO A DIVERSE WORKFORCE AND NEW EMPLOYMENT OPPORTUNITIES ARE ENCOURAGED

Industry	Utah (compared to US)	Summit County/Park City (compared to US)
Natural Resources and Mining	0.95	0.42
Construction	1.33	1.6
Manufacturing	1.06	0.3
Trade, Transportation, and Utilities	1.05	0.86
Information	1.13	0.49
Financial Activities	1.05	1.12
Professional and Business Services	1	0.55
Education and Health Services	0.84	0.31
Leisure and Hospitality	0.95	3.36
Other Services	0.8	0.85
Unclassified	0.03	0.03

The Economic Data and Analysis

In an attempt to gain a better understanding of how Park City's economy relates to the rest of the State, a location quotient analysis was completed using 2007 Census and NAICS data. A location quotient (LQ) analysis is an assessment of the concentration of a business sector in a city (Summit County/Park City; data was collected at the county level) compared to its region (Utah) or nation. For purposes of this analysis, the comparison was made to the Nation. The results of LQ indicate either under-representation or specialization. An LQ value around 1.0 indicates that the percent share of that sector in the city mirrors the distribution in the Nation. An LQ value below 1.0 indicates that the sector in question is under-represented in the city. An LQ value greater than 1.0 indicates that the sector in question is over-represented in the city. If the LQ value exceeds 1.3, it is understood that some specialization or clustering occurs.

The data results are not surprising; they illustrate that Summit County/Park City is heavily reliant on the resort economy where the LQ is 3.36. Areas of concern might be in the areas of Professional and Business Services where the area's LQ is 0.55, and Information where the LQ is 0.49.

Community Planning Strategies

12.1 Maintain commercial and light industrial uses within the City limits to meet the needs of residents and visitors. Develop and monitor an inventory of commercial and industrial space to support local businesses, prevent economic leakage, and decrease vehicle miles traveled.

12.2 Foster live-work opportunities in commercial areas.

12.3 Establish a neighborhood economic development tool for the Bonanza Park District to utilize increased tax revenues into the redevelopment area, thus creating a funding source for infrastructure, public/private partnerships, and improvement to the public realm.

City Implementation Strategies

12.4 Support and attract businesses through implementation of the economic development toolbox.

12.5 Utilize economic development tools to support start-up opportunities for local businesses that augment the *Unique Park City Experience.* Public investment in a Park City business incubator center should be considered.

12.6 Attract businesses focused on High Altitude training, goods, and/or services that complement Park City's sustainability initiative to relocate to Park City.

12.7 Provide competitive, cutting-edge technology infrastructure in areas targeting business growth.

12.8 Continue regional coordination with economic development partners to develop programs and support services to attract new business to the region. Inform businesses of current opportunities and advantages of the region such as site location savings, labor force, infrastructure, cost of business, portfolio of available properties, quality of life, and economic development incentives.

12.9 Research possibility of creating a revolving loan fund to provide gap financing for new and expanding local businesses. Criteria should be created to ensure funding only be considered for businesses that complement the community vision and goals of the City.

12.10 Promote Park City's exceptional quality of life to attract workforce of virtual workforce businesses.

12.11 Support educational opportunities for the workforce of targeted employment sectors

12.12 Identify and implement opportunities for public-private partnership opportunities to diversify employment opportunities in Park City and increase workforce wages.

12.13 Consider a Public Private Partnership (PPP) that could create an opportunity to offer reduced cost daycare for children. Explore opportunities for support services for the City's workforce.

12.14 Develop a relationship with the University of Utah's Planning and Design program to foster a Committee Design Workshop.

IHC Master Planned Development
Vicinity Map EXHIBIT I

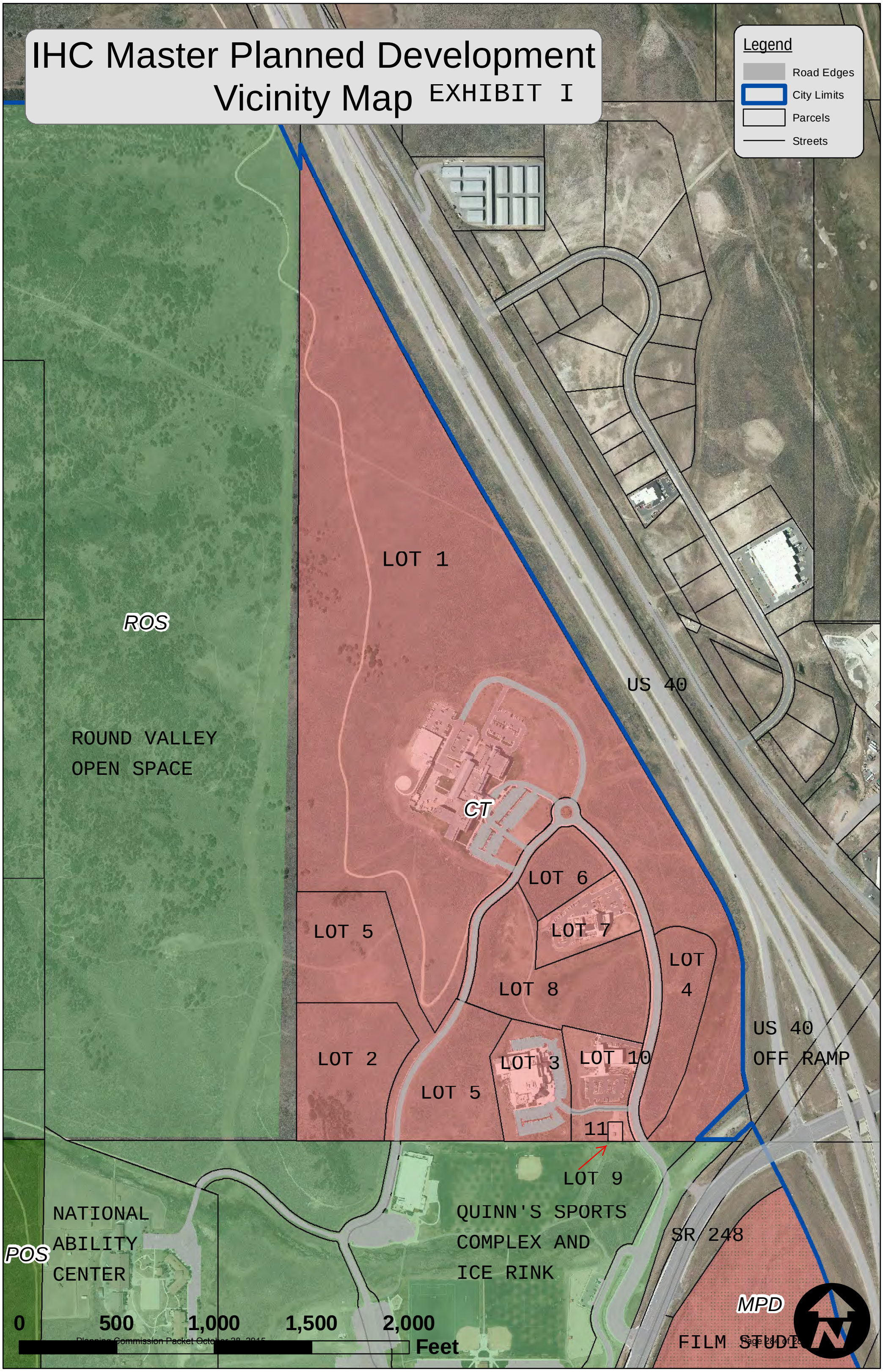
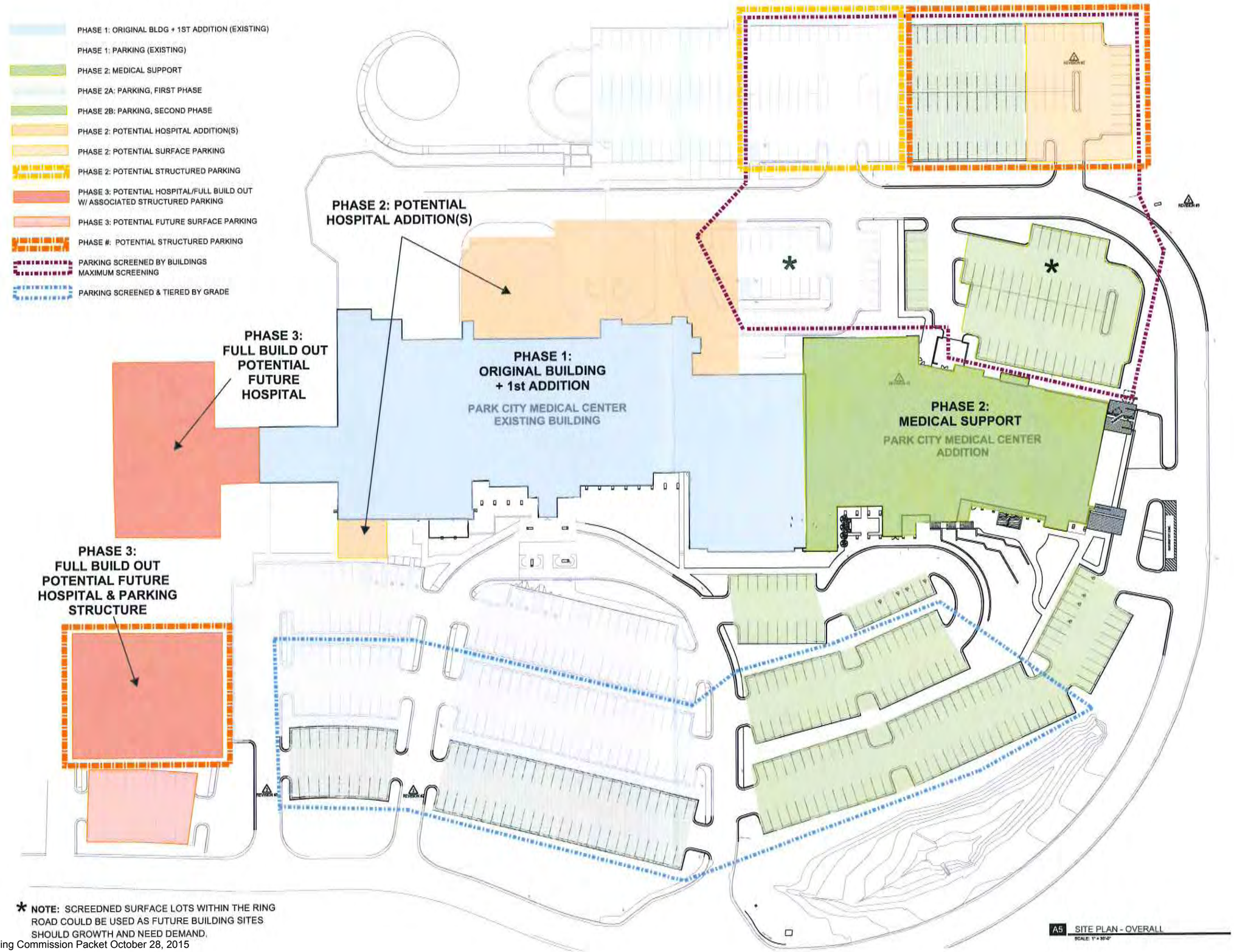


EXHIBIT J

PHASE 1: ORIGINAL BLDG + 1ST ADDITION (EXISTING)
PHASE 1: PARKING (EXISTING)
PHASE 2: MEDICAL SUPPORT
PHASE 2A: PARKING, FIRST PHASE
PHASE 2B: PARKING, SECOND PHASE
PHASE 2: POTENTIAL HOSPITAL ADDITION(S)
PHASE 2: POTENTIAL SURFACE PARKING
PHASE 2: POTENTIAL STRUCTURED PARKING
PHASE 3: POTENTIAL HOSPITAL/FULL BUILD OUT W/ ASSOCIATED STRUCTURED PARKING
PHASE 3: POTENTIAL FUTURE SURFACE PARKING
PHASE #: POTENTIAL STRUCTURED PARKING
PARKING SCREENED BY BUILDINGS MAXIMUM SCREENING
PARKING SCREENED & TIERED BY GRADE



* NOTE: SCREENED SURFACE LOTS WITHIN THE RING ROAD COULD BE USED AS FUTURE BUILDING SITES SHOULD GROWTH AND NEED DEMAND.

A5 SITE PLAN - OVERALL
SCALE: 1" = 30'-0"

VCBO ARCHITECTURE
ZGF

REV	DATE	DESCRIPTION
1	2014-06-16	BP #1-ADD 1
2	2014-08-26	REVISION #2

VCBO NUMBER: 13030
CLIENT NUMBER: 00000
DATE: 08-01-2014

INTERMOUNTAIN PARK CITY MEDICAL CENTER EXPANSION
INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR, PARK CITY, UT 84060
BID PACKAGE #1

OVERALL SITE PLAN
AS101