

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
October 25, 2017**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF October 11, 2017

PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda

STAFF BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATIONS

638 Park Ave – City Council Remand of a Conditional Use Permit (CUP) for a Private Event Facility Back to Planning Commission for Additional Review. PL-16-03225 99
Public hearing and continuation to November 29, 2017 Planner
Grahn

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

11, 14, 17, and 24 Nakoma Terrace – Nakoma Condominiums- Second Amendment to First Amended and Restated Nakoma Condominium plat to create private and common ownership for four completed units. PL-17-03644 100
Public hearing and possible recommendation to the City Council on November 9, 2017 Planner
Whetstone

1887 Gold Dust Lane #201/202 – A plat amendment proposing to transfer approximately 129 square feet from Unit 201 to Unit 202 within the Gold Dust Plaza Condominiums. PL-17-03655 125
Public hearing and possible recommendation to the City Council on November 9, 2017 Planner
Morlan

1002 Woodside Avenue – A plat amendment proposing to combine the two existing lots addressed at 1002 Avenue into one lot of record. PL-17-03670 139
Public hearing and possible recommendation to the City Council on November 9, 2017 Planner
Morlan

Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties PL-08-00370 155
Master Plan – PL-08-00370 Planner
Astorga
Public hearing and consideration of motion to continue public hearing to a future date

AGENDA CONTINUES ON NEXT PAGE

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.

7695 Village Way- Empire Residences Conditional Use Permit for a 20 unit lodge building subject to requirements of the Village at Empire Pass Master Planned Development for Building 3, with one employee housing unit and one ADA unit.
Public hearing, discussion and continuation to November 29, 2017

PL-17-03526 207
Planner
Whetstone

ADJOURN

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PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 11, 2017

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Preston Campbell, Steve Joyce, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Francisco Astorga, Planner; Tippe Morlan, Planner; Polly Samuels McLean, Assistant City Attorney, Jody Burnett, Outside Counsel

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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Band and Phillips, who were excused.

ADOPTION OF MINUTES

September 27, 2017

Commissioner Joyce referred to page 5, third paragraph of the Work Session, and changed “reviewed the CUP for tis” to correctly read, “reviewed the CUP for **this**...”

Commissioner Joyce referred to page 8, middle of the middle paragraph and the sentence “Mr. Elliott stated that they originally looked at a project that a different outcome on the street”. He changed the sentence to read, “Mr. Elliott stated that they originally looked at a project that **had** a different outcome on the street.”

MOTION: Commissioner Thimm moved to APPROVE the Minutes of September 27, 2017 as amended. Commissioner Campbell seconded the motion.

VOTE: The motion passed. Commissioner Suesser abstained since she was absent on September 27th.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson stated that the Planning Commission would have a second meeting on Wednesday, November 29th. The date is different than the normal second Wednesday of the month to avoid having to meet the night before Thanksgiving.

Planner Tippe Morlan reported that the Appeal for 352 Woodside on the Steep Slope CUP was scheduled for Tuesday, October 24th. The Planning Commission has the option to send a representative to the City Council meeting to be present for the discussion and/or to make a statement.

Commissioner Joyce stated that he would attend the City Council meeting on Tuesday, October 24th for the Appeal.

Planner Francisco Astorga reported that beginning December 15th China Bridge would begin its new parking program. Starting at 5:00 p.m. it will be paid parking with one hour free. The City will use a validation program for those attending City Council and Planning Commission meetings.

Chair Strachan disclosed that his office is across the street from 368 Main Street, an item on the agenda this evening. That would not affect his decision and his lease will probably expire before the project is completed.

CONTINUATIONS (Public Hearing and Continue to date specified.)

302 McHenry Avenue – A plat amendment requesting to combine the four existing lots located at 302 McHenry Avenue into one lot of record.

Planner Morlan reported that this item was being continued because the applicant was deciding whether or not to go to the Board of Adjustment to request a variance on the lot site, since the lot being created would be smaller than what is allowed in the zone. The Staff was working with the applicant on that determination.

Planner Morlan requested that the item be continued to a date uncertain.

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

MOTION: Commissioner Joyce moved to CONTINUE 302 McHenry Avenue plat amendment to a date uncertain. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

NOTE: The Treasure Hill portion of the Minutes is a verbatim transcript.

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

Chair

Strachan: How are we going to tackle things tonight, Francisco?

Planner

Francisco

Astorga: Well, I would like to just go over, briefly go over the Staff report that we prepared. I won't take long. At that point I'd love to answer any questions that you might have for Staff, and then we'll turn the time over to the applicant for their two presentations, I believe.

Chair

Strachan: All right. And I take it from the submittals that you're going to go over Refinement 17.2 and then what else? Just to get an idea of the time frames we're looking at.

Planner

Astorga: Exactly. It is to go over 17.2 and also to go over some of the exhibits that we prepared for the Commission, including the Planning Commission outstanding items list. Go over, briefly over utility capacity and then go over the hotel use approval.

Chair

Strachan: Okay.

Planner

Astorga: And the MPD.

Chair

Strachan: And then from the applicant's point of view, what presentations do you intend to give tonight?

Pat

Sweeney: We're going to have a presentation on phasing, staging and other construction related issues and questions, including soils.

Chair

Strachan: Okay. Great. Let's hit it.

Planner

Astorga: All right. So just to start out, this is Refinement 17.2 and its full update. So we spent a little bit more time reviewing that. We briefly presented that to you, but we didn't have, you know, enough time to fully understand what was going on. And that's why on this Staff report we expanded upon that. And it's basically the, the biggest portion of that is the elimination of Building 5D and 5B. If I get that right. And that's outlined in, in the Staff report, so I don't want to expand on that unless you have any major questions on that. The biggest effect of that Refinement is the massing and density that gets placed over Building 4B. As the orig-, not the original, but I'll call it Refinement 2008-2009 in 17.2, we're still looking at 394,000 square feet of development, so that the residential number didn't obviously come down. It was just shifted from one place to another.

The second portion is the exhibit that I prepared, this very colorful exhibit, and let's see if I have that page number. And the reason why I spent time on that, I think it's so important or critical, is that it takes page P16 that nobody wants to take a look at. It's just a huge Excel spreadsheet over a 24 x 36 inch set of plans. And it's a very hard time visualizing what's going where. So this exhibit that I prepared on page 114, it merges each, that page into the Refinement 17.2 site plan. So, it's purpose is to allow the Planning Commission to further understand building by building. As you can tell, it was broken down by each residential use, each commercial, as described by the applicant as either allotted commercial or support commercial, as well as it provides the number of its back of house accessory space, which does include any common and circulation areas. And here and there some buildings have parking. Other building is just simply part of the underground parking layout. So we did account for every, every square foot as indicated on that sheet. And we have that in front of you just to provide better graphic representation of what is being proposed. Obviously the number did not change from the proposal of 948,000 square feet of, of development.

If you have any suggestions on how I can make this exhibit a little better, you can go ahead and ask me. Suggestions that I have is perhaps we need to indicate building by building what's being proposed underground versus what's above ground. Currently, the exhibit just has all square feet within each specific building. Yes, we did find some errors in the Matrix, in the Excel spreadsheet, but it's not substantial as it's part of one category and not the other. We can go ahead and fix that, but I don't believe that that would change anything drastically at this point.

Commissioner

Joyce: Francisco, I, I found that to be really helpful. And I, you know, bookmarked that pretty quickly. One thing that would help me is there's so much information on there. As much as I'm not a big paper fan, if we could get a, you know, the, the full-sized version of that printed at some point, that would be really helpful, because I think I'd end up taking a lot of notes on it.

Planner

Astorga: Yeah, I have one right here and I take a lot of notes on it, too.

Commissioner

Joyce: Yeah.

Planner

Astorga: So we can make that for you.

Commissioner

Joyce: That would be great. Thank you.

Planner

Astorga: Going back to the Staff report real quick. The next section in the report is that we broke down the density of Refinement 17.2, as indicated under the section of Residential Density and then Support Commercial Space. The applicant makes an argument of having two separate categories in the term allotted commercial. That's the 19 UEs specified in the Master Plan, and then the Support Commercial. Staff, we disagree with that interpretation and, therefore, we find that they are over as they are proposing 37,813 square feet of commercial space. And we expanded upon that on page 54. And we've been consistent since we started reviewing this application on this argument made by Staff since June last year.

Regarding Lobby Space, it's very interesting, as we were able to locate the document titled the May 15, 1985 document. We do apologize for finding that document late. However, we were able to locate it. And we learn, we learn a lot of things from such, in that they, they had more density indicated on that. And that's why I believe that there was a specific density exhibit provided in the Master Plan that said no, it's not 209 UEs, it's 197. The, the interesting part of that document is that the Master Plan makes no mention of the term "Lobby Space", but this 1985 document does indicate a maximum number there. And we think, we believe, or we find that that was the reason that it was included on the very first sheet of the Master Plan, as it indicated that, that these four or five components are part of the approved document. So we wanted to put that in front of you as we just learned of, of such. And it does indicate a note on this specific document that says Lobby includes the following non-commercial support amenities: weight rooms, recreation rooms, saunas, administrative offices, storage, guest ski storage, guest meeting room, etc. So we've lined that up on page 55 of the Staff report.

Next we move on to discuss Accessory Space, as I just indicated. Accessory space includes, not by definition of the Land Management Code, but simply by the text indicated in the Master Plan Development LMC Section that accessory space includes back of house and also circulation and common space. There is some overlap between that and the lobby space. However, again, that is the reason that we find that that document was included in the approval documents, again outlined in the first page of the Master Plan.

Regarding parking spaces---and you can stop me if you have any questions at, at this stage.

Commissioner

Suesser: Yeah, can you just go over that again about how you think that this fact sheet and unit breakdown was included in the MPD approval.

Director

Erickson: Go ahead, let me answer Francisco, real quickly. Basically, it is Exhibit #2 to the Master Development Plan approval, so it is on the first page, Exhibit #2. It is included in the specific approval.

Commissioner

Suesser: And when was it located?

Director
Erickson: What, about a month ago?

Planner
Astorga: About that.

Director
Erickson: So we received a substantial GRAMA request to provide information, and in the course of doing the GRAMA request through many, many boxes of information, Exhibit 2 to the Master Plan Development approval resurfaced, and that's the document you have in front of you.

Chair
Strachan: And do we have any further history on that? What do we know about that?

Planner
Astorga: Well, the document was prepared, I believe, by Mr. Woodruff. And it was obviously submitted by the applicant as part of their application back in the eighty, '85 when it, when it went through. So it's a very interesting document. I can pull it up or we could discuss it. It's, we also printed in your exhibits.

Commissioner
Suesser: Yeah, we've read it.

Chair
Strachan: Yeah, we've---

Planner
Astorga: We're on page 116. And it outlines four categories for the Hillside properties. That's Creole Gulch and Town Lift Mid-Station. It talks about unit equivalents; that's the residential number. It talks about the square footage support commercial, square footage lobby, and the number of parking spaces. The Master Plan further clarified that this is, in the density exhibit, what would be the residential square feet---not square footage, but unit equivalent of the combined of 197 UEs. So that's why I believe---this document called it 207. After, as it went through, it was actually the other number, and that's why it was clarified. It is consistent with the square footage of support commercial, which is 19,000 square

feet. And then it does have the square footage for lobbies at 17,500. It further breaks down each site; the Creole Gulch and the Mid-Station.

The fourth category, it, it identified a number of parking spaces at 555. That number was, came about through simply applying a hotel room, the smallest category of hotel room, and then doing that calculation. It's doesn't help us out much as the parking plan---I'm sorry, the Master Plan had a specific finding of fact and development condition and parameter that said, that for parking they would either use the modified parking table, which is also found on this document---towards the end of it I did put a red outline of it, which is exactly---I'm on page 129, which is exactly what showed up on page 22 of the approval. So the Master Plan said they could either use this standard, which is the same one on Sheet 22, or the Standard of the LMC at the time of approval. We're looking at the 2004 LMC.

While we didn't expand much on parking on, on this Staff report, Staff, we find that the applicant is requesting to meet the parking of the modified parking table as indicated on page P16 of Refinement 17.2. Their proposal is less than what is, than what would be required in 2004. And I could expand on that. We are getting ready to provide that analysis in the future for you.

So the benefit of this document, the Sweeney Properties Master Plan Fact Sheet and Unit Breakdown, as Bruce just indicated is listed as a second item on the very first page of the Master Plan, is it allows us to find out what they were considering to be square footage for lobby, and also it tells us exactly where the 19,000 square feet of support commercial came from. Obviously, it doesn't help us for the parking as I just barely indicated. That's why the Master Plan was so specific in that Development Parameter and Condition, and also why the Master Plan, not just in the density exhibit towards the end of the report but throughout the report itself, it said this is the actual number at the Hillside properties.

Do you have any other questions regarding---?

Chair

Strachan: Yeah, I have a ton, but I think I'll save them for later. That's a pretty important document to be finding---

Planner
Astorga: We agree.

Chair
Strachan: Where we are in this process. But I look forward to the Applicant's take on that document, as well. So, let's carry on unless there's questions so pressing they can't kind of wait for the questions time. All right.

Planner
Astorga: I'm almost done. If I could find my place in the report so I don't lose my train of thought. The next item is Exhibit E. No, not E. It would be, I apologize. Trying to find the right exhibit. It's the exhibit, I called it the CUP and Master Plan Compliance sheet. This is an exhibit that I think is extremely helpful as it outlines Criteria 1 through 15 of the conditional use permit, and it merges with the Master Plan language. So I did not leave one paragraph out of that. So when we talk about utilities, for example, we can go back and review what the actual Master Plan said. The reason that I thought it would be helpful is because I think it's the framework for final action. We have to address both, compliance with the Master Plan, and mitigate impacts as indicated on Items 1 through 15. And that was the purpose of that exhibit.

The next paragraph, or the next portion, is that we've published a draft working copy of the Planning Commission outstanding items. We are calling it a, a draft or a working list because this is the first time that you're seeing it. So we would love to have your input on it to double-check to see if we missed anything or if something should be removed from such list. And obviously it is a working list. We will provide that for you throughout the next Staff report.

The next portion is the Utility Capacity. As the issue we have with Staff is the lack of specificity provided, specifically based on the language that was provided on the Master Plan. And we can discuss that if you'd like.

And the last item is the hotel use approval. The Master Plan did contemplate a hotel. It, it talks about its temporary transient type of use. And also, the same exhibit we were discussing earlier, the May 15th, 1985 Exhibit did discuss the, the hotel use. So we wrote up that specific analysis. Furthermore, the Master Plan had a requirement that the site itself had to be rezoned into Estate MPD designation, which took place in 1991. If we look at the 2004 Land Management Code, we look at the

Estate District, it does say that a hotel use is a conditional use permit. So we just try to clarify that for the Commission.

That's all I have as far as the Staff report. And I'll be more than happy to answer any questions, unless Bruce finds that I've missed anything tonight.

Chair

Strachan: Questions for Francisco? All right. Just turning back to that exhibit, the fact sheet, have you had a chance to really dig into that as much as you need to?

Planner

Astorga: We, we have.

Chair

Strachan: Yeah. All right.

Planner

Astorga: I, I believe that we have. The, for whatever reason, the exhibit had broken down Creole Gulch and Mid-Station into two phases for each one. But other than that, all the information matches what was written on the Staff report. Not just the breakdown but the analysis provided throughout the, throughout the report.

Chair

Strachan: So, Creole Mine Phase 1 and 2, and then Town Lift Mid-Station Phase 1 and 2, those aren't reflected. Those phases aren't reflected, though, in the MPD. They're just called Creole Mine and then Town Lift Mid-Station.

Planner

Astorga: Correct.

Chair

Strachan: Those aren't---Okay. Any under-, sorry, any understanding as to why they broke them down?

Planner

Astorga: I do not have that. I believe it could have been an, an early type of application submittal provided by, by the applicant. But I don't believe that

those two phases affect the phasing that was indicated or clarified towards the end of the Master Plan in that specific exhibit.

Commissioner

Suesser: And, and is there an explanation about why Lobby, a reference to Lobby wasn't included in the MPD if it was, since it's sort of expanded upon in this exhibit? Is there an understanding as to why the MPD itself didn't include that?

Planner

Astorga: No. There is no explanation, other than this is the benefit of this exhibit.

Chair

Strachan: You feel that this exhibit defines the lobby square footage, and so the MPD document that we've been working off for however many years doesn't need to say anything more?

Planner

Astorga: It, it would seem that that would be the only purpose of why this document was included as part of the Master Plan approval. Because the other four categories, the residential density, the Master Plan clarified it. Same thing with the support commercial and the parking.

Commissioner

Suesser: Is there a direct reference to this exhibit in the MPD?

Planner

Astorga: Yes. Page 1.

Director

Erickson: Page 1 of the Master Plan approval.

Commissioner

Suesser: References this specific exhibit?

Director

Erickson: Exactly.

Planner

Astorga: I can pull that up.

Commissioner

Suesser: That would be great.

Director

Erickson: So, Mr. Chairman, while you're looking that up. I, I don't think it's the Planning Department's intent to rely solely on this piece of information. It's the intent to continue to identify what was approved in 85/86, what the application in 2004 is intended to do, and compliance with the conditional use permit. So it is a piece of the puzzle. It is not the puzzle itself. And we don't---there are some anomalies in the numbers, there's some other stuff going on, but it was shown as an exhibit to the Master Development Plan. We consider it to be a piece of the puzzle in trying to clarify what was approved and what was not. That's the only purpose of this document.

Chair

Strachan: But it does seem to me it sheds pretty good light on what the intent was in terms of support commercial.

Director

Erickson: Yes. And it also assists us in the definition of nightly rental.

Planner

Astorga: So if I could show the exhibit. This is the very first page of the Master Plan. If we start looking at the first paragraph, the last sentence, it says the following plans and exhibit, in addition to this report and the project file, constitutes the complete development permit. Number one, it's the specific pages. And then the second one, Sweeney Properties Master Plan Document and Fact Sheet dated May 15, 1985 and subsequent amendments.

Chair

Strachan: We got everything else on that list?

Planner

Astorga: I don't believe that we have item Number 3, which is the 1985 application of the Master Plan.

Chair

Strachan: Pat, do you know where that is?

Pat

Sweeney: Yes.

Chair

Strachan: I think we should have a full MPD in front of us, don't you?

Pat

Sweeney: At this point I would, I'd like to say that what Francisco said is very interesting, but it's not factual.

Chair

Strachan: All right.

Pat

Sweeney: I personally wrote that, and it was part of an early application process that was amended and was---the plan with the two phases, etc., completely changed. So it's, it's totally out of context.

Chair

Strachan: I think we've got to get down to kinda brass tacks here and figure out what's the MPD document we're working off of. I mean, whether it's factual or not, we can sort out later. But, you know, you're looking at page 1 that says the following are part of the MPD approval, and it's got six thing listed here.

Pat

Sweeney: As amended, Adam. And those are facts that we'll have to establish. But I, I'm guessing that Francisco was pretty young when that happened. I was there. I, I wrote that. I know what the intent was, and it's different than what Francisco is representing. And we'll, we're not here tonight to address that. We will address it.

Chair

Strachan: And that's fine. I'm not asking you to address the substance of that tonight, but---

Pat

Sweeney: And it's, it's been available for 15 years in this process, so I'm not sure why it daylighted at this point, so.

Chair

Strachan: Yeah. Me neither. Me neither.

Commissioner

Thimm: Francisco, on the second page of the, the document that we're talking about, the Sweeney Properties Master Plan fact sheet and unit breakdown. The, in the red box at the bottom it speaks to the number of UEs, which doesn't match up with---and I don't know if you can, you know, it's the Sweeney Properties Master Plan density exhibit. The numbers don't match up. Do we have any idea why?

Planner

Astorga: Yeah. The, as the applicant has said and as written on the Staff report, the site could, could have accommodated a lot more density. And through that Master Plan Development that number was brought down and accepted by both the applicant and the Planning Commission. And as indicated on that sheet---it says it's 209, right?

Commissioner

Thimm: 207.

Planner

Astorga: 207. Right.

Commissioner

Thimm: Sorry.

Planner

Astorga: We're on page 116 of the Staff report. Right?

Commissioner

Thimm: Right.

Planner

Astorga: So, if you go back on your screen, there was a specific item Number 5 that was part of this approval, which says Sweeney Properties Master

Plan Density Exhibit. If we turn to it, it indicates that the density is 197. And it's not just on that specific chart that says that. It also, it reiterates that throughout the Master Plan, that the approved density is 1987.

Commissioner

Thimm: Okay. Which supersedes then, this? Page 2.

Planner

Astorga: Because of the discrepancy from 207 to 197, this is the reason why I believe they added Number 5 on this, on this, on the very first page of the Master Plan as shown on your screen. That's why they went of their way to say it's, this is the density.

Commissioner

Thimm: That is the exhibit. Okay.

Planner

Astorga: Correct.

Commissioner

Thimm: All right. Thanks.

Planner

Astorga: Does that make sense?

Commissioner

Thimm: It does. Thanks, Francisco.

Chair

Strachan: All right. Well, at some point I would like to understand what the applicant's view of what the entire MPD document is. And, and that may differ from what the City's is, but we should figure out what the bottom line document is that we're working off here, because it's going to guide our decision. So if you don't think that's factual, you give us the reasons why you don't think it should be looked at, or it should be ignored, or it should be included, that's fine. But I understand, Pat, that this is a long process and you've been through it with the City for many, many years. But you've got to understand that we're talking---

Pat
Sweeney: Adam, we're not---

Chair
Strachan: Hold on. Let me finish, Pat. You're bringing up to speed a bunch of new Planning Commissioners that aren't Staff. They haven't been working on this like you have. I apologize, but you've got to understand that we need, as Planning Commissioners, the document that is going to guide our decision. Just give it to us. If it's what we've already got, then just say that. This isn't hard. I'm not trying to back you into a corner. I'm just saying, give us the document you think guides our decision, and if it's different than Staff's then we'll work that out. Not hard.

Pat
Sweeney: Do you, do you want a response or---I'm not really sure what you want me to do, Adam. Just listen?

Chair
Strachan: If you think we've got it, let me know. Do we have it?

Pat
Sweeney: You've had all this information dating back, some of it, to the late '70s. Everything that is on that exhibit is factual, but the interpretation is not.

Chair
Strachan: Okay.

Pat
Sweeney: It is out of context and incorrect. And its conjecture. It's just made up.

Chair
Strachan: All right. I, I get that.

Pat
Sweeney: To make a point which is, is errant.

Chair
Strachan: All right.

Pat

Sweeney: That's our position. So, we will get you a written response to that, and if necessary we will address it before you in upcoming meetings.

Chair

Strachan: And I under-, and I appreciate that. And thank you for doing that. I understand there may be a difference in interpretation, but if you're telling me that Items 1 through 6 there are the complete set of, of controlling documents, then I think we're good. But I just want to make sure. I mean, we just found a document that's 35 almost plus years old, and if there's something else we don't have, regardless of how it's interpreted, we ought to get it.

Pat

Sweeney: All right. So let me point out one thing and then I think I'd like to get on with what we planned tonight. That was submitted to the City approximately 18 months in advance of the actual approval, and a lot of things changed during that time.

Chair

Strachan: I'm sure they did. Yeah. Yeah, I get it. And I understand there's going to be differences of interpretation. But we should know the history and you can walk us through it. I understand there were amendments, but I just think it's a little surprising that we're coming across that now.

Commissioner

Joyce: It's listed here.

Chair

Strachan: Yeah, when it's listed on page 1. And I'm not pointing fingers. I'm just saying we're going to get down to decision time here, and if we're not all singing from the same hymnal book, we're going to run into some problems down the road, I would imagine. All right.

Commissioner

Joyce: We need to be.

Chair

Strachan: Yeah.

Commissioner

Joyce: And I would, I would ask that---I mean, this says, you know, the Fact Sheet dated May 15th, 1985 and subsequent amendments. What we seem to have here is the copy of the Fact Sheet dated May 15th. If you have anything that shows any amendments that were made later on, I mean, that would be really helpful. I don't know if this is the amended version or there were no amendments or whatever, but it specifically says and subsequent amendments. So I'm just kind of looking for that as well.

Chair

Strachan: I agree. All right. That derailed us a little bit. Do we have any more questions, comments about that little finite issue? Okay. Francisco, anything more? The applicant wants to---

Planner

Astorga: No, other than we've provided, again, the working issues list from the Planning Commission. It's four pages. Obviously, we're putting you on the spot, but if you have any thoughts we would love to hear from you on those.

Chair

Strachan: Let's---

Planner

Astorga: It's page 139 through 142.

Chair

Strachan: I would probably recommend, although, you know, always open to discussion from the other Commissioners, but letting the public comment before we go over that because they have things to add to the list or things to take away from the list. So, why don't we defer that discussion until later.

Commissioner

Suesser: Yeah. And I'd like to reserve, you know, the right to amend that list as we go forward.

Chair

Strachan: Yeah, I think that's why it's a draft. Yeah. Francisco, that's not final, right?

Planner
Astorga: That's not final.

Chair
Strachan: I would hope not. It's very good but we've got a few more things that need to go on the list.

Planner
Astorga: This, this is your list. It's your list, so.

Chair
Strachan: Yeah. All right. Okay. All right. Pat, it's your floor and take it away.

Pat
Sweeney: I'm Pat Sweeney, representing the applicant, MPE. To, to my right is Troy Thompson from Big D, a regional construction company. And to his right is Mike Plattis who is assisting with an animation that he's prepared.

Tonight Troy will cover staging, phasing and other construction related items. Followed by that, behind me is Tim Jones who is from Robinson Construction Company, which is a regional and national excavation company. And then behind me is Taylor Nordquist who is an engineer with Applied Geo-Technical Engineering Consultants, and he will talk about soils.

Director
Erickson: Excuse me, Pat. Just one---do you have something that's supposed to be up on the screen we're not seeing?

Pat
Sweeney: Yes.

Director
Erickson: Okay. Can we get that sorted out, Mr. Astorga?

Planner
Astorga: Yeah, we're just supposed to wait for that signal to kick in. I usually have these issues at the Santy, not here at Marsac.

Pat

Sweeney: I'll unplug it and plug it back in. So, Francisco---

Commissioner

Joyce: There we go.

Planner

Astorga: There you go, you got it

Pat

Sweeney: So I'm going, I'm going to let Troy---once again Troy Thompson from Big D take over. He might want to give you a little more information about himself. And, and then I will maneuver the outline and Mike Plattis will show an animation.

Troy

Thompson: Well, thank you. As Pat said, my name is Troy Thompson, Big D Construction. I'm the Executive Vice-President of Big D. And I've worked in the Utah area on many high profile projects over a 36-year career about. I've personally managed close to \$3 billion in projects. And I got involved with this---Big D is a regional contractor as Pat said. We have an office here in Park City and many, many jobs in the surrounding area. We have 9 regional offices so we, we work on all types of construction, including mountain construction. And I was introduced to this project back in 2003 or 2004. Mike and Pat Sweeney came to our office and, and we worked on a variety of plans of how to get this thing constructed and how we would go about doing that. And we've continued to do that from time to time over the years. And Pat has asked me tonight to come up here and speak to you all about how that might be accomplished and, and maybe draw some comparisons to some of the larger projects we build. So, I'll start with that. Now---and thank you very much for allowing us to be here for this presentation.

I think we want to cover in this first section, three important topics. One of those topics is how do we arrive at a workable phasing plan. And we're going to take you through that step by step, and hopefully you're understand and maybe even have some questions about how we've approached that. And then Pat's going to kind of take it over for a minute and we're going to talk about how do we arrive at a feasible ski access plan. And we'll show you some things that we've developed drawing-wise on that. And then I'll conclude with this on how, how do we create a

practical master staging plan. As, as you can imagine, these types of projects are difficult to stage and difficult to get into. And we've put some, a lot of thought in there for how that, that might happen. So, with that, I'd like Pat to pull up just kind of an overall view of the project and, and I'll walk through some of the, some of the important details.

So in this, in this rendering here, or this drawing, you'll notice that we've identified four distinct phases: Phase I, Phase 2, Phase 3 and Phase 4. And you'll see how that's working in a clockwise fashion. And that's--- some of the reasons that's important is because of the geography and topography of the mountain there, we need to start in Phase 1 on the very southern end, and we need to cut into that and develop a lay down area, and I'll talk about that here in a minute, and work our way back to the end of that, the far south end of that Phase I. And then from there we need to work on the, the excavation. That's going to take probably well into most of the season and beyond into a full year of working through that earthwork and cutting, cutting that, that wall and, and installing the retention devices and, and systems to be able to retain the wall, to be able to get down to the footing and foundation level, to be able to get down to the bottom of the parking garage level in that Phase I.

Commissioner

Joyce: Can I, can I ask a question just because it will help me with how you stage it.

Troy

Thompson: Sure.

Commissioner

Joyce: Do you do all of the excavation for the entire project or do you do the excavation for Phase 1 and then building Phase 1 and then---

Troy

Thompson: Sure.

Commissioner

Joyce: Build Phase 1 and then do the excavation for Phase 2. How, how does that flow?

Troy

Thompson: Yeah, that's very, that's a very good question, actually. And what we need to do---one of the, and I was going to get to this in a minute, but I'll bring it up now. So one of the really cool things about this project, unlike a project that say, you know, I recently did a project in Salt Lake City that was a 25-story tower and access to that site was everything had to come through a 16-foot gate. There was no staging. Zero. You had to go from a truck to a building. And in this plan---and that, that by the way, and many other projects that I have done downtown have a tremendous amount of earthwork that has to come out and walls that have to be retained. And that, that soil has to go somewhere. On this site, the designers and the geo-tech consultants have worked hand in hand together to be able to look at how this soil is moved around the site. And so, even though there's a million plus yards that need to be dug out or moved or whatever, that will, Phase 1 will open the door, the gateway for that, meaning roads will be cut in and, and flat areas will be created and construction roadways within the site will be created in such a way that the material can be moved to the upper end of the site. More, if we were looking at that lighter blue color, right at the very left side of where that stops there is kind of a flat area up there and a lot of the soil is going to be taken there, which will then later be taken up into that canyon to be placed into the, into the hole and leveled out up in there. So that, that work will start initially. Will the entire thing go at once, no. Mostly Phase 1 with some commitments to getting the, the roadway system and the approaches up to that flat spot to be able to get that dirt, and then start building some of the roadway systems to be able to then haul the dirt up into that canyon. Does that answer your question?

Commissioner

Joyce: I think so. So the thing that triggered that was just when you were saying it will be at least a season to, to move the dirt, you're really talking about Phase I. To, to clear out the starting roads and---

Troy

Thompson: Yeah, just Phase I. The other two---

Commissioner

Joyce: Just the dirt for Phase I.

Troy

Thompson: Yes.

Commissioner

Joyce: Plus kind of the infrastructure you just described. So, that's not a, that's not an excavate the project that, with that piece.

Troy

Thompson: That is not.

Commissioner

Joyce: Okay.

Troy

Thompson: That is not.

Commissioner

Joyce: Perfect. Thank you.

Troy

Thompson: You bet. So in Phase I, as you might well imagine if you've seen sections through these buildings, there's cuts coming down the mountainside and down into the garage level. And we would follow that with concrete operations as we work from the south working north. And we would try in that first year to get that, that, that earthwork done and the concrete done and the garage established so that could be a, an access later on for construction materials and men to be able to come through the garage underground and get to the, to the buildings to go vertical.

We would also anticipate in kind of a 1B phase of that first phase would be the lifts, understanding that we need to always keep the ski access open, and that we would then remove the lifts and install the new lifts. Kind of that, what I would call that second year.

Commissioner

Suesser: Could you just clarify what garage you're speaking about in Phase I.

Troy

Thompson: Yeah, so maybe---

Commissioner

Suesser: The garage under which, which building?

Troy

Thompson: Maybe our designer could come up and kind of point to where that is.

Commissioner

Suesser: The garage is under those buildings? Okay.

Architect

David

Eldridge: It's the, it's the garage underneath the One buildings.

Troy

Thompson: Yeah. It doesn't show the outline on there, but it's, yeah, right where the top of that arrow is, is kind of where the underground garage is.

Commissioner

Suesser: Those are townhouses there?

Troy

Thompson: Yes. Right.

David

Eldredge: Townhouses above the garage.

Pat

Sweeney: There's three, there's townhouse and flats there. The townhouses in 17.2 are located down by the existing neighborhood. They, they basically are behind the houses on Woodside.

Commissioner

Suesser: It's one big garage. It's not---each townhouse doesn't have a separate garage.

Pat

Sweeney: It's one, it's one big garage. And I'll invite David Eldredge up here if we want to get into some detail. But it's one garage that serves all of what we call the One buildings. 1A or the six units that look like typical townhomes on about a lot and a half size home. And then behind that is 1B and 1C and those are flats, more, more of an urban type of architecture.

Commissioner

Suesser: Thanks for the clarification.

Commissioner

Joyce: And so when you said for your kind of 1B Phase of doing the lifts, so that says you're, you're pulling out the Town Lift and you're actually replacing it with a Cabriolet. And you're putting in the quad up to wherever the quad's going to go to. And so those become the functioning town lifts from that point on for development?

Troy

Thompson: Yeah, and we'll show you a ski access plan in a minute. So, there wouldn't be access through the project, obviously, until it's done. But there will be---all of the other runs would be open and there would be access to those.

Commissioner

Joyce: Okay.

Troy

Thompson: Yeah, so one, you know, one of the things just to take a step back. I want to talk a little bit more, more about the, the earthwork component of this, because if it were a typical project downtown or similar to another one I can think of. I did two 25-story buildings in Bellevue, Washington that had a five-story deep parking garage, you know, with about 300,000 yards of earth come out of that. Many, many truckloads. This thing, a million yards of dirt is probably 100,000 truckloads. We're going to avoid that because we're really figuring out ways to balance that earth on site. And so that's, to me that's an exciting thing for the City and the neighborhood that all of that traffic, that's a big component of construction, as Doug would know, on these projects. Taking all of that dirt, getting it out. It's kind of a dirty thing, you know. The wheels get dirty, it gets out on the streets. And so I'm kind of excited that that's, that's all going to be contained within the site, and part of our approach to this.

So back to that plan. After Phase 2 we would alongside the mountain there. There's some, some, quite a bit of retention and earthwork that has to happen. Work into that Phase 2 and that set of buildings. And then we would kind of turn the corner and work into Phase 3. And that's, that's got a very large garage component on it with a number of yards. I think it's approaching 6 or 700,000 yards that, that comes out of that particular hole. And a lot of that material will move up the mountain into that valley.

And then we would end with Phase 4. And what we're really thinking is that Phase 4 becomes the natural staging area while, until we get to that particular phase. So we would level out that area and treat that as the way we get into the project, the way we off load projects would be in there. And we're proposing that we would include some sort of berm using the natural earth, the geography and the topography that's there naturally. The, the hill kind of goes up and we would---after that reaches a certain height, we would, we would round that off and cut the backside of it out so it's going to provide a nice little noise barrier. A nice little barrier to sort of the construction and what's going on, you know, behind it.

Then we would finish up with Phase 4. Obviously, we would have to remove a portion of that berm to be able to access that, but we would do that very judiciously. And we would, we would landscape that---temporary landscaping to make that beautiful along that Lowell Avenue frontage.

Next, I guess, I want to talk a little bit about the fencing that gets a little bit tricky on a mountainside construction project. And, of course, I would really look at this as, as kind of two unique areas. The one is the area with the buildings, which would stay fully fenced in my mind. And when I say that, that's not literal because as Phase 1 and Phase 2 is those natural, as those walls got retained, you know, we put back the permanent landscape and so forth there, that, that would become---some of that fencing would go away. But that 11-acre site would be fenced. And then we would, we would also fence for more for safety and security reasons the upper area where the soil placement is going to go. And maybe, Pat, you can just draw some squiggly lines with your hand and show where the, where the roads to access placing of that soil, just, just to help everyone understand that.

So in this you can see that, that blue. What that's meant to graphically depict is where we would stockpile the soil, as I mentioned earlier. And then we would bring it up through this series of roads, haul roads to get that material up and place it in that, in that valley.

So, other than the 8' chain link fencing that we put around the site, we anticipate that we would need some, some tall 4 x 4 posts with some Halloween rope or something there to be able---and work with closely with the ski resort and the ski patrol to develop the right system and the right barriers for winter, and, and make sure that's safety and safely secured and chained as, as required.

I'd also like to kind of go into a little bit---I'm sure there's some questions on how people would get to this, how equipment would get to this site, and how all of that's done given the, you know, the tricky road access. What our plan is there is, is first of all, in terms of manpower, we would anticipate---obviously, this isn't going to be built all at once. It's going to be built in phases. Each one of these phases looking at other like construction projects that we do all the time, we would anticipate about 300 men at peak. And we, we have planned to bring those people in through, with a series of buses. Probably each would hold 30. We'd have three or four of those buses where we'd bus them in for a couple hours in the morning and a couple hours in the evening. We would start that process from a site that was, you know, outside the, the main city limits and lease or rent a piece of property to be able to have construction workers park off-site, and then we would bus them in each day.

We would also put a rigorous plan in place so that we would have staff on site that would watch for, for workers that tried to drive up and park either on Lowell or Empire. And we would quickly have those towed. So we're proposing that we police that ourselves as part of that. That's not uncommon to projects that we do in urban settings all the time. And we would propose to do that to make sure the residents aren't inhibited. We want to make sure there's, there's ample emergency access to the site. We're primarily using Lowell Avenue coming into the site and exiting the site, doing back down Lowell. So Empire would stay open and wouldn't have any construction traffic on it, so people could get up there. Emergency traffic could, could get up there at any time.

Commissioner

Joyce: Okay. Can I do another quick one?

Troy

Thompson: Sure.

Commissioner

Joyce: There's been some commentary in some of the meetings we've had before where we had a discussion, and I won't get the quote quite right, but it was like during peak ski season employees would be shuttled in, or something like this. One of the things that would be helpful. As, as you guys start kind of crafting these plans out, I mean you're kind of throwing this out. But somewhere from the applicant I would love to see specific

things written down as to what exactly it is that you're proposing in, in detail. So, because what you just said to me actually conflicts a little bit with what we've heard before. Because before was kind of fluffy. You said it more definitively. There, there were words in the, the earlier one about, you know, other than trips to do this and that kind of thing, it's like no, I, this is really important that we nail this down. So, as much as I appreciate you going through this---

Troy
Thompson: Yeah.

Commissioner

Joyce: We need all this in written so that we can figure out whether we're disagreeing or putting in conditions that, in fact, you're fine with and agree with, but we just need them as conditions of approval for, for mitigation of the construction impacts.

Troy

Thompson: Yeah, I think Pat will---we've worked on this plan for months and there's not anybody here in this room that hasn't heard it or agreed with it. And, you know, we want to be really sensitive. This is, this is a large project and it needs to be done in a, in a proper and a classy way, and it needs to have minimal impact to the neighborhood. And that, that's what we're going to do. That's our plan and we can talk in as much detail as you want.

Commissioner

Joyce: Okay. And just for clarification. I mean, there were things about employees using the Cabriolet to get up. And the question is, you know, when you get done with your Phase IB, are the buses coming up on site into the entrance that you described, or are the buses dropping people off for the Cabriolet? We just keep kinda hearing a little---

Troy

Thompson: Yeah, that's, that's a great question.

Commissioner

Joyce: Bit of different things.

Troy

Thompson: And I, and I think, you know, what's happened is we've taken a lot of time here recently to really study it and refine the plan, is what I would call it. One of the reasons we want to get that parking garage done in Phase I, as there's an entrance and an access off Lowell there that we can then take people and, and trucks---it may or may not be buses. Or it may be small buses, shuttles I would call them, in and out of that parking garage and up into the work. And so, I don't see us using the Cabriolet. I know that's been thought of before.

Commissioner

Joyce: Yep.

Troy

Thompson: But I, but I think we've figured out some things as we've refined it and developed it.

Commissioner

Joyce: That's great. We've just kind of heard different things.

Troy

Thompson: Sure.

Commissioner

Joyce: And one of the things that the Planning Staff has asked of, of both the Commission and, and the applicant is the, a lot of this stuff was what I would describe as kind of soft and loose of, it seemed like it had the right intent but it didn't have enough description to really know for sure. And so it sounds like you guys are getting closer. So if you could just, you know, nail it down and write it down so that we can really review it and turn it into conditions of approval, that would be great. Thank you.

Troy

Thompson: Awesome. Thank you. So the next thing I just want to talk about a little bit is the staging area that obviously I talked about would be one of the first activities to cut in and develop that flat area there. The reason that's so important is we want to be able to get trucks. And when I say trucks, everybody's seen the typical truck getting off-loaded on a construction site. We can't have those trucks on Lowell. We can't have them waiting there. We can't have them sitting there. We can't have them staged there. So the idea is I'll be putting a person, a traffic control manager way

down the system, the road system, who, who---and, and I'll get into the details, so bear with me for a second here. But that person would, would allow, if that truck is scheduled, if he makes the time that he's scheduled, then he would be released to come up. And there would be as many as two or three trucks in that staging area being unload. As one got loaded, another one would be permitted to come up and the other one would leave. And that would be a very timed kind of construction event. It's something we do all the time in downtown applications where we have buildings with absolutely no staging area, and it's a just-in-time arrival. The truck pulls up, the crane lifts it off. It goes, the materials go into, into the project. So I'll talk about that a little bit more.

And so let's talk about Lowell Avenue for a minute.

Commissioner

Suesser: Are you talking about the trucks waiting, then, down at the Resort base.

Troy

Thompson: So they wouldn't be waiting. And that's where I'm kind of going next, and I wanted to get into, which is we---this is how we typically do it on every project in an urban setting when it's tight. We have a planning meeting the day before and we schedule every single delivery that's going to happen the following day. And they're given a window of time to hit. Now they know if they don't hit that window, if they're an hour late or an hour early, they will just be sent down the back way and they'll do a loop for 45 minutes or an hour, or we may send them home. They may have to come the next day and get on the schedule. It just has to be this way. These types of projects don't work any other way. You have to have a time. They have to meet it or they get kicked off and get sent to the next day.

Commissioner

Suesser: When you're talking about them making a loop, do you mean up Lowell and down Empire?

Troy

Thompson: No, no, no. I'm talking about, they would be sent on the, I forget the name of the road that goes over, over towards US40, yeah.

So a few other things about Lowell Avenue. The Sweeney's have committed to putting in this area, this area, 5' area just on the high side of the street that would, would be sort of a free zone that would help mitigate

any circumstances. You know, let's say you had a couple of trucks passing each other, although the street is wide enough, they would be able to pull off into that free area and get around and get by if needed. It would be an area in the winter time that if snow needed to be stacked up in that area so it didn't, didn't take the road and narrow it up with the snow berms, we could use it, utilize that area and keep the road the full width.

And I also believe that there's been an investment in Lowell. I think Granite Construction is doing it now, where the road section is being thickened anticipating future construction traffic, so that that road it's got a good section, a base section and a section of asphalt to be able to carry that traffic.

Commissioner

Suesser: Bruce, can you confirm that? I didn't realize that Lowell was being built up currently. I thought that would, that was coming if this project was approved.

Director

Erickson: Let me defer that for you, Commissioner Suesser. City Engineer Cassel is here and he'll respond.

Commissioner

Suesser: Okay.

Director

Erickson: Thank you. Sorry.

City Engineer

Matt

Cassel: The road is being built. Treasure did participate in the road and it's being built as they suggest, or said. Six inches of asphalt over 12" of road base, which is quite a thick road and meant for construction.

Commissioner

Suesser: You said Treasure participated. Meaning they participated to the cost of that project?

City Engineer

Cassel: Correct. So, a usual road would be 6 to 8 inches of road base and 4" of asphalt. And they participated for the extra asphalt and extra road base.

Planner

Astorga: And that was specified in the Master Plan. A Development Condition Parameter #8, Item A.

Commissioner

Suesser: Thank you.

Troy

Thompson: So the last thing I kind of want to talk about with construction equipment, deliveries and access is just so you can kind of get your minds around a project of this size, a phase of this size going. We would anticipate on peak days about ten trucks per hour. That would be the heaviest times when we were say doing a concrete pour where you had Redi-Mix trucks coming. When, when, on the days that you weren't pouring or hauling that, it, it would be substantially less than that. Some of the other things that we're implementing in our plan, just strategically to again doing everything we can to mitigate equipment, congestion and any of those kinds of things, that we would look at instead of driving Redi-Mix trucks into the site and into, you know, dirt roads and stuff and stirring up dust and mud, we're looking at things like what they call slick lines and pumping trailers, which would allow us to be able to pump concrete from a long distance and not have to drive those trucks into the site and do it closer to that staging area that we're talking about building in the first activity.

Commissioner

Joyce: I hate to keep jumping in, but just to keep this---

Troy

Thompson: No, go ahead.

Commissioner

Joyce: Going so I don't loop back on everything. When you talk about doing ten trucks an hour, one of the things that we were discussing is the challenges from a traffic standpoint of---especially during the winter when you have the peak hours of kind of load in, load out for the resort. And that's kind of a more of an 8:00 to 10:00-ish kind of thing. There was discussion about not allowing deliveries during those hours. Does that work with your plan? Is that something that you guys are accepting because it---

Troy

Thompson: What were the hours again?

Commissioner

Joyce: I can't, I think we were still kind of debating what they were. In fact, we had some different alternatives. But I'd have to go back and look at the traffic thing.

Troy

Thompson: I, I know our plan is to limit the hours. That wouldn't be the same as the working hours.

Commissioner

Joyce: Okay.

Troy

Thompson: We would limit the hours for deliveries for sure. But I, we haven't come up with that [inaudible].

Commissioner

Joyce: So let me just ask. When you go back, if you're looking at that.

Troy

Thompson: Sure.

Commissioner

Joyce: I mean it was a different discussion because it was traffic. But part of our traffic discussion was, was limiting, limiting the flow of traffic up into the construction site during, you know, load in and load out during the winter ski months.

Troy

Thompson: Yeah. Under-, understood. And if you can, when I talk about these traffic managers or traffic controllers, imagine when you go down to a freeway in the summer time and they're paving the project and they have a flagman with radios on each end and they allow cars through and that sort of thing. And they, they stop them on one side and let them go on the other. That's my vision of sort of the system that we would have in place down Lowell Avenue and beyond so that somebody's literally either holding the trucks somewhere that's approved. Not in the middle of the street, certainly, but we're holding and allowing those trucks into the site so

there's literally just one truck. They're not four or five trucks stacked up Lowell. It's you get in. There's two or three being unloaded. When one leaves another one comes. And so at any given time it, it's limited traffic. So, hopefully.

Commissioner

Joyce: That's fine. Again, but with what they'll probably run into is that area right there, especially coming up into Empire and then leaving Empire at the end of the day is even without your construction traffic it's already bottlenecked up. So now you're talking about, you know, throwing construction traffic up into what's already stopped. So, you know, you think of kind of free driving up because the guy got flagged on. And the answer is no, cars are already backed up quite a ways. I mean, we've seen that with, with some of the recommendations for fixing some of those intersections that---I mean, that's going to be years from now if it happens. So you just have to assume that at the peak hours we're, we're really at capacity on those roads.

Troy

Thompson: Yeah. Let me, let me throw something out there that we're working on and we think it's a viable plan. I don't want to take it to the bank tonight, but it's certainly what we're working on. And again, with working on this access through the berm and this staging area that I keep talking about, this off-loading area, we would, we would bring the trucks on site. We would unload them. They would turn around and they would come back out the same access. By doing that, they'll go back down Lowell so it's not coming up Lowell and going down Empire. Empire is the street with the, with the finger roads that go down below, and those could stay open all of the time in my mind through to Empire. So I don't---maybe that answers your questions.

Commissioner

Joyce: Yeah, the problem is, you come, you come down Lowell to the bottom of Lowell and you hang a right and you make a left on Empire. And there you are back into the middle of traffic again.

Troy

Thompson: Understood.

Commissioner

Joyce: And it's different, you know. And certainly you guys have done a very thorough traffic analysis so it's different in the morning than it is in the afternoon. But it all hinges on the, you know, the ski traffic. And it's pretty monstrous right now.

Troy

Thompson: And we, you know, another thing we would do is we typically work with the City, particularly on, on concrete pours, because that's when, that's when your large amount of traffic. We don't, we don't have earthwork going to and from. That's all on site. But typically what we do with the Redi-Mix trucks is we try to do that during off hours. And I don't know if the City will allow us to do it at night, but we love to pour at night. The reason is, nobody's driving on roads at night and we can bring those, that heavy run of trucks in and, and do the pour and then open up the next day. So, you know.

Commissioner

Joyce: Yeah, the, the---

Troy

Thompson: That, that's an idea, but we can certainly do that.

Commissioner

Joyce: Yep. Bring, bring that forward if you'd like. The challenge---you're, you're right stacked up against, you know, two faces of recreation---not recreational, residential neighborhoods. So the idea of, you know, bright lights and noise and trucks and pouring concrete and stuff. It would be one thing if you were in the middle of a commercial district in the City that pretty much empties out at night, but that ain't this. So, you know, I---

Troy

Thompson: And I think the working hours are 7:00 a.m. In, in the City, you know, a lot of times they'll start us at 6:00. And if that's not allowable, if we have to start at 7:00, that's fine too.

Commissioner

Joyce: So I guess I'll just---I don't want to get down, bogged down and slow you down on this.

Troy

Thompson: Yeah, sure.

Commissioner

Joyce: But applicant, please coordinate the traffic discussion we had with the plans you have for getting stuff in and out here so that we can kind of tie that up and not have inconsistencies. Thank you.

Troy

Thompson: You bet. Why don't we---I'm just going to touch on one more thing, which is kind of what we see as working hours. And then I'd like Pat to bring up his ski access plan. We'll go through that a minute. And then I'll, I want to show you our 3-D model and walk through a few more things. But would, you know, typical hours obviously during the, the off season would be probably something like 7:00 a.m. to 9:00 p.m. And winter hours would be much shorter. Something more like 7:00 a.m. to 6:00 p.m. We would not have any work events during major events like the Arts Festival, Sundance Festival, or holidays. We would, we would shut down as required for those events.

So with that, why don't we bring up Pat's model and we'll look through the ski access for a moment.

Commissioner

Suesser: So you anticipate construction through the winter season, then?
Construction traffic and continuing---

Troy

Thompson: Yes.

Commissioner

Suesser: Construction as much as possible through the winter season, though?

Troy

Thompson: It would be limited hours so it won't be as heavy.

Commissioner

Suesser: 7:00 to 6:00. Okay.

Troy

Thompson: Obviously, in mountain resort areas you're doing as much as you can during the summer months, but there will be continued work through. It just will be limited.

Pat

Sweeney: Thanks, Troy. The exhibit that's up now shows some existing runs and what would be some future runs. And I'm going to explain how conceptually we intend to keep the ski system open. There will be some runs that will have to be closed because they go right through the middle of this project. But there will always be some runs open and the lift will always operate. And that's just not me saying that. There's some pretty serious agreements to that effect with Park City Mountain.

The south runs will, will be the mainstay during Phase 1 and Phase 2, because the north runs or the Creole side will be closed because it will be impossible to ski through construction site right here. When, in the first Phase its anticipated that the Town Run will be open in this manner. And I'll start at the top of Payday. I know you can't get there without going up the Payday lift, but it will be open in this manner, which is basically Quitting Time. And also a new portion of a new run that's easier grade that would be more amenable to beginner skiers. At some point during Phase 1, when the new lift improvements end, then these new runs from the top of Payday would be added. And the one run that a lot of locals use, you have to go through trees, but that will become a real run.

Then once Phase 1 and 2 are done, once 2 is done, which I'll show right there, at that point then we anticipate that they'll be runs back down the Creole side. The, the intent is on Phase 1, probably the second year, to put the new lift in, which is a quad from the project to the top of Payday.

Commissioner

Suesser: Would, excuse me, Pat. Would, would the Town Lift then stay in place for those first two years?

Pat

Sweeney: Well, the second year get replaced by a quad that takes that route. And then down, from the project down will be a Cabriolet.

Commissioner

Thimm: So is that the slash 1B that we were talking about earlier, then?

Pat

Sweeney: Yeah, that would be B. Phase 1 really has an A and B. The A is to get going, get off the street. And B would---the anticipation is that then B, then you would, you would put in the new lift and Cabriolet. And then at the end of 2 Phase, which is in blue right there.

Commissioner

Suesser: I guess, how much of a gap do you anticipate?

Pat

Sweeney: I think in, I'm not as good an expert like Troy, but I'm thinking Phase I, two to three years. Why don't I just let you answer that.

Troy

Thompson: Yeah. So that whole phase will take between two and three years. But the, the first year will be doing the earthwork and the concrete work to get the parking garage and the foundations. The second year, while the lifts are being done, then that's when the, the Phase 1 would actually be vertical. So they're going simultaneously. And then the lifts would start the second summer. So you'd have a summer and a winter, and then that second summer the lift would, would, would go in. The lifts would go in and be done in time for that second winter. And then the project would finish sometime into the third year on that first, that first Phase 1 and, 1A and 1B.

Commissioner

Joyce: So the, the quad lift the way its drawn on here, this is page 151 of our package. It goes kind of between the 1 and 2 buildings, and then between that and the 5 and 3 buildings. You've got better pictures. It's hard to see off of this because it doesn't have any of the buildings on there or anything. Yeah, so from a construction standpoint, it's going right up that kind of steep cliffscape next to building 5A. So does that say you have to have that retaining wall and everything for what would have been Phase 2 done before you can do Phase 1B? Does that make sense? If you bring up the picture. If you just---

Troy

Thompson: Yeah, I can see. I'm looking at Mike's model here.

Commissioner

Joyce: Okay.

Troy

Thompson: So I know exactly what you're talking about. The idea, the idea would be to start at the southern end of 1B and have the earthwork and shoring and retention activity be continuous. So as it got done with Phase 1 and moved past under the lift, then it would continue up into Phase 2 and just keep marching forward. So there may be a little overlap in phases there.

Pat

Sweeney: The other thing that I think you're getting at, Steve, is that we might need to move one of the towers on the existing Town that first year.

Commissioner

Joyce: Yeah, I'm just trying to, the---

Pat

Sweeney: In order to do that, that excavation.

Commissioner

Joyce: Yeah, because that's the hard part for me is trying to figure out, because you kind of have to have---it's not clear that the Town Lift could stay up as that cliffscape gets done, but you need the cliffscape done to put in the replacement lift, because it goes pretty straight up.

Troy

Thompson: One, one of the things---we've, we've certainly anticipated some of that and talked about it quite extensively, actually. And we would anticipate bringing somebody in like Doppelmayr. They, they were very good. I did the new Strawberry lift and the underground car storage facility, and the high speed quad at Snow Basin for Earl Holding just prior to the Olympics. And we brought Doppelmayr in and they did an amazing job. I mean, we had to do---bring towers in with helicopters and all kinds of things. But we, we do see a need to work through that specific, you know, those lift towers and so forth in that particular area. And we, we haven't gotten into great detail on that but we've recognized we've got some work to do there.

Commissioner

Joyce: Okay. Okay, thank you.

Pat

Sweeney: I think that, that finished up the ski system. And we can move back to Mike and you can move through his animation.

Troy

Thompson: So Mike's developed a series of slides here in sort of a 3-D format. As some of you may know, we, in the construction world these days we like to use the virtual world to sort of design and animate everything that we're doing all of the time to, to really understand everything and make sure it's, it's sequenced in the right way.

In this first slide you'll see sort of the outline of the project. And you'll see we've tried to represent in that orange color the, the berming that we anticipate to help shield the project, to help cut the noise down and, and so forth there in Phase 1. You'll also note that there's a private driveway up there and we recognize that there needs to be continued access to that private residence. And so we've indicated in sort of a pink, I would call it pink, maybe it's magenta or something else, but that's the access to that private residence.

Commissioner

Suesser: Can I just point out that in this image two homes on the corner of Empire going up to Lowell are missing from this, from this image, as well as a number of other, you know, homes along Empire and Lowell. And I just think it's important that because we're trying to look at the impact on this neighborhood that those, those homes are represented in this.

Troy

Thompson: Yes. We agree and apologize for that. These models are developed by taking a Google image. And as we all know, Google's not up, very up to, well, they're fairly up to date but not as up to date as we'd like them. So we, we will look at those and build those into the model and resubmit that to you.

Commissioner

Suesser: Great.

Troy

Thompson: So one of the things just as we go through these slides, I want to talk about communication. We found on these urban projects with residential neighborhoods adjacent that it's, that it's really important to do a, you

know, sort of a monthly newsletter just saying this is what's coming. This is the activities that are ongoing. So we plan to be very proactive with that. We, we plan to publish an access plan so everyone in the surrounding areas is, can see our traffic control plan and how we're accessing things. And if that were to change for any reason, we would notify well in advance of that change and make sure everyone is aware of that. We would obviously have a project website that would be updated weekly. And like I said before, we're going to establish limited delivery hours throughout the duration of the project.

This, this plan helps, you see, is Phase 1 coming to conclusion. You can see the buildings, you can see the flat area that we sort of development and the access represented in the blue drive approach through the berm. That may not be perfect. We've got to develop that with all the details, but that's trying to show what we're trying to accomplish there and develop that, that staging area behind the berm.

Then we'll move into Phase 2. And as I said, that earthwork operation will be continuous so we get all the retention of the mountain in place and develop that through Phase 2. We kind of turn the corner all, all the time. We'll also keep construction access; and, you know, that doesn't mean just dirt, dirty roads that create a lot of dust and mud. That means nice roads with, you know, six or eight inches of crushed rock to be able to drive traffic on that and not have a sort of a dirty site.

Then we would move into, turn the corner move into 3. This is where the, the deepest excavation and where there's a lot of, a large quantity of spoils that has to be hauled up the mountain as well.

And then you can see the final phase, Phase 4 coming into play there. Now some of the other things we think about in all of this is winter and how we manage that and deal with that. And we would propose that we're going to have equipment on site to do on the spot or quick snow removal when needed, when we have to do that prior to other, other maybe public equipment being able to get to it. We also would have an on-site street cleaning sweeping equipment. So again, with our graveled phasing staging area we don't, we anticipate mitigating a lot of that throughout the project. But should there be a little bit that goes out on the road we would have a sweeper there that would go out and clean it up immediately. So, we want to be proactive on that and be good neighbors. And generally we have some kind of ongoing meetings with the adjacent neighborhood,

whether it's commercial or residential, where we would, we would assimilate the information and understand maybe some of the, the things that are impacts or, you know, things that we could mitigate or, you know, adjust some of our activities. We would be very proactive and propose that we set something like that and get all the right stakeholders there to be able to have those conversations.

Is that the end of your slides, Mike? Okay. Any questions on those slides, or any---this format gives us the opportunity we can zoom in, zoom out, go 360. It just helps you kind of see the project a little bit better than maybe you could on a, on a flat sheet of paper.

Commissioner

Joyce: I know you've got some slides a little bit further on. I don't know if it's somebody else that's doing then that's going to talk about the little roads up---

Troy

Thompson: It is.

Commissioner

Joyce: Okay.

Troy

Thompson: Yes.

Commissioner

Joyce: Then I'll hold off on that. Thank you.

Troy

Thompson: Any other points that you want to make, Pat, or you want me to make?

Pat

Sweeney: I think we can, we can now turn it over to Tim Jones from Robinson Construction and talk about what Steve just referred to.

Commissioner

Thimm: If I could interrupt just for a quick minute. I was unaware that Troy Thompson and Mike Plattis were part of the presentation this evening. I have worked collaborative with them on projects primarily in the valley

over the years. That association will have no bearing on any decisions I'm a part of.

Chair

Strachan: Thanks, Doug.

Tim

Jones: My name is Tim Jones. I work with Robinson Construction. Pat asked us to take a look at this project about a year ago to kind of give him an evaluation of the excavation portion. We are an intermountain company that has done several commercial as well as industrial size projects. We certainly had the ability and in the past the experience of moving a million yards and, and placing it in engineered fill. That's kind of why Pat had us take a look at this. As Troy indicated, keeping the soil on site is very advantageous. It eliminates a lot of trucking traffic through the neighborhood, but it also allows the spoils to be utilized on the Creole run and kind of re-contour that. And with the design he's got he's done a pretty good job of it.

So while we're waiting for the outline to kind of pop up, I'll just start and we'll catch up when it shows up on the screen. Robinson Construction proposes to perform the foundation excavation and mass excavation using the typical excavation methods that entail using a large excavator and haul trucks to remove the soils. Earth filled ramps will be installed to facilitate the haul units. But where space is restricted, excavators will be used to elevate the material to location so that it can be loaded out. In the areas that border the proposed cliffscaping, the operation will work closely with the landscapers to ensure coordination of their work. We'll also evaluate, or have the soil engineers evaluate those cliffscapes to see what type of stabilization needs to be done, whether soil anchors or, you know, what other type of work has to be done in coordination with it.

In order to mitigate the potential dust, water trucks and off road water wagons will be used to wet the work zone. To prevent the pedestrians, skiers, mountain bikers from wandering into the work zone---could you pull up Exhibit 1---a safety fence will be installed around the perimeter, which is shown in the red. Troy mentioned it once before. But in addition to that safety fence, we'll install signing to warn anybody that it is a potential construction zone and just to keep out.

Go to that Outline 6. The fill operation on the Creole Run will begin at the bottom of the slope and work its way up the slope. We will begin by removing the top soil and we'll stockpile that topsoil at either the toe or off to the sides. And this topsoil will be later re-utilized to, to stabilize the slopes. Smaller vegetation such as grass and small brush shall be mixed with the topsoil. However, the larger vegetation such as trees and bigger brush will be mulched and used as erosion control on the slopes that have been disturbed by the embankment activities.

Commissioner

Joyce: So will you plan on doing that---how, how big is the acreage that you're, you know, is that the little---shoot, I'm looking at a different picture you've got here. The, you have a little area and a dashed black line a little further down. There we go. What, what area are we talking about when you're talking about clearing the topsoil and mulching the trees and stuff?

Tim

Jones: Pat, do you have a slide showing just the Creole fill or where we're talking about there.

Pat

Sweeney: Yes. I'll do that.

Tim

Jones: Okay. There you go. Okay, so the zone in green is where most of that fill material will go in.

Commissioner

Joyce: Okay. And so when you talk about clearing the topsoil and stuff, are you talking about clearing that entire area at the beginning of this work, or how is this going to flow. I couldn't tell kind of what the schedule of events was.

Tim

Jones: No. And we certainly don't want to expose that whole slope. So we just want to clear enough---and I'll get into this a little, a little more in detail, but clear just enough for the, the embankment we're building at that time.

Commissioner

Joyce: Okay.

Tim

Jones: And then once that, the zone is, is built to a certain elevation, we'll put the topsoil on it and then move on to the next one.

Commissioner

Joyce: Okay.

Tim

Jones: But that's a very good question. And I, I see your concern there.

Can you go to Exhibit 5, Pat? As demonstrated in Exhibit 5, we plan to use the King's Crown run, and that's where the squiggly line is going up, as our designated haul route. So we're going to have to close this down to any pedestrians, bikers, even skiers during the winter time because of that, because of that haul route. So they're going to be climbing up that, that King's Crown. And then as the material---we're going to start at the bottom and work our way up. And you can see that the ramp's coming across. And basically we're building a shelf or a ledge across that whole run. So we're going to be building these, these little roads to bring material in. And then once that level is attained, we're going to reclaim those roads and build another one. So there should only be one or two roads built across that hillside at any one time.

The embankment will progress up the Creole slope. New ramps will be installed from the King's Crown into the Creole slope. The previous used ramps will be reclaimed as needed. The embankment on the Creole slope will be performed at benches that will be keyed into the existing slope. Only the portion of the slope that will need to be disturbed for the current bench will have the topsoil stripped and vegetation removed. So we anticipate a bench to be anywhere from 15 to 20 feet high. So if you could imagine a section of about 20 feet on the Creole runs stripped off, and then we're going to build into that where we strip it off. And then once that bench is complete, take the topsoil and put it on the, the new surface of the slope.

Commissioner

Thimm: So is the idea then, as the bench is complete then to restore it and then continue on to the next bench further up?

Tim

Jones: Correct. Basically, we're trying to stabilize the slope as we go up. The embankment material will be hauled to the Creole slope using 6-wheel drive off-road articulated haul trucks. These trucks provide good traction in difficult terrain. All the haul routes will be maintained and dust mitigated by water wagons that will spray water to prevent dust. We'll be loading those water trucks with a couple 8,000 gallon stand tanks that will be strategically located on the project. The embankment material will be placed with a large doser and lifts, and compacted with a sheep's foot compactor in order to attain the desired compaction, or as directed by the Soil Engineer. Now once the bench level has been attained, the new slope will have the topsoil placed. We're going to track walk it with a dozer. Seeding and mulching will be performed in order to stabilize the slope before we go on to the next bench.

During the excavation, the embankment process, the, the SWPPP, which is a storm water pollution prevention plan will be implemented to limit the discharge of storm water from the project. The SWPPP measures will be adjusted as needed as work progresses up the Creole slope. It is anticipated the embankment operation will be suspended during the ski season or when the weather conditions prevent a safe transport of material. Inclement weather could also prevent the desired compaction needed, so we don't want to do it if we have mud, frost, or anything like that.

We anticipate that we're going to need large trackhoes, several six-wheel drive articulated haul trucks. A couple dozers, several water trucks, sheep's foot compactor, and a motor grader. So the equipment on the job will probably be anywhere from ten when we get started to potentially 20 different pieces once we get to the top. The further up from the excavation we progress, the more equipment we'll need to, to maintain our hauls.

Commissioner

Suesser: Does that equipment stay on the site, or does it leave at the end of the day?

Tim

Jones: It, it will always stay on the site. It's off-road equipment so once it, once it arrives on the site it will stay on the site. In an effort to mitigate the noise from the construction equipment we plan on using what they call exhaust

scrubbers, which will be installed to muffle engine noise during the construction operation. And then during our evaluation, we anticipated 600 working days to excavate and place that material. And I want to emphasize that's working days and not calendar days, since we'll be suspending operations during, during the ski season and any other bad weather days that we may anticipate.

Can you pull up 7? Your outline 7.

Commissioner

Thimm: Is it 600 days for all four phases?

Tim

Jones: No. Well, yes, yes. That's for just, and I want to reiterate, that is just for the excavation.

Commissioner

Thimm: Right, I, I realize that, but I was just clarifying that all four phases you, you're anticipating about 600 working days, exclusive of non-working days, exclusive of shut-down days, that sort of thing.

Tim

Jones: Correct. Correct. And then, you know, it's anticipated we're going to need to do some blasting. And we'll employ this to remove large rocks or break up hard zones in our excavation. The blasting will be performed by current regulations. In order to limit the disturbance on nearby properties, the plan will be small and controlled and monitored to determine impacts on adjacent properties. And we feel that this is the safest way to remove rock. Blasting tends to be quicker and quieter and creates less dust than, you know, rock hammers or any other potential way of breaking up the rock. So, anyway.

Commissioner

Joyce: Do you anticipate the, the road that---you had that little squiggly road going up, I'll just refer it to that since I think we all realize what it's describing. Is that, is that a two lane road? I mean, because it seems pretty tight and squiggly going up that hill. Is that two-lane or one-lane?

Tim

Jones: We feel on the switchbacks it's going to have to be just a one, one-way traffic, but when it goes across we want to try to maintain two-way as much as possible. Two-way traffic.

Commissioner

Suesser: That's a lot of clearing.

Commissioner

Joyce: Yeah, that's what I was going to ask. Is that, is that clearing out, I mean, that seems like it's clearing a lot of new space. But I guess I'm confused. So you're clearing that road up, going up the switchback. And that's on the King's Crown ski run.

Tim

Jones: That's correct.

Commissioner

Joyce: And so you're going to have that in conditions so that for the, whatever it is, five months a year that the ski resort is open that, that you're not hauling stuff up there. Is that, is that what I heard?

Tim

Jones: During ski season we're going to shut down, and it's more for a safety reason that for to allow skiers on it. We're going to have to cut in some roads so that's going to be re-contoured in some way. So, I don't think it will make a very good ski run once that haul road is on there.

Commissioner

Joyce: And, and I guess it's a business question, but just, had Park City kind of gone, yeah, okay, we're fine with you re-contouring that ski run?

Tim

Jones: Well, it's just temporary.

Commissioner

Joyce: Well, I understand, but it's temporary for five or ten years or something like that. So it's a pretty long temporary.

Pat

Sweeney: I, I can answer that question, Steve. We have quite detailed, very vintage in some cases, but updated in the 2006, 2008 range, agreements with Park City Mountain that allow all this.

Commissioner

Joyce: Okay.

Pat

Sweeney: And the base agreements go back to 1981. And those are the agreements that really allowed skiing into Old Town.

Commissioner

Joyce: So I'm just---yeah, I'm a little confused, because when I looked back at the excavation plan that we had back when things were getting, moving along back in like 2009. It wasn't a very detailed plan but I thought what it was is there were no trucks driving up the hill. This was, there was talk about some sort of a conveyor kind of system. And a lot of the, the dirt was originally supposed to be dumped out on to like Payday and stuff like this. So, I mean, we've seen, you know, the original areas that were drawn out for, for receiving dirt. I don't think it even touched this area at all. I think it was all back over the hill in the original plan. So it seems like this excavation plan is changing pretty dramatically of where the dirt's going and how it's getting there and that kind of thing. So I'm, I apologize if I---I'm going to keep asking questions but it sounds like things, things have shifted quite a bit since what PCMR did.

Pat

Sweeney: Actually, I think they're pretty similar, Steve. I mean, you, you've got it. You have to understand what happened. First of all, we've, we've definitely taken it to another level of detail and evaluation. And it's important for everybody to understand that all, all of this is our land, and it's subject to agreements with the Park City Mountain Resort. And with the advent of the refinements of 17.2, we don't anticipate having to take any soil up, up further, although our agreements allow to place, allow us to place soil on the upper part of Payday. But once again, because of 17.2 we've reduced the amounts. And we can get all the amount that we anticipate excavating with a reasonable expansion factor into there that I outlined in yellow.

Commissioner

Joyce: So, so I guess that's one that I, I just think we need to get---there's, there's some math that pretty soon we need to understand. I mean, I just, I always start doodling the math out, and I keep getting to the one. I think the number we saw last time was that the little, the acreage in black there was 16 acres, is what I remember we saw before. I got at least one head nod here. So I do my quick math that says, you know, if we take a million cubic yards roughly, a 20% expansion, which was at the low end of what we heard, an acre---well, 16 acres will do 77,440 square yards, which says that it's almost 16 yards deep. Literally, if you took that 16 acres and built a, a 16 yard, 48-foot high wall up, so that doesn't, that doesn't round anything out or anything. That's literally every square foot of the 16 acres is 48 feet deep, with the minimal expansion. And that's another question that we've been waiting to hear back from. And I don't know if we'll get that from the geo-tech folks here. But, so when you said we're building this 15' bench, I don't understand a 15' bench when my math says it's gotta be 48' deep at least.

Pat

Sweeney: I, can I, let me address that and then I'll let Tim. First of all, Rob McMahon who's here, the Civil Engineer, has done an engineer's estimate on this. And I don't know, Rob, if you want to get into this conversation. You could tell us how much is it. I think it's now 810,000 cubic yards, unexpanded.

Rob

McMahon: Yeah. We're down to 812,000 yards after the refinement of 17.2. And the other thing to keep in mind is---

Commissioner

Joyce: Yeah, can you come up and be on the microphone so we can have the record.

Director

Erickson: So, Mr. Chairman, just to move things a little bit. It's important for us to hear the questions from the Planning Commission, but I think the back and forth may get more data out there that we're not prepared to record and get into any kind of record. So if we don't do quite so much back and forth we'll get the questions out there, get some clarity and move, move forward here. We have, we have a number of technical questions that underpin previous Planning Commission questions.

Chair

Strachan: I don't know. I think I might respectfully disagree with that. I, we're finally getting a site plan, or a phasing plan here, the likes of which we haven't seen before. And we're getting some specificity here. And we're going to have more questions, of course, after public comment, but these guys are all here, they're all prepared to answer questions. They are answering questions. We're getting it all on the record. I realize it's probably going to make Francisco's brain explode, but that's why we are recording all of these hearings verbatim, so we have minutes verbatim that we can go back and look at. I'm not worried about anything getting lost. And, so I will try to keep it as focused as we can, but I think we're, we're getting a little specificity here so I want to dive down into that a bit.

Go ahead.

Rob

McMahon: Hi, I'm Rob McMahon, Alta Engineering, and I penned the, the Construction Assessment Report. And just to keep it brief and narrow or focused on your question, Steve, the---in an effort to contour the placement zone to make a reasonable shape and ski run access into Old Town, an effort was made to shape that area of the 16 acres to accommodate the placement. It's a placement zone. And so the---if you can see the, we constructed a large, I guess, hill right at the top of upper Quitting Time. And the depth of that is, on the downhill side, approaches 65'.

Commissioner

Joyce: Okay.

Rob

McMahon: And so, and then as it goes, and the contours as they go down the hill, you know, it's an average depth of approximately 30 to 40 feet. But then it tapers down and accommodates the access into the project. So, your visualization of a rectangle is, you know, close to the approximation of that volumetrics, but shaping it to be a reasonable geometric feature, we put effort into that.

Commissioner

Joyce: Well, I, I kind of saw that in the last one, but I guess that would be something that would be interesting. The thing that threw me was when I

heard we're going to do 15' deep benches. And it's like, well, 15' is not terribly interesting when you're talking about, you know, it needs to be shaped out 40, 50, 60 feet deep. What does it mean to have a 15' bench? That's, that's nothing. And, and when Commissioner Thimm asked, you know, when you finish a bench are you going to re-landscape it, yes. It's like, well not 15' deep you're re-landscaping it. So I just, I kind of want to go through the math on some of these things. And I appreciate that. If, if there's any indication that you guys could give us that would kind of show---my big concern is if you're really starting at the bottom and building it 30 and 40 feet deep, then obviously the kinds of things that we need to be concerned about for erosion control and things like that are different that if you were building a six-foot pile of dirt or something like that. Because you're---I mean, the big challenge is you're putting 30 to 65 feet on the side of a hill that's like this, and that's a lot of loose soil that has to be just retained over and over again as you work your way up the hill. So I guess I'd like to understand a little bit more before we get done as to how that works.

And, and similarly, just for the math, and we don't have to answer this, but this is one that I still want to get. When I look at this little road, part of my question about is it a one-lane road or a two-lane road. Is, I apologize for the math, you said 600 working days. I heard earlier its 100,000 dump trucks. So that's 167 trucks a day, a working day. And if you worked 12 hours and from the minute you got there you started hauling things up the hill and you didn't haul the last one down until the last minute of 12 hours, you're still doing 14 an hour. And I'm just trying to envision this kind of parade of trucks getting loaded and moving up and down the hill at 14 an hour for 12 hours a day for 600 days. And all I'm doing is using the numbers you guys just threw out here. And I can't, I can't picture that working. So, at some point other than just these little squiggles, you gotta help me get past that. Because if the answer is it's really not 600 days, it's really 8 an hour and it's really 1200 days, that's important.

And so we don't have to do it tonight, and I apologize for dragging the public through this, but I just don't---

Pat

Sweeney:

Steve, I think, I think very quickly we can address that. And I'm, I'm going to let these two guys do it. But I think the numbers that Troy was talking about is if it went down the street. I think that an articulating truck is more like 30 yards. So three times the size of a typical dump truck.

Tim
Jones: That, that's correct. Off-road trucks hold a lot more capacity than a street legal truck.

Rob
McMahon: And I believe if you do the math on the amount of excavation that's going into the placement zone, and Tim you can chime in on this. But I think you're estimating about 1500 yards a day of going up there and placing.

Tim
Jones: I believe that is pretty close. Yes.

Commissioner
Thimm: How many times a day? Sorry?

Rob
McMahon: About 1500.

Commissioner
Thimm: 1500 yards.

Pat
Sweeney: Yards, cubic yards. And Taylor, who's next to me from Applied Geo-Technical Engineering Consultants, a geo-tech engineer, will get into how the lifts will go up. And I think they're going to go up not in 15' increments. They're going to be a lot less than that. But he'll be getting to that once Tim's through. But I think Tim might have a few other side comments.

Commissioner
Thimm: Can I ask a question here. We talked about 812,000 cubic yards of dirt, right? Do we know what the percentage of that is actually suitable for placement in this location versus how much is actually going to have to come off the mountain? Or am I getting into the next---

Pat
Sweeney: This is Taylor Nordquist. He's going to answer that.

Taylor
Nordquist: Taylor Nordquist with Applied Geo-Technical Engineering Consultants. We've recently done some borings up on the hill that we'll show you later

on. And the majority of this material will be rock. Rock that has been excavated and crushed. And its essentially road base material. It's, most of it is very good material to be placed up there. We found small pockets of clay, so some of that material might not be as suitable as the rock is. However, a good majority of it should be very suitable to place on the hill.

Rob

McMahon: And just to, you know, address perhaps where you're going on that, I believe what, you know, until you get to final design we're really not going to know how to design or what the actual detailed parameters are going to be on building this geo-metric feature. But I believe that what will probably occur is that the, the structural integrity of the geo-metric feature will be determined through the final design. And the unusable material will be able to be dressing for the---on top of it. So there will be some sort of management of usable material versus the unusable material. Would that be close?

Pat

Sweeney: Yes. I think, I think Taylor's going to get into that in a little detail, but Tim, do you have anything else you want to add?

Tim

Jones: No, not at this time.

Pat

Sweeney: Okay. Obviously, we can all chime in as needed. So I'm going to turn it over to Taylor, if that's all right with you, Adam.

Chair

Strachan: Uh-huh.

Taylor

Nordquist: Taylor Nordquist with Applied Geo-Technical Engineering Consultants. Our company has been doing work in the Utah area for about 30 years. A fair amount of work also in the Park City area. A few example, not limited to these, but we did work for the Montage Resort up in Deer Valley. And also currently for the Apex Residences in the Canyons Village. So we have some experience in these rock conditions here in the Park City area. We've been working with the Sweeney's on this project for many years as well, giving them, some recommendations and consultation as to what

can be designed. Also working with David Eldredge whose been, whose been designing it.

What I'm going to talk about tonight stems main from a recent study that we've been doing up on the hill. You might have seen our drill rig and trackhoe up there over the last several weeks doing some exploration work on the property.

Let's move, Pat, to the site plan. So our investigation consisted of 11 test bits where we had a trackhoe up on the hill where we were digging to, to find out what was under the ground in a shallow regime. The areas on that map that are labeled TP and then a number, those are our test bits. So ten of those were in the cut area down low on the slope, and then 1, TP1 was up in the fill area at the top of the Creole drainage.

We also did three deep borings and those are labeled as B1, B2 and B3. And we drilled down anywhere from 70 to 100 feet in order to both determine the conditions of the soil above the rock, and also how deep the bedrock is, and also characterize the bedrock beneath.

Within our test pits and borings we found the bedrock to be anywhere from about 10 to 20 feet below the ground surface. The soil above the bedrock is predominantly a silty to clay gravel to sand with some cobbles and boulders. And then the bedrock that we found down deep was the Weber quartzite formation, which is what we expected. And the Weber quartzite---I guess before I go on to that I'll say that we did find several pockets of clay in the soil above, above the bedrock. So the Weber quartzite that we found was very hard, as is known with that formation. And it ranged in amount of fracturing. There were some portion of it that were highly fractured and some portions that were fairly, fairly competent. So that allowed us to really look at that and analyze that.

We also didn't find a water table at the bottom of our holes, again, up to 150 feet deep. We have placed some pipe for temporary monitoring of the water so that we can go back and measure as the seasons progress to see what kind of water conditions we have, especially in the spring.

Pat, let's move to the next slide. So I'm going to show you a cross section, a side view that's approximately at the Town Lift. The green dash line that you see is the current elevation of that hillside, with the black line being the proposed cut with the current drawings. Next slide, Pat. So

those red lines show three of our exploration areas. On the right is boring B2 and then the two on the left are some more shallow test bits. I've tried to get, and I show you an idea of where the soil might be by the two green lines. The top green line being the existing grade and the bottom green line being the approximate bedrock to soil interface. And so that kind of gives you a feeling for the material that we'll be pulling out. A good portion of that is this rock.

Now, one of the main purposes of our study is to really address the stability of this cut slope and rock. As we know it's fairly high and fairly steep. And so we're trying to look at the stability of that. As we looked into these cores, as well as some outcrops and old mine adits above the site, we've measured bedrock jointing that approximately follows those brown dashed lines. Now these, these joint angles are fairly, they're good news for this excavation in that, you know, the bedding plane of the material is approximately horizontal with near vertical joints as well. And the times when we'd really have issues with stability in the rock is when we have a joint that's sloping downhill and daylighting into the cut face. So since we really don't have any of those conditions, that gives us a lot of stability in the rock conditions. We're currently doing some laboratory testing and further analysis on the rock to verify the type of shoring and/or retaining devices that we'll need for the slope. However, we, we believe that it is feasible to do these cut slopes in these areas.

Let's go back, Pat, to the first slide with the site plan. I said that one of the main points of our investigation was to look at the feasibility of these cut slopes. We're also looking into the feasibility of the, of the fill slope up on the Creole drainage. So Pat, let's zoom over to TP1. The bottom left. So, again, we're looking at, you know, how stable is this essentially new mountain that we're building going to be. And, and that's where this benching comes into play that Tim was talking about. He mentioned those 15' benches. One of the biggest concerns---

Commissioner

Thimm: Are we looking at finished topography here?

Taylor

Nordquist: Yes, that is finished topography. One of our biggest concerns has been, you know, if we place that mountain on what's already there we think back to the way that that Creole drainage ski runs was probably built, where, you know, they most likely tore out the trees and mixed them up with the

soil and fill that's in that drainage. So our recommendation is clear away that fill and the debris and trees that have been buried, so that we're into good competent natural soils and bedrock. Then when we do these, these steps, or keying into that natural soil, as we're compacting onto that, that gives a very solid footing for this fill placement, if you will, so we don't have a sliding plane.

Now the question came into play, are we doing 15-foot thick lifts. Definitely, not. We definitely are going to be doing lifts on the order of a foot or two in order to get proper compaction and to make sure that this fill placement area is stable.

Any questions about that so far?

Chair
Strachan: No.

Taylor
Nordquist: I think, I think one other thing that I failed to mention, and I know it's come up in this Council before, is the issue of creep in the area. I know there was a report given by Bill Lund I think in 1979, where talked about the hillside having geological creep. Now this is a phenomenon that happens in essentially all mountains where the soil above the rocks slowly moves down the mountainside. So the fact that it is a mountain means, yes, that is happening. Mr. Lund also put in his report that in order to mitigate this creep a geo-technical engineer would need to design a retaining structure for any cut or fill slopes in the area, and that's exactly what we're doing here. So, we're looking into that and addressing that so that we can have stable slopes.

The other thing that we will need to do is to make sure there's proper drainage in the Spring. You know, even if we're outside of the static water table per se, we will have a good amount of Spring runoff, and it will create a lot of strength in the hillside if we have some horizontal drains going into the mountainside to allow that seeping water to come out without decreasing the stability of, of the slope.

And that's all I have.

Commissioner

Thimm: So, just looking at---there, there's a cross section up here earlier that showed, you know, the existing as well as proposed grade. And you spoke of the cut slope, which we've been, in these proceedings we've been referring to that, I think, as a cliffscape. Does your analysis talk about the stability of that and, and what can be anticipated there? And is there any hope for vegetation of any part of that cliffscape? I think that's been discussed as well.

Taylor

Nordquist: Definitely. Yes, those cliffscapes are stables. And the wonderful thing about this is with those near vertical natural joints, as it's excavated, those near vertical joints will stand out and it will excavate along those joints, which will give us an opportunity to put benches in. I think those benches are areas that will be ideal for vegetation, you know, where we have fairly steep natural looking cliffs with benches of vegetation in between.

Commissioner

Thimm: Thank you.

Chair

Strachan: All right.

Pat

Sweeney: Adam, I think that concludes our formal presentation.

Chair

Strachan: Okay. Great.

Commissioner

Joyce: Can I---one question. Were you going to talk about the kind of expansion rate at all that you expected once you've crushed the rock and everything?

Taylor

Nordquist: Yes, I failed to mention that. Thank you. We are currently running a test. We do not have a measured number yet. We do expect it to be somewhere around 20-25%, but as we have that number we will provide that.

Commissioner

Joyce: And that's---so you literally take the rock that you'd be getting out and you crush it and just it's literally just see what you get?

Taylor

Nordquist: Exactly.

Commissioner

Joyce: Perfect. Thank you.

Chair

Strachan: So are we done with the conveyor system? Is that no longer, is that obsolete?

Tim

Jones: We took a look at that, and since we're going to have to be doing a lot blasting, the rock size coming out after you blast it will be so inconsistent that we felt we'd have to crush everything before we put it on a conveyor, which isn't very practical. There just isn't enough room to, to run it through a crusher and then load it on to a conveyor.

Chair

Strachan: Okay. Any more questions? All right. Francisco, nothing further? Okay. I think what we'll do is we'll take a quick 10-minute break. We've been at this for a little better than two hours, and then we'll take public comment. All right.

Break

Chair

Strachan: Call the October 11th Planning Commission meeting back to order. At this point we'll take public comment. And just as we do every time, let's get an idea of how many people intend to give public comment so we know whether we need to take a break in the middle. Two, three, okay, all right, a handful, we should be good. All right, let's open the public comment, and as we do this don't forget to sign in.

Public Comment

Arnie

Rusten: Okay. I got a long email address. Sorry. Yeah, my name is Arnie Rusten. I live at 1058 Lowell Avenue. And by way of background I spent 40 years in civil and structural engineering. And during that period I spent a lot of time in meetings such as these representing both owners and applicant's, and also regulatory agencies.

We've had a lot of meetings on this and I'm really surprised at the lack of detail that we have been given. And I was somewhat encouraged today that I was going to hear something more, and I do think that what was given was still woefully inadequate for this type of project. Not nearly enough specifics, particularly about construction and the sequencing, and what it really will look like, and, and the timeline and how it's going to impact the City and the people in Park City. This applicant's approach has been one, I think, and obviously this has gone on for a long time, of flooding the information to the Planning Commission, which tends to become really overwhelming. And then rather than dealing with some of the specifics in these meetings, they tend to be very vague and then deflect questions and not providing any, any detailed information and answers. However, when projects go on they can claim that they had because they have submitted the material and you could have then, obviously, learned about it. I have seen this approach many times. I find it an approach that very seldom wins many supporters, but unfortunately it can be effective.

I wanted to make some construction comments. And the next one. Here is the project as shown in the rendering. And obviously some of the things I will talk about may be a little bit outdated, based on the information we got today. The fact of the matter is we're going to have this project here for over a decade, I think, as far as construction. And I think it will take a long time before it looks like what you see up here. It is an island relative to access. This, this concept of easily bringing up traffic on Lowell up and down, providing for staging and flagging and whatnot is really something that I find hard to believe is going to be workable.

It's going to put an enormous burden on the Park City community; not only us that live on Lowell and nearby, but the entire surrounding area. And post construction and after their finished the impacts will also be big. And I often ask myself, why in the world would you stay at a hotel or buy property where you will have such limited access. Likewise, why would anyone buy into and put in a retail business in their business area without

being able to get in and out easily. And then, as has been talked about before, without being able to attract outside customers. It just does not make sense to me.

Next. We just seen this. I took this off the Alta Engineering slide. I want to talk about the excavation and disposal just to give the public a little better view of what it is. You see it here. Volumes may be outdated now based on some lesser calculations. The total excavation volume may be less than that 868,000. Nevertheless, it's going to be an enormous excavation and mining project.

And the next one. The, the disposal area as I show here, or I shouldn't say I show, this is out of Alta Engineering. It may be an outdated drawing as well, but it's one that I found in the package. It's then showing a high volume of these sites, totals about 1.244057 cubic yards. A very precise number. But anyway, what I'm looking at, and I was very, very surprised hearing the geo-tech estimating that the swell factor was going to be between 20-25%. That surprises me. I have made statement, I know, in earlier meetings where I believe it's more likely to be between 40 and 60.

If you look at the literature. Next slide. This is an excerpt of the engineering tool books. If you look at the rock, rock [inaudible] factors that can be estimated between 75-80% unless you do something real, real significant relative to reducing and blending with smaller material. That, of course, is in itself an enormously noisy operation and can also be dusty. So that is also difficult. Another source here shows the same. This is for the rock type of limestone rock or quartzite rock of 60, 63 percent or so. I certainly believe it would be reasonable to expect that you should have at least 40%. But that's really beside the point, I think, relative to looking at what they're going to do, which is then disposing---next slide---on this site.

All right. Well, what I will be showing is an outline on the disposal area. I had intended to show this today because Commissioner Joyce had asked a question about this several meetings, or a meeting or so ago. And literally I felt, you know, at that time the applicant could have answered where, where the material is going because they had this, obviously, at hand, but they chose not to. To me, I think they do that because that would have been another detail to reveal to the public with then constructing this enormous mound that they're proposing.

As you see here these three areas, maybe this upper one, which is in lower left, will be eliminated which would have been on Payday run. Average fill thickness there of 5' down there past Drift Road down on Crown Point where this road will come up. It's going to be more like maybe 9' thick. And then, of course, this fill on the Creole site of over 30' in thickness. If they're then challenged later, you know, they could always point to this and say, well, this material was provided to you. Personally, I don't like those tactics.

The next one. Here is the Creole ski run. So you see what's going to be impacted is in an area significantly outside of this ski run. And the next slide there will show you. This is looking down Creole and the trees on each side, that then, obviously, will have to be cut down. I'm going to the next one. Halfway down, a little bit of it there, yeah, it could stand some fill, possibly, but certainly filling to the extent that they're providing. One more. This is looking up. And all these trees on the left and on the right will have to be removed in order to make room for, for this disposal site. The next one. Here we look from across looking to the west, Creole Ski Run. Next one. Close up. There's going to be, on the next one as outlined here, all of these trees will be gone to provide this mound that's going to be built. Next one. Here you see the existing landscape on the left outlined in green. And then the future here on the right where you see this mound having been constructed. And the next one. Close up here. I think it will be a long time until it looks like this. I also think the scale of the project and the color scheme blends real well and hides some of the reality of the ill-fitting complex.

Next one. Here you see the winter. Again, buildings really stand out. This is really not fitting. And the next one. This is the cliffscape. We talked about the terraced. Yeah, it will take a long time until you can get all of that done and get it growing. I don't care what you do, it will be looking like, I think, you see on the next slide here. Very likely a very ugly scar.

So that essentially my comment on the disposal. The other thing I want to talk about is, on the next one, is a comment on utilities. A few meetings ago it was stated that Lowell Avenue utilities such as the sewer line would have to be replaced. It was basically given a brief comment that it would just have to be replaced. Well, the residents on Lowell Avenue area has endured now nearly six months of disruption due to reconstruction and installation of the new sewer and water lines. I believe that many believe

it's plain and simply a shallow trench. However, what you see here is the true excavation of the sewer line at Lowell. In front of my house it's 17' deep. It occupies the entire street. So during this there will be no use of Lowell, at which point everything that's going to have to happen to this site will have to go on Empire Avenue, which we are hearing can't handle the trucks. So that will then have to be rebuilt, I presume prior to this, so that we can have that available. Again, a very big impact to the community. And how far does the utility and the utility impact extend? A few months ago Commissioner Campbell asked a question about the gas line. Will it need to be replaced all the way down to Kimball Junction. Again, there was no answer given. Next one. Here is some additional photos of Lowell Avenue. Next. Thank heaven we had a dry summer. It certainly was a nightmare. Next one. Here it is after it rained. I will say that there are several of the homeowners or those who rent out their homes along Lowell Avenue that have endured significant economic impacts due to this project. And having this repeated, it would be a tremendous economic loss again for them. Okay. Next one. This is Lowell Avenue down towards the Resort. Here is where this [inaudible] has been constructed. [Inaudible] you see how that's been constructed to limit speed on the traffic up Lowell or down Lowell. With the parking such as this there is no doubt in my mind that this will be incredibly affected. And on your right past the curb, this is the shoulder that is going to be opened up and constructed and paved so that you can have this side essentially a little bit of a passing lane. I believe that's nice in theory, but in my opinion, pretty ineffective. Next one. When I last showed you this photo the comment that was made was "you lose". And I'm afraid that the magnitude of this project, ill-fitting with the community with no viable access, creating enormous disruption to residents, businesses, and visitors for decades. It will truly be, we, the entire Park City community lose. Nobody wants this project except the applicant. Where are all the supporters and why have we not heard from them.

I urge the Commission to deny this application and work towards something much more reasonable. I don't know why and how it grew out of control. Someone should have put a stop to this a long time ago. It needs to be evaluated in the context of 2017 and with allowance for significant growth that we know we will see in this community. Basing decision today on what fit in 1985 is entirely inappropriate. Next one. Thank you for your time. I appreciate the opportunity to talk.

Chair

Strachan: Thank you.

John

Stafsholt: Okay. John Stafsholt, 633 Woodside. Going to just limit comments to what we saw tonight. A couple of things I just saw in his pictures that should be noted. One is the huge scars, 150' scars, we're showing them now with trees on them. Well, the scars, many of them are outside their construction boundary as it is. They're not allowed in the first place. So now we're going to tier them back outside the boundary. That's not allowed. He's talking about to put the disposal on site. All the trees that [inaudible], that will be gone. That's not allowed either. A big reason--- another thing is we've got the King's Crown project. Did you look at the nice road up the Bamberger Parcel? I don't think that's allowed. Just a few things I just saw there. So I'll try to keep it pretty quick.

We just listened to Big D and Robinson and their building plans. When the Sweeney's sell Treasure Hill, what guarantee is there that Big D will even be involved in the project. I don't think there's any, but we're listening to it anyway. And the ski system presentation, there's absolutely no guarantee that it will happen that way. Point 1 on the Cabriolet. The Sweeney's for years have said it's a main mitigator of construction personnel to mitigate traffic. It gives access to most of the construction workers to the site. Well, that means the Cabriolet must be built first. We can all agree on that. If it's not there it can't mitigate traffic. That means that for the Cabriolet to be built first the Town Lift base must be removed.

If you remove the Town Lift base that means you shut down the Town Lift prior to the start of the project. The quad lift they're proposing that goes into their project is centrally located in the project, and you gotta expect that can't be built until after the demolition, the dynamite, the excavation, the blasting, all that's done. So that means the Town Lift will not be active throughout much of the, at least the early part of the project. It's going to be closed with this plan.

Another Cabriolet point. I might have missed it, but who owns the Cabriolet and who operates it? I don't think Sweeney's operate the Cabriolet. So if you don't operate it how can you guarantee access and usage of the Cabriolet for their construction personnel if you don't operate it yourselves. So a point for that right now, if you want to ride up the Town Lift it costs over \$20. So, I don't know how much Vail is going to charge

the construction workers to ride the Cabriolet to get to their jobs. I don't know. Maybe this has worked out, but I doubt it.

With respect to the presentation on the haul route and material placement, I didn't see or hear one single word about toxic soils. Nothing. You know, this may be because the Sweeney's will want to ignore the toxic soils, but the citizens of Park City should not ignore the toxic soils. And the City cannot ignore the toxic soils because they have to protect the citizens. Going back a ways in a letter from Park City Municipal Corporation to Pat Sweeney dated December 15th, 2005; and remember we've been in the same CUP since 2004, but we have to keep reintroducing the same data. In this letter I'll quote some parts from the City because it's from the City itself. The purpose of this correspondence is to provide you with formal comment related to the AGECE Phase I Environmental Assessment for the Treasure Hill Subdivision. Okay. The AGECE Report summarized the results for eight discreet samples, 1 through 8, for the mine dumps that reside at the identified locations on Treasure Hill. This report documented the southeast adit, Creole Shaft, Creole adit. If you don't know an adit it's a horizontal entry to a mine. Having exceedingly high concentrations of lead and arsenic that exceed the USEPA health based risk, risk standards for both residential and industrial. Furthermore, the MPE report infers that these results coincide with natural occurring background levels. The City said this is not the case. As natural background levels have been established at 30 to 700 parts per million for lead, and 16 to 100 parts per million for arsenic. So the largest level that were showing in the only eight samples taken for lead was 380,000. The maximum is 1,000. That's 380 times the allowable amount. Another result for lead was 30 times the allowable amount, and that's in the southeast location which is closest to downtown Park City. Toxic soils in a water protection zone should be moved away. This regulated material should be moved off-site to protect the public. And as a reminder that the Sweeney's cannot possibly know what will happen because the Sweeney's have done no geo-technical work about the mine, existing mine adits and mine tunnels. They've done none.

To give you an example---I give you a reminder that the Montage did extensive geo-technical work and they found four mining, historic mining whatever, tunnels, adits, on their property. Then once they started excavation they found four more, even though they did all that. So they expected to move 40,000 cubic yards of regulated waste to Richardson Flats; they ended up moving an additional 40,000 cubic yards, which is

double the amount. And they were required to move it off site. We're not seeing anything going off site, possibly because they can't move it to Richardson Flats and Tooele is too far.

Okay. In another letter from Park City. Before I quote it I'll say first of all, the City remains committed to not inheriting any future environmental regulatory liability from mine impacts. Treasure is within the Spiro Drinking Water Protection Zone. The ground water at Treasure flow northeast. The Creole Mine adit from the grand entrance of Treasure goes northeast. It's several thousand feet and there is no geo-technical work. They don't know what they're going to find when they excavate, and there's no mention of this remediation that's going to come up. So a few select quotes from an August 2007 letter from the City. "Park City Municipal Corporation does not agree with strategy of transporting higher concentration mine waste, Creole adit 11,000 parts per million in lead, to a lower concentration site". The City doesn't agree with it. That's what all this is based on.

Next point. I'm picking quotes here. "The City must consider all pollution sources that have the potential to impact the water shed, thereby increasing the City's environmental regulatory exposure. Such exposure is a reality for Park City Municipal since we reside at the headwaters of two impaired water sheds that are listed on the 303D list and have affluent limits and goals". So this---we are right on the border a lot with our drinking water, and this if it contributes, will put us over. This could do it on its own. Another quote, "The City has found sediment from these catch basins that approach 1,000 parts per million lead and sometimes results in the material being characteristically hazardous, thereby needing to be disposed of within a permanent facility. The Richardson Flats has been a great resource for the City order to dispose of this waste. Even so, Park City Municipal recognizes that the Richardson Flats repository will be closed and this type of waste will have to be managed and disposed of according to its characteristics. Therefore, the City is making every effort to eliminate or minimize the NPS Waste Stream from the project to enter the storm water catch basins". Plus, it's going to be additional to the problems we already have. Another quote. "The overriding factor for PCMP is the Park City Municipal Corporation's Drinking Water Source Protection Plan ordinance detailed in Section 13-1-28, which considers the consolidation of Mine Waste within the drinking water source protection area as a potential pollution source. Park City Municipal Corporation is required to protect the drinking water source

protection areas in accordance with the Drinking Water Source Protection plan". This is my words. This does not meet that plan.

Park City---last quote and I'm done. "Park City Municipal Corporation does not believe that the plan considers the long term consequences that the City must inherit in the future". That's it. Thank you for your time.

Nikki

Deforge:

Good evening. I'm Nikki Deforge here speaking on behalf of THINC, a non-profit group of hundreds of Park City residents and businesses. Tonight, we would like to focus on some of the issues identified by the Staff in the October report, and also address other concerns that have been raised as a result of the applicant's recent submissions and, and some of the presentations tonight. So first, a word about MPD compliance. We appreciate the efforts of the Staff in the latest report to break out the language of the MPD approval, and organize it by relevant CUP criteria. We agree that this will better help guide and focus the CUP analysis and discussion. But, we again want to emphasize that compliance with the express conditions and requirements of the MPD approval is not merely a CUP issue, rather it is the first step in this process. Before we even get to the CUP criteria, the applicant must demonstrate that it has complied with each and every one of the conditions of the MPD approval; and lack of compliance with these conditions is not something that can somehow be mitigated. Either the applicant has complied with all of these MPD conditions and requirements or it has not. And if it has not, then the application cannot be approved as a matter of law no matter what mitigation is proposed.

The second issue we want to discuss is density. We fully support the Staff's conclusions that the maximum project density is fixed by the MPD and exceeded in many respects by the current Treasure Hill plans. This is now unequivocally established by the applicant's own May 15th 1985 MPD Fact Sheet that you were introduced to this evening, and it is attached to this recent Staff report.

Speaking of the support commercial space, that fact sheet demonstrates once and for all what the Staff, the Commission, and THINC have been saying all along, that the 19,000 square feet of support commercial approved for the project in the MPD already includes the 5% allowance provided for under the Code. The applicant is not entitled to an additional 5% kicker on top of that 19,000 square feet as it has claimed. In fact, the

MPD fact sheet states over and over again as shown on pages 120-122 of the packet that this is quote, “the total support commercial”. The applicant’s current Treasure Hill plans, therefore, exceed the total support commercial approved in the MPD by 18,813 square feet, or 18.81 commercial UEs.

Moving on to lobby space. We also agree with the Staff that the applicant’s MPD fact sheet fixes the maximum lobby space for the project at 17,500 square feet. The pertinent question then, is what does the term lobby space mean as you used in the MPD. The MPD fact sheet clearly shows that this so-called lobby space is precisely the same type of space that the applicant now variously refers to as circulation, accessory, and meeting space. And this gets a little bit down in the weeds, but let me take a crack at explaining why that is, and then we’ll follow up with this in writing to help you better distill the information.

Although the term Lobby was not defined in the governing 1985 Land Management Code, as the Staff notes, the term circulation space under that Code expressly included quote “lobbies outside of units, including lobby areas, that do not count as floor area of the unit or as commercial unit equivalents”. So we know that lobby space is the same as what is described as circulation space in that 1985 Code.

As for Accessory Space. Although the Staff is correct that the 1985 Land Management Code does not specifically define that term, the definition of Hotel in the 1985 Code does. It says, quote, “Accessory facilities may include a lobby, meeting rooms, recreation facilities, group dining facilities, and/or other facilities or activities customarily associated with hotels or hotel apartments. Now with that definition in mind, look again at the definition of lobby space in the MPD fact sheet. It says, quote, “Non-commercial support amenities, including specifically weight rooms, recreation rooms, saunas, administrative offices, storage, guest ski storage, guest meeting rooms, etc.” These are the very same type of hotel accessory facilities identified in the 1985 Land Management Code. The same is also true of the definition of Residential Accessory Space in the 2004 Land Management Code, as noted by the Staff. So here again, we know that lobby space includes accessory space and vice-versa.

As for Meeting Space. Remember that the applicant’s definition of lobby space that I just read from his fact sheet expressly includes quote, “meeting rooms”. The 1985 Land Management Code definition of hotel

accessory facilities likewise includes meeting rooms. So again, we know that the term lobby space in the MPD also includes a meeting space that they're claiming in their application. The MPD Fact sheet states that the quote, "total lobby space sought and, therefore, approved was 17,500 square feet". Yet, as the Staff notes, the applicant now seeks nearly 255,000 square feet in accessory and circulation space, which is more than 14 times what was approved in the MPD. And in addition, the applicant claims 16,214 square feet of meeting space for a total of over 271,000 square feet of circulation, accessory and meeting space, which was over 15 times the total approved space for these items in the MPD. Regardless of what the applicant calls it, the fact remains that the accessory, circulation and meeting space now claimed by the applicant is nothing more than the so-called lobby space claimed in its MPD Fact Sheet. And by the terms of the MPD, the applicant is entitled to a maximum of only 17,500 square feet of that space. That is what their fact sheet states over and over again; 17,500 total. And recall, that the MPD itself states that the approved densities are those attached as an exhibit and shall be limited to the maximums identified thereon. This is Exhibit 2 to the MPD. Now, even if the applicant could somehow argue that this 17,500 figure was not the maximum lobby, accessory, circulation, meeting space approved, the applicant still cannot possibly justify a figure more than 15 times the space it represented in the MPD. This tremendous expansion further corroborates the Staff's previous findings that the project as proposed in the CUP application is far, far greater in scope, density, mass, bulk scale and, therefore, impact than the project that was approved 30 years ago in the Master Plan.

The third issue is Open Space. These construction staging plans that we're seeing again highlight the utter failure of the applicant to comply with the condition of the Master Plan approval. Regarding open space, the MPD states as follows, "A key element of the proposed cluster approach is to preserve usable open space in perpetuity". The potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine. The MPD further provides that the proposed development concept locates buildings in areas to avoid cutting and removing significant evergreens existing on the site. Now contrast this goal of preserving the mountain substantially intact and pristine and avoiding the cutting and removal of trees with the applicant's construction plans that you saw tonight. As they have said, they're going to excavate between 800,000 to a million cubic yards of rock and dirt from this site, and part of

that excavation will be from the open space land itself in order to construct the permanent cliffscapes there. And then even after accounting for this conservative swell of 20- 25%, it appears that the applicant expects to dump over 1.2 million cubic yards of excavation debris over what is 16 acres of open space. And this is land that has been dedicated and rezoned as recreation open space. And that represents nearly one-third of the total recreation open space that was required for this entire project. And in doing so they will obliterate much of the plants, shrubs and trees on those 16 acres. And as was mentioned tonight, the reality is that this could actually be much greater if we have a less conservation swell factor.

So based on prior submittals, the applicant represented that over 1 million cubic yards of this material will be dumped into Creole Gulch alone. It will be interesting to see the before and after depictions, and elevations of the slopes and grading on Creole Gulch, as it does appear from these drawings that they're planning to effectively fill it in and regrade the entire hillside. So rather than retaining the existing slope as directed under CUP Criteria 15, or minimizing site grading as expressly required by the MPD, the applicant's current plans call for a complete transformation of the existing slope and an obliteration of Creole Gulch with its construction debris.

The irony of this is that the whole purpose of the clustered approach for this development, again, was to keep this mountain substantially intact and pristine with open space by dramatically increasing the mass and scale of this project. Excavating far more below grade in order to purportedly meet height restrictions, and then carving out the mountain rather than tucking the project into, into the mountain, the applicant is effectively defeating the purpose of this clustered approach. And at the end of the day the hillside open space will not remotely resemble the hillside that we see today if this project is approved. And it most certainly will not remain substantially intact and pristine. And even in the interim, the Hillside property that is zoned as recreation open space as we saw will be crisscrossed for years with numerous distribution roads, having 40' cross cuts and steep cuts, haul routes, machinery and construction vehicles. Exhibits four through five of the recent construction presentation plans that you saw tonight, which is on pages 153 and 154 of the packet show just how extensive these open space incursions and disturbances will be. Again, this is no intact or pristine open space any longer. What this is, is yet another example of the applicant purporting to mitigate one

impact, namely traffic, construction traffic, by instead creating a different, enormous impact under another CUP criteria, which is open space. That's not mitigation. That's just shifting impacts.

The applicant also says, but this is land that we own. Again, it's land that they were required to dedicate as open space for the public. They may own it, but it is not simply private property where which you can do whatever you want. This is recreation open space land that was required to be dedicated as a condition of approval.

As for the rest of the purported phasing, staging, construction presentation slides, I think as Commissioner Joyce said, all we have here is still the soft and fluffy stuff. We don't have the details. We don't have the measurables, we don't have the accountability yet by which we can measure any of this. And so we will defer additional comments on all of that until we hopefully get that detail.

Finally, a few more words about traffic. I did hear tonight---one, one word that I did hear tonight is that the Cabriolet will not be done until Phase 1B, which is at least one year after construction begins. So, obviously, that's not going to be a construction mitigation---construction traffic mitigation impact after all. Some more about this construction traffic. The MPD provides as follows, that Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, during construction, these roads---plural---will need to carry heavy traffic probably in the vicinity of up to 300 heavy trucks per day. In other words, the MPD required that both Empire and Lowell be utilized in order to share the burden of this heavy construction traffic from the project. This was surely due in part to the sheer number of heavy trucks that would be going back and forth. We've heard a little bit about that tonight. But also certainly due to the narrow width of both of these roads, and the fact that two heavy construction trucks simply cannot pass one another, particularly during the winter, and particularly when you add in the parked vehicles, pedestrians, the snow storage, the garbage trucks, and whatnot. As you saw in the slide that Arnie presented, even one construction truck on that road in the summer with nothing else on the road nearly took up the entire road itself.

The MPD further noted that neither road could then handle the weight of the construction vehicles and they would both need to be rebuilt in order to do so. The applicant was, therefore, given the opportunity to participate

in that rebuilding process in order to ensure that both roads could handle the construction traffic and both roads would be available to handle that construction traffic. So, the applicant has unfortunately declined to contribute to the rebuilding of Empire several years ago, and that road, therefore, cannot handle the construction traffic. So, now the applicant is proposing instead that all the construction traffic be routed solely to Lowell during MPD approval---excuse me, solely over Lowell. Obviously that would double the construction traffic on Lowell during, that was anticipated during the MPD approval, and require passage of two large construction vehicles on that very narrow and already largely impassable road. The applicant's failure to contribute to the rebuilding of Empire does not excuse it from complying with the construction traffic requirements of the Master Plan, namely that this construction traffic goes down both of these roads. And it most certainly does not justify forcing the residents along Lowell to bear the sole burden and the bottleneck of construction traffic from this project. We heard today that there is, they're looking at 10 trucks per day, which if it's on the same road means 20 trips per day. And that would be approximately two trucks every six minutes on this road for years. They say we can mitigate this by putting an extra 5' up on the uphill slope of Lowell, but that just, again, gets us back to where we were last winter when we saw all the pictures of the impassable roads and the cars going head to head because it was only one lane of traffic, and having to back down the other side.

The MPD also addresses the consequences of the applicant's failure to contribute to the reconstruction of Empire Avenue. It says this, "Because the reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents. So not only does the applicant's failure to help reconstruct Empire to bear its share of the construction traffic constitutes non-compliance with the MPD, it is also an impact that cannot be mitigated by simply rebuilding Empire once again now. As Commissioner Strachan aptly noted at the last meeting, this is quote, "a big problem for Treasure Hill".

As for road capacity, various Commissioners have expressed some bewilderment as to how the traffic reports and data could be interpreted to show adequate road capacity for increased construction and daily traffic, when the actual evidence on the ground clearly shows otherwise. We have attempted to explain the reason for this discrepancy in our various

comments and letters. And Ivan Hooper, the traffic expert for Avenue Consultants who was retained by THINC has also addressed that very issue in his reports. So rather than hearing it once again from the mouth of the lawyer, we thought it might be more compelling and helpful to hear it directly from Mr. Hooper. He is here tonight and is prepared to address the, the issue next and answer any questions about that topic that you might have for him.

And with that I will thank you all for your time and attention and your, your diligence and hard work on this project.

Ivan
Hooper:

Good evening. My name is Ivan Hooper. Work for Avenue Consultants as was mentioned, and retained by THINC to provide a critique of, of the traffic analysis that's been performed to date, and just left us doing a little bit of our own analysis that I'll get to a little bit later. Before I talk too much about capacity, I want to bring up one concern that we've mentioned in our memos, but it's still---and it irks me a little bit, and that's regarding one of the trip reduction factors that's been assumed in the traffic analysis, specifically, the one that assumes that 43% of the hotel and condo town house, townhouse trips could be eliminated because they assume that 50% of the skiing will take place on site. To me, that seems a bit of a leap to assume that just because 50% of the skiing may occur on site, that that equates to that same percentage of trips, because obviously there are other trips that will be made by people that aren't ski trips. You know, going shopping or to meals or things like that. So to think that those trips just all magically disappear I think is, is a little short-sighted. So that's, like I say, one that continues to bother me a little bit, and I wanted to, to bring up.

Another thing that we've brought up quite a bit has been the capacity analysis. The, the traffic study assumes that the ideal conditions where the weather is great and there's no snow and things work pretty well with a couple of exceptions. And we've continued to mention the need to analyze the road, kind of the mid-block section away from the intersections where you get the narrow roads with the snow, you get the two vehicles crossing each other, and what the capacity there might, might be, and to analyze that in relationship to the, the trip generation of the development. You know, you heard previously about how the average road will carry about---or, the average capacity for a lane of road is 1800 vehicle, or passenger cars per hour per lane. And then that can---is typically then reduced by more than 50% when you take into account

traffic signals, stoplights, heavy vehicles, roadway grades, thing like that reduce that capacity to, to 500, 600 vehicles per hour per lane. And then when you throw in snowfall and the, just the narrowness of the road with only one vehicle being able to, to pass at a time, we estimate that the capacity of the road could be as low as 60 to 120 vehicles per hour. That's in, in both direction, which clearly is a very low number and a long way removed from an 1800 vehicles per hour. But we think that's, that's realistic and should be, or a number similar to that should be used in an analysis.

We've also heard that capacity is a difficult thing to measure. Last month you were told that 100 traffic engineers would come up with 100 different capacities, which may be true. You would hope that they would at least be similar enough that you could kind of get into that ballpark. But a number comes to mind that has been mentioned before, and that's the 2500 vehicles per day on a local road like Lowell and Empire. So we, we wanted to do our own analysis to see, or try to estimate what the volume is out there today and what it would be with the addition of the, of the development traffic.

So if you can go to the first slide. So, we're going to talk about all these things; the existing volumes, the, the daily vehicle trip generation by the site, background volumes, and then, you know, finally the daily volumes.

Go to the next one, please. So, part of the problem is we don't have good daily volumes for any of these roads. What we have are these intersection counts that were performed on, on Presidents Day weekend that were adjusted to reflect kind of an 85th percentile winter ski day. And so what we did is we, we just added the, the volumes to and from each intersection kind of on those midblock sections at each end of each intersection to see what the, kind of the segment volume would be through that area. And then we used the permanent count station that UDOT has out on SR224 to estimate what percentage of the daily trips occurred during the two peak hours for which we have data.

So if you can go to the next slide. So here's a graph showing the, the data for February 18th, 2017 on 224, which shows that the a.m. peak hour represents nearly 6% of the daily trips and the p.m. peak hour 8% of the daily trips, with a combined factor of about 14% of the daily trips during those two peak hours. So we then did the math on converting those segment volumes from the two peak hours to a daily volume. It's on the

next slide. So here, then, we just plotted those along the ac-, kind of along the length of the road with the Lowell Avenue chart on the left, the Empire on the right. We've put a red dash line there at kind of that magical 2500 vehicles per day. I'm not entirely certain where the roadway classification changes from a local road to a collector something, so it may not be applicable down low, but certainly I think above Manor, Manor and above I think it would be very applicable. And because we don't know what happens in between we just straight line between the two, the two intersections to account for where, you know, traffic adding or dropping in those areas. The best we can do with the data we have. But based on that assumption, it looks like we do have portions of Lowell Avenue that are currently over 2500 vehicles per day. And the lower side of Empire approaching Manor Way, that also gets close to that. In subsequent slides I'll just focus on the section from Manor Way and above, so you can see it a little more clearly. So on top of these volumes then in the traffic study they assumed, they were doing the analysis for a future condition so they assumed about a 26% growth in background volumes. So, oh, I, I got a little bit ahead of myself. Actually, if you can just go two slides ahead, and then we'll just go back and just change the order a little bit. I should have thought this out a little better. So we added on that 26% of growth, background growth that was assumed uniformly throughout the study area. And then to that we added the daily trip, our estimated daily trip generation from the, the project site. So you can go back, yeah, one. So this was not some information that was provided in the traffic study so we had to estimate this ourselves using the same methodology, the ITE Trip Generation Manual, and using daily rates there. In particular, the resort hotel didn't have daily rates so we used some comparisons. They had some Saturday rates, they had some, and some other hotel, so that was a bit of amalgamation of different sources there. The others are straight out of the, the manual. And so, then we applied trip, internal trip reduction of 16%, which is midway between the, the, I believe is 11% that they assume for a.m. and 22% they assume for p.m., and then the 10% Cabriolet reduction to get to---we use two different methods. IT has kind of an equation or an average rate, and we use---looked at both of them. They came out to be very similar at about nearly 2700 vehicle trips per day. So then again in the traffic study they assumed a split of 50/50 between Lowell and Empire. So we then added nearly 1350 trips, daily trips to, to both roads, which is the---two slides ahead, I guess, at this point. So her in the orange, the top bar, you can see represents the, the trips or the volumes with Treasure Hill. So you can see both roads are

pretty solidly well over that 2500 vehicle per day threshold. Yeah, so there's not, not a lot of wiggle room on a lot of this here.

So it seems, you know, clearly there's, there's a traffic problem if---if we're serious about the 2500 vehicles per day there's a serious traffic problem. If we go down to that hour level and looking at 60 to 120 vehicles per hour, there will be a problem as well. So, just, all illustrate that there are some, some major concerns with traffic performance, with, with the development of the site that are not reflected in the idealized traffic analysis that's been performed to date.

Thank you very much.

Chair

Strachan: Thank you.

Kyra

Parkhurst: I don't have too much to say today. But I would ask the Commission to not give too much serious thought to the excavation numbers and the Big D Construction numbers.

Director

Erickson: Go ahead and put your name on the record.

Kyra

Parkhurst: Oh, I'm sorry. I signed it. Kyra Parkhurst, Empire Avenue.

Director

Erickson: Sorry.

Kyra

Parkhurst: I feel that I would like to get Big D's email so that I could send you---I feel bad because I don't think you were given the proper information as far as the actual number of hours that construction wouldn't be going on, because we previously had talked about between 8:00 and 10:00 and 2:00 and 4:00. And that is a huge amount of time out of your construction day. So to estimate that oh, it will take three or four years to do this, well, if you're really cutting your days and then you take the holidays. And I don't know if you're aware of all the different holidays. And then the 600 days on excavation, you can't do it during mud season, during winter. I mean, all these years, I don't think they're very accurate and can be, you

know, adequately used. So I would like to send you the video that we did so you can have an accurate idea of what really goes on, on the street so that your field trip plans can be a little more accurate.

Then the only other thing I'm concerned about is I keep bringing up the safety of all the people walking on the street, and skiing on the street, and the kids on the street, and the strollers on the street. The berm is a great idea to kind of mitigate the noise, but it also at the same time mitigates visibility of trucks coming out of the development, and that is the major curve where everybody does a lot of walking from Empire and Lowell coming up around there to go down Crescent Tram. And that berm then might create a danger zone right there.

Again, also, the crushing of the stone, has any studies been done on how noisy that is, how long that will take? That's another whole problem. Then also, the last thing, one of the major things. Thirty-some years ago that this was supposed to benefit Main Street merchants. And I know, Pat, that was one of his things. He was like, but this will be great for Main Street merchants. Well, I think we really have inadequate numbers on how long the bridge will be closed, the ski runs will be closed, the ski lifts will be closed. Skiers are not going to want to come down over construction and bombs going off, and explosives going off to come to Main Street. For years and years and years Main Street is really going to be hurt. So, thank you.

Chair

Strachan: Thank you. All right. Any further---yeah.

Rob

Horacek: I'm Rob Horacek, 1415 Park Ave. I was just looking at the wall up here. I don't have anything prepared but I just wanted to say something quickly, that I find it interesting to look at the Park City, sorry, the Park City Municipal Goals and Mission Statements in the context of this discussion. And as I read some of the things off of the, the wall over here. Critical priorities of transportation and congested reduction. I won't get into details but we're very concerned with that. Clean soil plans. I'm also concerned about the unknown disruption of toxic soils, or introducing materials or contaminates into public drinking water. Historic Preservation is listed here. When I redo the windows on my condo I have to stay within historic, you know, rules and regulations. So I, I just find it interesting that there's nothing historic about the project, and I, I think it's obviously going

to change Town entirely forever. Middle income affordable housing. We already don't have enough housing for, for workers and this would have a lot more workers to find more housing for. Another one listed, Open space acquisition, preserving and enhancing the natural environment. Obviously, this is not doing that. It's in the face of those. Keeping Park City Park City. That's obviously not what this project is doing. Quality of life impact. This is not good for the residents.

Again, myself and everybody I know are very concerned about the project. A lot of other, I think, people in the community that are not publicly speaking up, but I think there is a large concern about the quality of life impact. And then the rest of the things listed here; natural setting, small town, sense of community and historic character. So I just wanted to try to keep---I just found it ironic to have these on the wall and I wanted to keep the, the discussion in the context of the guiding principles of the town. And as a resident I'm very concerned about the project, very against it, and want to try to keep these guiding values in, in the discussion. Thank you.

Neals

Vernagaard: Hi, Neals Vernagaard. I'm a full-time resident, 822 Lowell, right across the street. I just---I know you want to hear facts and figures, but sometimes you've gotta hear the emotion. Do you realize what a living hell you're asking the people on Lowell to sign up for? Six trucks, I mean, a truck every minute going past my house. We hear that blasting is going to be going on, but they're going to monitor my house. What does that mean? When my house falls down, are they going to come and tell me? I mean, really. What's going on here. I ask you---Kyra's going to send you, look at the pictures of what the roads really are like.

The, the applicant and Big D came and talked about all these nice things they're going to do for the community, but I ask you to put it a little bit in context. They've not talked to one of us. Not one of us on Lowell to ask us our opinions. Not once. This berm that's supposed to go up to, to knock down the noise, if you stand in my driveway, if you look up the hill, that berm is going to have to be 40' high. I mean it's kind of a joke.

The road, let's remember this road is now 3' narrower after construction. After you saw the work that, or the slides that Arnie did. It's 3' narrower than it was before the construction. Yes, it's now thicker, but you know, the City talks about well, we'll just make it five feet wider. They're not going to

make that part that they're going to make wider reinforced. It's just going to crush everything that they, they put in there right there. That road--- anybody with two eyes can see that that road does not support the construction, period. End of story.

This meeting was a real eye-opener for me tonight because it really does show what it's going to do to those people that try to live full-time on Lowell. It's going to be impossible. It's going to be a living hell. How you mitigate that, I have no idea, but something needs to be done. I have said over and over and over again that we want a win/win relationship, we want a win/win scenario. This is not win/win. This is win/crush, and I'm not talking about rocks. Thank you.

Chair

Strachan: Anyone else from the public wishing to speak? All right. Seeing no one we'll close the public hearing.

End of Public Comment

Chair

Strachan: Let's, let's just start with Commissioner Thimm, move left to right, and try to keep it in the context---we got some traffic info tonight in the context of the public hearing, but let's try to keep it to the presentation of the phasing plan and we will analyze the traffic stuff that we were given tonight when Francisco has a chance to look at it first, because I think that's the first time you've seen it, too. So, Commissioner Thimm, why don't you start us off?

Commissioner

Thimm: Okay. Well, I think I kind of spoke about a number of things in my questions, and I appreciate the, the ability to have, actually, the open forum and I'd like that to continue. I think the dialogue is helpful. In terms of looking at this we have the B17.2 plan and statistics that have been given to us. I found it informative. There's a very detailed spread sheet that talks to areas and that sort of thing. Now we all know that there is a, there is an existing approval in place. In terms of density the Sweeney Properties Master Plan density exhibit establishes that in terms of the UEs and, and that sort of thing. So we have a basis. What I think is missing here is we have a comparison between B17.2 and the 2009 plan. What I'm really looking for is a comparison to the Woodruff Plan. The approved plan. It seems like that has gotten sort of lost here in all these facts and

figures and that sort of thing. And I would really I like to see a comparison to the Woodruff Plan. And it's interesting, now that we've had a chance to look at the Sweeney Properties Master Plan fact sheet, there's actually square footage there that we can compare very, very directly. Didn't have it before. What we had before, I think was kind of guesstimated square footages based upon scaling off of old drawings. Now we have something with real numbers in it and I appreciate the fact that now it's at our disposal to uses. In terms looking at the areas and density, I still find tens of thousands of square feet difference in terms of where I think the appropriate ordinances, the pertinent ordinances get us to, compared to the numbers that are being asked for in these spreadsheets. And I think it's important to take these spreadsheets and look at them through the lens of the fact sheet.

In addressing the drawings, I look at it and I understand, okay, we have cut back from the 2009 Plan as we looked at B17.2 Plan in terms of any number of things. Area. We moved buildings around, we've actually moved massing, I think, to a better location. Moving some of the building mass up to Building 4, that really helps to cut out some of the congestion of massing that was down lower on the mountain. And that part of it, I think, has been done very well. What we're missing is, I think, looking at the stepping of the buildings with the topography and what the Woodruff Plan approval did versus just cutting this big huge bench into the side of the mountain and carrying everything away. So I think that the plans still need to be addressed.

There's, there's conversation in the Staff report about utilities, and the fact that proper analysis, detailed findings have yet to be made in terms of whether or not there's adequate utilities both wet and dry to this site. And they need to be addressed if there's going to be further disruption of traffic, because dry utilities or wet utilities are going to impact them. I think that part of this approval ultimately, or part of this process ultimately as it goes on is going to have to address whatever impact those have on the neighborhood. And I'm looking forward to the opportunity to see that.

And I guess the final analysis for me, is I would really like to see direct comparison to the Woodruff Plan.

Chair

Strachan: Thank you. Commissioner Suesser.

Commissioner

Suesser: I'm just going to read from my notes that I made after going through the Staff report. Refinement 17.2 is not a substantial modification of the 2009 plans. I do not find it responsive to the concerns raised by this Commission and City Staff. 17.2 in terms of the density proposed fails to comply and far exceeds what was approved in the MPD in terms of commercial UEs and the accessory space. The maximum commercial UEs according to the MPD is 19 UEs. Refinement 17.2 proposes 37.81 UEs. Refinement 17.2 exceeds the maximum commercial UEs permitted by 18.81 UEs, or 18,800 square feet.

I reiterate the Staff note on page 58 of the packet that to date the applicant has failed to provide the required data for utility analysis to verify the source storage demands for the project.

And with regard to the approved use, the hotel use, I note that page 132 of the packet specifically says the units will be condominium or hotel rooms, and that the applicant---also, there would be a limited amount of support commercial. That was part of that new Facts Exhibit that we reviewed for this meeting.

I also reiterate and agree with all of Commissioner Thimm's comments.

Chair

Strachan: Okay. Thank you.

Commissioner

Suesser: Thanks.

Chair

Strachan: Okay, Commissioner Joyce?

Commissioner

Joyce: Yeah, I'm interested---I would love to hear next time the applicants addressing the Fact Sheet and things that we see on there, like lobby space, and how that kind of fits into it. If you have an amended version of it, I would love to see that.

You know, I have said from day one that I think support commercial is limited at 19 UEs, and that hasn't changed. In fact, it's much more clearly substantiated now. So I don't know how you could be complying with the

Master Plan and have anything more than 19,000 square feet, but I've said that before.

My big thing is we got to see the staging plans and the excavation. We're trying to get to the end here and I think between the Staff and the applicant, you guys, are trying to cooperate to get us there. I'm frustrated. I've voiced this before, but just we keep getting what I think of as soft fluffy stuff, you know, we'll try to do this, you know, and it changes from time to time. We've got to get down to conditions, and you can either let us just write them all out and decide what we think all of the limitations should be of, you know, when your work force is there and what hours you're working and all that kind of stuff, or you can work with Staff and start coming in with some more concrete things that would allow us to get there. I mean, we'll do it one way or the other, but I really think if we just kind of, or Staff just kind of creates what we think is the right thing. But there's just been so many things that we've seen where it's like, you know, we'll work to accommodate this. Well, good. How, how? Because I guarantee you, if it's important to mitigate that impact it's going to be a condition of approval. So we need to see more of that, and we're just not. In fact, I, I thought we kind of---we've heard plans that or, or discussion that gosh, we were really close to getting approval for this back in 2004 and then 2009. And I'm just, quite frankly, stunned to see that, you know, what I would think of as a simple question of what's the expansion rate of this incredible amount of earth that we're going to dig up; and the answer is---still 30 years into the project and multiple phases of going through approvals, the answer is still we don't know. We have a guess but we don't know. And it's like how were you close to doing that before and now all of a sudden we're seeing tonight a design for getting the dirt up the hill that's really different than anything we've ever seen before. And last meeting we saw that it's going to a different place we've never seen before.

We were told, I mean, I can go back to the old excavation plan and look at your own drawings of where you had dirt. Number one, you only identified about half of it, but a lot of it was going out on the Payday run. Now there's nothing really going on the Payday Run. I mean, I can go back through that, but it's changing dramatically. And I'm still stuck on---when I look at the fact that we went to recreation and open space for zoning, in the Master Plan document I get this, "Ultimately 97% of the Hillside parcels will be open space. This concept will prevent undue scarring of the hillside, protect its ridgeline and preserve it for recreational use as a

scenic backdrop to the Historic District". And so I'm just trying to line that up with---that was clearly the intent. It's written over and over in different parts of the Master Plan. And I'm trying to sync that up with we're going to take dozens of acres of it, basically mulch all the trees on it, and right now it's heavily forested, and then basically scar it. We've still got cliffscape that goes out into the recreational open space zoning. And I'm looking at the ROS zones, and I can't find anything in the allowed or conditional uses that begins to address this. And so I've asked if there's something that you guys can bring to the table that somehow convinces us that this is okay, other than that's just the plan you drew where the dirt goes, help me with that. Because everything I'm looking at that's written on paper says that's protected open space in a zone that was done as part of this plan. And you don't walk into recreation open space and, you know, cut down 20 or 30 acres worth of trees to put in roads to dump 60 feet of dirt. I mean, that's just not an allowed use. So help me with that because I don't want to spend a lot more time going into detail about where the squiggly road is going to go and how many dump trucks we're going to run up there if the answer is this isn't an allowed use. And so---and I'm trying. I have looked over and over to find this, and I can't find anything that would, that would imply that it is. And I'm just, I'm getting kind of frustration because we're getting close to a decision in theory. And just really, really basic questions that we've been asking for months, we're getting detail that kind of skirts around the issues. So help me help you guys, otherwise I just, I don't know how to evaluate something like this when we get a new excavation plan dropped---not excavation plan but where we dump the dirt and how we get it there. It's just broken to me.

Chair

Strachan: Thanks. Preston.

Commissioner

Campbell: I'm going to keep mine simple, and Bruce I'm going to ask you for some clarity on this one. And I'm piggybacking a little bit on what Steve said, but I know the definition of LOD, Limit of Disturbance, is pretty clear to me on a residential project, and I'm hoping you can help us understand exactly what it is here. I need to have an understanding of legally what they're allowed to do up there. It is not clear to me right now in the documents. So I'm hoping that Staff can give us some kind of very simple graphic that says this is the limit of disturbance. If they go outside of that--well, not if they do, but they're not allowed to go outside of it. And it looks to me like they're way outside of it. And I may be wrong. As Steve has

said, he's looking for some understanding of it. And I like the theory of putting it up there on the hill a whole lot better than bringing it all down on trucks. So I'd like to understand legally what are we allowed to permit them to do, and I don't have a clear understanding of that. So if that's something Staff could help us with.

Director

Erickson: Yeah, we'll drill down on that for the next meeting. In general, on this particular project there's more precision in the way the zoning is applied and the potential effects of the Sensitive Lands Ordinance in the ROS than the building limit line that is not defined in the MPD. So, we'll address that in the next Staff meeting. I have my notes here.

Commissioner

Joyce: Is the, is the building limit line that we see on the plans, is that actually the difference between the ROS zone and the Estate zone in the MPD.

Director

Erickson: Yes, I believe, I believe that the zone designation follows the limit line. Francisco and I will verify that.

Planner

Astorga: That's correct.

Commissioner

Joyce: Thank you.

Chair

Strachan: I don't have much to add. We are, we need to nail this down. I mean, we saw a construction and phasing plan tonight, but you know, Big D may not be the company that ultimately builds this. And so we need to have a written plan that is specific that says where the traffic managers are going to be stationed, how far away the trucks are going to be parked that are running slick lines of concrete up to the project, how many explosions they're going to be doing for how long. And that all has to be put down in writing on paper. Because it's--- I mean, just less than two months ago we were dealing with a plan that had Google maps of conveyor belts on it, and apparently that's out the window now. And still, nothing in writing about a phasing and construction plan with specific details. I appreciate we got some details tonight, but again, nothing in writing. So I can't stress that enough.

That really goes for everything. You know, all the traffic mitigation, all of the geo-tech analysis, the soils analysis. I mean, those have to be reduced to writing in final form so you can give them to us to decide. It's not fair to have us try to analyze a moving target and then change it. The conveyor system is a classic example. That was one of the things the applicant proposed as a mitigator to the construction traffic. That was what we've been operating on until tonight. Now we've seen an entirely new plan. So you can't move the ball. Give us a ball, give us your best ball, and we'll judge it fair, you know, strike or ball. But you can't say, we're going to pitch something, oh, now we've changed our mind. Not fair.

I also agree---I'd like to see an analysis of the Woodruff drawings compared to 17.2. I think that isn't a standalone comparison, but the comparison of the different project iterations starting with Woodruff, going through the 2009 plan, and then going through the 17.2 refinement would be good to see.

And that's really all I have, along with the comments of the other Commissioners.

Director
Erickson:

So, Mr. Chairman, just in keeping with your previous direction to keep this moving, keeping the dialogue open, as Commissioner Thimm asked for as well, it is an advantage to us to have this open dialogue. So in keeping with that, there's a couple of other things that the Commissioners have asked for previously that directly respond to some of the comments from the people you have here tonight.

The first one is the Commissioners previously have requested to see some sort of document on the agreements between VRPCP and the applicant with respect to fill and cut placement. We have not seen that, and this one significantly affects that, consistent with Commissioner Joyce and everyone else's comments.

Since we have all of the geo-technical engineers and the construction managers here, we've never seen the answer from the Planning Commission whether the excavation volumes presented to the neat line include all the excavation for the topsoil stockpiling on the ski runs. So we don't know the volume of those grading plans, I don't think. Corollary to

that, the Commissioners asked, and I think Commissioner Thimm asked that whether the neat line excavation includes excavation for the foundations and not just the base platform. So we need to see that information.

We did see the movement on the conveyor today. I think consistent with Commissioner Campbell's previous comments and the Staff comments, there was nothing in the construction mitigation phasing plan about the timing of utilities. A lot of those utilities need to be in place before construction can go vertical, especially the tank and the source water line, and whatever other utilities. So the ability to use Lowell and Empire in year one may be affected by the delivery of the off-site utilities, consistent with Preston's, with Commissioner Campbell's previous discussions.

I also think, we talked around it a little this evening, but the Commissioners previously asked, especially when they've seen this phasing plan, what happens if the project doesn't continue. And the way the project is phased at this point, we're starting at the lowest point and we may never get to the biggest point. And we need to see how that break point happens if the downturn of the economy happens, if North Korea happens, whatever.

So, I just wanted to reiterate those out of that summary of Planning Commission comments previously and your comments this evening as long as we have the experts here. Being able to do that allows the public to hear the dialogue and also allows the experts to hear the dialogue directly, which I think is a benefit of getting this thing wrapped up and put to bed.

Thank you, Mr. Chairman. I'm sorry.

Chair

Strachan: No, no. I, I think that all of those comments are completely valid, and I don't think any Commissioner objects to them. Correct? So to the extent that you need the Planning Commission to incorporate those comments into a Commission directive, you just had it.

So with that, I think we are concluded for this evening, aside from a motion to continue.

Kyra

Parkhurst: Are we going to have two meetings in October and November, or we don't know?

Chair

Strachan: We don't know.

Commissioner

Thimm: Do we know when we're continuing this until?

Director

Erickson: Right now we're continuing to October 25th. That's the plan. That's the strategy. October 25 is the continuation date, and it will go to the first meeting in November. We've asked for the November 29th meeting. You guys have checked your schedule but it's not confirmed yet.

MOTION: Commissioner Thimm moved to CONTINUE the Treasure Hill CUP to October 25, 2017. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

2. 368 Main Street - Plat Amendment to combine two existing parcels into one lot of record (Application PL-17-03665)

Director Erickson presented this item in the absence of Anya Grahn, the Project Planner

Director Erickson stated that the plat amendment for 368 Main Street would incorporate the back 5' of the Chimayo building into the lot. Planner Grahn had provided an extensive Staff report and he assumed the Commissioners had read the report.

The Staff recommended forwarding a POSITIVE recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

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 368 Main Street plat amendment, 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.

Findings of Fact – 368 Main Street

1. The property is located at 368 Main Street.
2. The historic Frankel Building was constructed in 1901. It was listed on the National Register of Historic Places in 1979 and was designated “Landmark” on the City’s Historic Sites Inventory in 2009.
3. In May 1996, the Park City Council approved the 368 Main Street Re-subdivision through Ordinance 96-19; it was never recorded.
4. In October 1996, the Park City Council approved the 368 Main Street Subdivision as Ordinance 97-4; it was never recorded.
5. The property consists of two parcels, according to the Summit County Recorder’s Office that includes, but is not limited to Lots 15, 16, and 17, Block 22 of the Park City Survey.
6. The property is in the Historic Commercial Business (HCB) District.
7. This site is listed on Park City’s Historic Sites Inventory (HSI) and is designated as Landmark.
8. The Plat Amendment removes four (4) interior lot lines and creates one lot of record.
9. The proposed lot size will be 2,278 square feet.
10. In the HCB District, the minimum Lot Area is 1,250 square feet. The minimum Lot Width is twenty-five feet (25') and Minimum Lot Depth is fifty feet (50'). The proposed lot is 25.22 feet along the west edge along Main Street and the lot is 77.97 feet deep.
11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building

setbacks are valid complying structures.

12. There are no minimum front, rear, and side yard setbacks in the HCB District. The existing historic building has a 4-foot front yard setback, 6 feet in the rear, and 0 feet on the sides. The existing building straddles various interior lot lines.

13. There are no existing encroachments onto adjacent property or the City rights-of-way.

14. No public snow storage easements are required due to the allowed zero setbacks in this District.

15. The Park City Planning Department received the plat amendment application on July 26, 2017; the application was deemed complete on August 14, 2017.

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

Conclusions of Law – 368 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 lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 368 Main Street

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. 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.

3. **7704 Village Way – A plat amendment requesting to combine the Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision into one lot of record.** (Application PL-17-03620)

Planner Astorga presented this application in the absence of Kirsten Whetstone, the Project Planner.

Planner Astorga reviewed the application for a plat amendment combining Lots 1 and 2 of the Village at Empire Pass, Phase I subdivision. He understood that once the building is built and condominiumized, the list tracking the available UEs would be updated.

The Staff recommended that the Planning Commission forward a POSITIVE recommendation to the City Council for the Second Amendment to the Village at Empire Pass Phase One Subdivision according to the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Commissioner Campbell stated that when Planner Whetstone compiled the spreadsheet of UEs, he had asked where the list would be kept and how it would be updated, and how much power it held. He wanted to know how those numbers are accurately reflected moving forward. Commissioner Campbell understood that his question may not be pertinent now, but he thought it was important to make sure the UEs are tracked accurately so they would have that information when everything is completed. He was concerned that the agreement might slip through the cracks.

Chair Strachan agreed that the spreadsheet needs to be updated every time an application is approved to make sure it reflects the accurate number. Planner Astorga noted that Exhibit K has a running date that changes every time the spreadsheet is updated.

Commissioner Campbell suggested that they make a formal request that every time an application affects the spreadsheet, an updated version is included in the packet and kept in the record.

Director Erickson stated that the Staff would make a finding of fact that each time the UEs are allocated, that the table is updated to reflect the current number.

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 the Second Amendment to the Village at Empire Pass Phase One Subdivision pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7704 Village Way

1. The property is located at 7690 and 7704 Village Way and within Pod A of the Master Planned Development for the Village at Empire Pass.
2. The property is located within the Residential Development (RD) zoning district.
3. The property is subject to the Flagstaff Mountain Annexation and the Village at Empire Pass Master Planned Development.
4. On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area.
5. Resolution 20-99 granted the equivalent of a “large-scale” master planned development (MPD) and set forth the types and locations of land use, maximum densities, timing of development, development approval process, as well as development conditions and amenities for each parcel.
6. The Flagstaff Development Agreement was subsequently amended and recorded in March of 2007.
7. The Development Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village.
8. The Mountain Village is further constrained to a maximum density of 785 UE configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units do not exceed 60. The Mountain Village is also allowed 16 single family home sites. At least 50% of the residential units within the

Mountain Village must be clustered within the primary development pod (Pod A).

9. There are currently 588.742 UE (382 multi-family units) platted within the Village at Empire Pass (Pods A, B1 and B2). These are units that are platted with a condominium plat to memorialize the size and UE of the units

10. Based on a review of all UE and units constructed and platted to date within the Flagstaff Annexation Development area, there are sufficient remaining UE and units for Lot A.

11. Townhouse and PUD style units are allowed on Lot A subject to the remaining density of the Flagstaff Annexation Development Agreement and review of an Administrative Conditional Use Permit for site specific conditions.

12. The applicant is not requesting allocation of any MPD Resort Support Commercial for this Lot.

13. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP-MPD) (Pod A).

14. The purpose of the VEP- MPD was to establish unit mix and density for the Village Master Plan, as well as address overall project infrastructure throughout the Annexation Area. The MPD established building volumetric diagrams, including specific height exceptions, density, and development locations for the Lodge Buildings.

15. The Village at Empire Pass West Side Subdivision plat was approved by Council in 2005 and recorded at Summit County on August 12, 2005. This subdivision platted Lots 12-18 of the VMPD (west side).

16. Village at Empire Pass Phase I Subdivision plat was approved by Council on September 30, 2004 and platted the east side lots. An amended Village at Empire Pass Phase I Subdivision plat, amending the configuration and easements for Lot 9, was approved on January 6, 2011 and was recorded on January 4, 2012.

17. Six lodge buildings have been built to date within Pod A; namely Shooting Star, Silver Strike, Flagstaff Lodge (was Snowberry Lodge), Arrowleaf A and Arrowleaf B, and Grand Lodge. A seventh building, One Empire Pass is currently under construction. Additionally, Larkspur East and Larkspur West Townhouses (attached homes), Paintbrush and Belles PUD style homes, and six single family homes in Banner

Wood are platted within Pod A. Of these units, one Belles PUD unit and 2 Banner Wood single family units remain to be constructed. Additionally, 4 PUD units within Nakoma in Pod B1 remain to be constructed.

18. Three of the large lodge buildings (Buildings 1, 3, and 4) as well as additional townhouse and PUD style units remain to be approved and constructed within the MPD Pod A.

19. The plat amendment combines Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision into one lot of record to be known as Lot A.

20. Removing the common lot line between Lots 1 and 2 allows for flexibility in site design. The property is constrained by the odd shape and length of street frontages.

21. Lot A consists of 27,994 square feet and has frontage on Village Way, a private street. There are also approximately 38 feet of frontage along Marsac Avenue just south of the intersection of Village Way and Marsac Avenue. Access off Marsac is not allowed due to proximity of the intersection.

22. According to the Village at Empire Pass MPD, an Administrative Conditional Use Permit (CUP) is required prior to construction of any townhouse or PUD style units.

23. Utilities are available to the lots. SBWRD recommended conditions and plat notes to address their concerns.

24. All existing and required easements will be recorded on the plat, including utilities, storm drainage, access, snow storage, etc.

25. No changes are proposed to any existing streets and no new streets are proposed.

26. There is no minimum or maximum lot size or lot width in the RD District.

27. All applicable requirements of Land Management Code apply, unless otherwise allowed per the Flagstaff Development Agreement and the Village at Empire Pass MPD.

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

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

30. No AUE were identified for Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision and will also not be identified or required to be constructed on Lot A.

31. The property is part of a greater planned area and is subject to requirements of the MS4 Storm Water Permit program.

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

Conclusions of Law – 7704 Village Way

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

Conditions of Approval – 7704 Village Way

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision 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 Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void unless a written request for an extension is submitted to the City prior to the expiration date and the City Council grants an extension.
3. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain (recorded at Summit County on March 2, 2007), and associated Technical Reports and Agreements, continue to apply.

4. The plat will note that conditions of approval of the Village at Empire Pass Master Planned Development (Pod A) shall continue to apply.
5. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
6. Non-exclusive public utility easements (PUE) shall be indicated on the plat prior to recordation as approved by the City Engineer and SBWRD, including drainage easements.
7. A financial security to guarantee for the installation of any required public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.
8. A ten foot (10') wide snow storage easement is required along all street frontages.
9. Modified 13 D fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit. A note stating this shall be on the plat.
10. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
11. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
12. A Construction Mitigation Plan shall be submitted with Conditional Use Permit applications and in advance of issuing building permits.
13. The subdivision plat will include a plat note requiring water-efficient irrigation systems, limited turf and disturbance.
14. The final plat shall contain a note that Village Way is a private road and another note that the maintenance of the water system is the private responsibility of the Village at Empire Pass Master Homeowners Association.
15. No vehicular access from Marsac Avenue is allowed due to the proximity of the Village Way and Marsac Avenue intersection.

The Park City Planning Commission Meeting adjourned at 9:30 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report

Subject: 638 Park Avenue
Author: Anya Grahn, Historic Preservation Planner
Project Number: PL-16-03225
Date: October 25, 2017
Type of Item: Continuation- City Council Remand of Planning Commission's Approval of a Conditional Use Permit (CUP) for a Private Event Facility

Summary Recommendations

On September 27, 2017, the Planning Commission held a work session to discuss the remand of the appeal of the Conditional Use Permit (CUP) for a Private Event Facility at the Historic Kimball Garage at 638 Park Avenue and staff requested that the item be continued to October 25, 2017.

At the request of the applicant, Staff now recommends the Planning Commission conduct a public hearing and continue the item to November 29, 2017, to provide the applicant additional time to address Planning Commission's concerns.

Description

Applicant: CPP Kimball LLC represented by Tony Tyler and Architect Craig Elliot
Location: Historic Kimball Garage at 638 Park Avenue
Zoning: Historic Recreation Commercial (HRC), Heber Avenue Subzone
Adjacent Land Use: Residential single-family and multi-family; commercial
Reason for review: Appeals of Planning Commission's decisions are reviewed by the City Council; City Council remanded this CUP back to the Planning Commission on March 30, 2017.

Planning Commission Staff Report



Subject: Second Amendment to the First Amended and Restated Nakoma Condominiums Plat
Author: Kirsten A. Whetstone, MS, AICP
Project #: PL-17-03644
Date: October 25, 2017
Type of Item: Administrative – Condominium Plat

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Second Amendment to the First Amended and Restated Nakoma Condominiums plat, for duplex units 1 and 2 and individual units 7 and 8, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Topic

Applicant: Friends of Flagstaff, LLC
Location: 11, 14, 17 and 24 Nakoma Terrace
Zoning: Residential Development (RD) as part of the Flagstaff Annexation and Master Planned Development (MPD) and the Village at Empire Pass MPD
Adjacent Land Uses: Residential development parcels of the Village at Empire Pass, Pod B1, and Open Space.

Proposal

This is a request for approval of a Second Amendment to the First Amended and Restated Nakoma Condominiums plat for the duplex Units 1 and 2 and individual Units 7 and 8. This Second Amendment plat memorializes density (Units and Unit Equivalents) and configuration of constructed units and identifies areas of private and common ownership.

Background

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a “large-scale” master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel. The Agreement was amended in March of 2007.

On September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II. This Master Planned Development included eighteen (18) detached single-family dwelling units utilizing 27 Unit Equivalents (UEs) on the Northside Village Subdivision II, Lot B (aka Nakoma); 25

townhouse multi-unit dwellings utilizing 37.5 UEs on Northside Village Subdivision II, Lot C; and a twenty-two (22) condominium multi-unit building utilizing 33 UEs on Northside Village Subdivision II, Lot D. Lot C has been developed as Ironwood at Deer Valley, Lot D has been constructed as the Grand Lodge at Deer Valley.

The Planning Commission approved an amendment to Lot B on October 27, 2004, in which the UE count on Lot B increased from 27 to 45, while maintaining the same footprint and maximum house size requirements as previously approved (3,000 square foot footprint with a maximum house size of 5,000 square feet).

The Planning Commission approved an MPD amendment to Lot B on October 26, 2005, in which the unit locations and the road alignment were reconfigured, while maintaining the same footprint and maximum house size requirements as previously approved.

On July 6, 2006, the City Council approved the Nakoma Condominiums record of survey located on Lot B. That record of survey (Condominium Plat) platted the first 8 units (Units 9-16) plus additional land. The condominium plat for the remaining units (1-8, 17 and 18) was approved by the City Council on September 20, 2007.

A second amendment to the MPD for Lot B was approved by the Planning Commission on April 23, 2008. That amendment allowed for the combination of units 17 and 18 into a single unit of 7,500 square feet and further allowed the distribution of the square footage to the other un-built units. Units 1-16 still have a maximum footprint of 3,000 square feet while unit 17 (combined unit) is allowed a maximum footprint of 5,000 square feet. The total Unit Equivalent count remained unchanged and cannot exceed 45 UEs (90,000 square feet).

On April 23, 2008, the Planning Commission approved a third amendment to the MPD to Lot B to remove the 5,000 square foot cap on the total square footage of each unit while maintaining the total square footage cap for the project (45 Unit Equivalents or 90,000 square feet of total square footage). That amendment would allow for variations in size from 4,300 to 5,750 square feet and also maintain the cap of 3,000 square feet on the footprint. An exception to both the maximum house size and footprint was allowed with the combination of units 17 and 18. In this case, the maximum square footage would be 7,500 square feet with a footprint of 5,000 square feet. The 2,500 square feet lost from the combination of 17 and 18 can be redistributed through the other units. An amended plat was also approved in conjunction with the Third MPD Amendment.

The First Amended and Restated Nakoma Condominiums plat was recorded on December 31, 2008. A plat note on each of the previous condominium plats required the re-platting once the units were constructed to show to actual unit configuration.

On November 11, 2009, the Planning Commission approved a Fourth Amendment to the MPD for Lot B. The Fourth Amended MPD allowed the following:

- Units 1 and 2 combined into a duplex configuration, maximum footprint of 6000 square feet.
- Unit 17 (previously combined with unit 18 into one larger unit) with an option to become a duplex, returning the unit count back 18. As a duplex, footprint increases from 5,000 square feet to 6,000 square feet.
- Reduce minimum unit size from 4,300 to 4,000 square feet.
- Maintain maximum unit size at 5,750 square feet (except if unit 18 is not constructed as a duplex with unit 17 and 17 can be 7,500sf).
- Maximum cap of 45 Unit Equivalents remain.

On May 20, 2010, the City Council approved the First Amendment to the Amended and Restated Nakoma Condominiums plat to define private and limited common area for units 9 through 16. This First Amendment plat was recorded on May 22, 2012.

On August 22, 2017, the City received a completed application for the Second Amendment to the First Amended and Restated Nakoma Condominiums plat for the duplex Units 1 and 2 and individual Units 7 and 8. This Second Amendment plat memorializes the size and configuration of constructed units and identifies areas of private and common ownership. Units 3, 4, 5 and 17 remain undeveloped at this time.

Analysis

The zoning for the subdivision is Residential Development subject to the following criteria:

	Permitted	Existing
Height	28' (+5' for pitched roof)	Meets 28' (+5 for pitched roof)
Front setback	20', 25' to front facing garage	Meets 20', 25' to front facing garage
Rear setback	15' from Lot B boundary	50' minimum for unit 1, 80' minimum for Unit 2, in excess of 100' for Units 7 and 8)
Side setbacks	12' from Lot B boundary	Meets or exceeds 12'
Parking	Two spaces required	Two spaces in garages are provided

In addition, the MPD restricts Lot B units 1-16 to a 3,000 square foot footprint with a maximum house size between 4,300 square feet and 5,750 square feet (whether considered Basement or Floor Area by LMC definition), plus 600 square feet for a garage. Combined, Units 1 and 2 may have a building footprint of 6,000 square feet. Unit 17 may have up to 7,500 square feet of total floor area (again, whether Basement or Floor Area as defined by the LMC) with a footprint not to exceed 5,000 square feet. The 17 units represent the irrevocable consumption of 45 Unit Equivalents, which is the maximum Unit Equivalents assigned to this project.

The platted units 1, 2, 7 and 8 include the following: Total Floor Area (includes basements as required by the Development Agreement), Unit Equivalents and Building Footprint:

Unit #	Total Floor Area	Unit Equivalents	Building Footprint
Unit 1	4,712 square feet	2.356	2,095 square feet
Unit 2	4,712 square feet	2.356	2,095 square feet
Unit 7	5,463 square feet	2.732	2,993 square feet
Unit 8	5,463 square feet	2.732	2,993 square feet

Each unit has a garage less than 600 square feet that is not included in the total unit size. None of the units exceed the maximum unit size of 5,750 square feet. Units 1 and 2 have a combined footprint of 4,190 square feet (not including decks, exterior stairways, or the common courtyard between the units) which does not exceed the 6,000 square feet allowed. Units 7 and 8 each have a footprint of 2,993 square feet which is less than the 3, 000 square feet allowed for each.

The Total Unit Equivalents consumed in these four units is 10.176 UE (20,350 sf). With the 20.70 UE from the First Amendment there are now a total of 30.876 UE platted between the 4 Units of this plat and the previous 8 Units. There are 14.124 UE (28,248 square feet) remaining for units 3, 4, 5, 6 and 17.

Staff finds good cause for this condominium plat as it is consistent with the development pattern envisioned in the amended MPD, the 14 Technical Reports, and the previous requirement that the units be re-platted once constructed to memorialize density (Units and UE) and configuration.

Department Review

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

Notice

On October 10, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and on the Utah Public Notice website on October 7, 2017.

Public Input

Staff has not received any public input at the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Nakoma Condominiums Second Amendment to the Amended and Restated Nakoma Condominium plat as conditioned or amended, or

- The Planning Commission may forward a negative recommendation to the City Council for the Nakoma Condominiums Second Amendment to the Amended and Restated Nakoma Condominium plat and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the Nakoma Condominiums Second Amendment to the Amended and Restated Nakoma Condominium plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. Platting the condominium units to reflect the as-built situation allows the units to be sold.

Consequences of not taking the Suggested Recommendation

The plat would not be in compliance with the amended Master Planned Development and previous plat requirements.

Good Cause

There is good cause for this Second Amended plat to memorialize the size and configuration of these units in order to describe the private and limited common areas and to record the total Unit Equivalents utilized by these four units as stipulated by the Flagstaff Annexation and Development Agreement and the Village at Empire Pass Master Planned Development.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Second Amendment to the First Amended and Restated Nakoma Condominiums plat, for duplex units 1 and 2 and individual units 7 and 8, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Ordinance

Exhibit A – Proposed plat

Exhibit B – First Amended and Restated Nakoma Condominium plat

Exhibit C – Existing conditions

Exhibit D – Aerial photo

Exhibit E – Photos of site

Draft Ordinance No. 2017-XX

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED NAKOMA CONDOMINIUM PLAT LOCATED AT 11, 14, 17 AND 24 NAKOMA TERRACE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Nakoma Condominiums, located at 11,14,17 and 24 Nakoma Terrace, have petitioned the City Council for approval of the Second Amendment to the First Amended and Restated Nakoma Condominium plat; and

WHEREAS, on October 10th, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on October 7th, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2017, to receive input on the Second Amendment to the First Amended and Restated Nakoma Condominium plat;

WHEREAS, the Planning Commission, on October 25, 2017, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council on November 9, 2017, held a public hearing and took final action on the plat amendment; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amendment to the First Amended and Restated Nakoma Condominiums record of survey plat consistent with the Flagstaff Annexation and Development Agreement.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Second Amendment to the First Amended and Restated Nakoma Condominium Plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 11, 14, 17 and 24 Nakoma Terrace.
2. The Nakoma Condominiums are located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999 and amended it in March of 2007. The Development Agreement is the equivalent of a Large-Scale Master

Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.

4. On September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II (Pod B-1).
5. The approved Flagstaff Mountain Resort Phase II MPD includes a maximum density assignment and conceptual site design for eighteen (18) detached single family units utilizing not more than 27 Unit Equivalents on Northside Village Subdivision II, Lot B (aka Nakoma Condominiums).
6. The Planning Commission approved an MPD amendment to Lot B on October 27, 2004, in which the UE count on Lot B increased from 27 to 45, while maintaining the same footprint and maximum house size requirements as previously approved.
7. The Planning Commission approved a second amendment to the Nakoma Master Planned Development on April 23, 2008. That amendment allowed for the combination of units 17 and 18 into a single unit of 7,500 square feet and further allowed the distribution of the square footage to the other un-built units. Units 1-16 still have a maximum footprint of 3,000 square feet while unit 17 (combined unit) is allowed a maximum footprint of 5,000 square feet. The total Unit Equivalent count remained unchanged and cannot exceed 45 UEs (90,000 square feet).
8. On April 23, 2008, the Planning Commission approved the third amendment to the MPD to remove the 5,000 square foot cap on the total square footage of each unit while maintaining the total square footage cap for the project (45 Unit Equivalents or 90,000 square feet of total square footage). That amendment would allow for variations in size from 4,300 to 5,750 square feet and also maintain the cap of 3,000 square feet on the footprint. The approved maximum building footprint for the units 1-16 detached single-family units on Northside Village Subdivision II, Lot B, is 3,000 square feet with a maximum house size between 4,300 square feet and 5,750 square feet (whether considered a Basement or Floor Area by LMC definition). An additional 600 square feet is allowed for a garage.
9. Unit 17 may be up to 7,500 square feet of total floor area (again, whether Basement or Floor Area as defined by the LMC) with a footprint not to exceed 5,000 square feet.
10. On November 11, 2009, the Planning Commission approved a Fourth Amendment to the MPD. The Fourth Amended MPD allows the following:
 - Units 1 and 2 combined into a duplex configuration, maximum footprint of 6,000 square feet.
 - Unit 17 (previously combined with unit 18 into one larger unit) with an option to become a duplex, returning the unit count back 18. As a duplex, footprint increases from 5,000 square feet to 6,000 square feet.
 - Reduce minimum unit size from 4,300 to 4,000 square feet.
 - Maintain maximum unit size at 5,750 square feet (except if unit 18 is not constructed as a duplex with unit 17 and 17 can be 7,500sf).
 - Maximum cap of 45 Unit Equivalents remain.
11. The proposed amended record of survey is consistent with the approved and amended Master Planned Development for the Flagstaff Mountain Resort Phase II and the previous condominium plats requiring a re-platting of the units.

12. Units 1 and 2 each consist of 4,712 square feet in total floor area, including basements but not including the garages. Units 7 and 8 each consist of 5,463 sf in total floor area not including the garages.
13. Each unit has a garage less than 600 square feet and therefore no excess garage area is included in the total unit size.
14. These units do not exceed the maximum unit size of 5,750 square feet.
15. Units 1 and 2 each have a building footprint of 2,095 sf. The combined footprint is 4,190 square feet (not including decks, exterior stairways, or the common courtyard between them) which does not exceed the 6,000 square feet allowed.
16. Units 7 and 8 each have a footprint of 2,993 square feet which is less than the 3,000 square feet allowed for each.
17. The Total Unit Equivalents consumed in these four units is 10.176 UE (20,350 sf). With the 20.70 UE from the First Amendment there are now a total of 30.876 UE platted between the 4 Units of this plat and the previous 8 Units. There are 14.124 UE (28,248 square feet) remaining for units 3, 4, 5, 6 and 17.
18. Two parking spaces are required and provided for each unit.
19. The Flagstaff Density Summary already indicates that a total of 18 units and 45 UE are platted in the Nakoma development. The Summary is updated when certificates of occupancy are issued.

Conclusions of Law:

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:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. All conditions of approval of the Flagstaff Annexation and Development Agreement, as amended, and the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.
4. All applicable notes, easements and requirements of the First Amended and Restated Nakoma Condominium plat continue to apply and shall be shown and noted on this plat prior to recordation.

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

PASSED AND ADOPTED this ____ day of November, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Exhibit A – Condominium plat

EXHIBIT A

SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 7248891 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner(s), this Second Amendment to First Amended Condominium Plat of the NAKOMA CONDOMINIUMS, a Utah Expandable Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown herein is correct.

Charles Galati, L.S. #7248891

DATE

BOUNDARY DESCRIPTIONS

A portion of Lot B, Northlake Village Subdivision II, recorded June 28, 2002 as entry number 623453, according to the official plat of record and on file in the office of the Summit County Recorder, recorded June 28, 2002, as Entry No. 623453 being more particularly described as follows:
A parcel of land located in the northwest quarter of section 26, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the westernmost corner of Lot B, Northlake Village Subdivision II, recorded June 28, 2002 as entry number 623453, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; said point being West 147.24 feet coincident with the section line and North 0°27'49" East 1342.04 feet from an aluminum pipe and cap at the northwest quarter corner of said section 26 and running thence coincident with said Lot B northeasterly along said line, North 25° 58' 38" East a distance of 776.89 feet; thence South 48° 44' 54" East for a distance of 360.15 feet; thence South 30° 15' 19" East a distance of 872.52 feet to the western boundary of Morisco Avenue Right of Way, recorded June 28, 2002, as entry number 623451, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; said point also being on the boundary of said Lot B on a non tangent curve to the left having a radius of 373.46 feet, of which the radius point bears South 47°12'50" East; thence along the westerly boundary of Morisco Avenue Right of Way the following (7) courses: 1) continuing westerly along the arc of said boundary, a distance of 88.30 feet through a central angle of 1°32'46" to a point on a tangent curve to the left having a radius of 775.00 feet, of which the radius point bears South 60°45'42" East; thence 2) along the arc of said curve 255.03 feet through a central angle of 151°70'08"; thence 3) South 14°02'10" West 235.22 feet to a point on a tangent curve to the right having a radius of 1175 feet, of which the radius point bears North 70°37'50" West; thence 4) along the arc of said curve 178.22 feet through a central angle of 8°41'25" to a point on a tangent curve to the left having a radius of 372.06 feet, of which the radius point bears South 67°02'24" East; thence 5) along the arc of said curve 146.05 feet through a central angle of 2°37'14" to a point on a tangent curve to the right having a radius of 1099.60 feet, of which the radius point bears North 89°54'08" West; thence 6) along the arc of said curve 304.14 feet through a central angle of 15°50'43" West; thence 7) South 15°58'43" East 43.28 feet to a point on the southeastern boundary of said Lot B; thence continuing the following (1) courses: 1) continuing northeasterly along said line, North 69°33'48" West a distance of 130.22 feet; thence 2) North 20°26'14" East a distance of 296.23 feet; thence 3) North 35° 43' 21" West for a distance of 536.94 feet to the point of beginning.

NOTES:

1. A Third Amendment to Declaration of Condominium for Nakoma (together with the original Declaration and First and Second Amendments thereto, the "Declaration") is being recorded concurrently herewith in accordance with the Utah Condominium Act. All development within the Nakoma Condominium project is subject to the Declaration.
2. Unless otherwise approved by Park City (i) the footprint for each Unit on this plat shall not exceed 3,000 square feet; (ii) the current maximum house size is 5,750 square feet inclusive of all living space inside the exterior walls, whether finished or unfinished; crawl space is excepted; (iii) no Unit shall be less than 4,000 square feet; and (iv) each Unit may have a garage containing up to 600 square feet (any garage in excess of 600 square feet shall be applied against the maximum square footage allowed for the apartment Unit). The total Unit Equivalents developed in the Nakoma Condominium Project shall not exceed 45. The provisions of this Note shall amend and supersede the provision of notes of prior plats of Nakoma that are inconsistent with these provisions.
3. All Common Area and Facilities are dedicated as a non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District (SBWRD), Park City Fire Protection District, Summit County and the Nakoma Owners Association, Inc. for the purpose of providing access for utility and drainage installation, use, and maintenance and eventual replacement.
4. Nakoma Units 1-8 are served by private wastewater lateral lines. The Empire Pass Master Homeowners Association, Inc. (the "Master Association") shall be responsible for the maintenance and replacement of all sanitary sewer laterals serving the Nakoma Units within the plat. The cost of such maintenance and replacement shall be paid by Nakoma Owners Association, Inc. as part of the Common Expenses.
5. At the time of any resurfacing of Nakoma Court, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards.
6. There are Limited Common Areas and Facilities which are appurtenant to each Unit, shown herein, for the purpose of providing Unit owners with added privacy and the exclusive right to use and occupy such land surrounding their respective Unit. The use of all Limited Common Areas is described in more detail in the Declaration of Condominium.
7. Access to the units is by private roads and is not warranted by Park City.
8. All property corners to be set along the perimeter boundary as shown herein.
9. Except as expressly amended by this First Amendment, the Amended and Restated Condominium Plat shall remain in full force and effect and shall not be canceled, suspended, or otherwise derogated by the recording of this First Amendment.
10. The dimensions of the private spaces and square footage calculations are based upon drawings supplied by Jack Thomas Architects, P.C. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the Declaration. Such calculations typically differ somewhat from the square footage determined by the architect or others using a different method of determining unit size.
11. Certain spaces on the plat are designated as "Non-Excavated Areas". Such spaces may not be occupied and may not be converted to living space. Non-Excavated Areas shall not be included in calculating the square footage of a Unit for any purposes, including calculation of the maximum house size as set forth in Note 2, above, or the calculation of Unit Equivalents.
12. All conditions of approval of the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended (including without limitation the 2nd Amendment dated November 11, 2009 which, among other things, allows Units 1 and 2 to be built on a duplex, and allows Unit 17 to be built as either a single larger unit or as a duplex containing Units 17 and 18), and the Northlake Village Subdivision II plat shall continue to apply.

LEGEND:

- Project Benchmark
- Property corner to be set
- COMMON OWNERSHIP
- ▨ LIMITED COMMON OWNERSHIP
- ▩ PRIVATE OWNERSHIP

20 0 20 40 FEET

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT _____, LLC, a Utah limited liability company, the owner of the tract of land described herein as SECOND AMENDMENT TO FIRST AMENDED NAKOMA CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of FIVE (5) sheets to be prepared, and does hereby consent to the recording of this Record of Survey Map and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the Units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof the undersigned has executed this certificate and dedication this _____ day of _____, 2017.

By _____
a Utah limited liability company

Title: _____

ACKNOWLEDGMENT

State of _____, ss: _____

County of _____, ss: _____

This instrument was acknowledged before me this _____ day of _____, 2017

by _____ the _____ of Friends of Flagstaff LLC, a Utah limited liability company.

Notary Public

Printed Name

Reading In: _____

My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT _____, LLC, a Utah limited liability company, the owner of the tract of land described herein as SECOND AMENDMENT TO FIRST AMENDED NAKOMA CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of FIVE (5) sheets to be prepared, and does hereby consent to the recording of this Record of Survey Map and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the Units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof the undersigned has executed this certificate and dedication this _____ day of _____, 2017.

By _____
a Utah limited liability company

Title: _____

ACKNOWLEDGMENT

State of _____, ss: _____

County of _____, ss: _____

This instrument was acknowledged before me this _____ day of _____, 2017

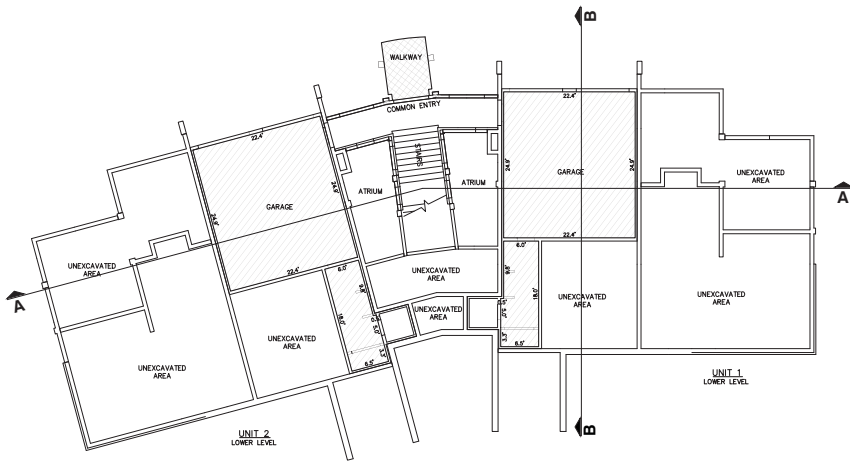
by _____ the _____ of Friends of Flagstaff LLC, a Utah limited liability company.

Notary Public

Printed Name

Reading In: _____

My commission expires: _____

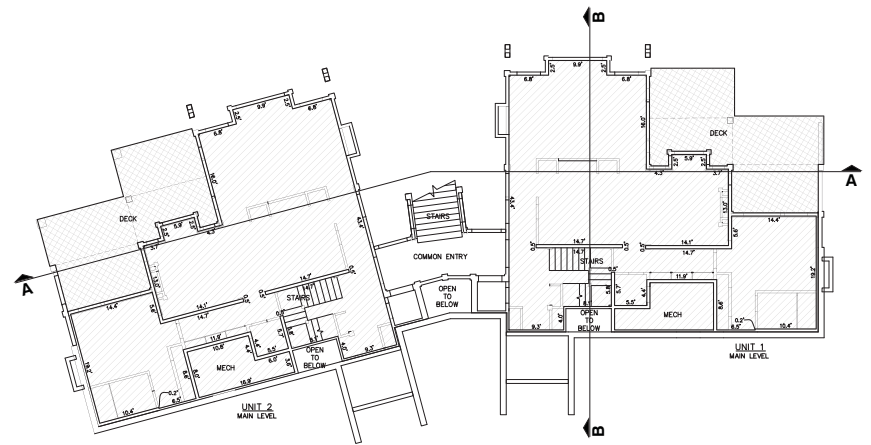


1 LOWER LEVEL - UNITS 1 & 2
SCALE: 1" = 10'

	COMMON AREA EASEMENT/ OWNER ACCESS EASEMENT
	PRIVATE OWNERSHIP UNIT
	LIMITED COMMON OWNERSHIP

UNIT #1 SQUARE FOOTAGE TABLE

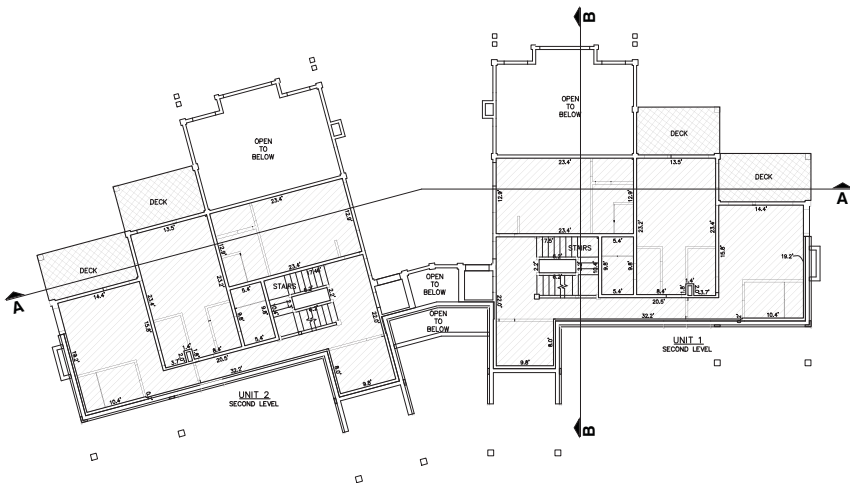
LEVELS	SQUARE FOOTAGE
LOWER	696 SF
MAIN	1683 SF
SECOND	1353 SF
THIRD	980 SF
GARAGE	558 SF



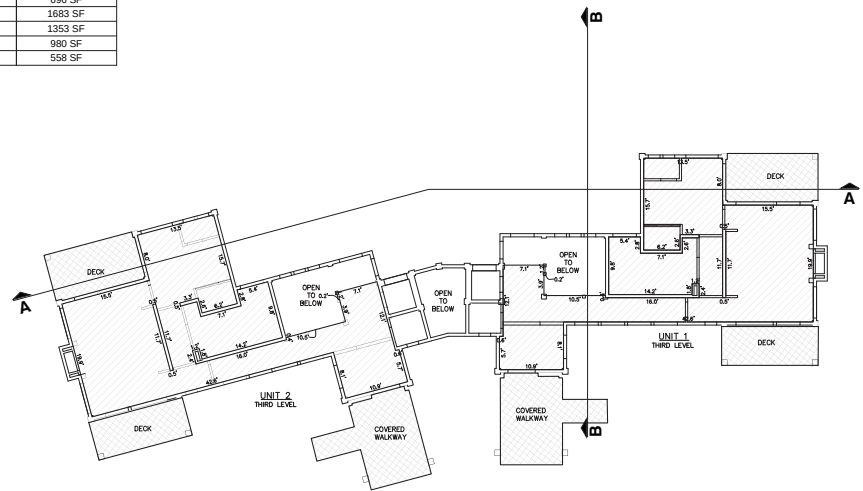
2 MAIN LEVEL - UNITS 1 & 2
SCALE: 1" = 10'

UNIT #2 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
LOWER	696 SF
MAIN	1683 SF
SECOND	1353 SF
THIRD	980 SF
GARAGE	558 SF



3 SECOND LEVEL - UNITS 1 & 2
SCALE: 1" = 10'



4 THIRD LEVEL - UNITS 1 & 2
SCALE: 1" = 10'

RECORD OF SURVEY PLAT

NAKOMA PHASE TWO - UNITS 1&2

A UTAH PROJECT

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

JOB NO.: 10-03-17 FILE: \\x:\emple\deg\un\plst\ 2017\100317.dwg

RECORDED

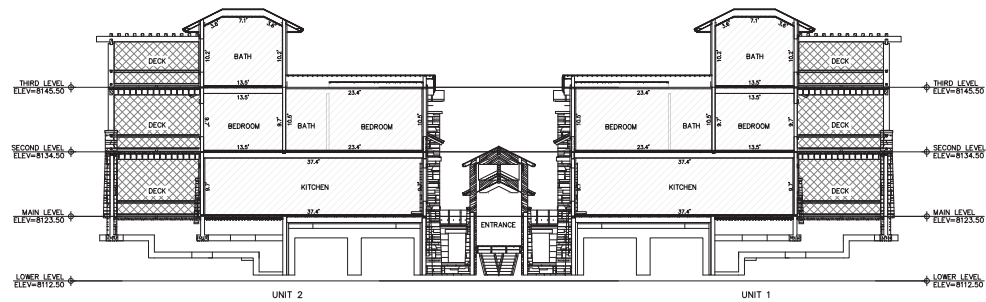
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

FEE _____ RECORDER _____

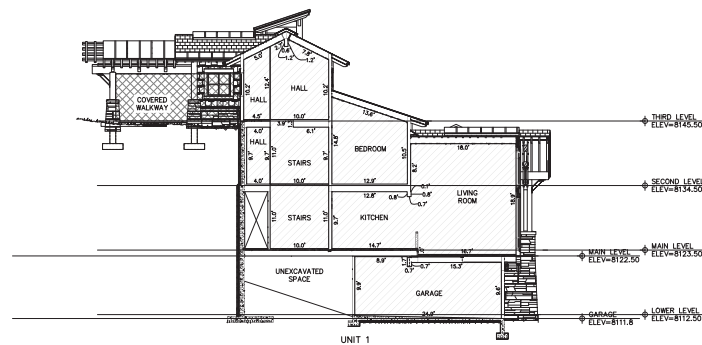
TIME _____ DATE _____ ENTRY NO. _____

8/10/17



A BUILDING SECTION - UNITS 1 & 2
SCALE: 1" = 10'

- COMMON AREA
- PRIVATE OWNERSHIP UNIT
- LIMITED COMMON OWNERSHIP



B BUILDING SECTION - UNIT 1
SCALE: 1" = 10'

RECORD OF SURVEY PLAT

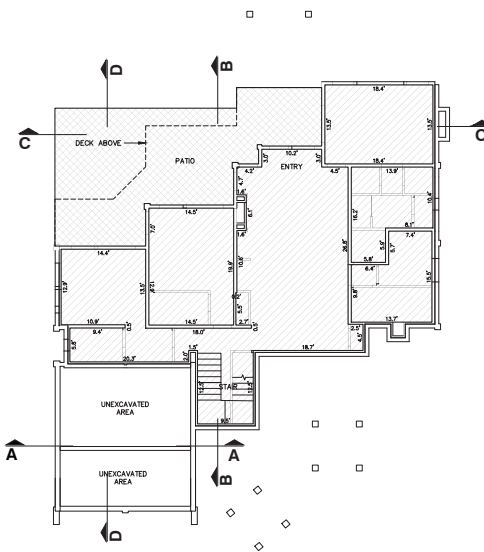
NAKOMA PHASE TWO - UNITS 1 & 2

A UTAH PROJECT

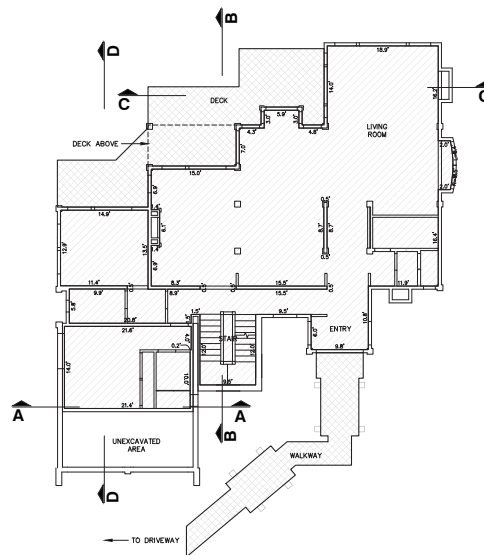
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PARK CITY, SUMMIT COUNTY, UTAH

JOB NO.: 10-03-17		FILE: \\c:\na\phase\step\wp\plot 2017\100317.dwg	
RECORDED			
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED			
AT THE REQUEST OF _____			
FEE _____		RECORDER _____	
TIME _____	DATE _____	ENTRY NO. _____	

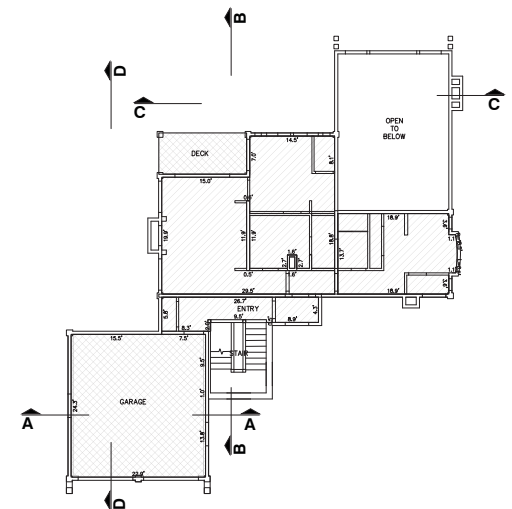
8/16/17



1 LOWER LEVEL - UNIT 7
SCALE: 1" = 10'



2 MAIN LEVEL - UNIT 7
SCALE: 1" = 10'

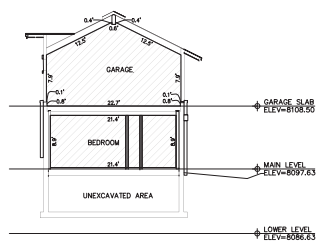


3 UPPER LEVEL - UNIT 7
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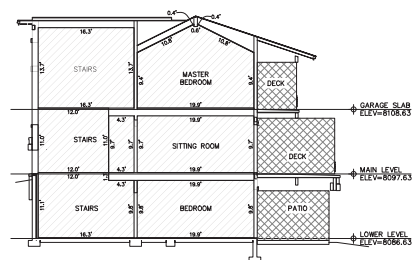


UNIT SQUARE FOOTAGE TABLE

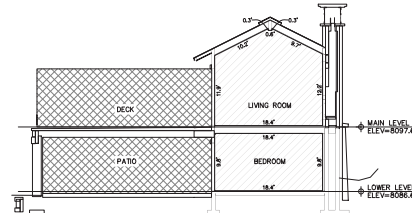
LEVELS	SQUARE FOOTAGE
LOWER	1,970 SF
MAIN	2,425 SF
UPPER	1,068 SF
GARAGE	558 SF



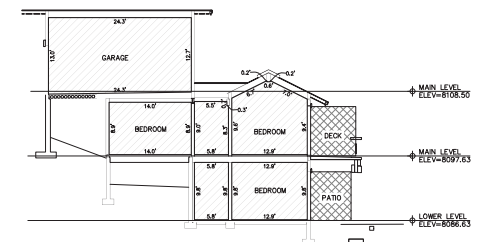
A BUILDING SECTION - UNIT 7
SCALE: 1" = 10'



B BUILDING SECTION - UNIT 7
SCALE: 1" = 10'



C BUILDING SECTION - UNIT 7
SCALE: 1" = 10'



D BUILDING SECTION - UNIT 7
SCALE: 1" = 10'

RECORD OF SURVEY PLAT

NAKOMA PHASE TWO - UNIT 7

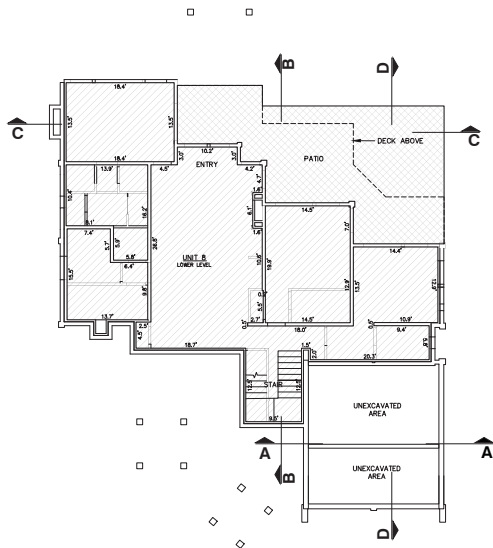
A UTAH PROJECT

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

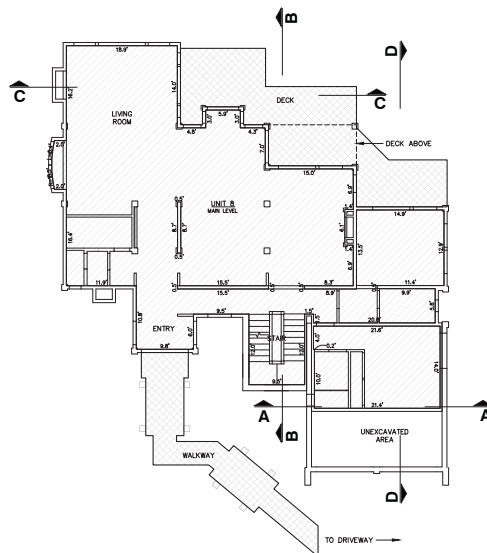
PAGE 4 OF 5

JOB NO.: 10-03-17		FILE: x:\mple\dwg\unit\ 2017\100317.dwg	
RECORDED			
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED			
AT THE REQUEST OF _____			
FEE _____		RECORDER _____	
TIME _____	DATE _____	ENTRY NO. _____	

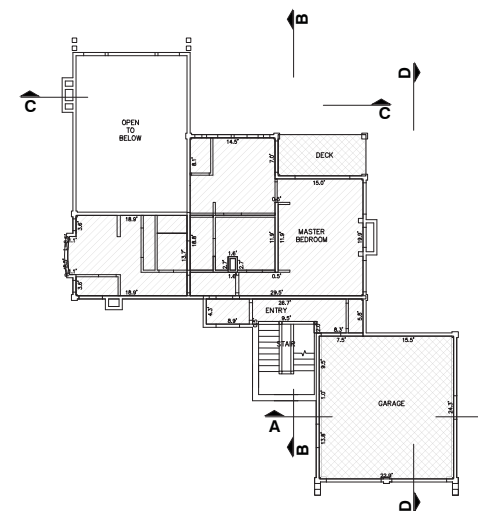
8/10/17



1 LOWER LEVEL - UNIT 8
SCALE: 1" = 10'



2 MAIN LEVEL - UNIT 8
SCALE: 1" = 10'

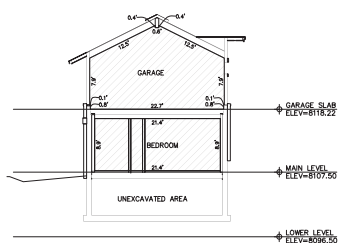


3 UPPER LEVEL - UNIT 8
SCALE: 1" = 10'

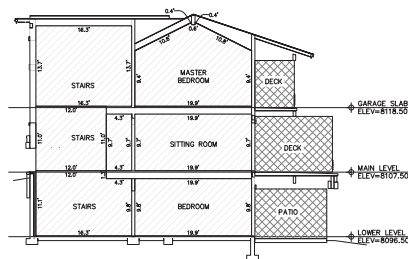


UNIT SQUARE FOOTAGE TABLE

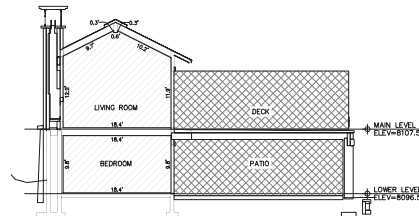
LEVELS	SQUARE FOOTAGE
LOWER	1,970 SF
MAIN	2,425 SF
UPPER	1,068 SF
GARAGE	558 SF



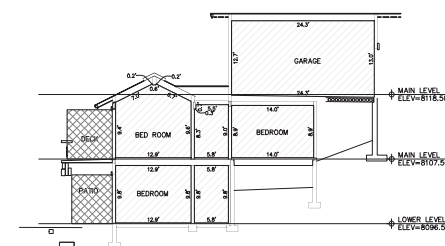
A BUILDING SECTION - UNIT 8
SCALE: 1" = 10'



B BUILDING SECTION - UNIT 8
SCALE: 1" = 10'



C BUILDING SECTION - UNIT 8
SCALE: 1" = 10'



D BUILDING SECTION - UNIT 8
SCALE: 1" = 10'

RECORD OF SURVEY PLAT NAKOMA PHASE TWO - UNIT 8

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

JOB NO.: 10-03-17 FILE: K:\mpleta\dwg\unit\unit 2017\100317.dwg

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF

FEE RECORDER

TIME DATE ENTRY NO.

6/70/17

EXHIBIT B

INSET
SCALE: 1"=300'

CURVE	RADIUS	LENGTH	DELTA
C1	15.00	4.97	17.30258°
C2	15.00	16.84	62.32231°
C3	15.00	13.07	49.36231°
C4	12.50	14.47	60.13282°
C5	767.50	8.45	00.27202°
C6	22.50	27.87	70.27234°
C7	22.50	11.80	30.33222°
C8	25.00	23.49	53.75029°
C9	15.00	2.70	10.18231°
C10	85.00	15.45	10.26211°
C11	747.40	13.80	00.19233°
C12	85.00	10.42	00.21232°
C13	85.00	8.13	00.28233°
C14	767.50	13.51	01.00231°

LINE	BEARING	DISTANCE
L1	N. 88°14'22" E.	3.87
L2	N. 88°14'22" E.	10.43
L3	N. 48°30'13" E.	4.52
L4	N. 87°26'32" E.	31.36
L5	N. 50°54'31" E.	4.69
L6	N. 50°54'31" E.	8.50
L7	N. 30°11'41" E.	8.50
L8	N. 60°30'42" E.	16.80

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner(s), this First Amended and Restated Condominium Plat of the NAKOMA CONDOMINIUMS, a Utah Expandable Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown herein is correct.

John Demkowicz
JOHN DEMKOWICZ, L.S. #154491
DATE: 12-3-08

BOUNDARY DESCRIPTION

Lot 8, NORTHSIDE VILLAGE SUBDIVISION, 8, according to the official plot thereof recorded June 28, 2002, as Entry No. 623453 in the office of the Summit County Recorder.

Unit No. 9, 10, 11, 12, 13, 14, 15, & 16 contained within NAKOMA CONDOMINIUMS, a Utah Condominium Project, as the same is identified in the Condominium Plat recorded in the office of the Summit County Recorder on AUGUST 22, 2006, as Entry No. 788157, and as further defined and described in the Declaration of Condominiums, Conditions and Restrictions and Bylaws of the NAKOMA CONDOMINIUMS, a Utah Condominium Project, recorded in the office of the Summit County Recorder on August 22, 2006, in Book 1811, at page 1764, as Entry No. 788158, (as said Map and Declaration may be amended and/or supplemented).

Together with the aforementioned undivided ownership, interest in said Condominium Project's Common Areas and Facilities in accordance with aforesaid Declaration and Survey Map and the Utah Condominium Ownership Act.

Less and Excepting any and all outstanding oil and gas, mining and mineral rights, etc., together with the right of the proprietor of a vein or lode to extract the same from should same be found to penetrate or intersect the premises, and right of ingress and egress for the use of said rights.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT: FRIENDS OF FLAGSTAFF, LLC, a Utah limited liability company, the owner of the tract of land described herein as FIRST AMENDED AND RESTATED NAKOMA CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of TWO (2) sheets to be prepared, and does hereby consent to the recording of this Record of Survey Map and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominiums, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof the undersigned has executed this certificate and dedication this 3rd day of DEC, 2008.

FRIENDS OF FLAGSTAFF LLC,
a Utah limited liability company
By *Jack Thomas*
Partner

ACKNOWLEDGMENT

State of Utah
County of Summit

This instrument was acknowledged before me this 3rd day of December, 2008

by Jack Thomas, the Partner of Friends of Flagstaff LLC, a Utah limited liability company.
Jack Thomas
Notary Public
Teri Ekstrom
Printed Name
Residing in Summit County
My commission expires: 1/10/2012

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT: NAKOMA S, LLC, a Utah limited liability company, owner of Unit 9 at NAKOMA does hereby consent to the recording of this Record of Survey Map.

In witness whereof the undersigned has executed this consent this 5th day of December, 2008.

NAKOMA S, LLC,
a Utah limited liability company
By *Paul B. Evilsen*
Title: Manager

ACKNOWLEDGMENT

State of Utah
County of Summit

This instrument was acknowledged before me this 5th day of December, 2008

by Paul B. Evilsen, the Manager of NAKOMA S, LLC, a Utah limited liability company.
Paul B. Evilsen
Notary Public
Danette Dani Locher
Printed Name
Residing in Heber City, UT
My commission expires: 7-21-12

FIRST AMENDED AND RESTATED CONDOMINIUM PLAT

NAKOMA CONDOMINIUMS

A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

(435) 649-9487

CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS
323 Main Street, P.O. Box 2684, Park City, Utah 84060-2684

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 6th DAY OF December, 2008 A.D.

BY *B. S.W.R.D.*

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 6th DAY OF December, 2008 A.D.

BY *[Signature]* CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 6th DAY OF December, 2008 A.D.

BY *[Signature]* PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 30th DAY OF December, 2008 A.D.

BY *[Signature]* PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 29th DAY OF December, 2008 A.D.

BY *[Signature]* PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 29th DAY OF December, 2008 A.D.

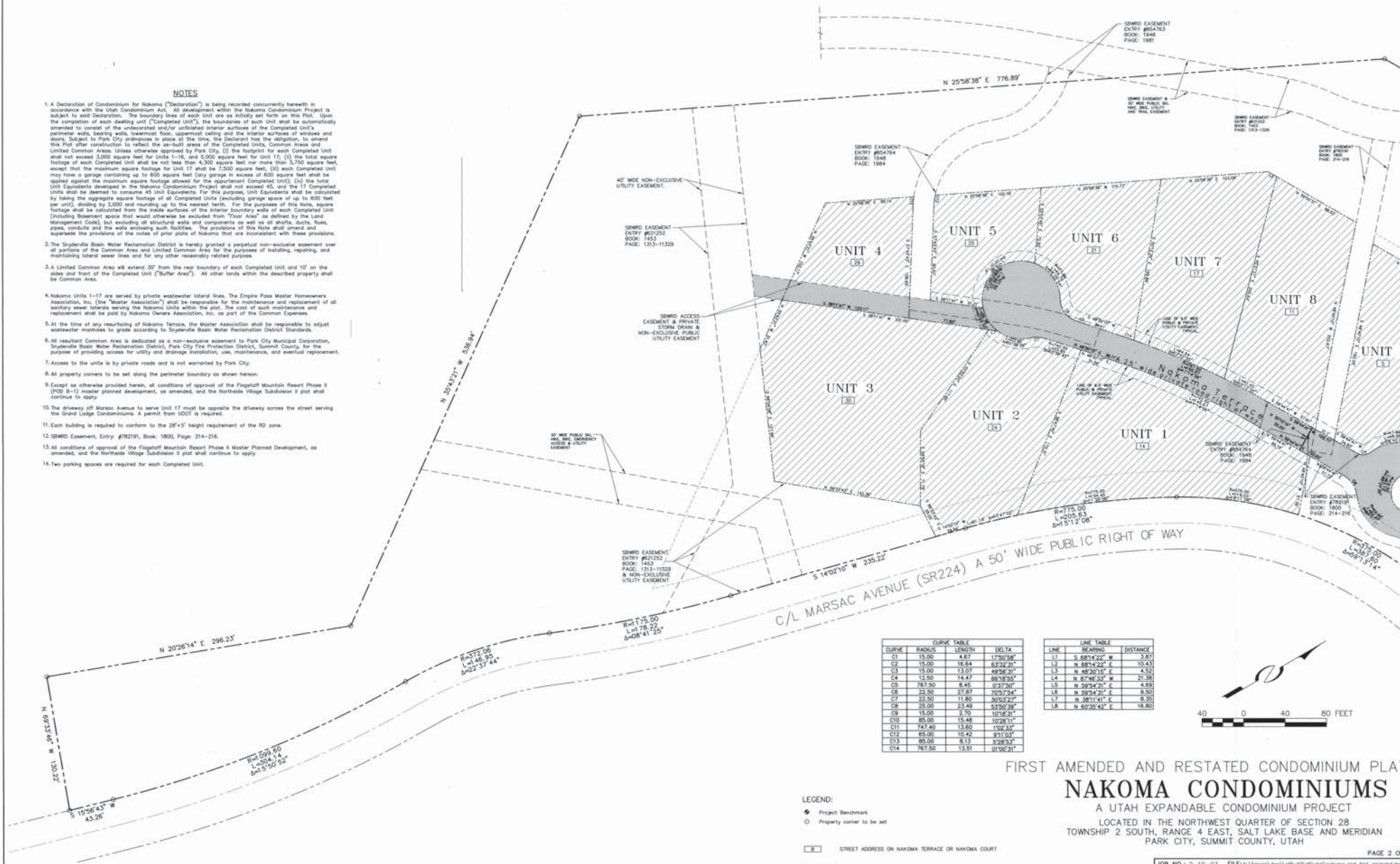
BY *[Signature]* MAYOR

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, and FILED AT THE REQUEST OF Highland Title Agency
DATE 12-3-08 TIME 3:59 PM BOOK 1811 PAGE 1
FEE \$72.80 *[Signature]* RECORDER

NOTES

1. A Declaration of Condominium for Nakoma ("Declaration") is being recorded concurrently herewith in accordance with the Utah Condominium Act. All development within the Nakoma Condominium Project is subject to said Declaration. The boundary lines of each Unit are as initially set forth on this Plat. Upon the completion of each dwelling unit ("Completed Unit"), the boundaries of such Unit shall be automatically amended to consist of the undeclared and/or unfinished interior surfaces of the Completed Unit's perimeter walls, bearing walls, basement floor, apartment ceiling and the interior surfaces of windows and doors. Subject to Park City ordinances in place at the time, the Declarant has the obligation, to amend this Plat after construction to reflect the as-built areas of the Completed Units, Common Areas and Limited Common Areas. Unless otherwise approved by Park City, (i) the footprint for each Completed Unit shall not exceed 2,000 square feet for Units 1-16, and 2,000 square feet for Unit 17; (ii) the total square footage of each Completed Unit shall be not less than 4,300 square feet nor more than 5,750 square feet, except that the maximum square footage for Unit 17 shall be 7,500 square feet; (iii) each Completed Unit may have a garage containing up to 600 square feet (only garage in excess of 600 square feet shall be applied against the maximum square footage allowed for the apartment Completed Unit); (iv) the total Unit Equivalents developed in the Nakoma Condominium Project shall not exceed 45, and the 17 Completed Units shall be deemed to consume 45 Unit Equivalents. For this purpose, Unit Equivalents shall be calculated by taking the aggregate square footage of all Completed Units (excluding garage space of up to 600 feet per unit), dividing by 2,000 and rounding up to the nearest tenth. For the purposes of this Note, square footage shall be calculated from the interior surfaces of the interior boundary walls of each Completed Unit (including basement space that would otherwise be excluded from "Floor Area" as defined by the Land Management Code), but excluding all structural walls and components as well as all shafts, ducts, flues, pipes, conduits and the walls enclosing such facilities. The provisions of this Note shall amend and supersede the provisions of the notes of prior plats of Nakoma that are inconsistent with these provisions.
2. The Snyderville Basin Water Reclamation District is hereby granted a perpetual non-exclusive easement over all portions of the Common Area and Limited Common Area for the purposes of installing, repairing, and maintaining lateral sewer lines and for any other reasonably related purpose.
3. A Limited Common Area will extend 30' from the rear boundary of each Completed Unit and 10' on the sides and front of the Completed Unit ("Buffer Area"). All other lands within the described property shall be Common Area.
4. Nakoma Units 1-17 are served by private wastewater lateral lines. The Empire Pass Master Homeowners Association, Inc. (the "Nasser Association") shall be responsible for the maintenance and replacement of all sanitary sewer laterals serving the Nakoma Units within the plat. The cost of such maintenance and replacement shall be paid by Nakoma Owners Association, Inc. (as part of the Common Expenses).
5. At the time of any resurfacing of Nakoma Terrace, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards.
6. All resultant Common Area is dedicated as a non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, Summit County, for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
7. Access to the units is by private roads and is not warranted by Park City.
8. All property corners to be set along the perimeter boundary as shown herein.
9. Except as otherwise provided herein, all conditions of approval of the Flagstaff Mountain Resort Phase I (2000 B-12) master planned development, as amended, and the Northside Village Subdivision I plat shall continue to apply.
10. The driveway off Marsac Avenue to serve Unit 17 must be opposite the driveway across the street serving the Grand Lodge Condominiums. A permit from UDOT is required.
11. Each building is required to conform to the 28'±5' height requirement of the RD zone.
12. SDMRD Easement, Entry #782191, Book: 1800, Page: 214-216.
13. All conditions of approval of the Flagstaff Mountain Resort Phase II Master Planned Development, as amended, and the Northside Village Subdivision I plat shall continue to apply.
14. Two parking spaces are required for each Completed Unit.



CURVE	RADIUS	LENGTH	DELTA
C1	15.00	4.67	1730.54°
C2	15.00	16.84	8324.21°
C3	15.00	13.07	4896.31°
C4	15.00	14.47	8818.50°
C5	767.50	8.49	0237.50°
C6	22.50	27.87	3073.74°
C7	22.50	11.80	2033.22°
C8	22.50	23.49	3356.26°
C9	15.00	2.70	1078.21°
C10	85.00	15.48	1028.11°
C11	747.40	13.80	1508.33°
C12	85.00	10.42	811.03°
C13	85.00	8.13	528.53°
C14	767.50	13.81	0150.21°

LINE	BEARING	DISTANCE
L1	S 8874.22° W	3.87
L2	N 6814.22° E	10.43
L3	N 4820.15° E	4.52
L4	N 8746.32° W	21.38
L5	N 5824.32° E	4.68
L6	N 5824.32° E	9.50
L7	N 3811.41° E	6.34
L8	N 6020.54° E	16.80

- LEGEND:
- Project Benchmark
 - Property corner to be set

- 8 STREET ADDRESS ON NAKOMA TERRACE OR NAKOMA COURT
- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- SEMRD ACCESS EASEMENTS/COMMON OWNERSHIP

FIRST AMENDED AND RESTATED CONDOMINIUM PLAT
NAKOMA CONDOMINIUMS
 A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

JOB NO.: 2-10-03 FILE: E:\Empire\Map\Utah-Nakoma\Utah-Nakoma plat first amended.dwg

RECORDED

ENTRY NO. 00861927

22/01/2008 03:58:43 PM BY: 1801-1-1801

DA: 1801-1-1801 BY: 1801-1-1801

FEE RECORDER

(435) 440-8487



222 Main Street, P.O. Box 2804, Park City, Utah 84002-2804



NOTES:

1. EXISTING TOPOGRAPHY SHOWN IS FROM AS-BUILT, FIELD SURVEY AND INFORMATION PROVIDED BY THE ARCHITECT
2. LOCATION OF UTILITIES TO EXISTING BUILDINGS TO BE CONFIRMED, CONTACT BLUE STAKES



STAFF:
MARSHALL KING
MICHAEL DEMKOWICZ
JUAN CARRASCO

Existing Conditions Map
NAKOMA PHASE 2
NAKOMA CONDOMINIUMS

DATE: 8/21/17

FOR: FRIENDS OF FLAGSTAFF LLC
JOB NO.: 10-03-17
FILE: X:\Empire\dwg\ar\plat2017\100317.dwg

SHEET
1
OF
1



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84002-2664	(435) 648-9467 STAFF: MARSHALL KING JUAN CARRASCO DATE: 8/2/17	AERIAL PHOTOGRAPHY EXHIBIT NAKOMA PHASE 2 NAKOMA CONDOMINIUMS FOR: FRIEND OF FLAGSTAFF LLC. JOB NO.: 10-03-17 FILE: X:\Empire\dwg\an\plot2017\100317.dwg	SHEET 1 OF 1
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UNITS 1 & 2 (14 & 24 Nakoma Terrace) – looking northwesterly





UNITS 1 & 2 (14 & 24 Nakoma Terrace) – looking southeasterly

RECEIVED

AUG 22 2017

PARK CITY
PLANNING DEPT.



Unit 7 (17 Nakoma Terrace) – looking northwesterly





Unit 7 (17 Nakoma Terrace) – looking southeasterly

RECEIVED

AUG 22 2017

PARK CITY
PLANNING DEPT.



Unit 8 (11 Nakoma Terrace) – looking northwesterly

RECEIVED

AUG 22 2017

**PARK CITY
PLANNING DEPT.**



Unit 8 (11 Nakoma Terrace) – looking southeasterly



SECOND AMENDMENT TO FIRST AMENDED AND RESTATED
NAKOMA CONDOMINIUMS
UNITS 1, 2, 7 and 8

(11, 17, 14, Nakoma Terrace)

August 21, 2017

PROJECT INTENT

Nakoma is a residential condominium project located on Lot B of the Northside Village Subdivision II, recorded June 28, 2002 within the Empire Pass development. It is located west of Marsac Avenue and Deer Valley's Northside chairlift as well as the Grand Lodge and Ironwood Townhome development.

The First Amended and Restated Nakoma Condominiums, recorded December 31, 2008 define 17 units for future construction and broadly identify unit lines and area for each building. Units 9-16 have been constructed and the private ownership of the individual units has been defined in the First Amendment to First Amended and Restated Nakoma Condominiums, recorded May 22, 2012.

The current application is for the Second Amendment to First Amended and Restated Nakoma Condominiums and will further define the private ownership of the duplex unit 1 and 2 and the individual units 7 and 8 by showing the floor plans, dimensions and area of private ownership for each building.



Planning Commission Staff Report

Subject: Gold Dust Plaza Condominiums Units
201 & 202, First Amended Plat
Author: Tippe Morlan, Planner II
Date: October 25, 2017
Type of Item: Legislative – Plat Amendment

Project Number:	PL-17-03655
Applicant:	Richer Development Services
Location:	1887 Gold Dust Lane Units 201 & 202
Zoning:	General Commercial
Adjacent Land Uses:	Office and Commercial Uses
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The applicant is proposing to adjust Units 201 and 202 of the Gold Dust Plaza Condominiums located at 1887 Gold Dust Lane to transfer approximately 129 square feet from Unit 201 to Unit 202. This proposal reconfigures both units on the plat to reflect the manner in which the space was remodeled in the past removing a portion of the wall between the units.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Gold Dust Plaza Condominiums Units 201 and 202, First Amended plat located at 1887 Gold Dust Lane and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

December 26, 1974 – The subject property was included as Lot 17A of the Prospector Square subdivision recorded on December 26, 1974.

June 3, 1994 – The Prospector Square Resubdivision of Lots 17A, 17B, and 18A was recorded and included the subject property.

December 17, 1999 – The Fuegi Replat combining Lots 17A and 17C of the Prospector Square subdivision was recorded and included the subject property.

April 20, 2000 – The Gold Dust Plaza Condominium Conversion was approved by the City Council creating 8 separate units within the office building located at 1887

Gold Dust Lane, which was under construction at the time. This condominium plat was recorded on July 10, 2000.

October 23, 2002 – Based on Building Permit B02-08063 issued on October 23, 2002, it would appear that a previous tenant constructed the units in the manner proposed on the plat with the removal of a portion of the wall between Units 201 and 202.

August 31, 2017 – The City received a Plat Amendment application for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended. The application was deemed complete on September 22, 2017 and is the subject of this report.

Purpose

The purpose of the General Commercial (GC) District is to:

- A. allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is convenient to transit, employment centers, resort centers, and permanent residential Areas,
- B. allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,
- C. protect views along the City's entry corridors,
- D. encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,
- E. allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,
- F. encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and
- G. encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

Analysis

The purpose of the proposed plat amendment is to transfer approximately 129 square feet of area from Unit 201 to Unit 202. The Management Committee of Gold Dust Plaza Condominiums Owners Association has provided a Certification of Vote indicating that greater than 75 percent of the Unit Owners have given consent to the proposed amendment (Exhibit D). The proposed change will not affect the use of the units. Both units currently have a general office use which is an allowed use in the GC zone.

The proposed changes were constructed in approximately 2002 and are interior to the existing structure. These changes do not alter any features of the building relating to building height or setback requirements. The proposed change to both units requires a

portion of the existing common wall to be removed to allow an access to the newly created space, and creates a new common wall line between the units. This proposal does not change the size of the overall common area for the development. There is a difference of 1 square foot which may be attributed to change in the amount of space the wall is taking up between the units. The size of the subject property is as follows:

	Existing	Proposed
Unit 201	994 SF	866 SF
Unit 202	1109 SF	1238 SF
Total	2103 SF	2104 SF

Parking is also maintained since the overall FAR and use of the building are not changing. The parking requirements for Gold Dust Plaza fall under the Prospector Square Subdivision regulations which have been based on a maximum density of 2.0 FAR with zero lot line development since it was first platted in 1974. The existing parking for the Prospector Square Subdivision contains thirteen (13) shared lots with 1,096 total spaces intended for common use and satisfies parking requirements for this development.

Good Cause

Staff finds good cause for this Plat Amendment as conditioned. The proposed plat amendment memorializes the reconfiguration of Units 201 and 202 and would not cause an increase in the overall size or impact to the site. No changes have been or will be made to the existing building on the site.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18.

Department Review

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

Notice

On October 11, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on October 11, 2017, according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat as conditioned or amended; or

- The Planning Commission may forward a negative recommendation to the City Council for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat.

Significant Impacts

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

Consequences of not taking recommended action

Consequences of not taking the Planning Department's recommendation are that plat would remain as is and would not reflect changes which have been made to Units 201 and 202 of the Gold Dust Plaza Condominiums in approximately 2002.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)

Exhibit B – Applicant Project Narrative

Exhibit C – Aerial Photograph with 500' Radius

Exhibit D – Gold Dust Condominiums Management Committee Letter

Exhibit E – Gold Dust Plaza Condominiums Plat

Ordinance No. 17XX

AN ORDINANCE APPROVING THE GOLD DUST PLAZA CONDOMINIUMS UNITS 201 & 202, FIRST AMENDED PLAT LOCATED AT 1887 GOLD DUST LANE 201& 202, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1887 Gold Dust Lane Units 201 and 202 have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 11, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 11, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on October 25, 2017, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on November 9, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat located at 1887 Gold Dust Lane 201/202.

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

SECTION 1. APPROVAL. The Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1887 Gold Dust Lane Units 201 & 202.
2. The property is in the General Commercial (GC) District.
3. Adjacent land uses are office and commercial uses.
4. The subject property consists of Units 201 and 202 of the Gold Dust Plaza Condominiums which were recorded in 2000.

5. Based on Building Permit B02-08063 issued on October 23, 2002, it would appear that a previous tenant constructed the units in the manner proposed on the plat with the removal of a portion of the wall between Units 201 and 202.
6. The subject property was included as Lot 17A of the Prospector Square subdivision recorded on December 26, 1974.
7. The Prospector Square Resubdivision of Lots 17A, 17B, and 18A was recorded on June 3, 1994 and included the subject property.
8. The Fuegi Replat combining Lots 17A and 17C of the Prospector Square subdivision was recorded on December 17, 1999 and included the subject property.
9. The Gold Dust Plaza Condominium Conversion was approved by the City Council on April 20, 2000 creating 8 separate units within the office building located at 1887 Gold Dust Lane, which was under construction at the time. This condominium plat was recorded on July 10, 2000.
10. On August 31, 2017, the City received a Plat Amendment application for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended. The application was deemed complete on September 22, 2017 and is the subject of this report.
11. The applicant is proposing to transfer approximately 129 square feet of private area from Unit 201 to Unit 202.
12. The Management Committee of Gold Dust Plaza Condominiums has provided a Certification of Vote indicating that greater than 75 percent of the Unit Owners have given consent to the proposed amendment.
13. The proposed change will not affect the use of the units. Both units currently have a general office use which is an allowed use in the GC zone.
14. The proposed changes are interior to the existing structure and do not alter any features of the building relating to building height or setback requirements.
15. The proposed changes to the units have already been constructed. The proposed plat memorializes the as built condition of Units 201 and 202.
16. This proposal does not change the size of the overall common area for the development.
17. Unit 201 is currently 994 square feet in size and will become 866 square feet in size.
18. Unit 202 is currently 1109 square feet in size and will become 1238 square feet in size.
19. Parking is also maintained since the overall FAR of the building is not changing, and the parking requirements are not changing.
20. The parking requirements for Gold Dust Plaza fall under the Prospector Square Subdivision regulations which have been based on a maximum density of 2.0 FAR with zero lot line development since it was first platted in 1974.
21. The existing parking for the Prospector Square Subdivision contains thirteen (13) shared parking lots with 1,096 total spaces intended for common use and satisfies parking requirements for this development.
22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Plat Amendment.

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All other conditions of approval and platted requirements for the Gold Dust Plaza Condominiums continue to apply and shall be noted on the plat.

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

PASSED AND ADOPTED this 9th day of November, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

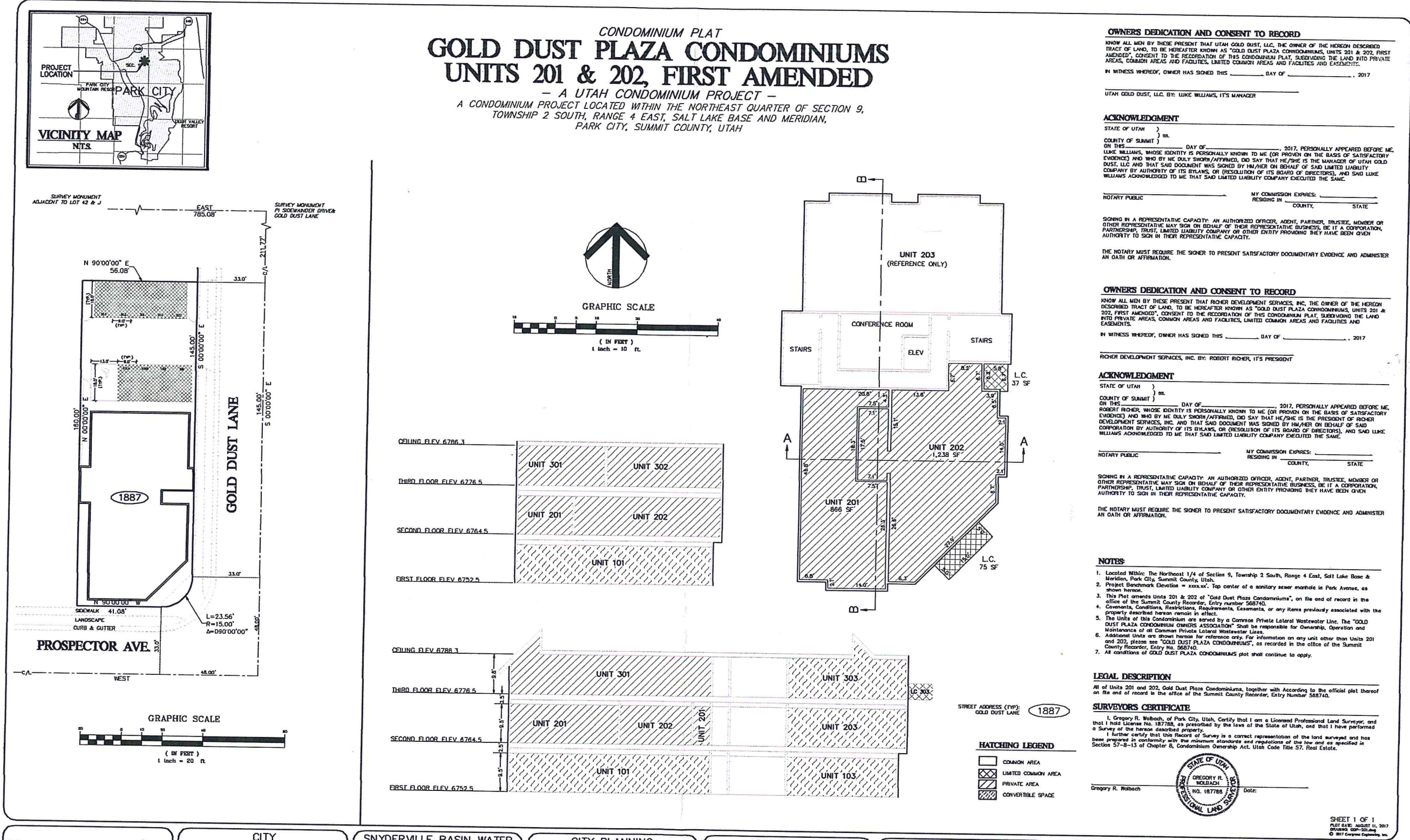
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



Gold Dust Plaza Replat

Replating of Gold Dust Plaza Unit #201 and Unit #202. The demising wall between the two condominium units has been reconfigured to increase the size of unit #202 and decrease the size of unit #201.



Exhibit C - Aerial Photograph with 500' Radius

PROSPECTOR SQUARE PHASE 1 - PARKING LOTS D & H

A MIXED USE PROJECT LOCATED IN THE NORTHEAST 1/4 OF SECTION 9,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE



RECEIVED

SEP 22 2017

PARK CITY
DEPT.

WHEN RECORDED, RETURN TO:

Katharine Noble, Esq.
Haymond Law
1526 W. Ute Blvd., Suite 203
Park City, UT 84098

MANAGEMENT COMMITTEE CERTIFICATION OF VOTE

Reference is hereby made to the Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for Gold Dust Plaza Condominiums, a Utah Condominium Project, dated July 5, 2000 (the "Declaration"). Capitalized terms used herein but not otherwise defined shall have the same meaning as set forth in the Declaration.

Reference is further made to an amendment to the Map of the Gold Dust Condominiums as set forth on Exhibit A (the "Map Amendment"). Pursuant to Section 26.1 of the Declaration, Members can effect such an amendment to the Map with the approval and consent of Unit Owners having not less than seventy five percent (75%) of the undivided interest in the Common Area and Facilities. Section 26.1 of the Declaration further requires that any amendment so authorized requires the recordation of an instrument executed by the Management Committee certifying that such a vote has occurred.

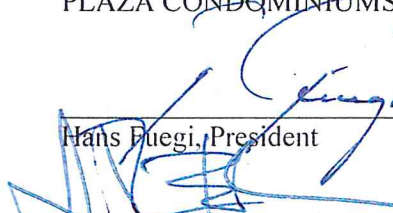
In connection therewith, the members of the Management Committee hereby certify and attest to the following:

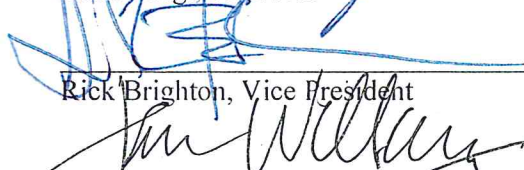
1. All of the members of the Management Committee are set forth below:
 - a. Hans Fuegi, President
 - b. Rick Brighton, Vice President
 - c. Jan Wilking, Secretary/Treasurer
2. The Management Committee has received the written approval and consent of Unit Owners having not less than seventy five percent (75%) of the undivided interest in the Common Area and Facilities to the Map Amendment.

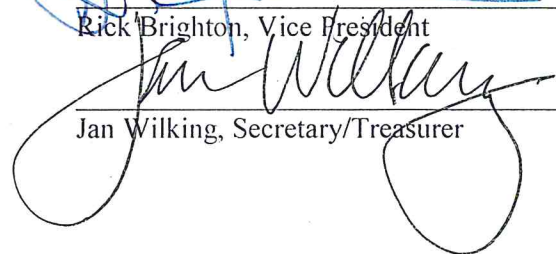
Under penalties of perjury, the undersigned declares that they have authority to sign this document on behalf of the Management Committee.

IN WITNESS WHEREOF, the members of the Management Committee have executed this Management Committee Certification of Vote as of this 27 day of August, 2017.

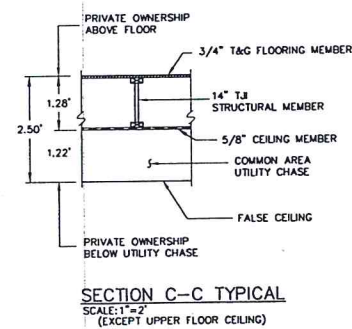
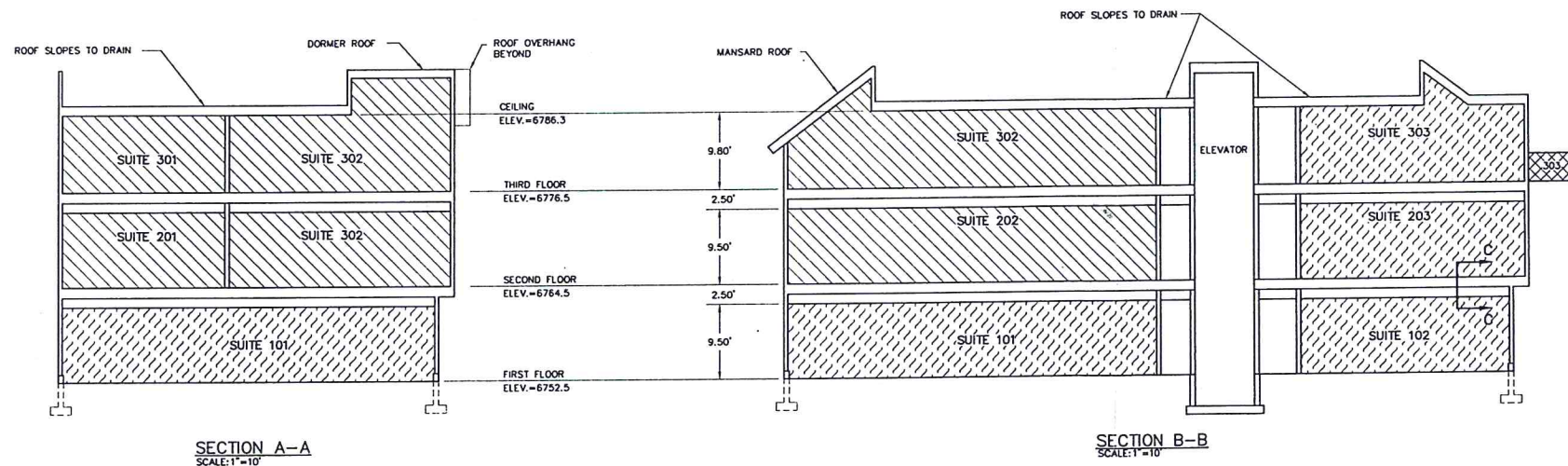
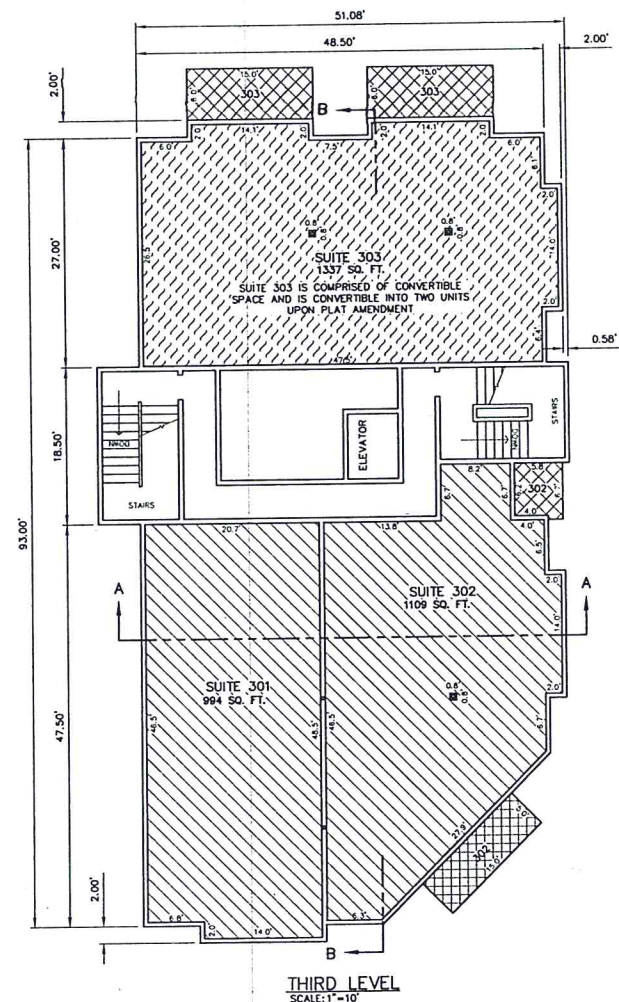
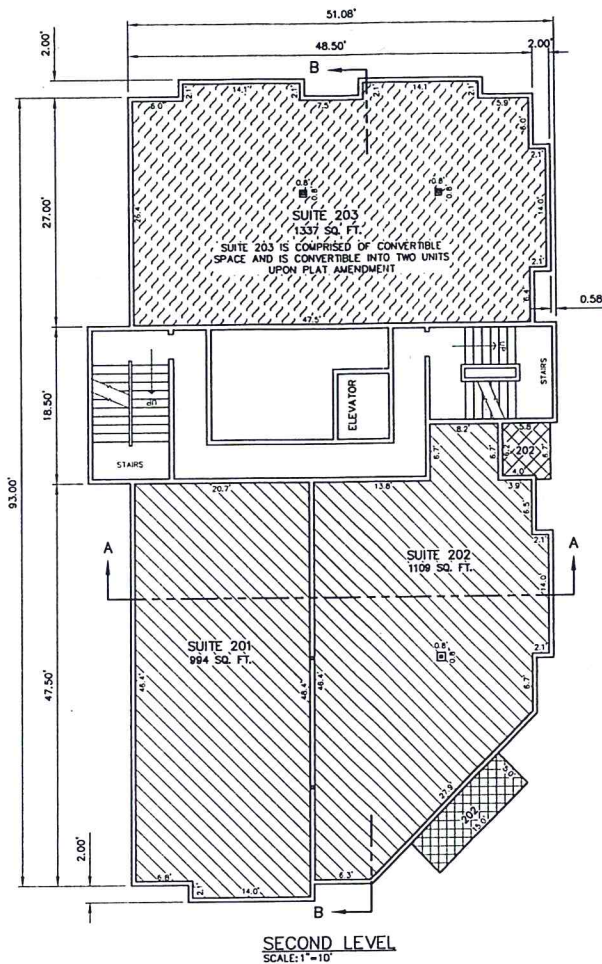
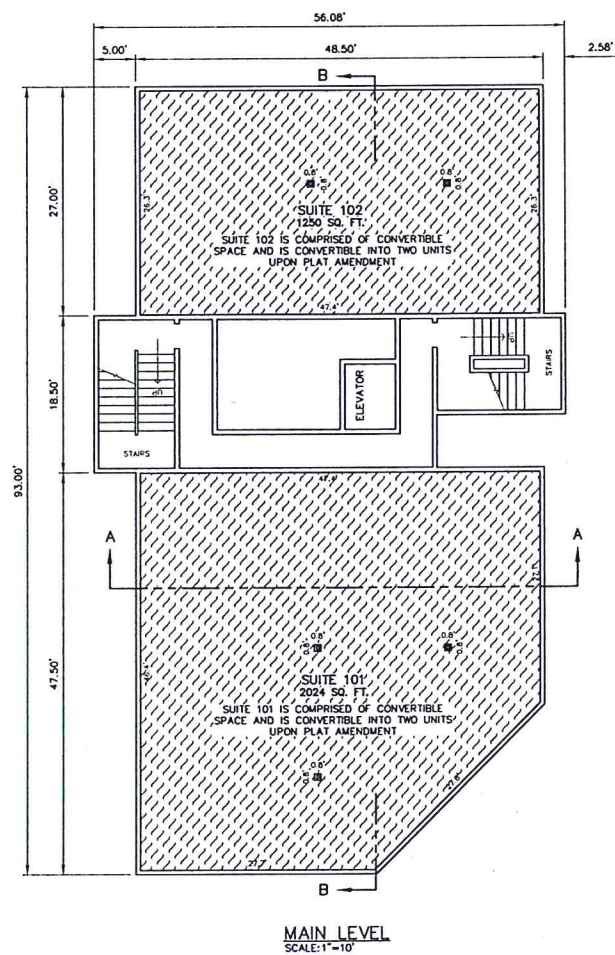
MANAGEMENT COMMITTEE OF GOLD DUST
PLAZA CONDOMINIUMS:


Hans Fuegi, President


Rick Brighton, Vice President


Jan Wilking, Secretary/Treasurer





- LEGEND**
- COMMON AREAS AND FACILITIES
 - LIMITED COMMON AREAS & FACILITIES
 - PRIVATE COMMERCIAL AREAS
 - CONVERTIBLE SPACE

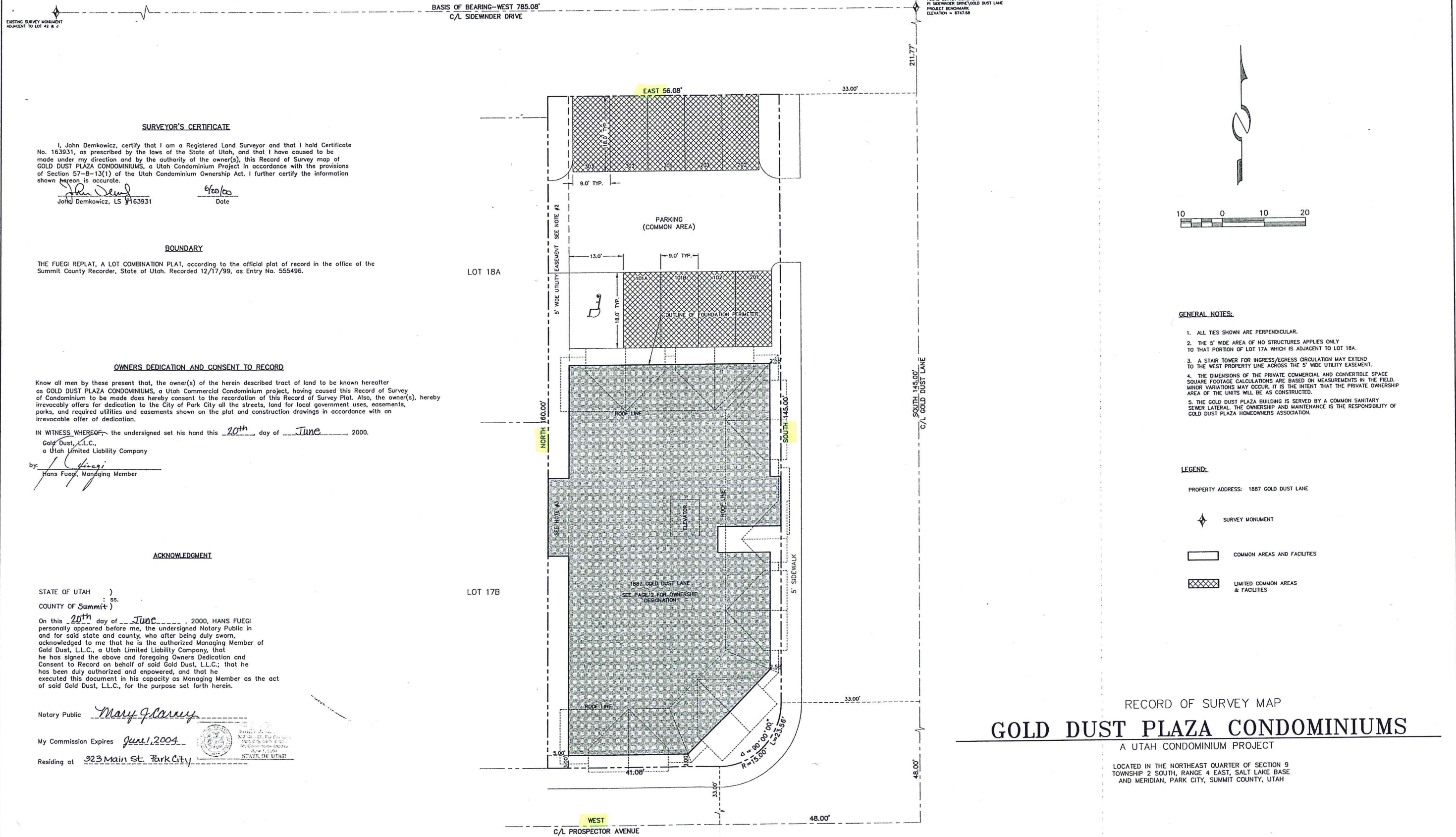
RECORD OF SURVEY MAP
GOLD DUST PLAZA CONDOMINIUMS
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 2 OF 2

#568740
RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF Coalition Title
DATE 07-10-2009 TIME 8:35 AM BOOK --- PAGE ---
FEE \$68.00 RECORDER Debra M. Dunning

JOB NO: 7-11-97 Y:\D41\DWG\SRV\PLAT97\PL-F2



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner(s), this Record of Survey map of GOLD DUST PLAZA CONDOMINIUMS, a Utah Condominium Project in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate.

John Demkowicz
John Demkowicz, LS #163931

6/20/00
Date

BOUNDARY

THE FUEGI REPLAT, A LOT COMBINATION PLAT, according to the official plat of record in the office of the Summit County Recorder, State of Utah. Recorded 12/17/99, as Entry No. 555496.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these present that, the owner(s) of the herein described tract of land to be known hereafter as GOLD DUST PLAZA CONDOMINIUMS, a Utah Commercial Condominium project, having caused this Record of Survey of Condominium to be made does hereby consent to the recordation of this Record of Survey Plat. Also, the owner(s), hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this 20th day of June, 2000.

Gold Dust, L.L.C.,
a Utah Limited Liability Company

by: *Hans Fuegi*
Hans Fuegi, Managing Member

ACKNOWLEDGMENT

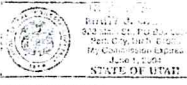
STATE OF UTAH)
COUNTY OF Summit) ss.

On this 20th day of JUNE, 2000, HANS FUEGI personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that he is the authorized Managing Member of Gold Dust, L.L.C., a Utah Limited Liability Company, that he has signed the above and foregoing Owners Dedication and Consent to Record on behalf of said Gold Dust, L.L.C.; that he has been duly authorized and empowered, and that he executed this document in his capacity as Managing Member as the act of said Gold Dust, L.L.C., for the purpose set forth herein.

Notary Public *Mary Flannery*

My Commission Expires June 1, 2004

Residing at 323 Main St. Park City



GENERAL NOTES:

1. ALL TIES SHOWN ARE PERPENDICULAR.
2. THE 5' WIDE AREA OF NO STRUCTURES APPLIES ONLY TO THAT PORTION OF LOT 17A WHICH IS ADJACENT TO LOT 18A.
3. A STAIR TOWER FOR INGRESS/EGRESS CIRCULATION MAY EXTEND TO THE WEST PROPERTY LINE ACROSS THE 5' WIDE UTILITY EASEMENT.
4. THE DIMENSIONS OF THE PRIVATE COMMERCIAL AND CONVERTIBLE SPACE SQUARE FOOTAGE CALCULATIONS ARE BASED ON MEASUREMENTS IN THE FIELD. MINOR VARIATIONS MAY OCCUR. IT IS THE INTENT THAT THE PRIVATE OWNERSHIP AREA OF THE UNITS WILL BE AS CONSTRUCTED.
5. THE GOLD DUST PLAZA BUILDING IS SERVED BY A COMMON SANITARY SEWER LATERAL. THE OWNERSHIP AND MAINTENANCE IS THE RESPONSIBILITY OF GOLD DUST PLAZA HOMEOWNERS ASSOCIATION.

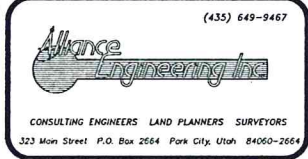
LEGEND:

PROPERTY ADDRESS: 1887 GOLD DUST LANE

- SURVEY MONUMENT
- COMMON AREAS AND FACILITIES
- LIMITED COMMON AREAS & FACILITIES

RECORD OF SURVEY MAP
GOLD DUST PLAZA CONDOMINIUMS
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 21st DAY OF JUNE, 2000 A.D.
BY *[Signature]*
S.B.S.I.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 28th DAY OF JUNE, 2000 A.D.
BY *[Signature]*
CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 21st DAY OF JUNE, 2000 A.D.
BY *[Signature]*
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 6th DAY OF July, 2000 A.D.
BY *[Signature]*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 28th DAY OF JUNE, 2000 A.D.
BY *[Signature]*
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 28th DAY OF JUNE, 2000 A.D.
BY *[Signature]*
MAYOR

JOB NO.: 7-11-97 FILE: Y:\D41\DWG\SRV\PLAT97\PL-F1
#568740
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF *[Signature]* TITLE 1
DATE 07-10-2000 TIME 1:54 PM PAGE 1
FEE \$68.00 RECORDER *[Signature]*

Planning Commission Staff Report

Subject: Robison Plat Amendment
Author: Tippe Morlan, Planner II
Date: October 25, 2017
Type of Item: Legislative – Plat Amendment

Project Number:	PL-17-03670
Applicant:	Rich Robison
Location:	1002 Woodside Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential – Single-family dwellings
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The proposed Robison Plat Amendment seeks to combine two existing lots addressed at 1002 Woodside Avenue into one lot of record. The site consists of the entirety of Lots 31 and 32 of Block 4 of Snyders Addition. There is an existing significant historic structure at this address. The home was constructed in 1910 with various significant rear additions constructed between 1958 and 1995. The property line between the two existing lots bisects the structure. Both lots consist of 1,875 square feet and will create a lot of 3,750 square feet in size.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Robison Plat Amendment located at 1002 Woodside Avenue and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

1910 – The original significant historic home was constructed on this site.

1958-1995 – There were several additions made to the house between 1958 and 1995. Based on City records, these additions include a garage with a bedroom built on top in 1992, an entryway porch addition in 1982 allowed with setback variances approved by the Board of Adjustment, and the construction of a greenhouse in 1981 as allowed by the Board of Adjustment.

September 19, 2017 – The City received a Plat Amendment application for the Robison Plat Amendment. The application was deemed complete on September 29, 2017.

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

The purpose of this plat amendment is to combine two existing lots addressed at 1002 Woodside Avenue into one lot of record. These lots are 25 feet by 75 feet each and 1,875 square feet in size. The new proposed lot will be 3,750 square feet in size, with a lot width of fifty feet.

There is an existing significant historic structure at this address constructed in 1910 with significant rear additions constructed between 1958 and 1995. The applicant has indicated that they would like to renovate the entire home and need to remove the interior lot line which bisects the structure before any work can be done. Since this property is in the HR-1 district, a Historic District Design Review will be required and the renovations need to comply with the Historic District Design Guidelines.

HR-1 Requirements

All City documentation indicates that the existing home is a single-family dwelling which is an allowed use in the HR-1 district. The minimum lot area for a single-family dwelling is 1,875 square feet, and the minimum lot area for a duplex is 3,750 square feet. A duplex is allowed as a conditional use which would be need to be reviewed and approved by the Planning Commission. With the proposed lot of 3,750 square feet, either a single-family dwelling or a duplex would be an allowed use at this location. The duplex would have to meet applicable conditional use permit review criteria and mitigate potential impacts.

The minimum lot width in this zone is 25 feet. The proposed lot meets the requirements of this zone at 50 feet in width. The proposed lot will also be 75 feet deep. These measurements determine the minimum setback requirements which are as follows:

	Required	Existing
Front Yard	10 feet	8 feet
Rear Yard	10 feet	2.5 feet

Side Yard	5 feet	North: 6 feet South: 0 feet
------------------	--------	--------------------------------

The maximum building footprint for a lot this size is 1,519 square feet according to the building footprint formula illustrated in Table 15-2.2 of the Land Management Code (LMC). The existing footprint exceeds this number at approximately 2,182 square feet; however, according to LMC Section 15-2.2-4, existing historic structures within the HR-1 zone which do not comply with certain lot and site requirements including building footprint and setback requirements are valid complying structures.

Encroachments

Along the north side of this property, the neighboring house at 1010 Woodside Avenue encroaches over the shared property line with this property by up to 6 inches for approximately 20 feet. Since structures on both properties are historic, with the house encroaching onto this property designated as a landmark historic site, an encroachment agreement will be required.

Good Cause

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and resolve any issues created by the extraneous lot line running through the property and through the existing house. This amendment will allow the property owner to make improvements and changes to the existing house as allowed by the LMC and Historic District Design Guidelines. Snow storage easements will be required and encroachments shall be resolved.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits.

Department Review

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

Notice

On October 11, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on October 11, 2017, according to requirements of the Land Management Code.

Public Input

No public input has been received at the time of this report.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Robison Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Robison Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Robison Plat Amendment.

Significant Impacts

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

Consequences of not taking recommended action

The subject property would remain as two separate lots and the existing house would continue to have a lot line running through it.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the Robison Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
Exhibit B – Survey
Exhibit C – Existing Plat
Exhibit D – Applicant's Project Description
Exhibit E – Site Photographs
Exhibit F – Aerial Photographs with 500' Radius

Ordinance No. 2017-XX

AN ORDINANCE APPROVING THE ROBISON PLAT AMENDMENT LOCATED AT 1002 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1002 Woodside Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 11, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 11, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on October 25, 2017, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on November 9, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Robison Plat Amendment located at 1002 Woodside Avenue.

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

SECTION 1. APPROVAL. The Robison Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1002 Woodside Avenue.
2. The property consists of Lot 31 and Lot 23 of Block 4 of Snyders Addition.
3. The property is in the Historic Residential (HR-1) District.
4. There is an existing significant historic structure at this address.
5. The existing home was constructed in 1910 with significant rear additions constructed between 1958 and 1995.
6. The property line between the two existing lots bisects the structure.

7. The applicant proposes to combine the subject lots into one lot of record.
8. Both existing lots consist of 1,875 square feet and are 25 feet by 75 feet each.
9. The proposed lot is 3,750 square feet.
10. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling. The minimum lot area for a duplex is 3,750 square feet.
11. The proposed lot meets the minimum lot requirements for both a single-family dwelling and a duplex dwelling.
12. A single-family dwelling is an allowed use in the HR-1 District. A duplex is a conditional use.
13. The minimum lot width in the HR-1 District is 25 feet.
14. The proposed lot width is 50 feet, which meets the minimum lot width requirement.
15. The proposed lot depth is 75 feet.
16. Front and rear yard minimum setback requirements are 10 feet each and 20 feet total. Side yard minimum setbacks are 5 feet each and 10 feet total.
17. Existing setbacks are 8 feet in the front yard, 2.5 feet in the rear yard, 6 feet in the north side yard, and 0 feet in the south side yard; however, the structure is a valid, complying structure since existing historic structures within the HR-1 zone which do not comply with setback requirements are valid complying structures according to LMC Section 15-2.2-4.
18. The maximum building footprint for a lot this size is 1,519 square feet.
19. The existing footprint exceeds this number at approximately 2,182 square feet, but is a valid, complying structure since existing historic structures within the HR-1 zone which do not comply with certain lot and site requirements including building footprint are valid complying structures according to LMC Section 15-2.2-4.
20. The applicant does not intend to increase the building footprint with any remodels.
21. Along the north side of this property, the neighboring house at 1010 Woodside Avenue encroaches over the shared property line with this property by up to 6 inches for approximately 20 feet.
22. The house encroaching onto this property is designated as a landmark historic site.
23. A Historic District Design Review application is required for any changes proposed to the existing site.
24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers will be required for all new construction.
4. An encroachment agreement is required with the neighboring property owner(s) at 1010 Woodside Avenue for the portion of the neighboring house which crosses into this property.
5. A10 foot wide public snow storage easement will be required along Woodside Avenue and along 10th Street.

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

PASSED AND ADOPTED this 9th day of November, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

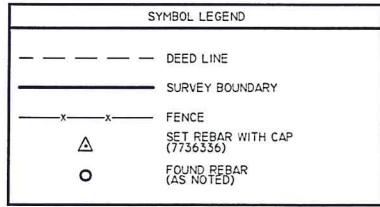
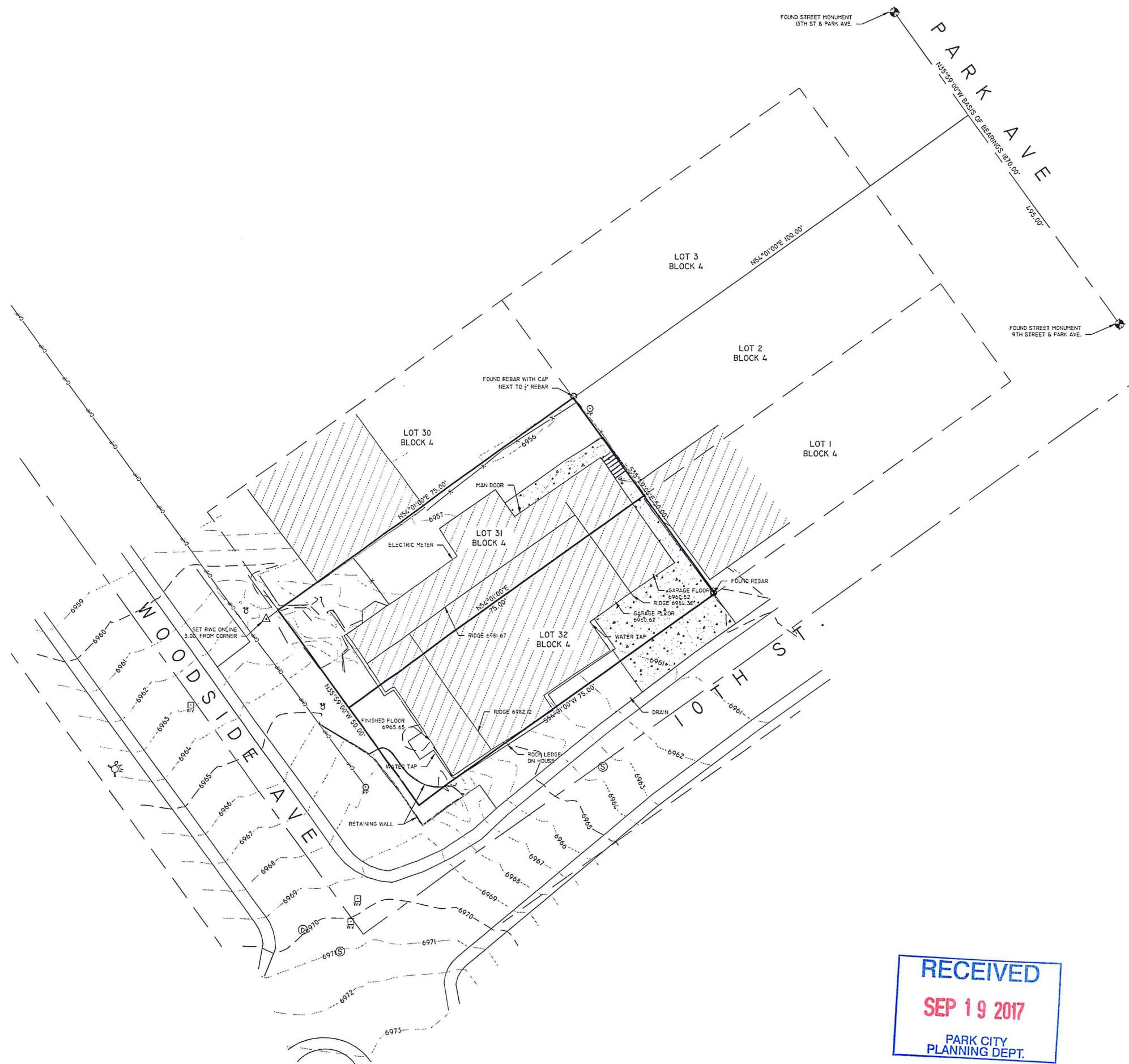
ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

[illegible]

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SEP 19 2017
PARK CITY
PLANNING DEPT.

ELEMENT
LAND SURVEYING
WWW.ELEMENTSURVEYING.COM 2296 SOUTH 270 EAST, HEBER CITY, UT 84033
(801) 592-5975

BOUNDARY SURVEY

SUMMIT COUNTY
IN THE NE1/4 OF SEC 16, T6S, R4E, SLB&M

RICH ROBISON

LOTS 31 & 32, BLOCK 4,
SNYDER'S ADDITION TO PARK CITY

PREPARED FOR:

-05-103

PROJECT:

1 OF 1

NOTE: # REFERS TO
STREET ADDRESS

11th /
CRESCENT STREET (N 54°01' E)

17

8

5

56

16

NORFOLK AVENUE (N 35° 59')

WOODSIDE AVENUE (N 35°59')

PARK AVENUE (N 35°59' W)

55

SEE TOWNPOINTE
CONDOMINIUM

NOTE: SEE NEY4
SEE: 140, T. 25, R. 4, S. 15.

NOTE: SEE M171-453
FOR A PARKING
EASEMENT

Approved Utah State Tax Comm	REVISIONS - DATE AND INITIAL (In Pencil)			
	8-5-79 JHS			
Date	By			
Engineering Associates Inc.				

SUMMIT COUNTY, UTAH

SCALE	
ONE INCH	40' FEET
BOOK	PAGE

Exhibit D - Applicant's Project Description

Written Statement: for 1002 Woodside, we will be renovating the entire home. The entire inside will be gutted and redone. The outside will be painted. The slopping glass roof line will be raised and we are putting a roof deck on there.

N



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SEP 19 2017
PARK CITY
PLANNING DEPT.

West



SEP 19 2017

PARK CITY
PLANNING DEPT.

35

X 1010 Woodside Ave Park City, Utah



Google, Inc.

Google

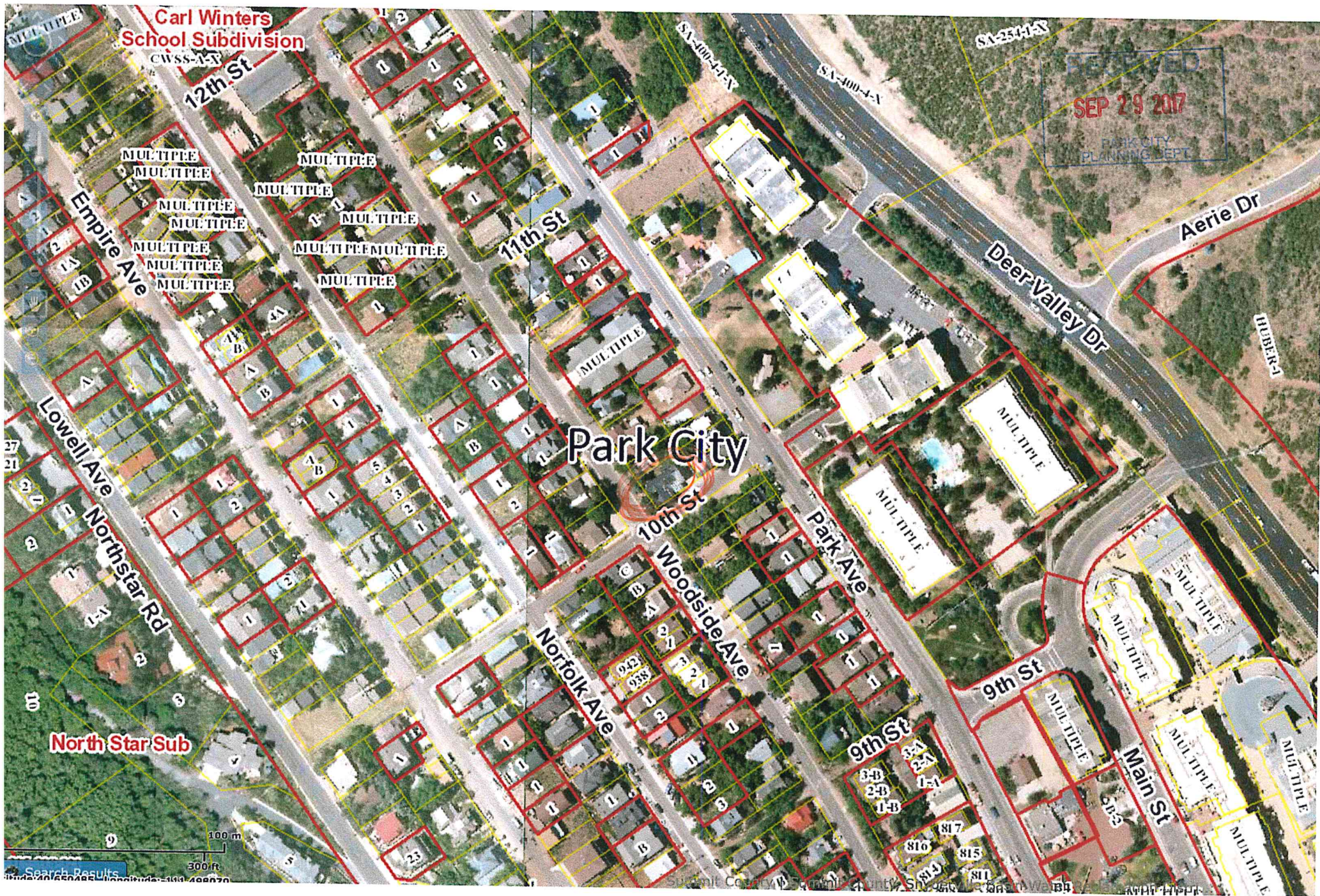
RECEIVED

SEP 19 2017

PARK CITY
PLANNING DEPT.



Aerial Phototgraph with 500' Radius



Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Treasure
Project #: PL-08-00370
Authors: Francisco Astorga, AICP, Senior Planner
Date: 25 October 2017
Type of Item: Administrative – Conditional Use Permit
Refinement 17.2 Update

Summary Recommendations

Staff recommends that the Planning Commission review the Treasure Conditional Use Permit (CUP) as outlined in this staff report. Staff recommends that the Planning Commission conduct a public hearing and continue the item to Planning Commission meeting date of November 8, 2017.

Description

Property Owner: Sweeney Land Company and Park City II, LLC
represented by Patrick Sweeney
Location: Creole Gulch and Mid-station Sites
Sweeney Properties Master Plan
Zoning: Estate (E) District – Master Planned Development
Adjacent Land Use: Ski resort area and residential
Topic of Discussion: Transportation Update / Refinement 17.2 Update /
Planning Commission Outstanding Items
Reason for Review: Conditional Use Permits are required for development per
the Sweeney Properties Master Plan. Conditional Use
Permits are reviewed by the Park City Planning
Commission

Background

Refinement 17.2 plans were provided to the Planning Commission during the [October 11, 2017](#) meeting for review with its accompanying documents: Comparison plans submitted on August 14, 2017, updated Written & Pictorial Explanation document submitted on August 18, 2017, photographs/simulations identified as Signature Still (SS), View Points (VP), and an update of the animation/model submitted to on September 1, 2017. All of these updates are to reflect Refinement 17.2 and are available online on the City's website, see the following hyperlinks:

- [Link W – Refinement 17.2 Plans received 2017.08.10](#)
- [Link X – Refinement 17.2 Plans compared to 2009 Plans received 2017.08.14](#)
- [Link Y – Written & Pictorial Explanation \(Updated\) received 2017.08.14](#)
- [Link Z – Refinement 17.2 Signature Stills Renderings received 2017.09.01](#)
- [Link AA – Refinement 17.2 View Points Renderings received 2017.09.01](#)

- [Link BB – Refinement 17.2 Animation Model received 2017.09.01](#)

Analysis

During the [October 11, 2017](#) Planning Commission meeting, the Commission requested that the Planning Department to provide an analysis of Refinement 17.2 and the Plans provided on the Sweeney Properties Master Plan (SPMP) produced by Eugene Woodruff. Staff prepared the following exhibits to allow the Planning Commission to compare the original SPMP approval plans/documents (Master Plan/Woodruff) and Refinement 17.2:

- [Link CC - Sweeney Properties Master Plan \(applicable sheets, includes various site plans, building sections, parking plans, height zone plan/parking table, and sample elevations\)](#)
- [Link DD – Refinement 17.2 Building Sections-Below Existing Grade Measurements](#)
- [Link EE – Refinement 17.2 Building Sections-Perceived Height Measurements](#)

Specifically, the staff analysis is focused on the locations and arraignment of the building(s) height, bulk and mass comparisons between the 1985/ 1986 MPD and current version 17.2. Mass, bulk and scale are affected by the amounts of temporary and permanent excavation, the distance density is moved away from entry points, stepping buildings up and down slopes and “flat” areas of plazas and decks. The purpose of the review is for developing conclusions of compliance with the Master Plan and Conditional Use Permit Criteria (8) and (11). The initial breakdowns of the comparative versions of the Master Plan and V17.2 are shown below:

Sweeney Properties Master Plan [“SPMP” or “master plan”] Diagram Breakdown

1. The SPMP site plans included as part of the approval record (sheet 2, 4, 5, 6, 7, 8, 9, 17, 22, 28, 29) show a building area boundary/development boundary for both the Town Lift Mid-Station and the Creole-Gulch Sites.
2. The various site plans show a series of buildings located at both identified sites.
3. Creole-Gulch site plans show a main building connected with 3 separate wings and 3 smaller buildings; see sheet 17.
4. Mid-Station site plans show a main building with 2 separate areas and two smaller buildings; see sheet 17.
5. Creole-Gulch site plans show the creole ski run running through 2 wings of the main building. Site plan sheet 22 has the following note: *“Where skit trail passes through building, opening to be a minimum of 40’-0” horizontal, 20’-0” vertical.”*
6. Mid-Station site plans show quitting time ski run running between the main building and the two (2) smaller buildings.

7. Both sites on sheet 17 (main site plan) show five (5) specified building sections. Building section A and B are within the Mid-Station site. Building section C, D, and E are within the Creole-Gulch site.
8. The five (5) building sections shown on sheet 18 indicate existing grade, maximum building height measured from natural grade (existing grade), and underground levels (shown in red).
9. All underground levels are shown towards the front of each building; see sheet 18.
10. It is shown that the building sections on sheet 18 were all amended/changed to reflect the actual approval of the maximum building height reflected on sheet 22.
11. The plans include three (3) sheets of parking: sheet 19, 20, and 21.
12. The parking sheets include two (2) levels of parking at the Mid-Station site with 109 parking spaces. Levels connected via one (1) vehicular ramp.
13. The parking sheets include five (5) levels of parking at the Creole-Gulch site with 464 parking spaces. Lowest parking level is identified as the service level and is only accessed off one (1) vehicular entrance/exit. The other 4 parking levels are accessed via two (2) other vehicular entrances/exits and are connected via vehicular ramp system.
14. The parking sheets show the parking garages to be enclosed, towards the front of each building, mostly underground.
15. The Height Zone Plan sheet 22 shows the maximum building height areas/sectors with each corresponding maximum height, number of approved unit equivalents shown on each site, and Table 2: Modified Parking Standard, also Building Area Boundaries.
16. Sheet 23 and 24 are sample elevations for both sites.
17. The Mid-Station sample elevations sheet 23, comply with the building sections/height zone plan, measured from existing grade.
18. Sample elevations building A and B are in the Mid-Station site.
19. Sample elevation A shows excavation/re-grading existing grade at the periphery of the structure to final grade about half-way through the building at approximately 14 feet.
20. Sample elevation B does not show any re-grading along the periphery of the building elevation.
21. Sample elevations building C, D, and E are in the Creole-Gulch site.
22. Building C, D, and E elevations show re-grading existing grade as final grade is shown around the periphery of the building.
23. Building C existing grade is taken down approximately 24 feet towards the middle of the building at the periphery of the structure; see sheet 24.
24. Building D existing grade is taken down approximately 35 feet towards the middle of the building at the periphery of the structure; see sheet 24.
25. Building E existing grade is taken down approximately 25 feet towards the middle of the building at the periphery of the structure; see sheet 24.
26. Building C, D, and E start at existing grade, drop down towards the middle of each building as indicated above, and then final grade catches up to existing grade towards the back of each building.

27. Sample elevation C and E show compliance with the building sections/height zone plan, measured from existing grade. Sample elevation D was not updated/amended to show the adopted height as the change is indeed reflected on the building section sheet 17 and height zone plan sheet 22.
28. Sheet 28 and 29 show each ski run bi-furcating its corresponding site as well as the development boundaries.

Refinement 17.2 Assessment

1. Refinement 17.2 site plan still contains substantial deviations from the site plan on the master plan. These changes do not align with the original intent nor mitigation efforts of the master plan.
2. Refinement 17.2 site plan has a large (flat) internal plaza with a swimming pool and other amenities.
3. The SPMP site plans do not show such flat oriented amenities such as the increased plaza areas, swimming pool and other amenities. Increased and project-centric ski trails also add to site design inefficiencies not contemplated by the SPMP.
4. Refinement 17.2 building sections, sheet S.1 – S.9, are not the same building sections shown on the master plan due to the change in number of buildings, building locations, etc.
5. Refinement 17.2 building sections show significant excavation/re-grading that is not reflected on the master plan.
6. SPMP building sections show excavation towards the front of each building as the location of the two (2) parking garages is located towards the front.
7. Refinement 17.2 building sections show excavation throughout much, in some cases all, of the building footprint as summarized below:
 - a. Building section 1 shows a cut from existing grade of 47 feet, excluding the foundation, which is approximately 203 feet from the front property line.
 - b. Building section 2 shows a cut from existing grade of 86 feet, excluding the foundation, which is approximately 333 feet from the front property line.
 - c. Building section 3 shows a cut from existing grade of 88 feet, excluding the foundation.
 - d. Building section 4 shows a cut from existing grade of 97 feet, excluding the foundation, which is approximately 302 feet from the front property line.
 - e. Building section 5 shows a cut from existing grade of 85 feet, excluding the foundation, which is approximately 289 feet from the front property line.
 - f. Building section 6 shows a cut from existing grade of 95 feet, excluding the foundation, which is approximately 388 feet from the front property line.
 - g. Building section 7 shows a cut from existing grade of 51 feet, excluding the foundation, which is approximately 413 feet from the front property line.

- h. Building section 8 shows a cut from existing grade of 135 feet, excluding the foundation, which is approximately 409 feet from the front property line.
- 8. Refinement 17.2 building sections show significant cuts towards the rear of each building section.
- 9. SPMP plans do not show significant excavation throughout the building footprint or towards the rear of each building.
- 10. The perceived height of each building is significantly increased due to the proposed substantial excavation.
- 11. Within the Mid-Station site, the retaining walls/cliff-scape approach on the rear of Building 1B and 1C are all placed within the building area boundary / development boundary.
- 12. Within the Creole-Gulch site, the retaining walls/cliff-scape approach north and west of Building 4B and south of Building 5C straddle along this building area boundary / development boundary line.
- 13. The ability to place the entire retaining wall / cliff-scape system within the development area makes the walls taller/closer together.
- 14. The SPMP site plan did not have any indication of retaining walls / cliff-scapes.
- 15. As staff had the same concern with Refinement 2009, staff finds that the retaining walls / cliff-scape location need to take place within the building area boundary and not outside of this defined area as explained on the December 14, 2016 staff report.
- 16. The plan to utilize a haul road for placement of excavated materials and create a soil repository/mound above the project is inconsistent with the SPMP. See below for further discussion.

Discussion requested: Does the Planning Commission agree with the analysis listed above under Sweeney Properties Master Plan Diagram Breakdown and Refinement 17.2 Assessment? Staff can further expand on any of these comments as listed above.

Ski Run Construction, and Constructability Changes

The 2015/ 2016 submittal included a constructability documents and a grading plan for the existing and proposed ski runs. The grading plan indicates a large soil repository / fill zone near the top of the Creole and mid- Kings Crown ski run. This area appears to include a significant proportion of the excavated fill material proposed to be placed in ski run areas. Staff is reviewing the height and volume of this area and will request additional information as to the purpose of this fill area and the effect, if any, on skier circulation. This fill zone does not appear as part of the 1985/1986 MPD approvals.

At the preceding Planning Commission hearing (October 11, 2017), the applicant presented changes to the constructability report. A significant change from the previous reports is replacing conveyor transport and placement of excavated materials to a haul road climbing the existing Kings Crown ski run and access roads to

fill placement areas in the Creole ski run. Staff will review these as part of the V17.2 submittal. Staff will request the applicant to provide areas of disturbance for the road system lengths of roadways and methods to restore disturbed areas not used for skiing or summer access. As noted in the previous meeting, this work is within the Recreation Open Space zone areas. Staff is reviewing the MPD for previous commitments to open space use.

On October 11, 2017 the Planning Commission repeated its request to the applicant for confirmation from the ski area operator that fill placement on ski runs and other areas is acceptable or allowed as part of lease agreements and will not decrease ski capacities or degrade operations.

Density

During the October 11, 2017 meeting, staff provided analysis of Refinement 17.2 density, as updated by the applicant. Staff indicated how much the applicant proposed in terms of residential, support commercial, lobby, accessory space/circulation/common space.

Discussion requested: Does the Planning Commission find that staff needs to explore further detail of allocated spaces? The applicant did not agree with staff and the Commission requested that they provide their reasoning as to the disagreement. By the time of this report, staff has not received their comments as to this subject.

Notice

The property was posted and notice was mailed to property owners within 300 feet on May 11, 2016 for the initial meeting held on June 8, 2106. Legal notice was published in the Park Record according to requirements of the Land Management Code prior to every meeting.

Public Input

Public input has been received by the time of this report. See the following hyperlink: [Link A - Public Comments](#) with public input received as of April 2016. All public comments are forwarded to the Planning Commission via the staff report link above and kept on file at the Planning Office. Planning staff will not typically respond directly to the public comments, but may choose to address substantive review issues in subsequent staff reports. There are four (4) methods for public input to the Planning Commission:

- Attending the Planning Commission meetings and giving comments in the public hearing portion of the meeting
- Preparing comments in an e-mail to treasure.comments@parkcity.org
- Visiting the Planning office and filling out a Treasure CUP project Comment Card
- Preparing a letter and mailing/delivering it to the Planning Office

Summary Recommendations

Staff recommends that the Planning Commission review the Treasure Conditional Use Permit (CUP) as outlined in this staff report. Staff recommends that the Planning Commission conduct a public hearing and continue the item to a future Planning Commission meeting date of November 8, 2017.

Hyperlinks

[Link A - Public Comments](#)

[Link B - Approved Sweeney Properties Master Plan \(Narrative\)](#)

[Link C - Approved MPD Plans](#)

[Link D - Proposed Plans – Visualization Drawings1](#)

- Sheet BP-01 The Big Picture
- Sheet V-1 Illustrative Plan
- Sheet V-2 Illustrative Pool Plaza Plan
- Sheet V-3 Upper Area 5 Pathways
- Sheet V-4 Plaza and Street Entry Plan
- Sheet V-5 Building 4b Cliffscape Area
- Sheet V-6 Exterior Circulation Plan
- Sheet V-7 Parking and Emergency Vehicular Access
- Sheet V-8 Internal Emergency Access Plan
- Sheet V-9 Internal Service Circulation
- Sheet V-10 Site Amenities Plan
- Sheet V-11 Usable Open Space with Development Parcels
- Sheet V-12 Separation-Fencing, Screening & Landscaping
- Sheet V-13 Noise Mitigation Diagrams
- Sheet V-14 Signage & Lighting
- Sheet V-15 Contextual Site Sections - Sheet 1
- Sheet V-16 Contextual Site Sections - Sheet 2

[Link E - Proposed Plans – Visualization Drawings2](#)

- Sheet V-17 Cliffscapes
- Sheet V-18 Retaining Systems
- Sheet V-19 Selected Views of 3D Model - 1
- Sheet V-20 Selected Views of 3D Model – 2
- Sheet V-21 Viewpoints Index
- Sheet V-22 Camera Viewpoints 1 & 2
- Sheet V-23 Camera Viewpoints 3 & 4
- Sheet V-24 Camera Viewpoints 5 & 6
- Sheet V-25 Camera Viewpoints 7 & 8
- Sheet V-26 Camera Viewpoints 9 & 10
- Sheet V-27 Camera Viewpoint 11
- Sheet V-28 Illustrative Plan – Setback

[Link F - Proposed Plans – Architectural/Engineering Drawings 1a](#)

- Sheet VM-1 Vicinity & Proposed Ski Run Map
- Sheet EC.1 Existing Conditions
- Sheet SP.1 Site & Circulation Plan Sheet
- Sheet GP.1 Grading Plan

Sheet HL.1 Height Limits Plan
Sheet HL.2 Roof Heights Relative to Existing Grade
Sheet FD.1 Fire Department Access Plan

[Link G - Proposed Plans – Architectural/Engineering Drawings 1b](#)

Sheet P.1 Level 1 Use Plan
Sheet P.2 Level 2 Use Plan
Sheet P.3 Level 3 Use Plan
Sheet P.4 Level 4 Use Plan
Sheet P.5 Level 5 Use Plan
Sheet P.6 Level 6 Use Plan
Sheet P.7 Level 7 Use Plan
Sheet P.8 Level 8 Use Plan
Sheet P.9 Level 9 Use Plan
Sheet P.10 Level 10 Use Plan
Sheet P.11 Level 11 Use Plan
Sheet P.12 Level 12 Use Plan
Sheet P.13 Level 13 Use Plan
Sheet P.14 Level 14 Use Plan
Sheet P.15 Level 15 Use Plan
Sheet P.16 Area, Unit Equivalent & Parking Calculations

[Link H – Proposed Plans – Architectural/Engineering Drawings 2](#)

Sheet E.1AC2.1 Buildings 1A, 1C& 2 Exterior Elevations
Sheet E.1B.1 Building 1B Exterior Elevations
Sheet E.3A.1 Building & Parking Garage Exterior Elevations
Sheet E.3BC.1 Building 3BC Exterior Elevations
Sheet E.3BC.2 Building 3BC Exterior Elevations
Sheet E.3BC.3 Building 3BC Exterior Elevations
Sheet E.4A.1 Building 4A Exterior Elevations
Sheet E.4A.2 Building 4A Exterior Elevations
Sheet E.4B.1 Building 4B Exterior Elevations
Sheet E.4B.2 Building 4B Exterior Elevations
Sheet E.4B.3 Building 4B Exterior Elevations
Sheet E.4B.4 Building 4B Exterior Elevations
Sheet E.5A.1 Building 5A Exterior Elevations
Sheet E.5B.1 Building 5B Exterior Elevations
Sheet E.5C.1 Building 5C Exterior Elevations
Sheet E.5C.2 Building 5C Exterior Elevations
Sheet E.5D.1 Building 5D Exterior Elevations
Sheet S.1 Cross Section
Sheet S.2 Cross Section
Sheet S.3 Cross Section
Sheet S.4 Cross Section
Sheet S.5 Cross Section
Sheet S.6 Cross Section
Sheet S.7 Cross Section
Sheet S.8 Cross Section

Sheet S.9 Cross Section
Sheet UP.1 Concept Utility Plan

[Link I – Applicant’s Written & Pictorial Explanation](#)
[Link J – Fire Protection Plan \(Appendix A-2\)](#)
[Link K – Utility Capacity Letters \(Appendix A-4\)](#)
[Link L – Soils Capacity Letters \(Appendix A-5\)](#)
[Link M – Mine Waste Mitigation Plan \(Appendix \(A-6\)](#)
[Link N – Employee Housing Contribution \(Appendix A-7\)](#)
[Link O – Proposed Finish Materials \(Appendix A-9\)](#)
[Link P – Economic Impact Analysis \(Appendix A-10\)](#)
[Link Q – Signage & Lighting \(appendix A-13\)](#)
[Link R – LEED \(Appendix A-14\)](#)
[Link S – Worklist \(Appendix A-15\)](#)
[Link T – Excavation Management Plan \(Appendix A-16\)](#)
[Link U – Project Mitigators \(Appendix A-18\)](#)
[Link V – Outside The Box \(Appendix A-20\)](#)

*****Updated Exhibits*** Refinement 17.2**

[Link W – Refinement 17.2 Plans received 2017.08.10](#)
[Link X – Refinement 17.2 Plans compared to 2009 Plans received 2017.08.14](#)
[Link Y – Written & Pictorial Explanation \(Updated\) received 2017.08.14](#)
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[Link DD – Refinement 17.2 Building Sections-Below Existing Grade Measurements](#)
[Link EE – Refinement 17.2 Building Sections-Perceived Height Measurements](#)

Additional Hyperlinks

[2009.04.22 Jody Burnett MPD Vesting Letter](#)
[Staff Reports and Minutes 2017](#)
[Staff Reports and Minutes 2016](#)
[Staff Reports and Minutes 2009-2010](#)
[Staff Reports and Minutes 2006](#)
[Staff Reports and Minutes 2005](#)
[Staff Reports and Minutes 2004](#)
[2004 LMC 50th Edition](#)
[1997 General Plan](#)
[1986.10.16 City Council Minutes](#)
[1985.12.18 Planning Commission Minutes](#)
[1986 Comprehensive Plan](#)
[1985 Minutes](#)
[1985 LMC 3rd Edition](#)

[1983 Park City Historic District Design Guidelines](#)
[Parking, Traffic Reports and Documents](#)

MPD Amendments:

[October 14, 1987 - Woodside \(ski\) Trail](#)

[December 30, 1992 - Town Lift Base](#)

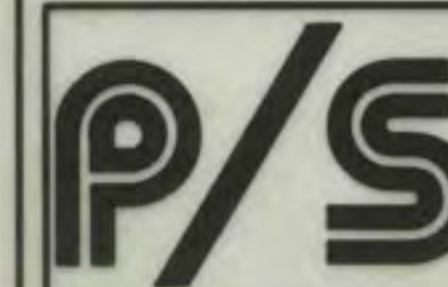
[November 7, 1996 – Town Bridge](#)



**SITE PLAN
200 SCALE**
SWEENEY PROPERTIES MASTER PLAN

MPE INC.
P.O. BOX 2429
PARK CITY, UT 84060
(801) 649-7077

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**SWEENEY PROPERTIES
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Engineers and Surveyors
Salt Lake City, Utah
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DATE: 5-10-85
APPROVED BY: _____
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2

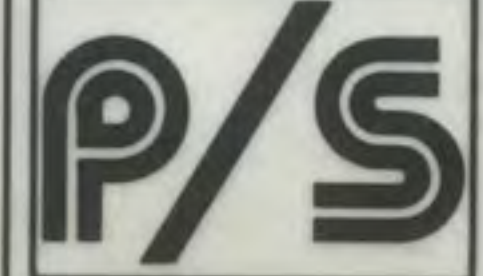


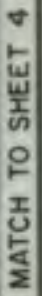
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SWEENEY PROPERTIES MASTER PLAN

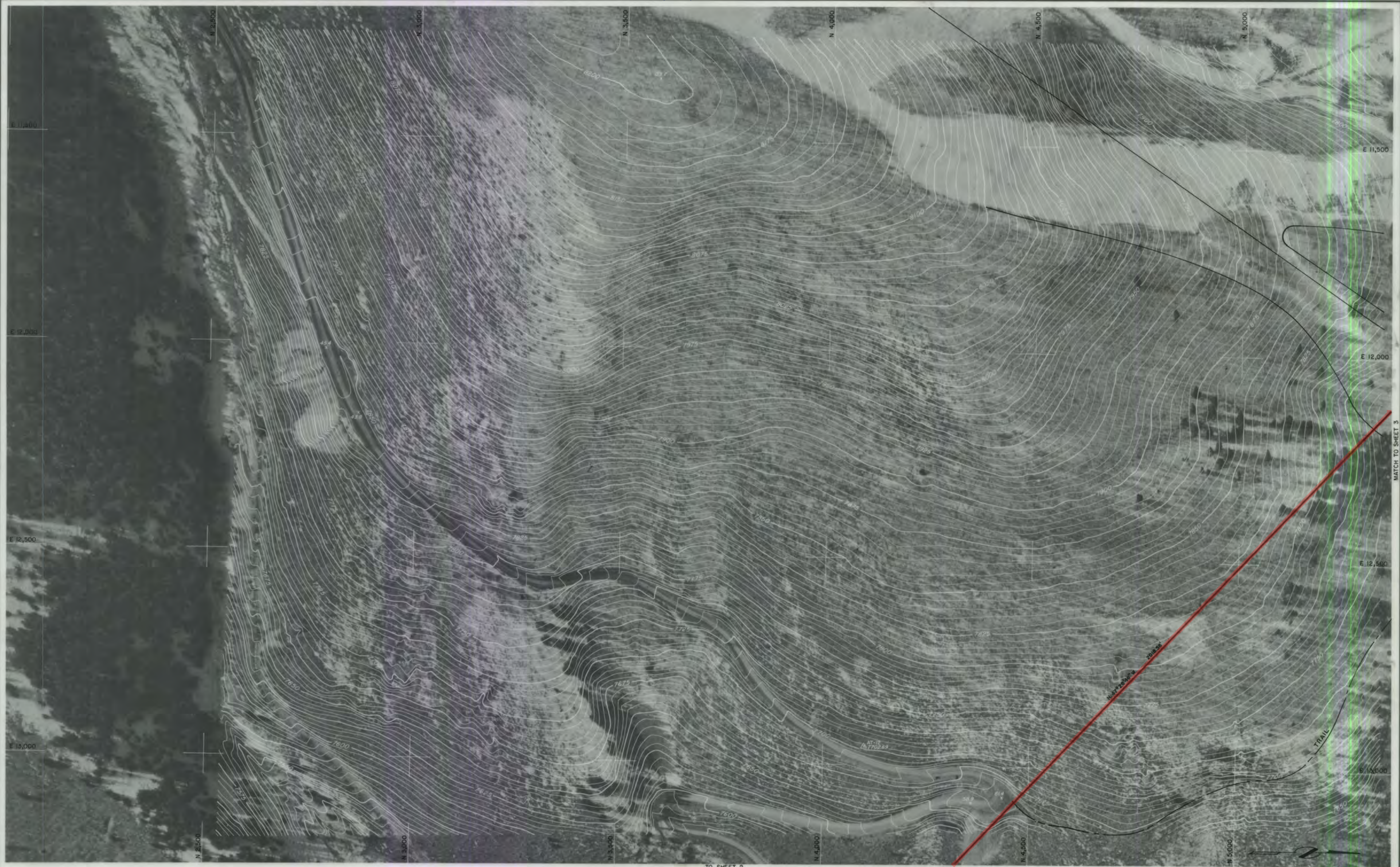
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REVISED 2-4-88 TO REFLECT 10-14-87 APPROVAL

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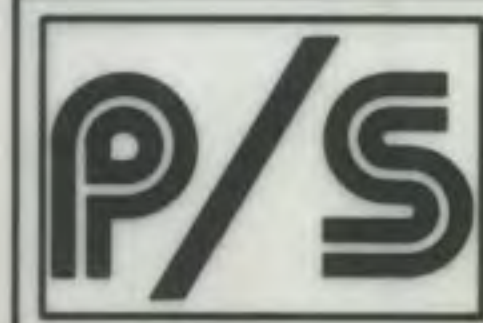


**SW SITE WITH
BOUNDARIES - 100 SCALE**
SWEENEY PROPERTIES MASTER PLAN

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TO SHEET 2
REVISED 7-1-86 PJS

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**SWEENEY PROPERTIES
100 SCALE SITE PLAN
with BOUNDARIES**

P/S ASSOCIATES, INC.
Engineers and Surveyors
Salt Lake City, Utah

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JOB NUMBER 205
CHECKED BY

DATE 5-10-85
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**SHEET NO.
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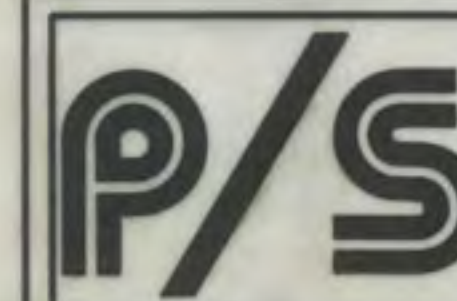


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**NW SITE WITH
BOUNDARIES - 100 SCALE**
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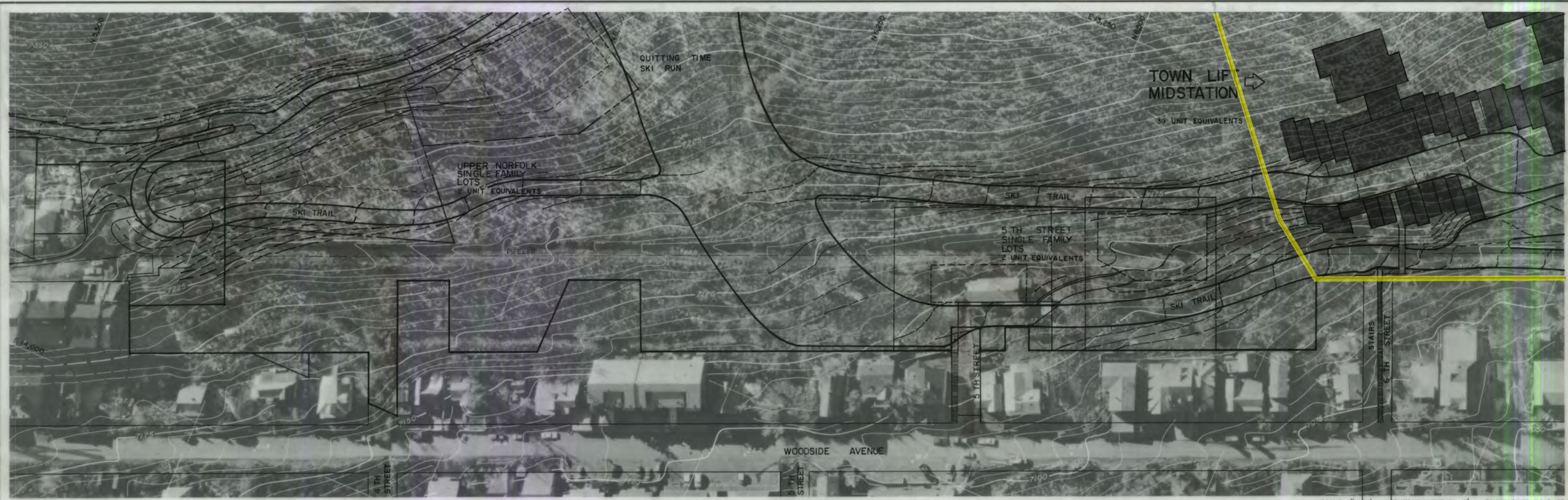
**SWEENEY PROPERTIES
100 SCALE SITE PLAN
with BOUNDARIES**

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Engineers and Surveyors
Salt Lake City, Utah
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DATE: 5-10-85
APPROVED BY: _____
FILE NO: _____

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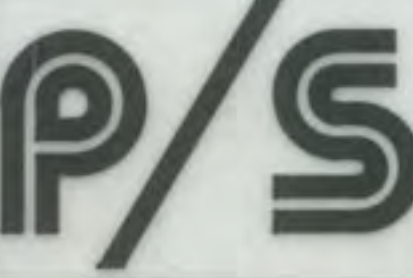


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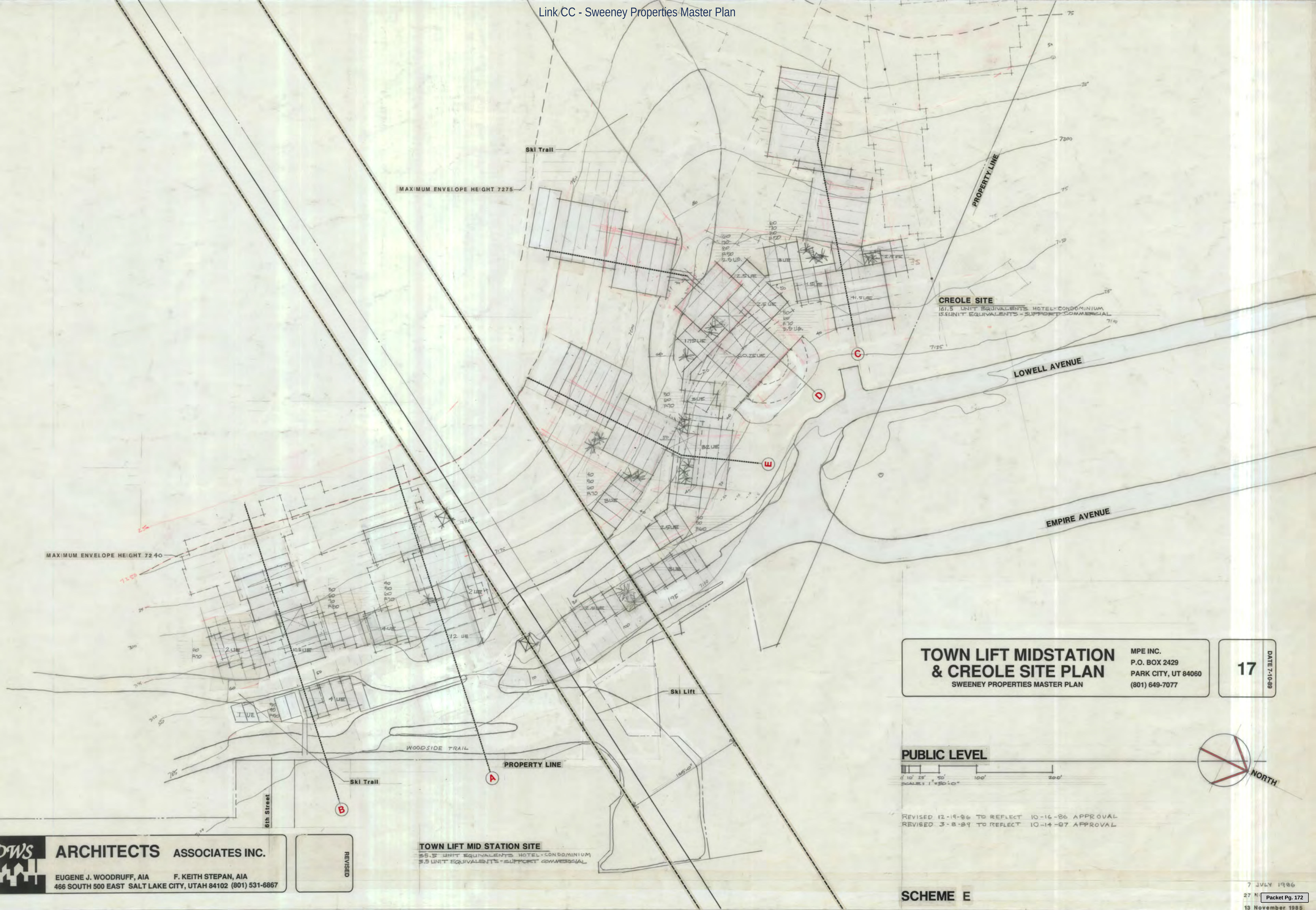


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FINAL SURVEY BY	DATE	CHECKED BY	BY	PRINCIPAL ENGINEER / SURVEYOR	CLIENT NAME																							

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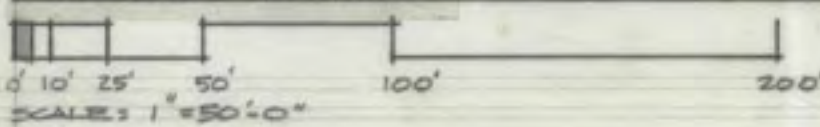


**TOWN LIFT MIDSTATION
& CREOLE SITE PLAN**
SWEENEY PROPERTIES MASTER PLAN

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(801) 649-7077

17
DATE 7-10-89

PUBLIC LEVEL



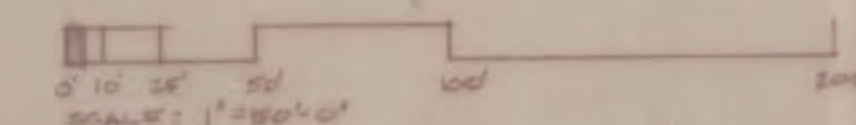
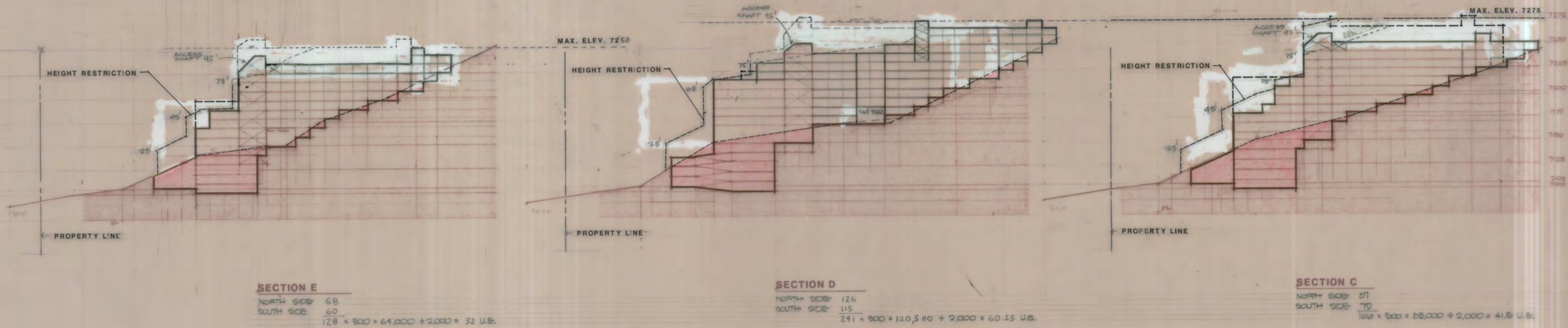
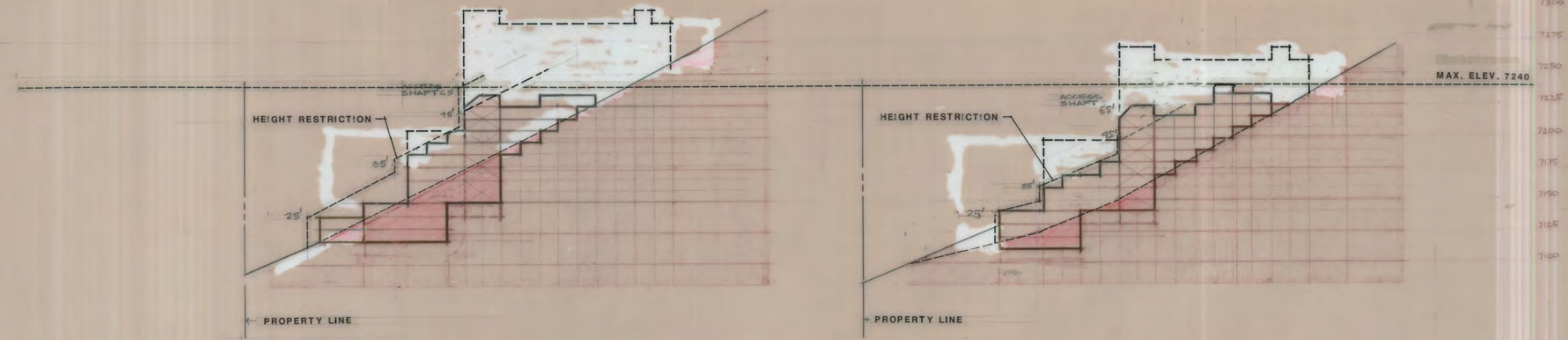
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SCHEME E

DWS ARCHITECTS ASSOCIATES INC.
EUGENE J. WOODRUFF, AIA F. KEITH STEPAN, AIA
466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

REVISED

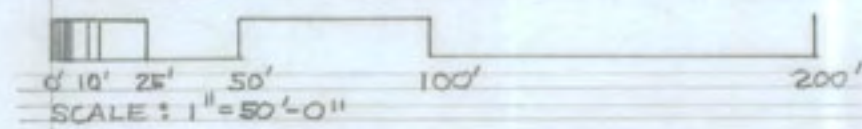
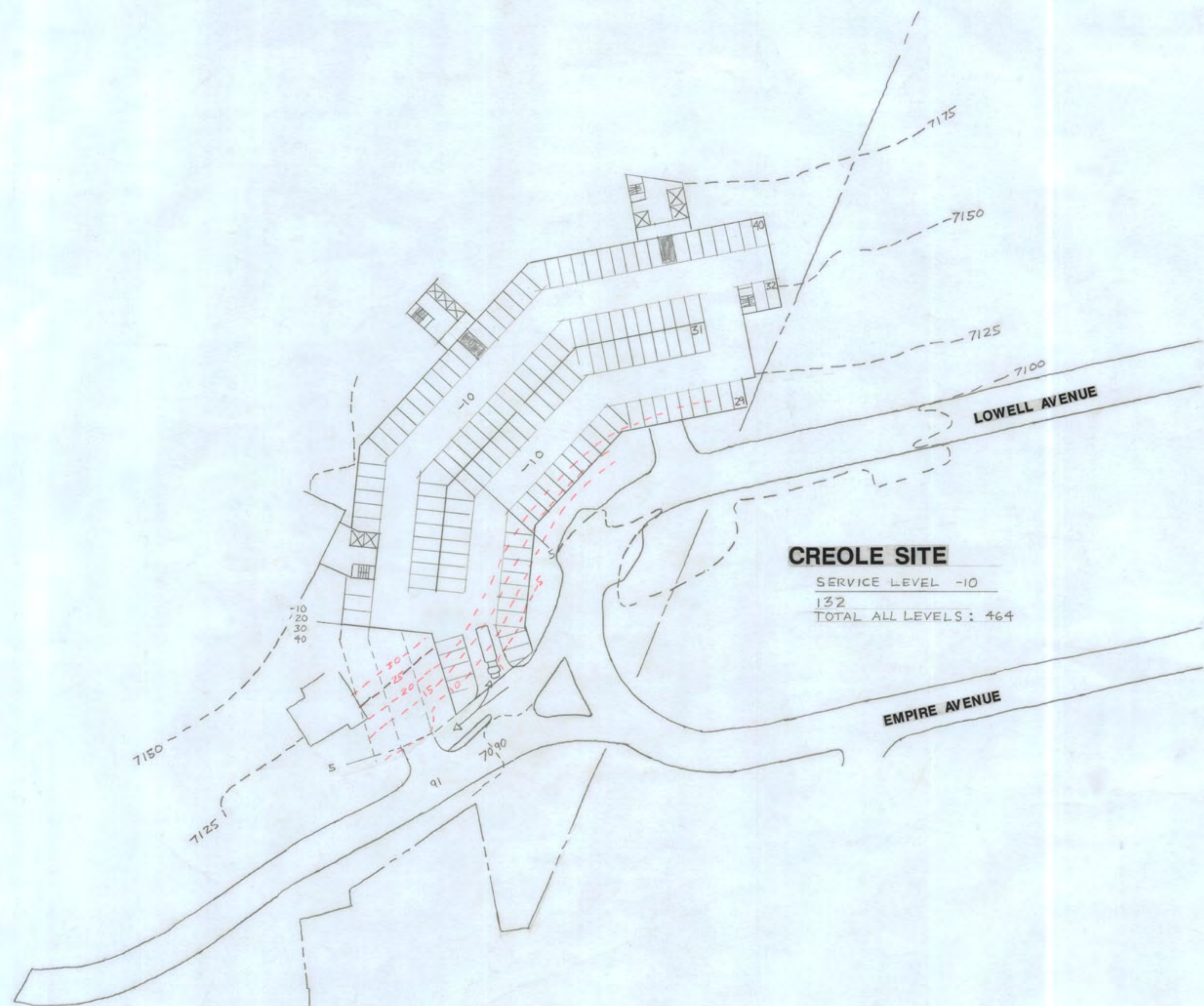
TOWN LIFT MID STATION SITE
55.5 UNIT EQUIVALENTS HOTEL-CONDOMINIUM
3.5 UNIT EQUIVALENTS-SUPPORT COMMERCIAL



SCHEME E

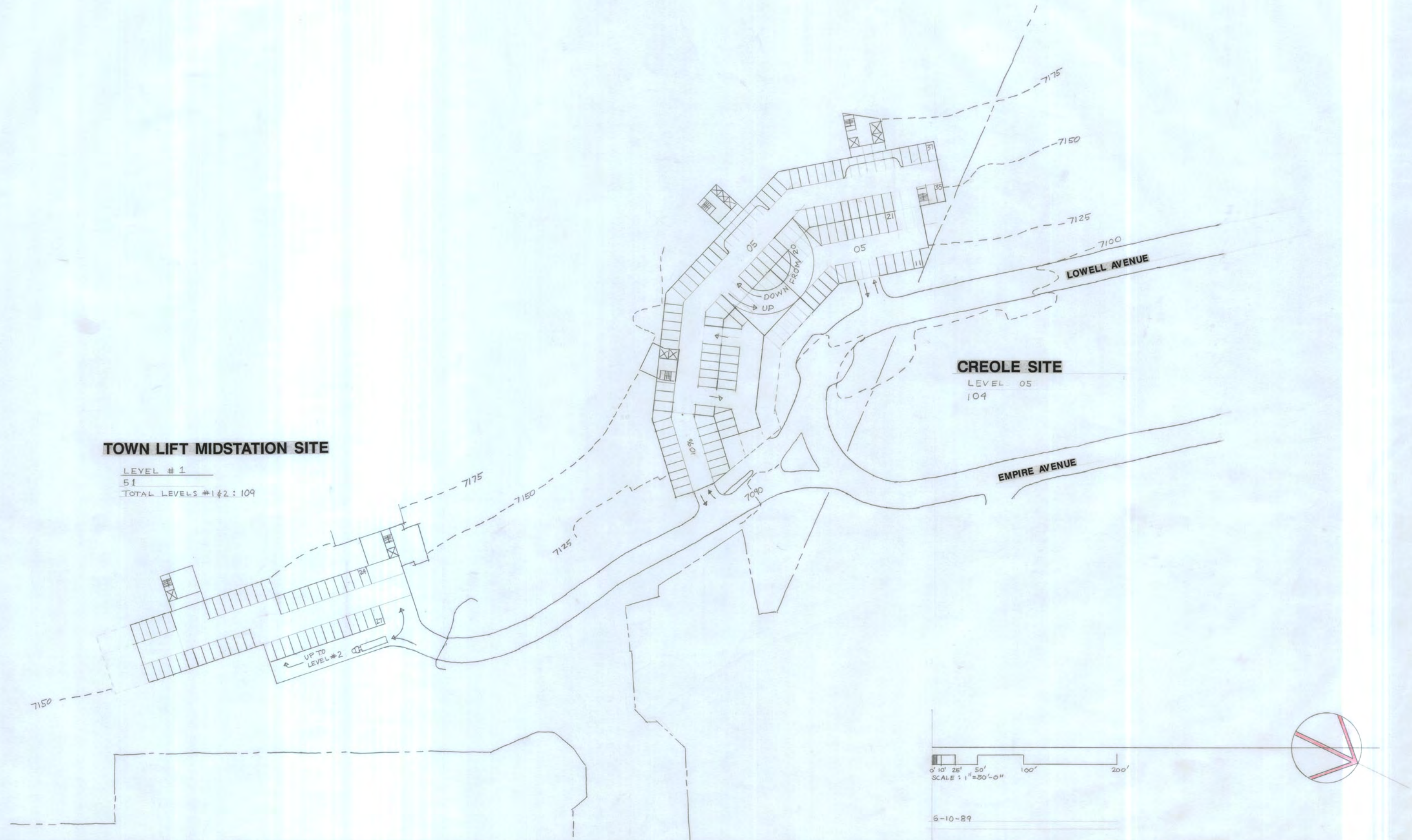
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 REVISED 3-8-89 TO REFLECT 10-14-87 APPROVAL

7 JULY 1986
 13 JANUARY 1986
 27 NOVEMBER 1985
 13 November 1985



6-10-89





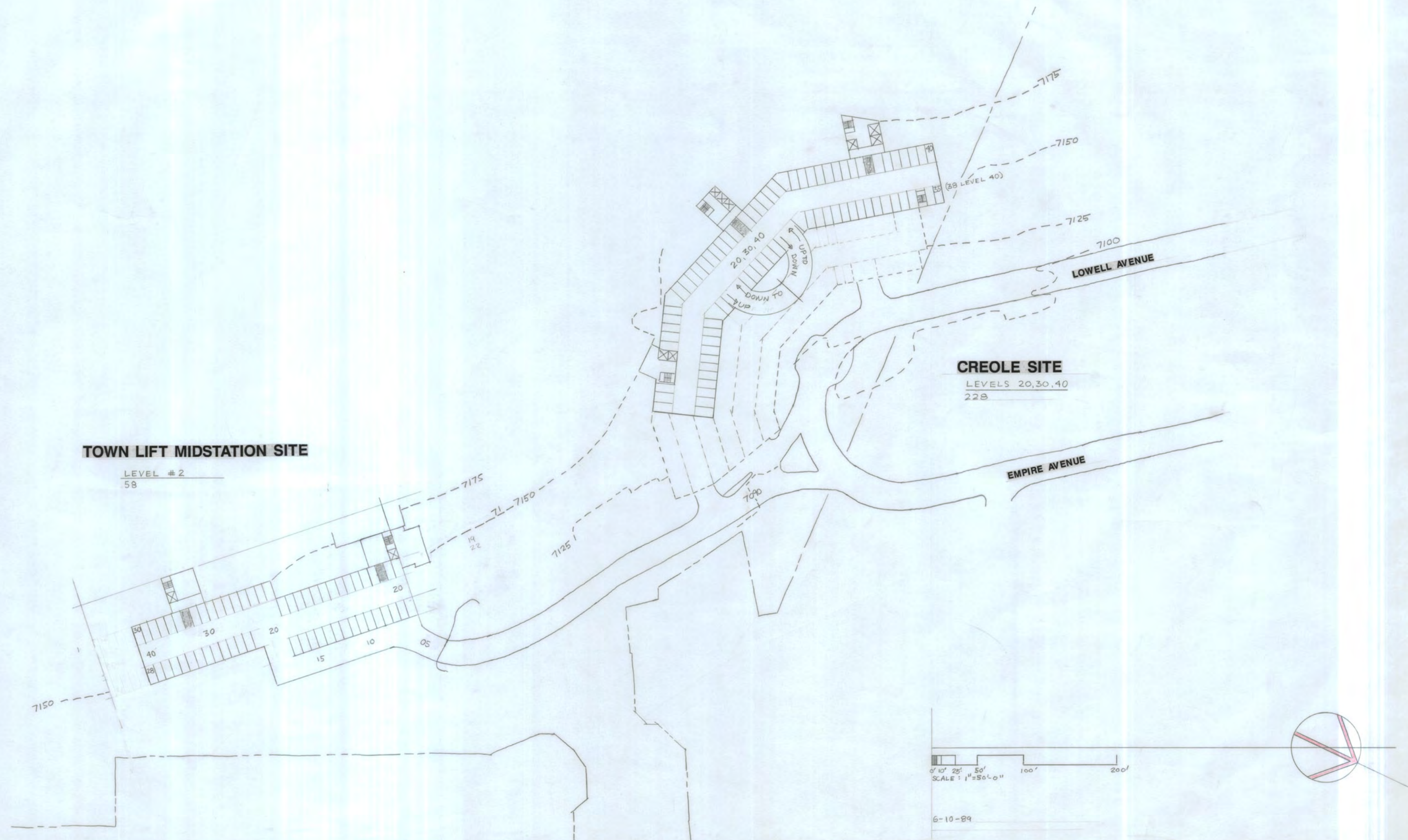
ARCHITECTS ASSOCIATES INC.

EUGENE J. WOODRUFF, AIA F. KEITH STEPAN, AIA
 466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

REVISED

**TOWN LIFT MIDSTATION
 & CREOLE PARKING PLAN**
 SWEENEY PROPERTIES MASTER PLAN

MPE INC.
 P.O. BOX 2429
 PARK CITY, UT 84060
 (801) 649-7077



ARCHITECTS ASSOCIATES INC.

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REVISED

**TOWN LIFT MIDSTATION
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TOWN LIFT MIDSTATION & CREOLE HEIGHT ZONES

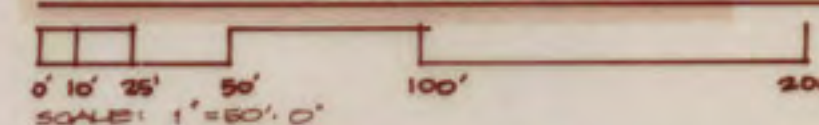
SWEENEY PROPERTIES MASTER PLAN

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PARK CITY, UT 84060
(801) 649-7077

22

DATE 3-8-89

DEVELOPMENT REQUIREMENTS AND RESTRICTIONS



PARKING REQUIREMENTS

Table 2: Modified Parking

	Hotel Room/ Suite not to Exceed 650 s.f.	Apt. not to Exceed 1000 s.f.	Apt. not to Exceed 1500 s.f.	Apt. not to Exceed 2000 s.f.	Apt. in Excess of 2000 s.f.
# of Parking Spaces -	.66	1	1.5	2	2

MBH = maximum building height above natural grade
ROS = reserve open space



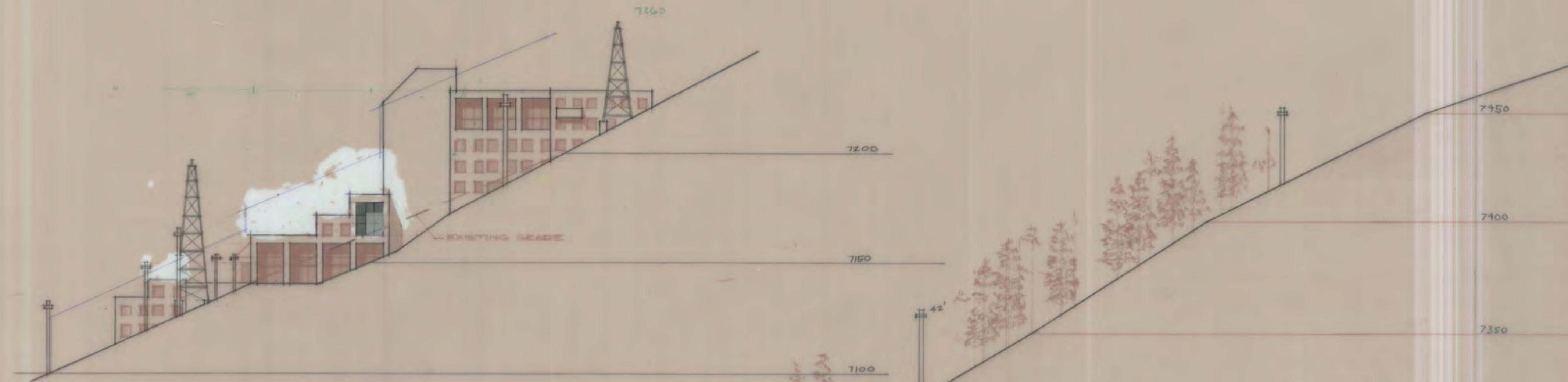
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28 JANUARY 1986
15 JANUARY 1986

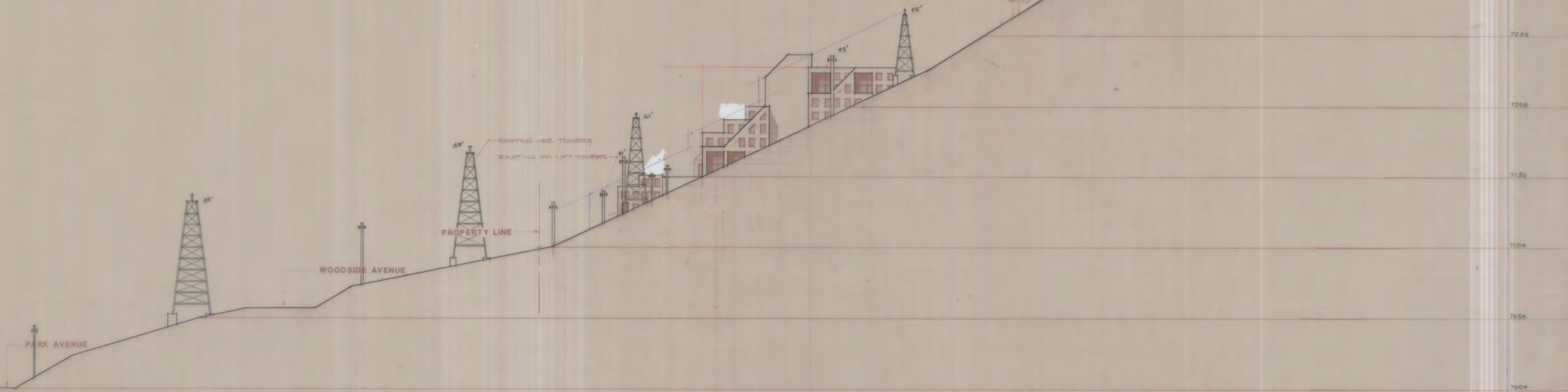
Packet Pg. 177

13 November 1985

Packet Pg. 177

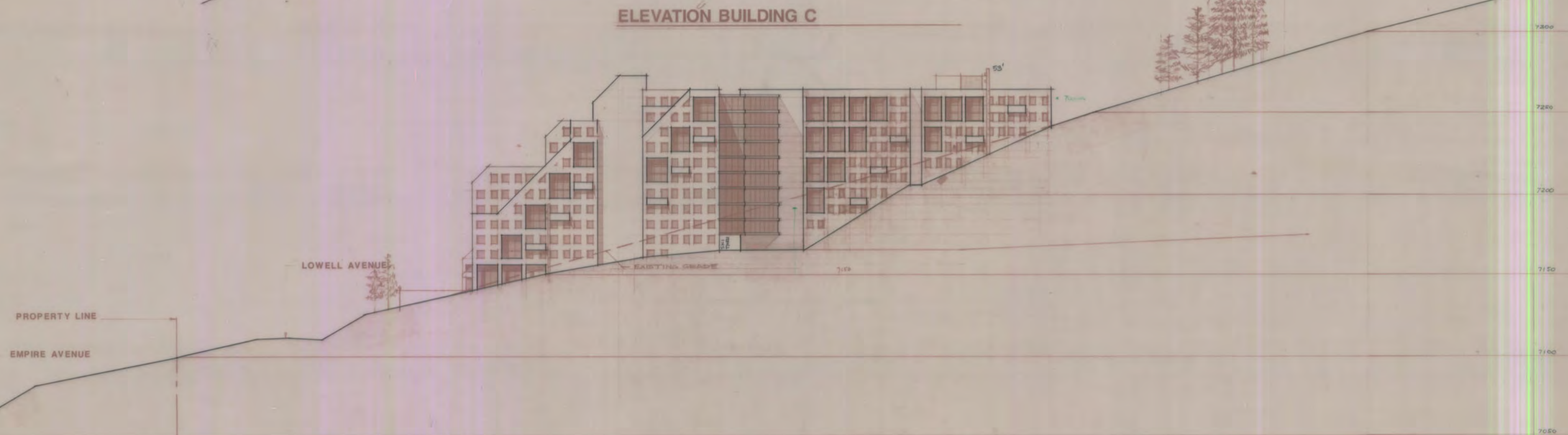
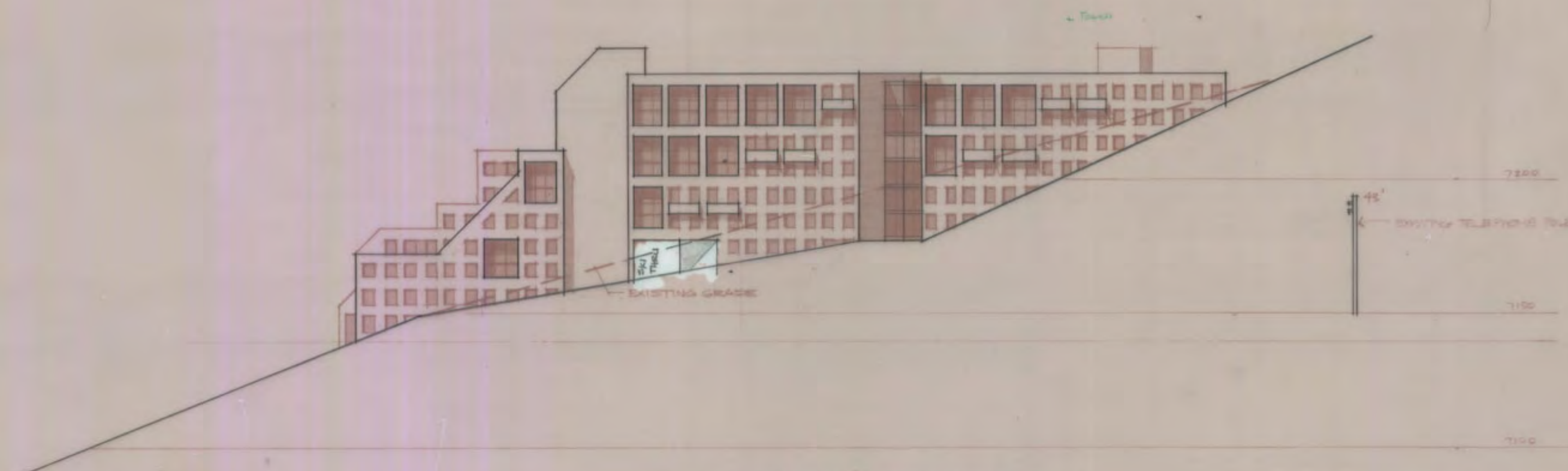
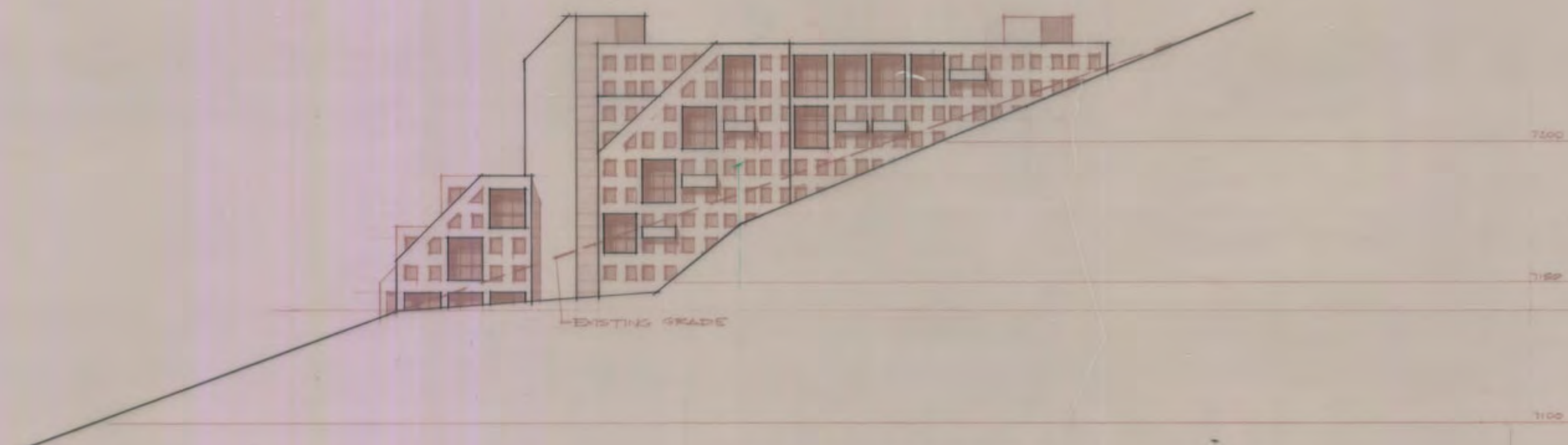


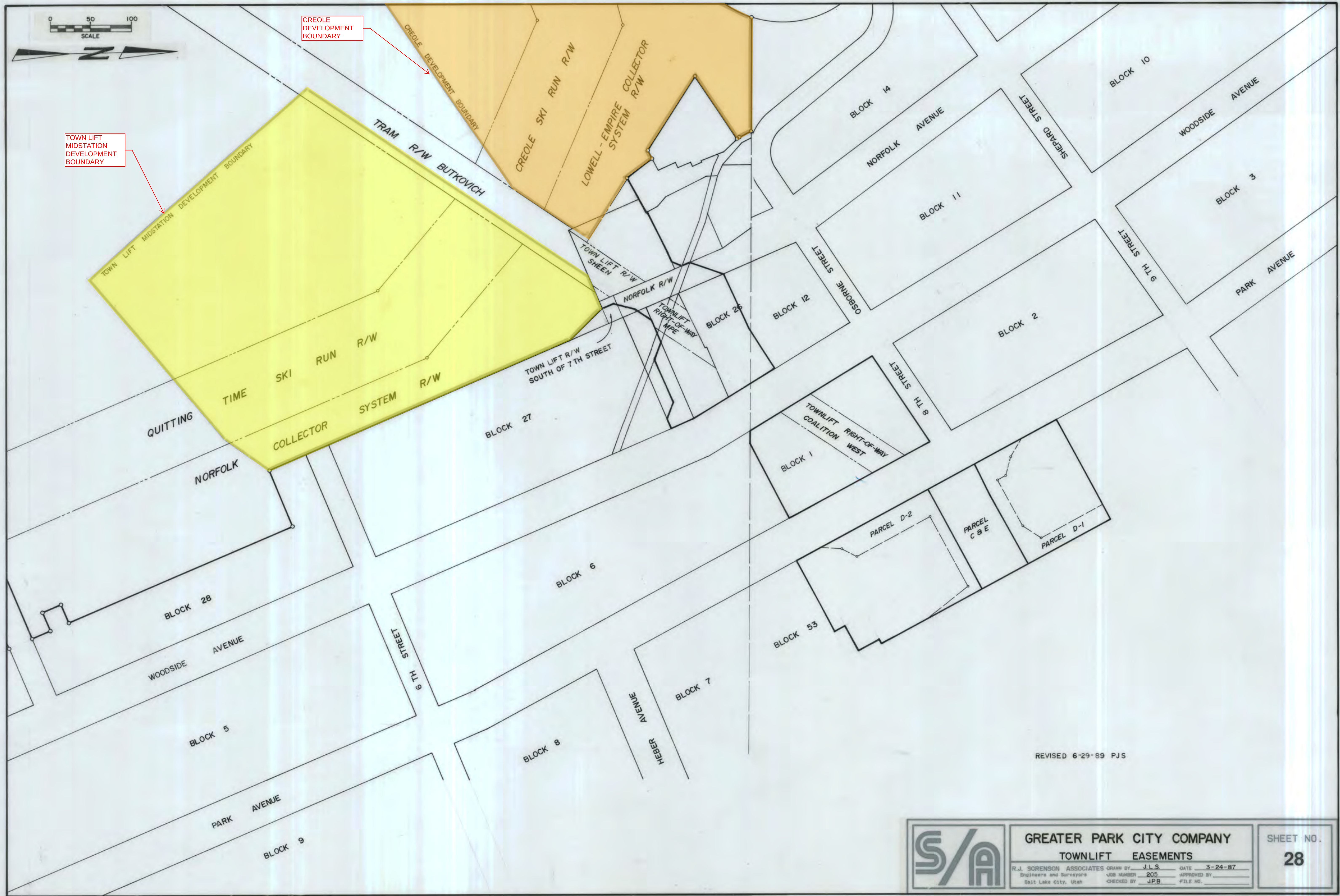
ELEVATION BUILDING A



ELEVATION BUILDING B AND SITE SECTION

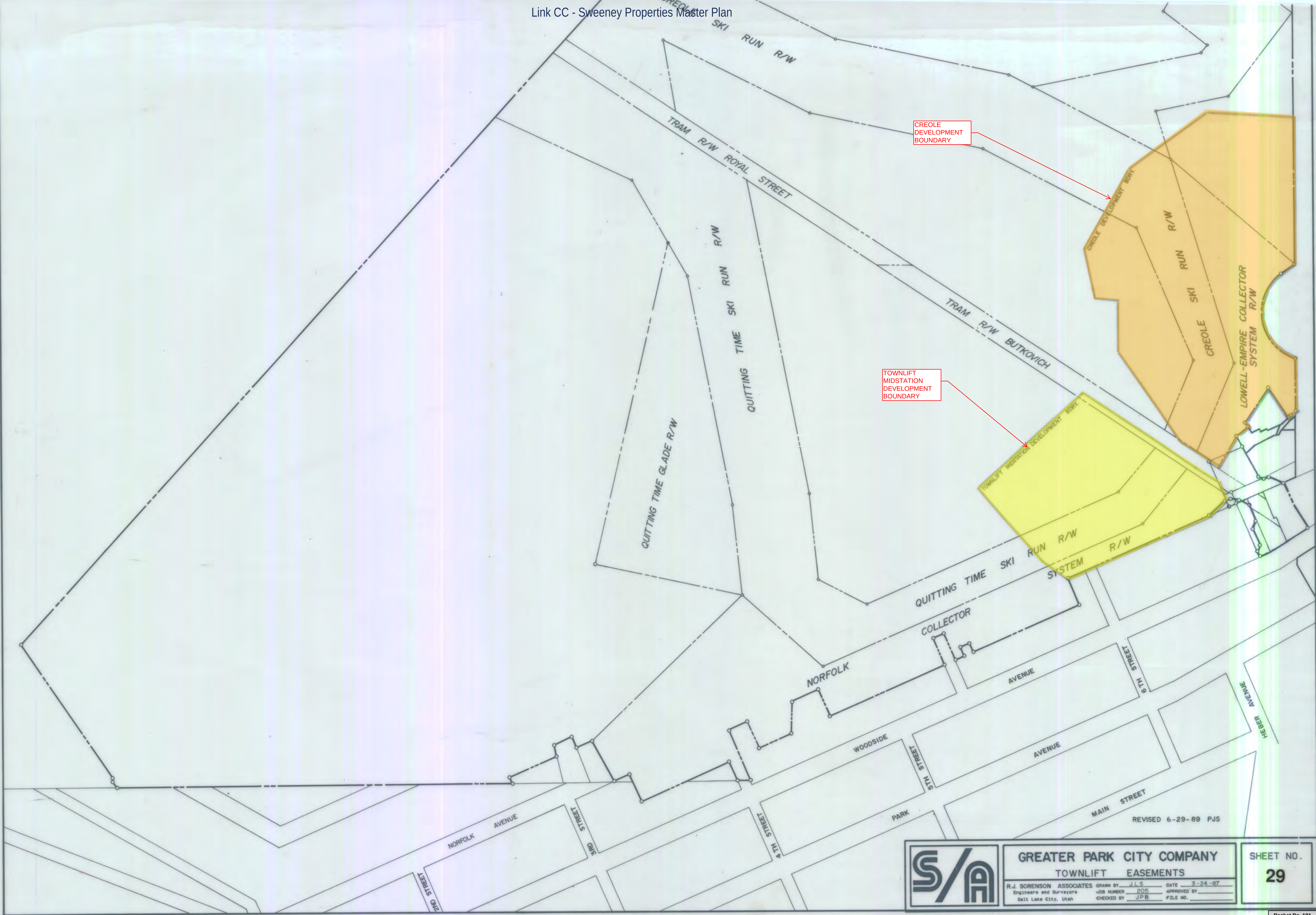
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GREATER PARK CITY COMPANY
TOWNLIFT EASEMENTS
R.J. SORENSON ASSOCIATES DRAWN BY: J.L.S. DATE: 3-24-87
Engineers and Surveyors JOB NUMBER: 205 APPROVED BY: _____
Salt Lake City, Utah CHECKED BY: JPB. FILE NO.: _____

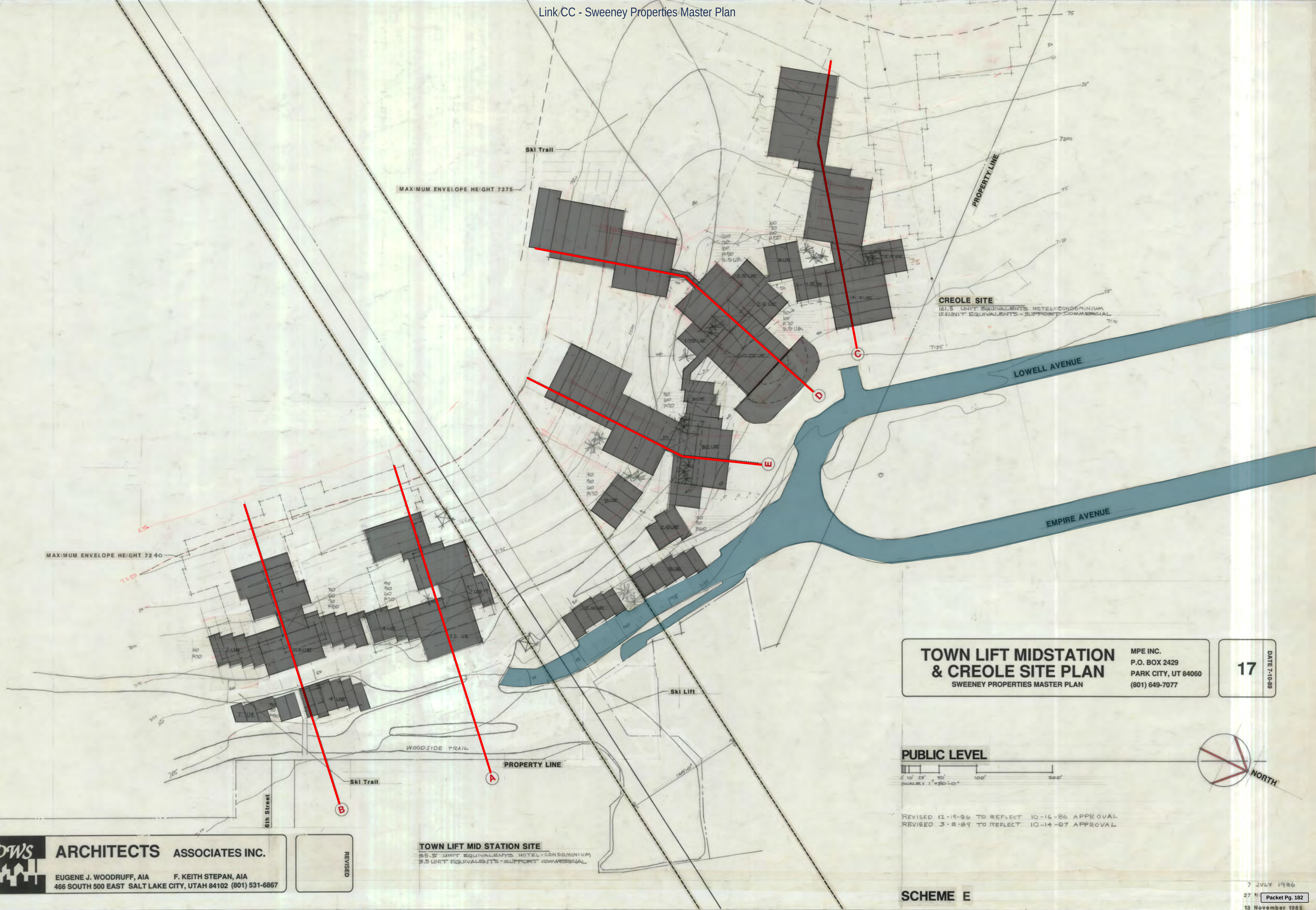
SHEET NO.
28



GREATER PARK CITY COMPANY
TOWNLIFT EASEMENTS
R.J. SORENSON ASSOCIATES DRAWN BY: JLS DATE: 3-24-87
Engineers and Surveyors JOB NUMBER: 205 APPROVED BY: _____
Salt Lake City, Utah CHECKED BY: JPB FILE NO.: _____

SHEET NO.
29

REVISED 6-29-89 PJS



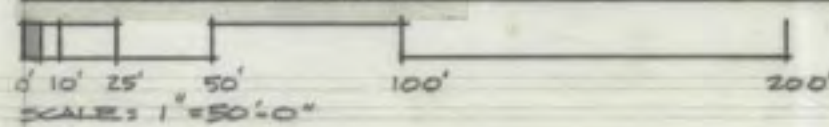
**TOWN LIFT MIDSTATION
& CREOLE SITE PLAN**
SWEENEY PROPERTIES MASTER PLAN

MPE INC.
P.O. BOX 2429
PARK CITY, UT 84060
(801) 649-7077

17

DATE 7-10-89

PUBLIC LEVEL



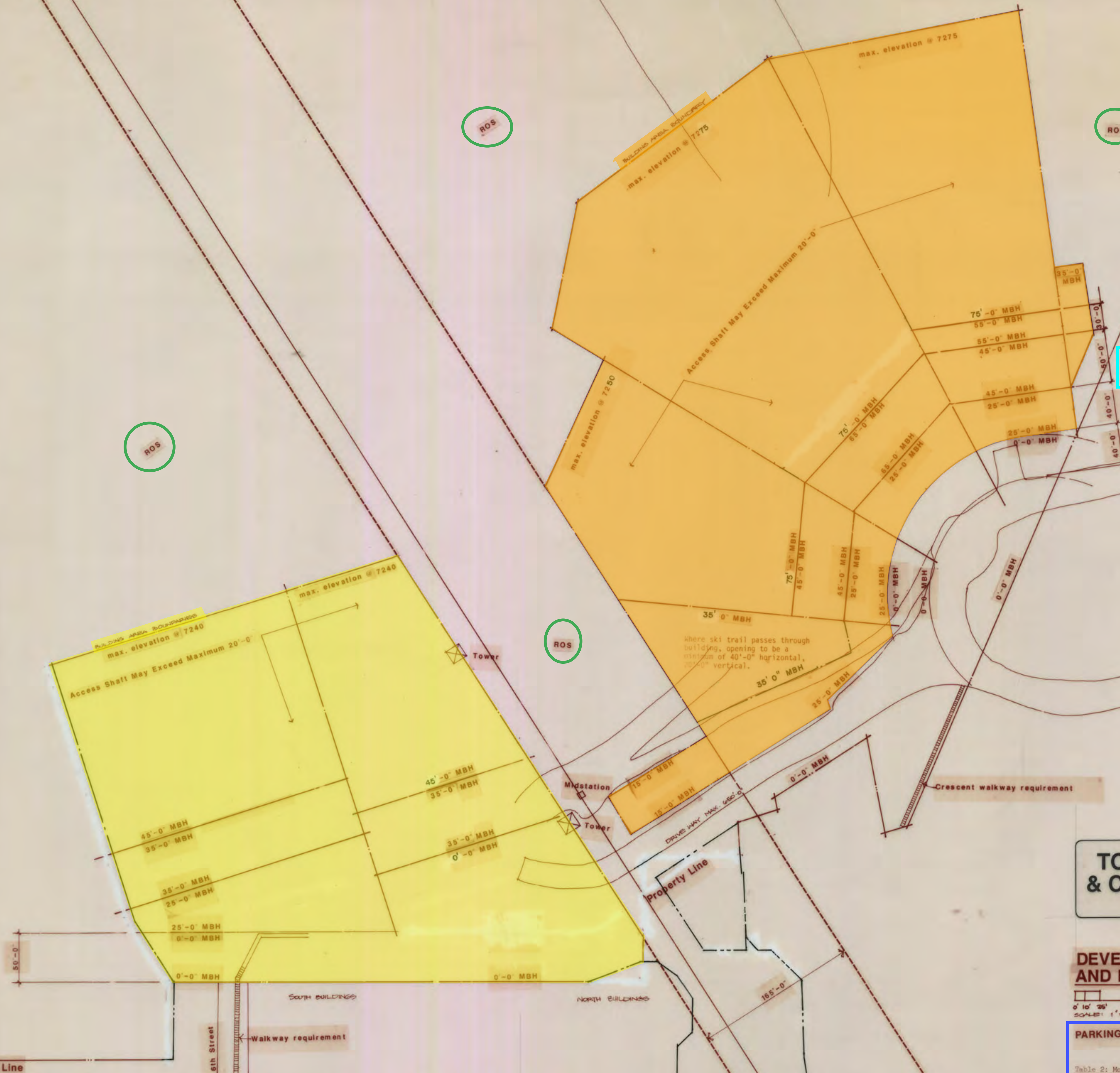
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REVISED 3-8-89 TO REFLECT 10-14-87 APPROVAL

SCHEME E

ARCHITECTS ASSOCIATES INC.
EUGENE J. WOODRUFF, AIA F. KEITH STEPAN, AIA
466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

REVISED

TOWN LIFT MID STATION SITE
55.5 UNIT EQUIVALENTS HOTEL-CONDOMINIUM
3.5 UNIT EQUIVALENTS-SUPPORT COMMERCIAL



CREOLE
16.8 UNIT EQUIVALENTS HOTEL-CONDOMINIUM
15.5 UNIT EQUIVALENTS SUPPORT COMMERCIAL

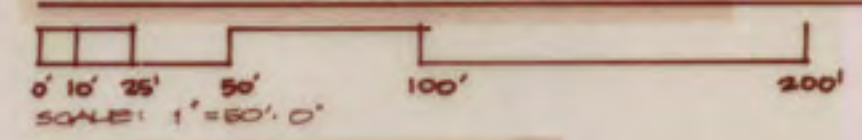
TOWN LIFT MID STATION
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3.5 UNIT EQUIVALENTS SUPPORT COMMERCIAL

**TOWN LIFT MIDSTATION
& CREOLE HEIGHT ZONES**
SWEENEY PROPERTIES MASTER PLAN

MPE INC.
P.O. BOX 2429
PARK CITY, UT 84060
(801) 649-7077

22
DATE 3-8-89

**DEVELOPMENT REQUIREMENTS
AND RESTRICTIONS**



PARKING REQUIREMENTS					
Table 2: Modified Parking					
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# of Parking Spaces =	.66	1	1.5	2	2

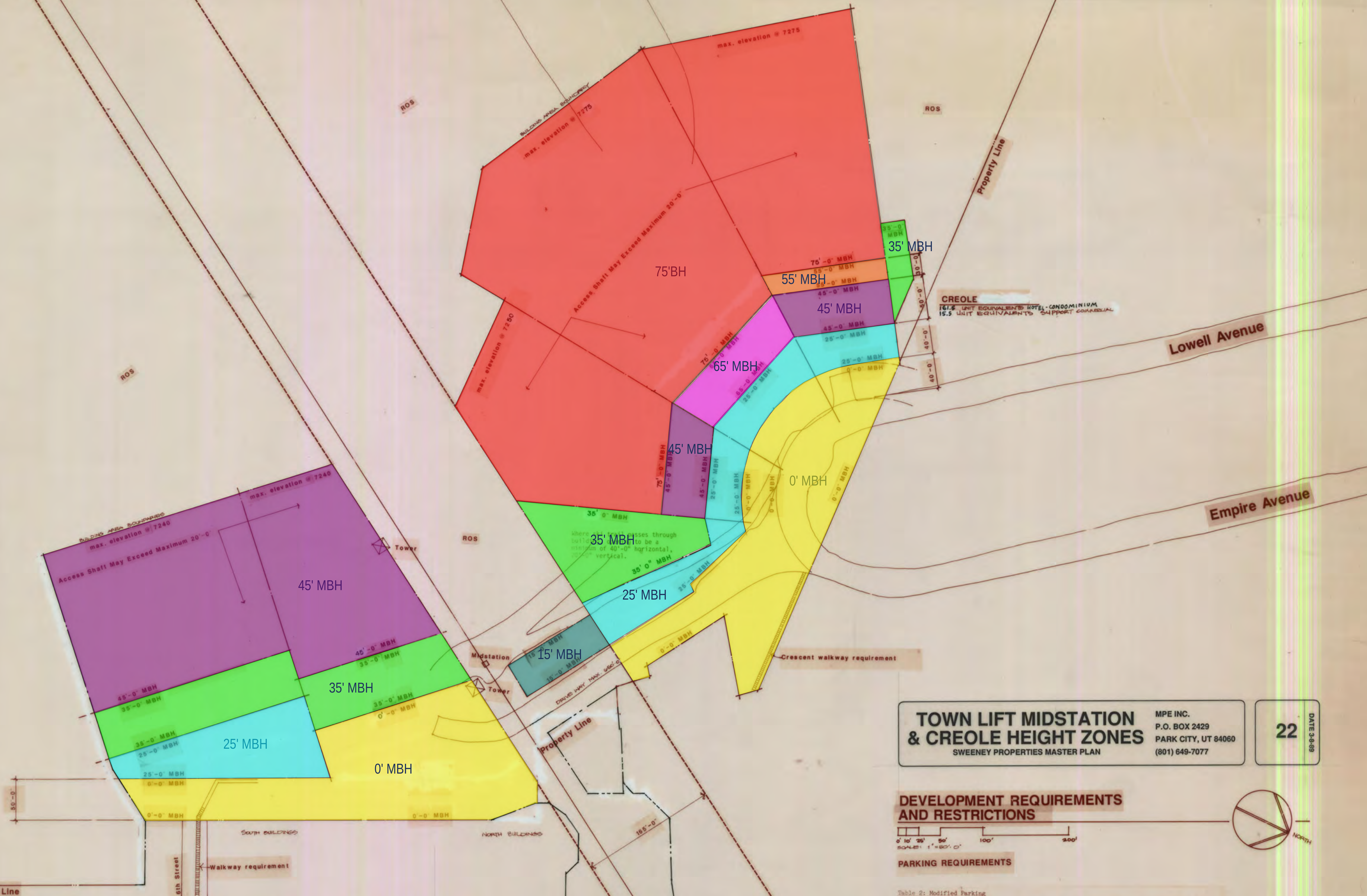
MBH = maximum building height above natural grade
ROS = reserve open space

ARCHITECTS ASSOCIATES INC.
EUGENE J. WOODRUFF, AIA F. KEITH STEPAN, AIA
466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

REVISED

REVISED 3-8-89 TO REFLECT 10-14-87 APPROVAL
REVISED 12-18-86 TO REFLECT 10-16-86 APPROVAL

7 JULY 1986
28 JANUARY 1988
15 JANUARY 1986
27
13 November 1988
Packet Pg. 183



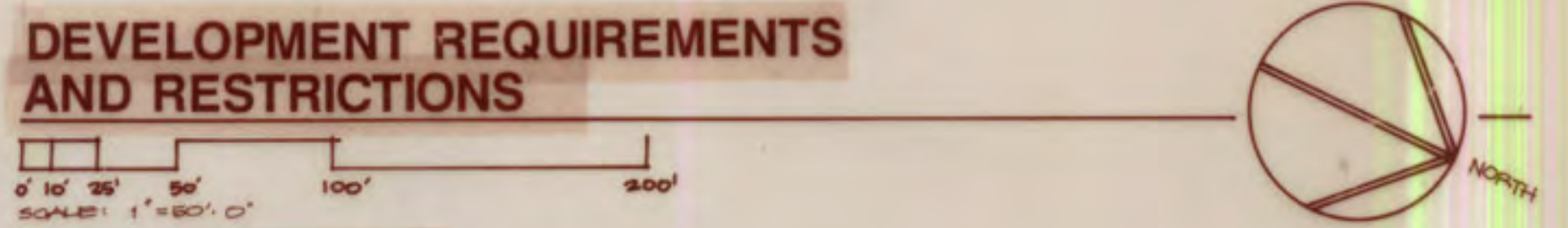
TOWN LIFT MIDSTATION & CREOLE HEIGHT ZONES

SWEENEY PROPERTIES MASTER PLAN

MPE INC.
P.O. BOX 2429
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22

DATE 3-8-89



PARKING REQUIREMENTS

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13 November 1985

Packet Pg. 184

ARCHITECTS ASSOCIATES INC.

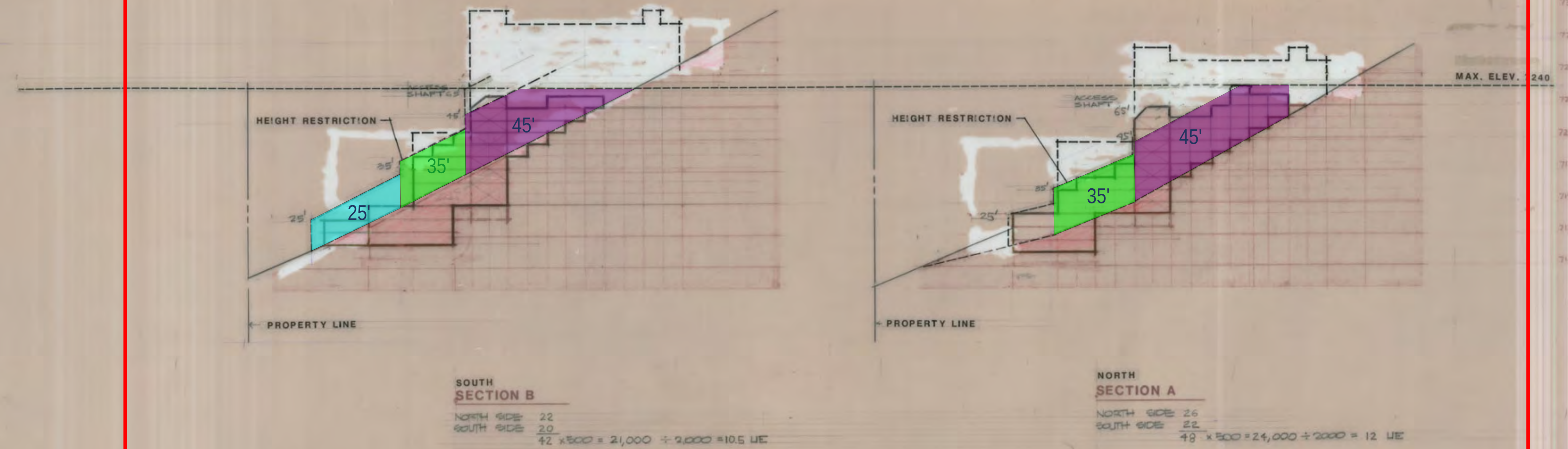
EUGENE J. WOODRUFF, AIA F. KEITH STEPAN, AIA
466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

REVISED

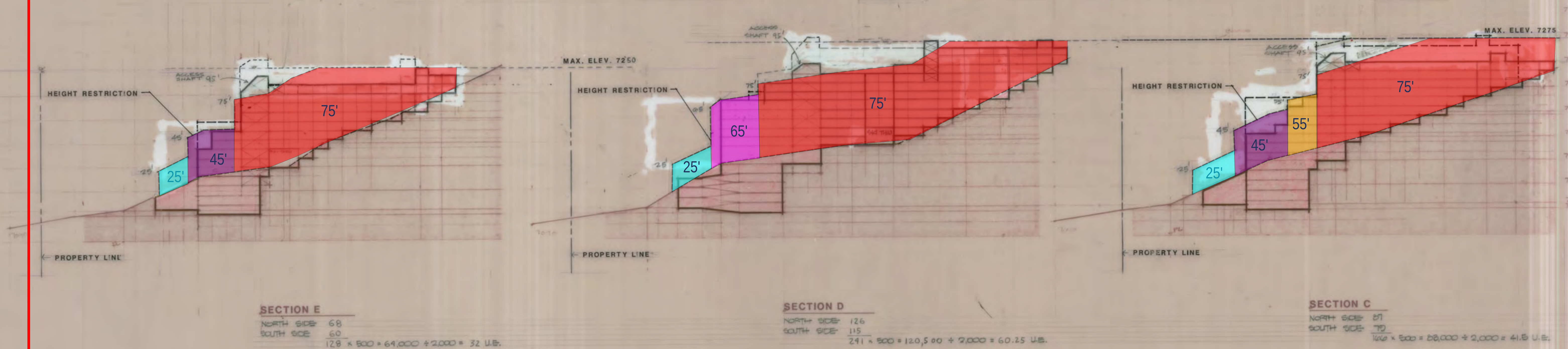
TOWN LIFT MID STATION
35.5 UNIT EQUIVALENTS HOTEL-CONDOMINIUM
3.5 UNIT EQUIVALENTS SUPPORT COMMERCIAL

REVISED 3-8-89 TO REFLECT 10-14-87 APPROVAL
REVISED 12-18-86 TO REFLECT 10-16-86 APPROVAL

TOWN LIFT MIDSTATION SITE



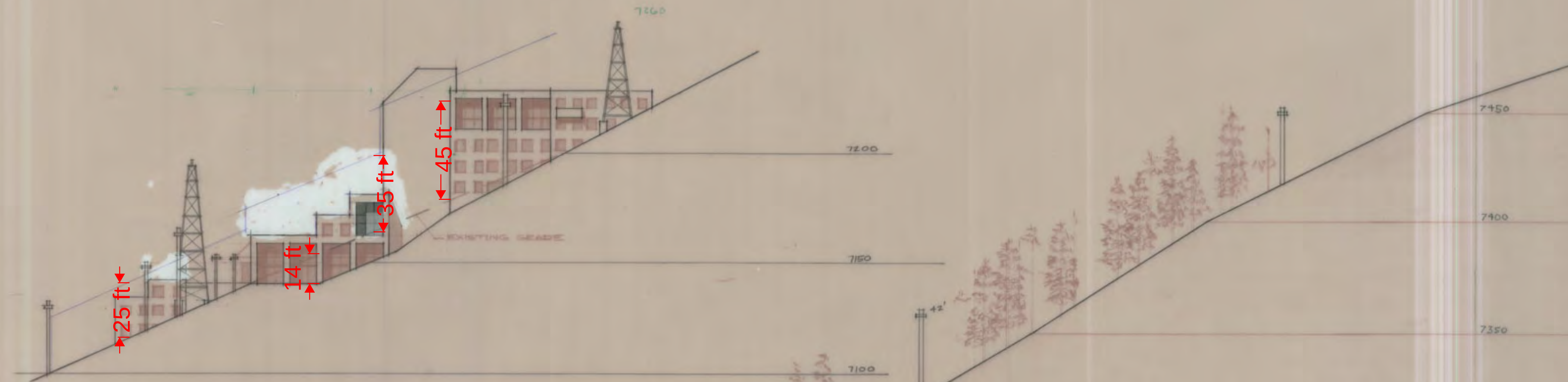
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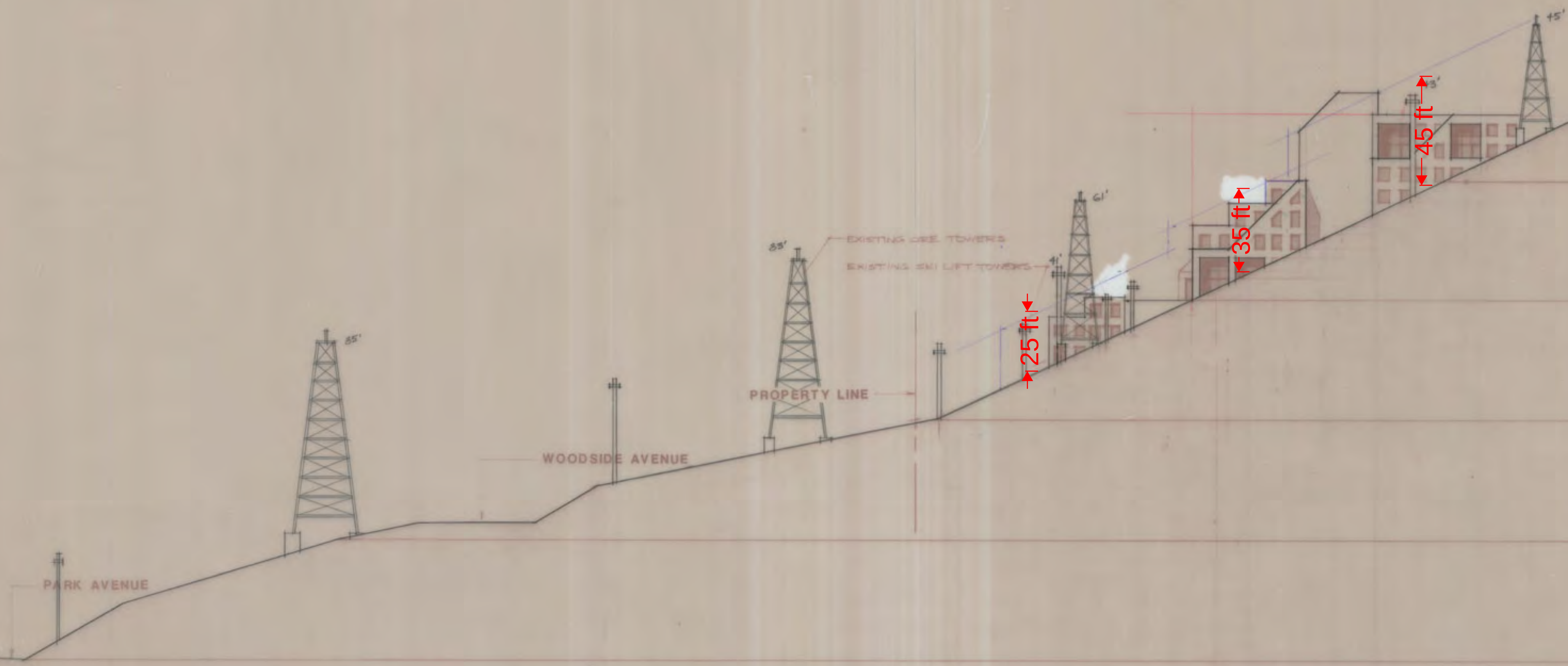
SCHEME E

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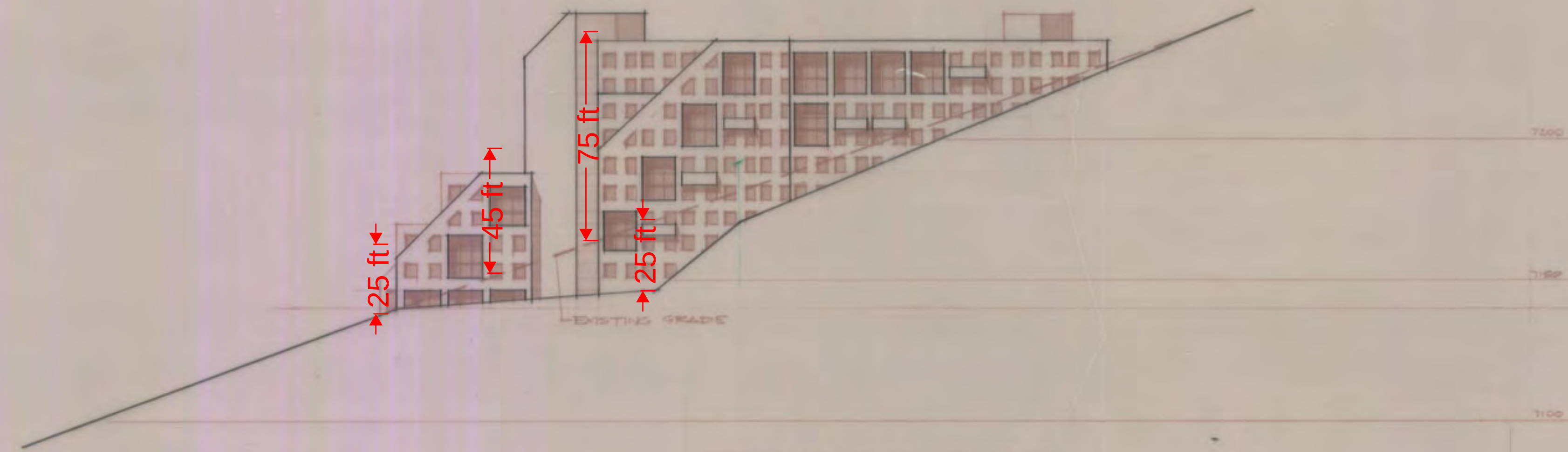


ELEVATION BUILDING A

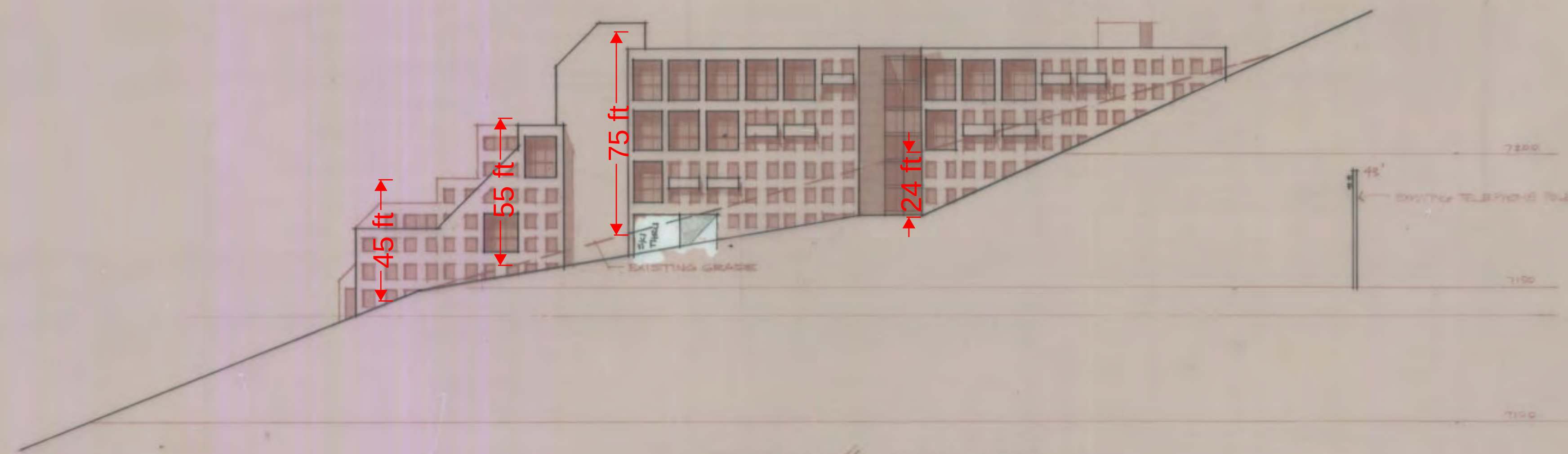


ELEVATION BUILDING B AND SITE SECTION

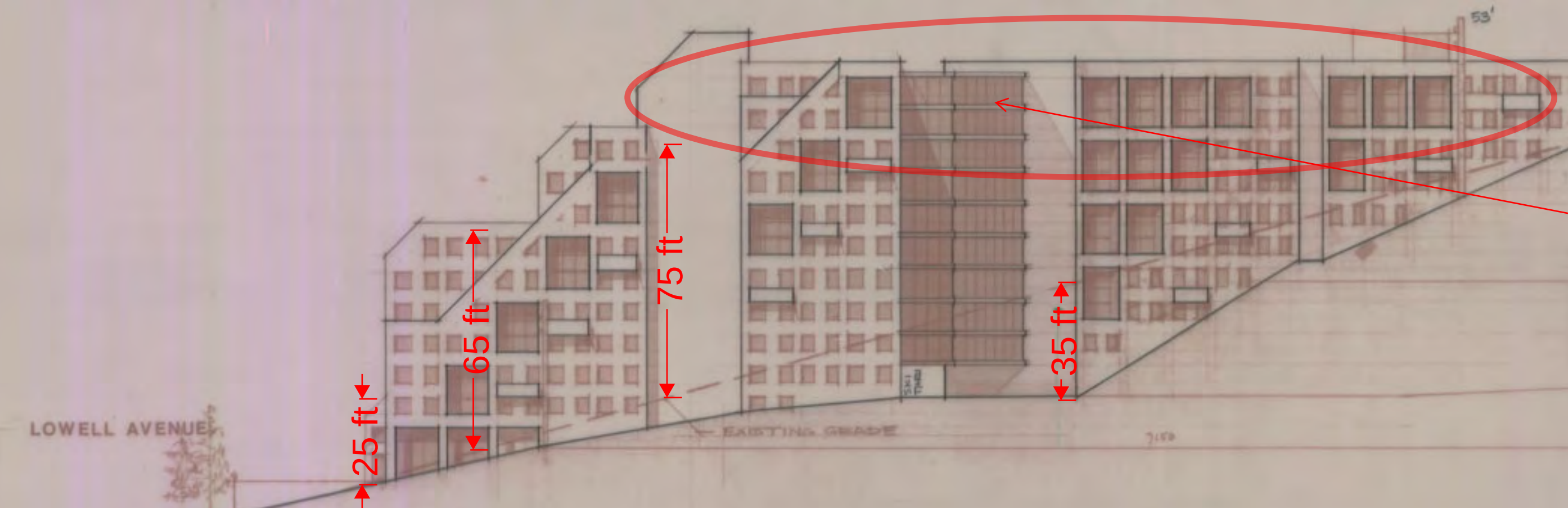
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ELEVATION BUILDING E



ELEVATION BUILDING C



TOP OF BUILDING NOT UPDATED TO REFLECT APPROPRIATE HEIGHT AS CHANGED & SHOWN ON BLDG. SECTION D ON SHEET 18 OR REFLECTED ON HEIGHT ZONES SHEET 22

PROPERTY LINE

EMPIRE AVENUE

LOWELL AVENUE



ARCHITECTS ASSOCIATES INC.

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466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

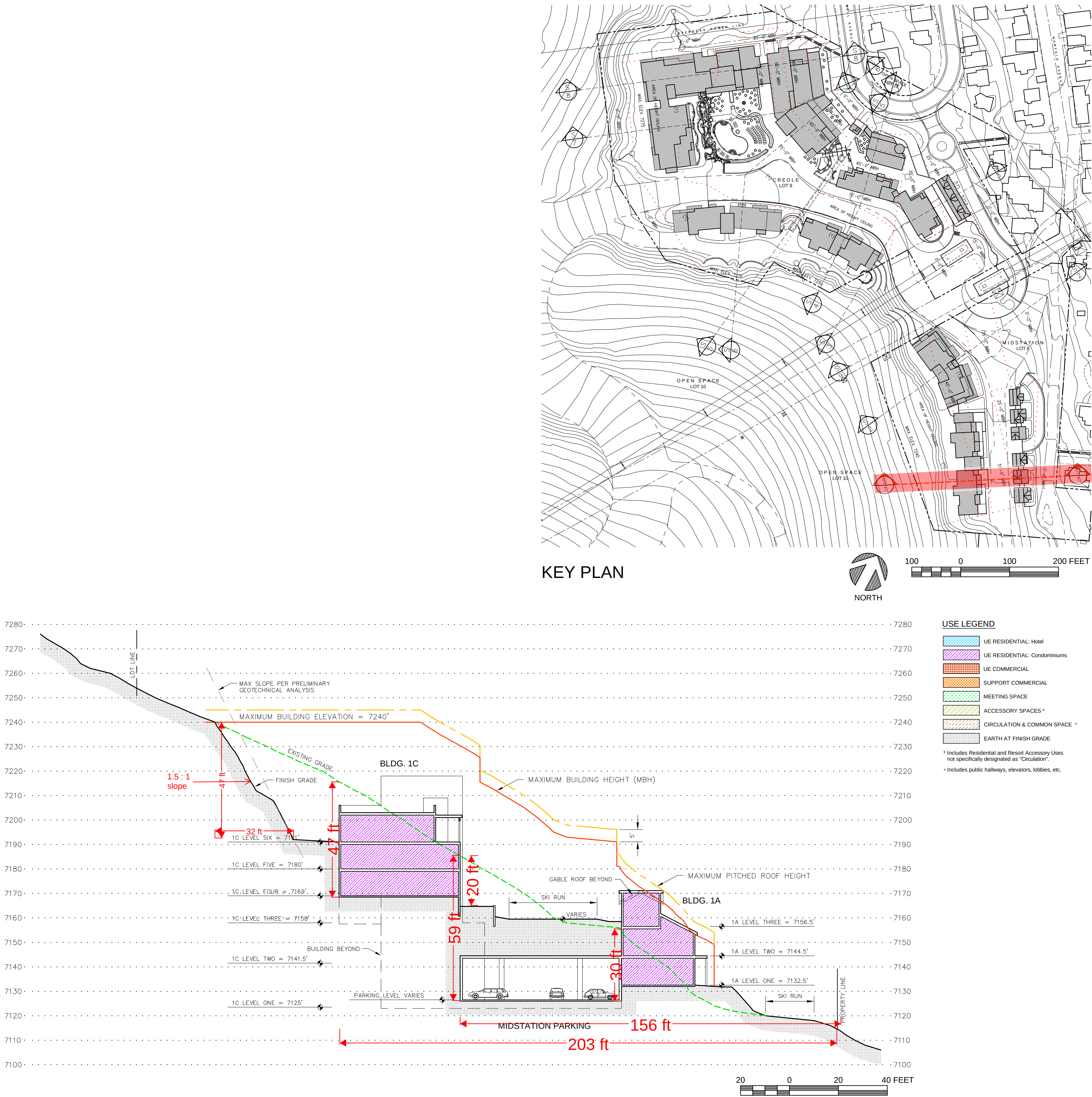
REVISED

ELEVATION BUILDING D AND SITE SECTION

SCALE 1/8" = 1'-0"

**CREOLE SITE
SAMPLE ELEVATIONS**
SWEENEY PROPERTIES MASTER PLAN

MPE INC.
P.O. BOX 2429
PARK CITY, UT 84060
(801) 649-7077



UPDATES:
#1 08/07/2017

DAVID G. ELDREDGE, ARCHITECT
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PHONE: 801.580.3783
EMAIL: david@delredge.com

Applicant: MPE Inc.
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email: psbro23@mac.com

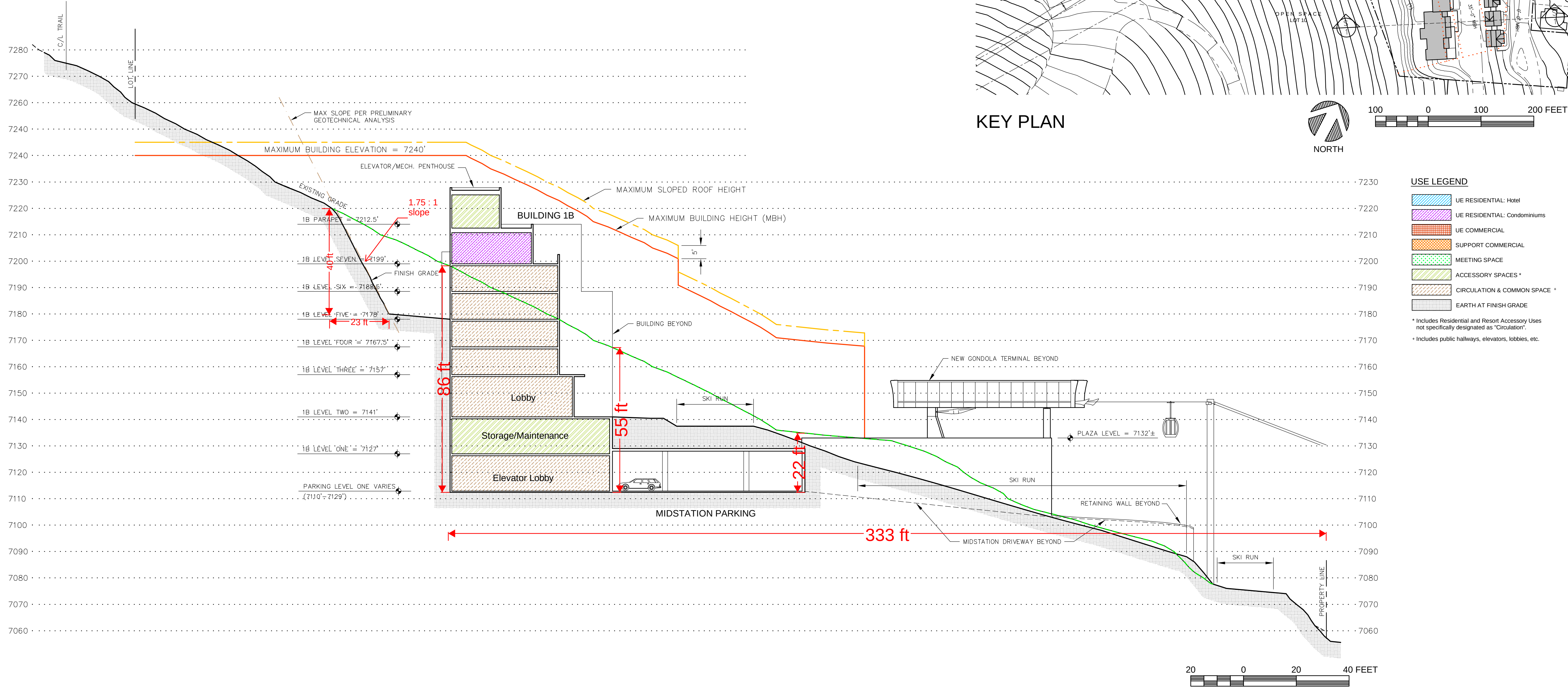
V17.2 - 2017 Refinements #2 to 2009 Submittal
Building & Site Section

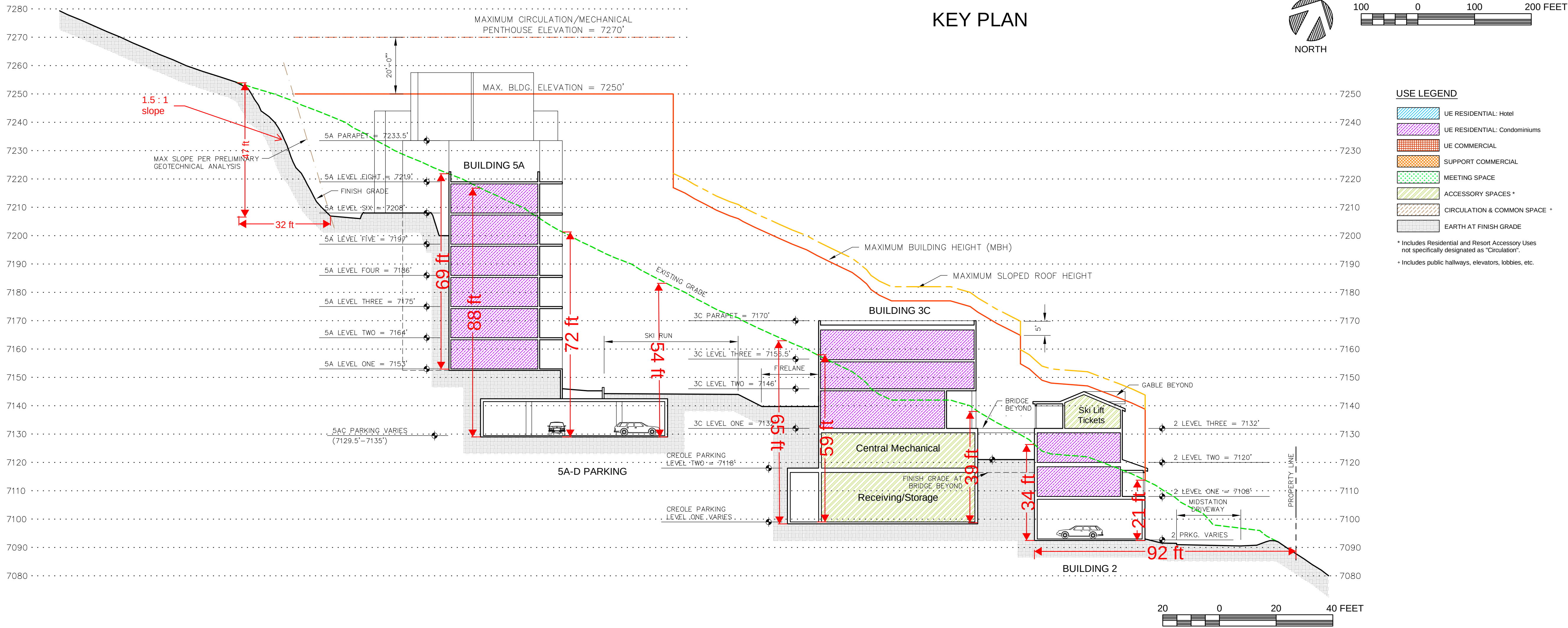
TREASURE - PARK CITY, UTAH

SHEET NO.

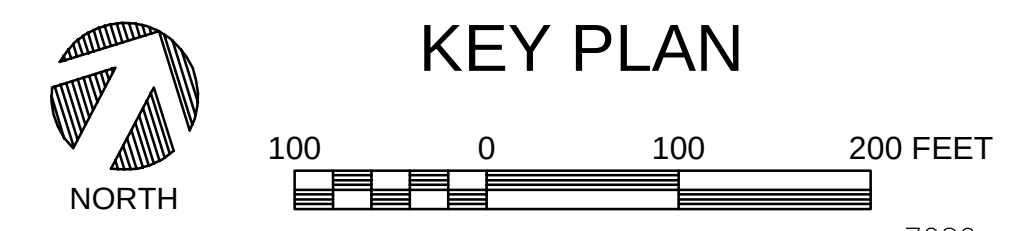
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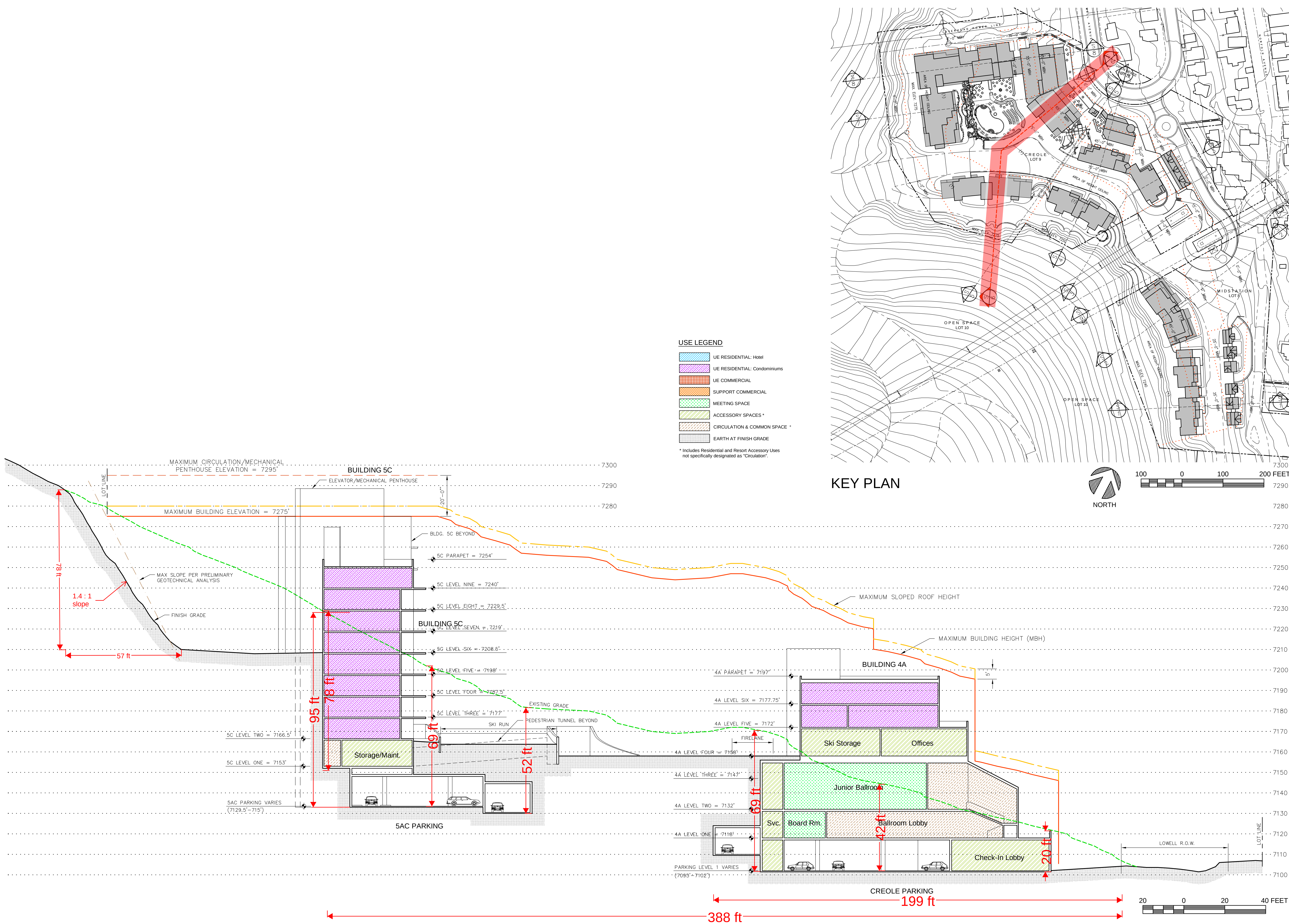
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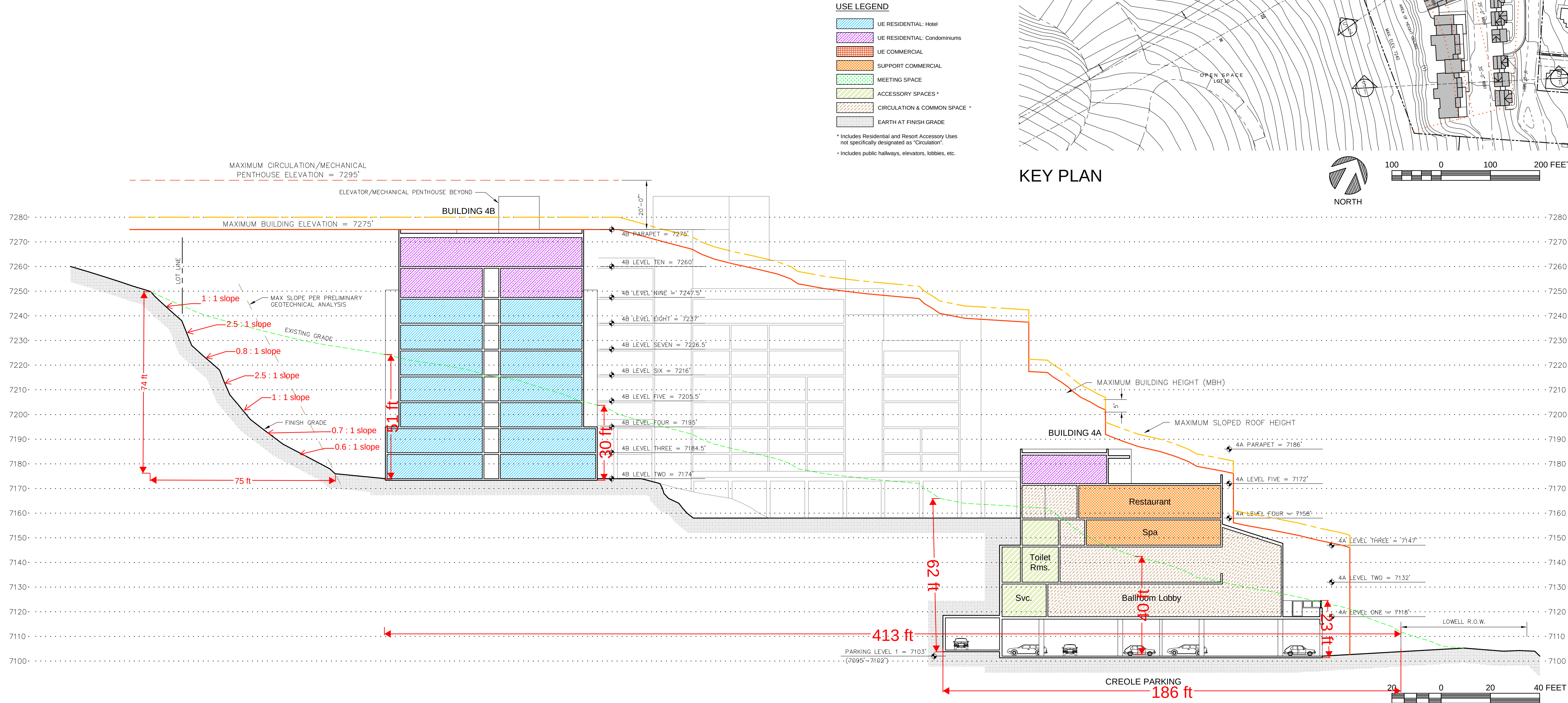








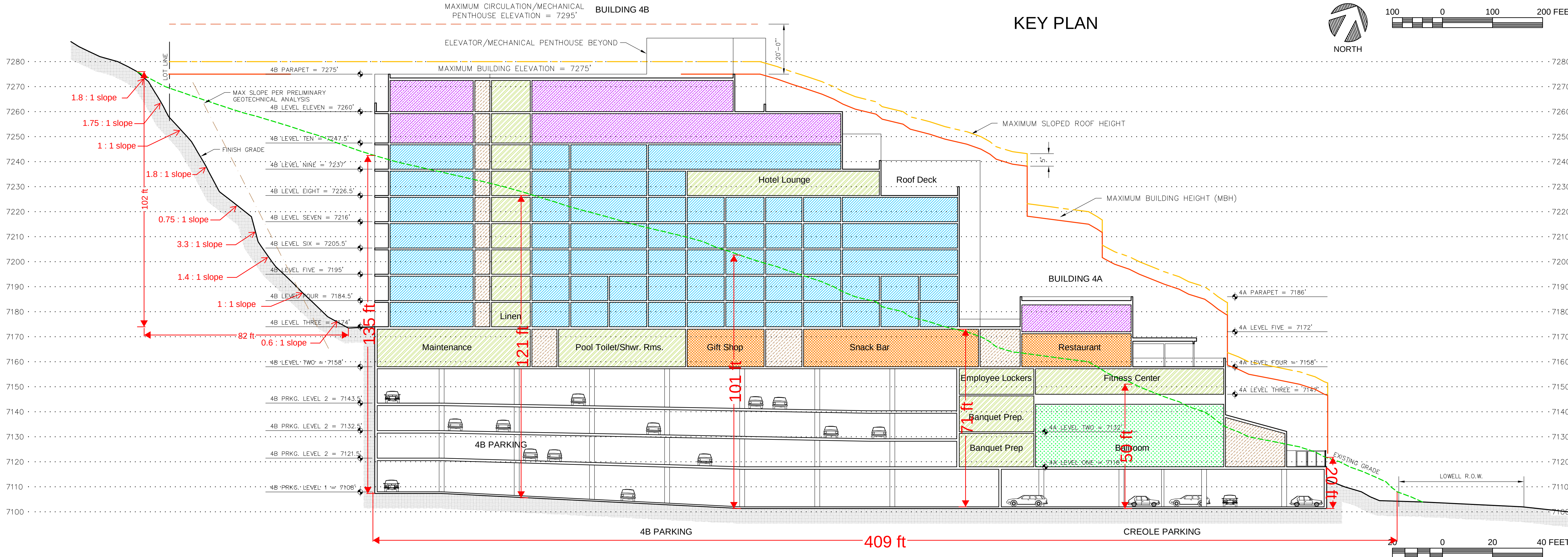
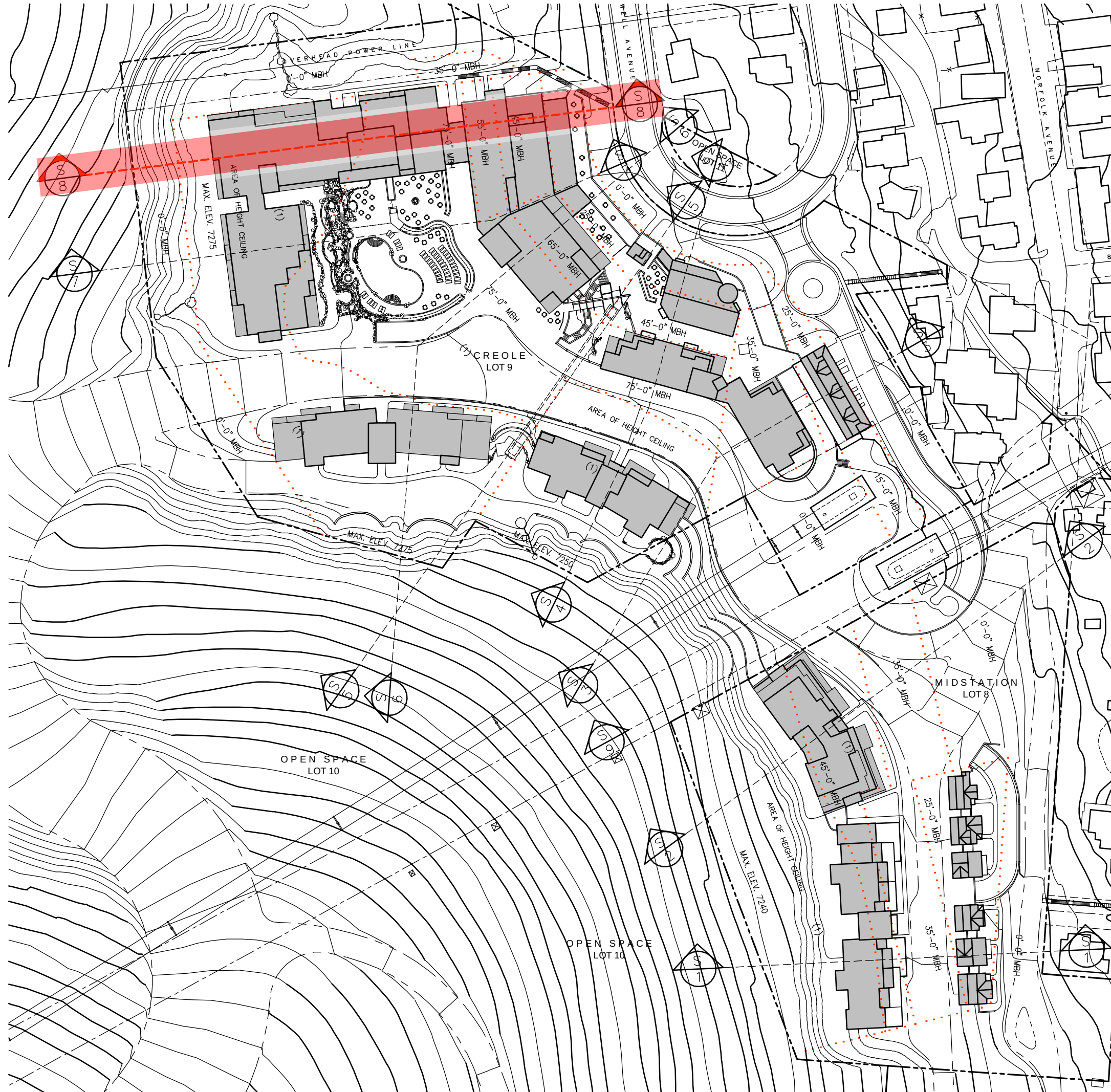


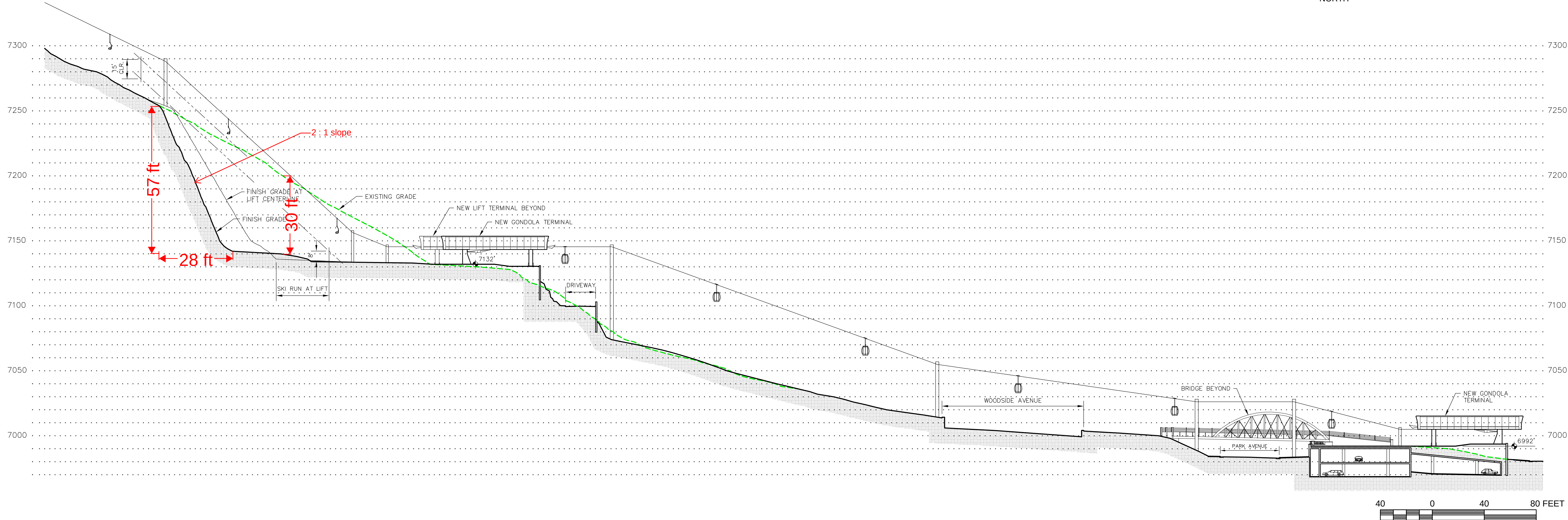


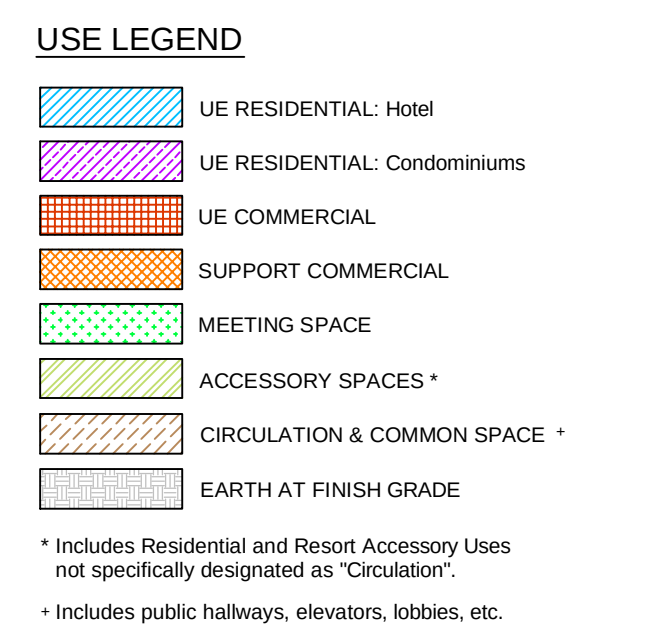
USE LEGEND

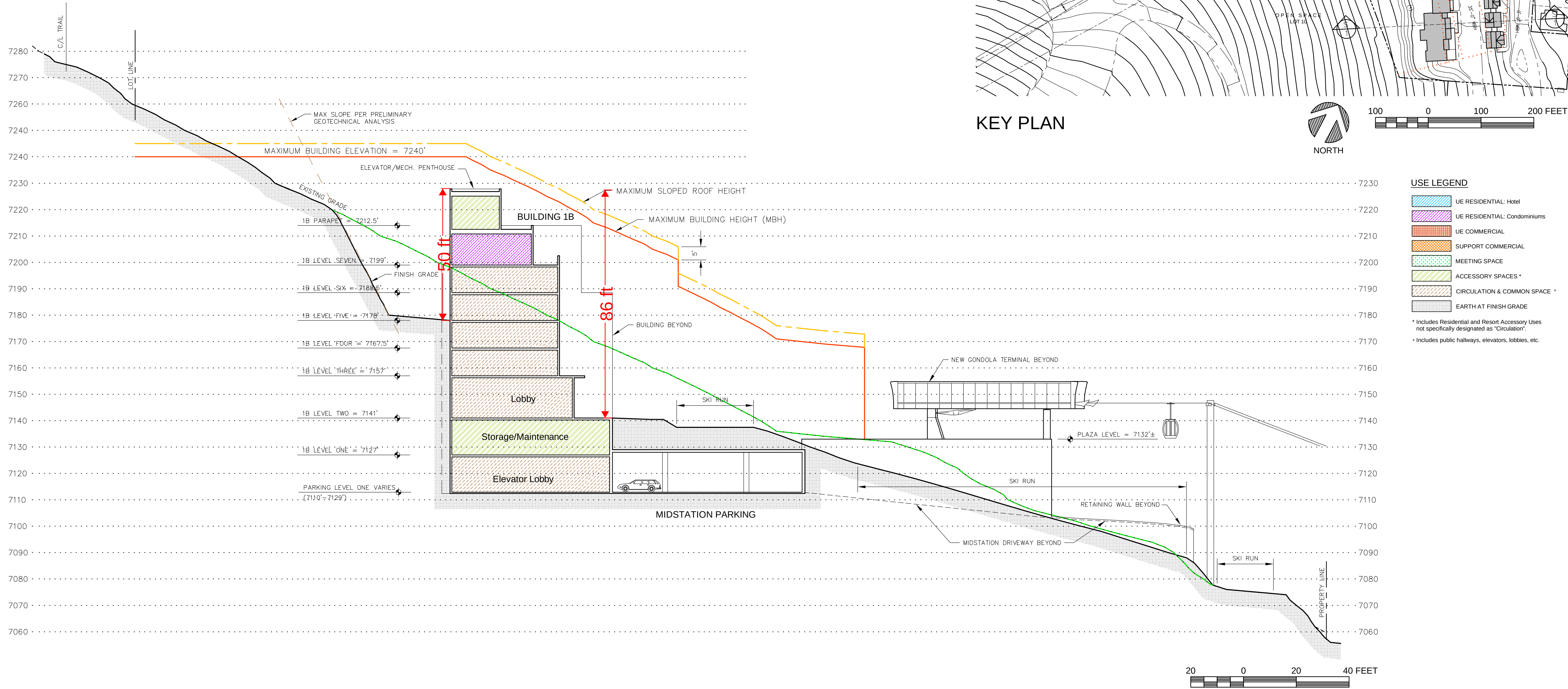
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- UE RESIDENTIAL: Condominiums
- UE COMMERCIAL
- SUPPORT COMMERCIAL
- MEETING SPACE
- ACCESSORY SPACES *
- CIRCULATION & COMMON SPACE *
- EARTH AT FINISH GRADE

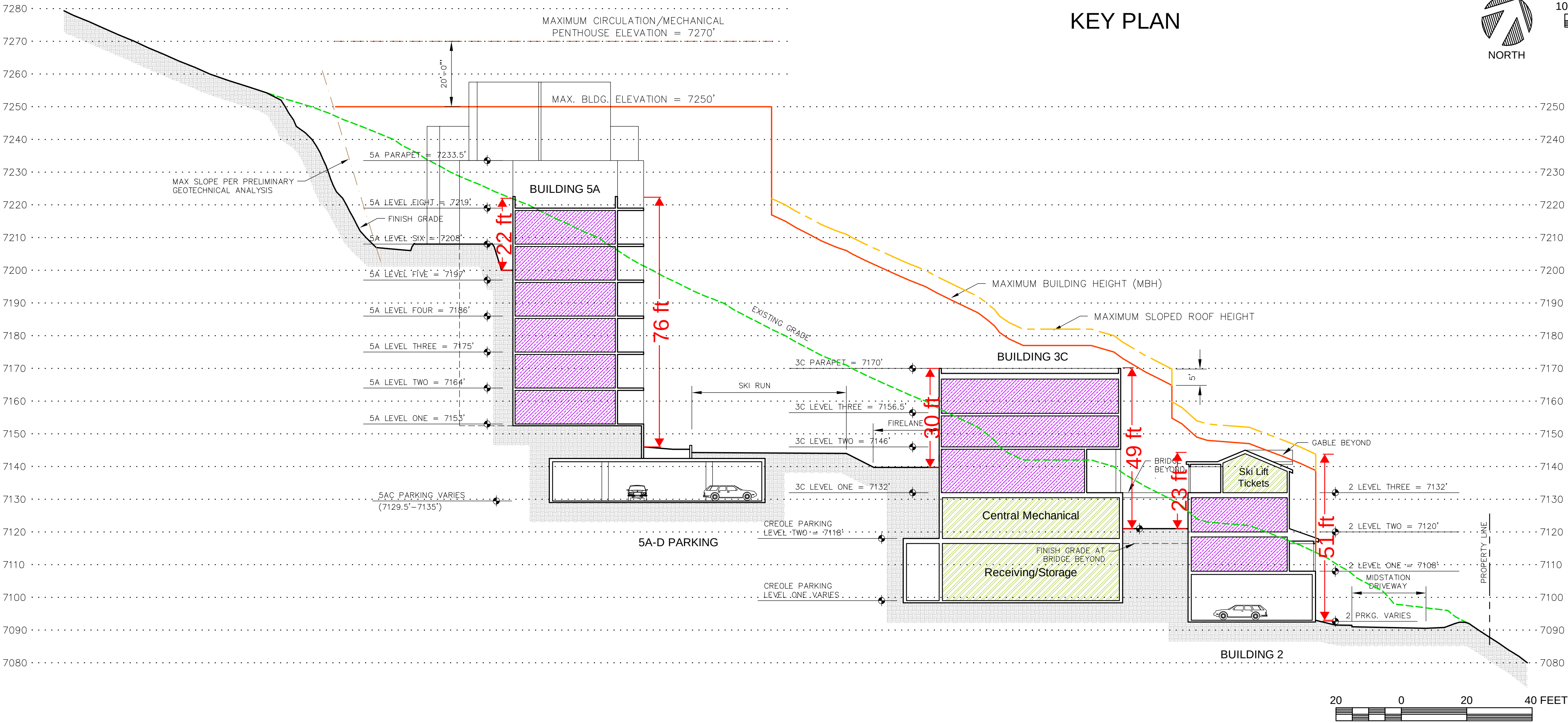
* Includes Residential and Resort Accessory Uses not specifically designated as "Circulation".











USE LEGEND

[Pattern]	UE RESIDENTIAL: Hotel
[Pattern]	UE RESIDENTIAL: Condominiums
[Pattern]	UE COMMERCIAL
[Pattern]	SUPPORT COMMERCIAL
[Pattern]	MEETING SPACE
[Pattern]	ACCESSORY SPACES *
[Pattern]	CIRCULATION & COMMON SPACE *
[Pattern]	EARTH AT FINISH GRADE

* Includes Residential and Resort Accessory Uses not specifically designated as "Circulation".
* Includes public hallways, elevators, lobbies, etc.

Applicant: MPE Inc.
P.O. Box 2429
Park City, Utah 84060
(435) 901-2077
email: psbro23@mac.com

DAVID G. ELDRIDGE, ARCHITECT
SALT LAKE CITY, UTAH 84103
PHONE: 801.580.3783
EMAIL: david@delredge.com

V17.2 - 2017 Refinements #2 to 2009 Submittal

Building & Site Section

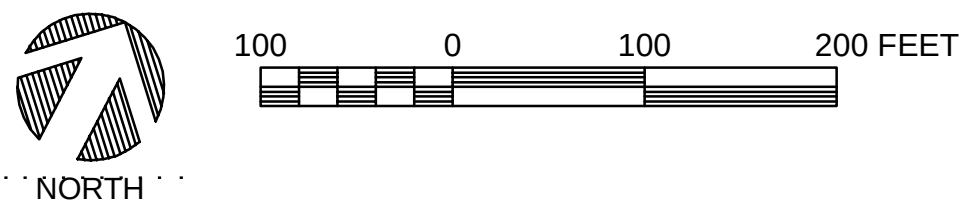
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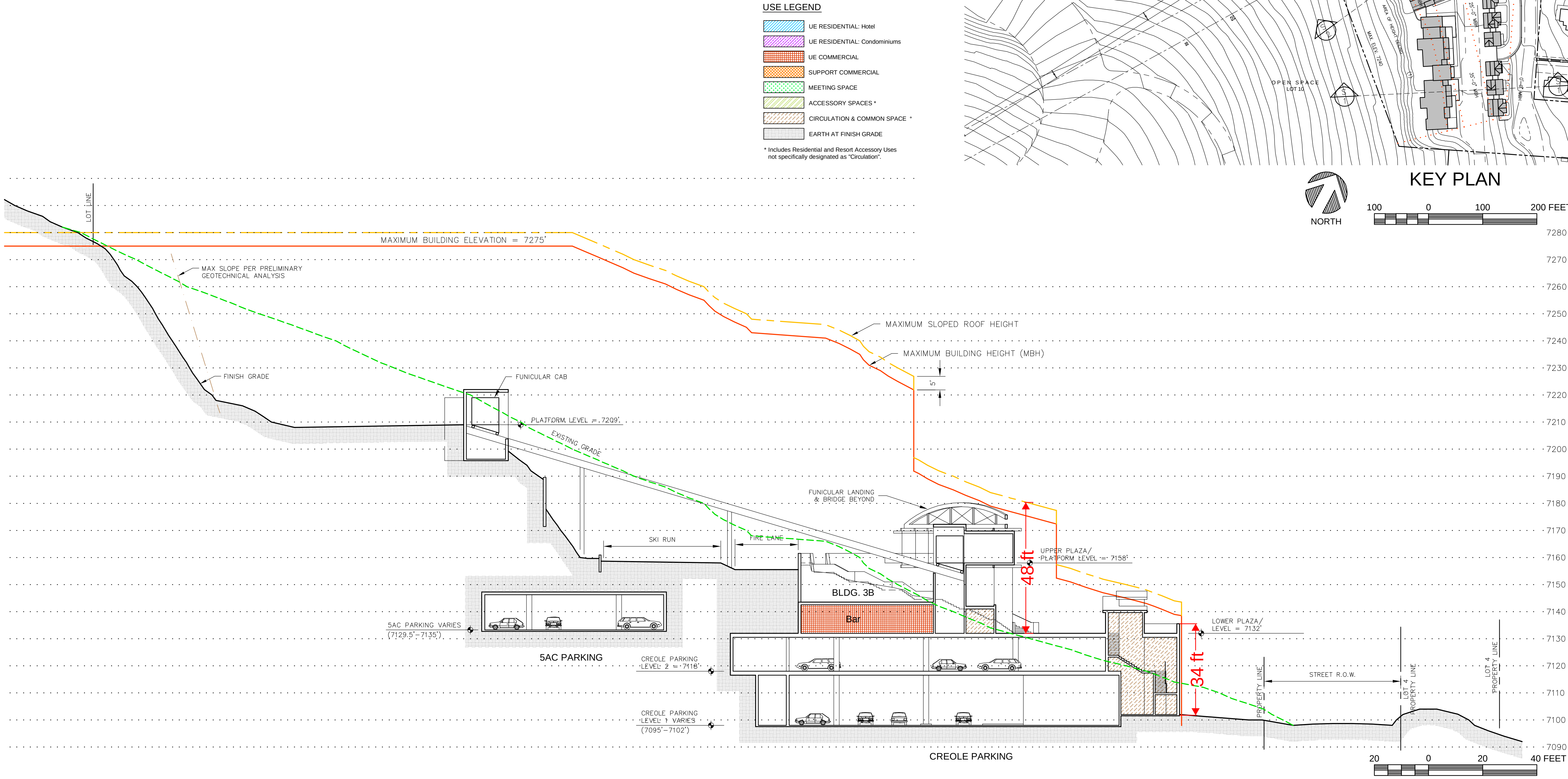
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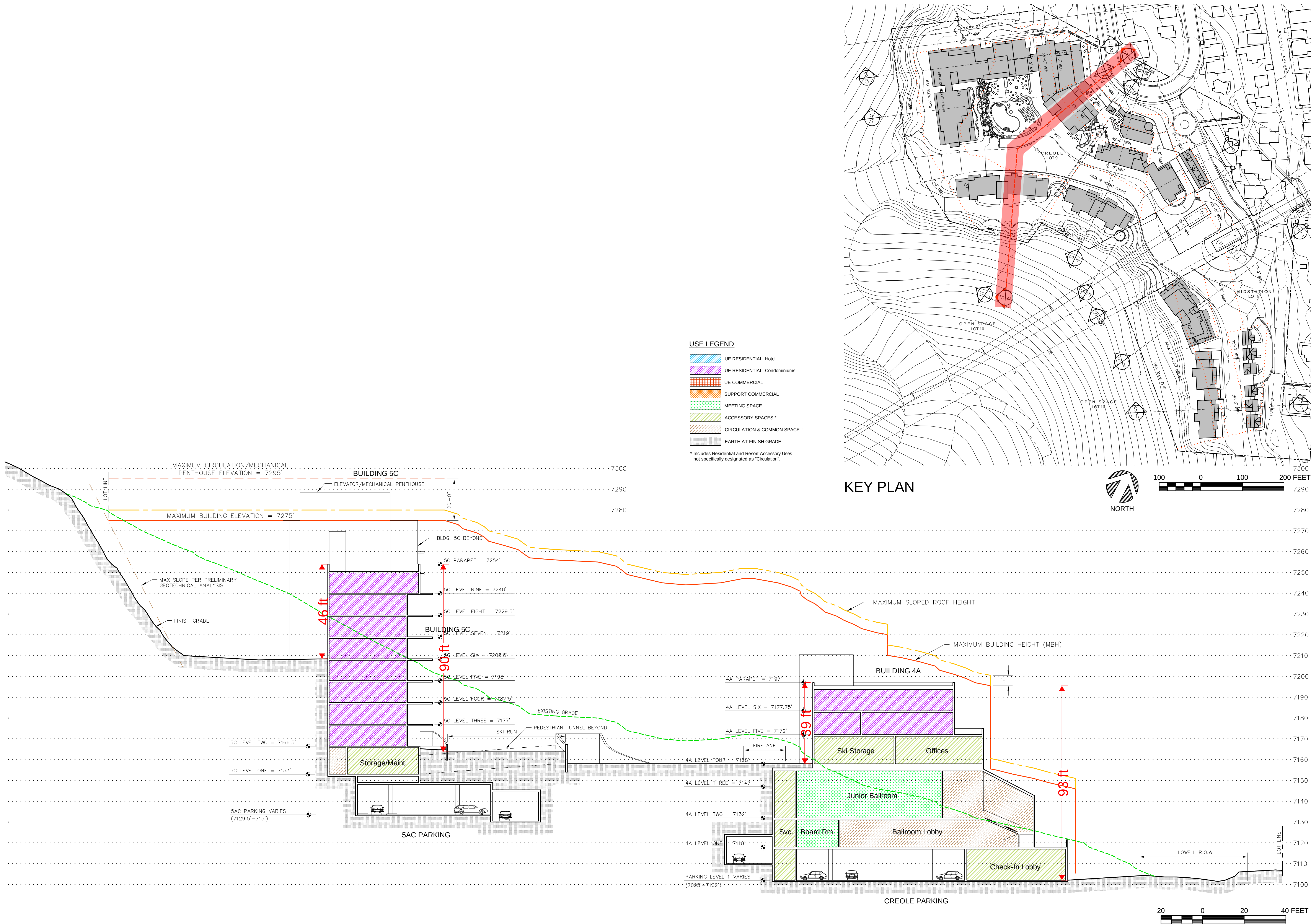
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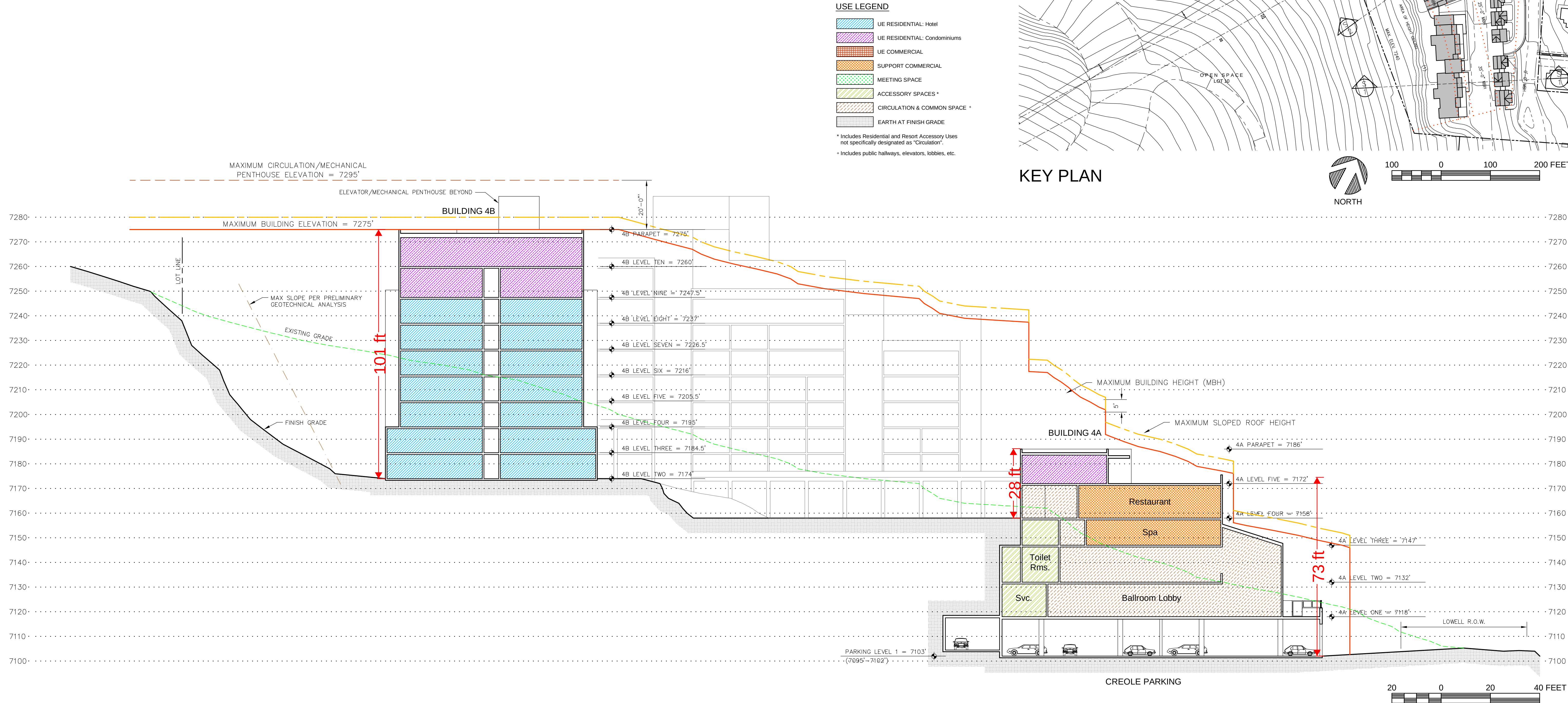
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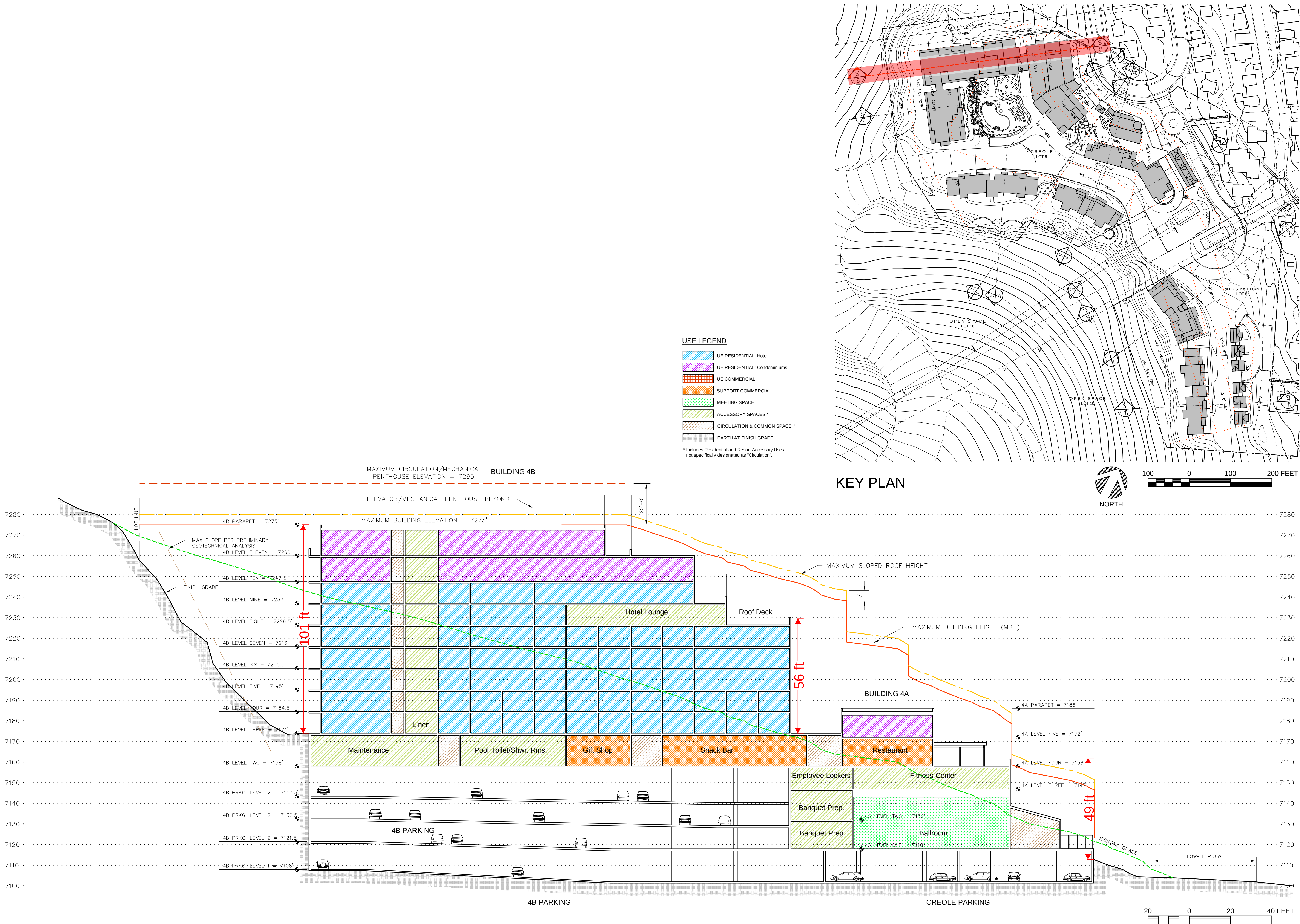
UPDATES:
#1 08/07/2017

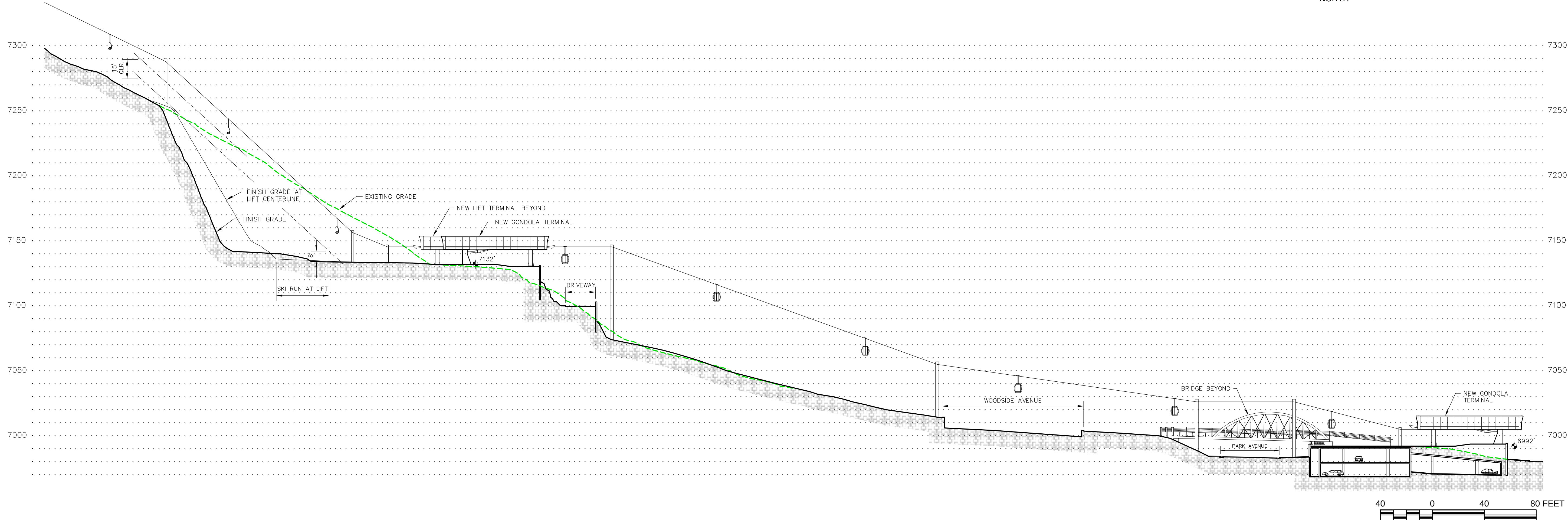
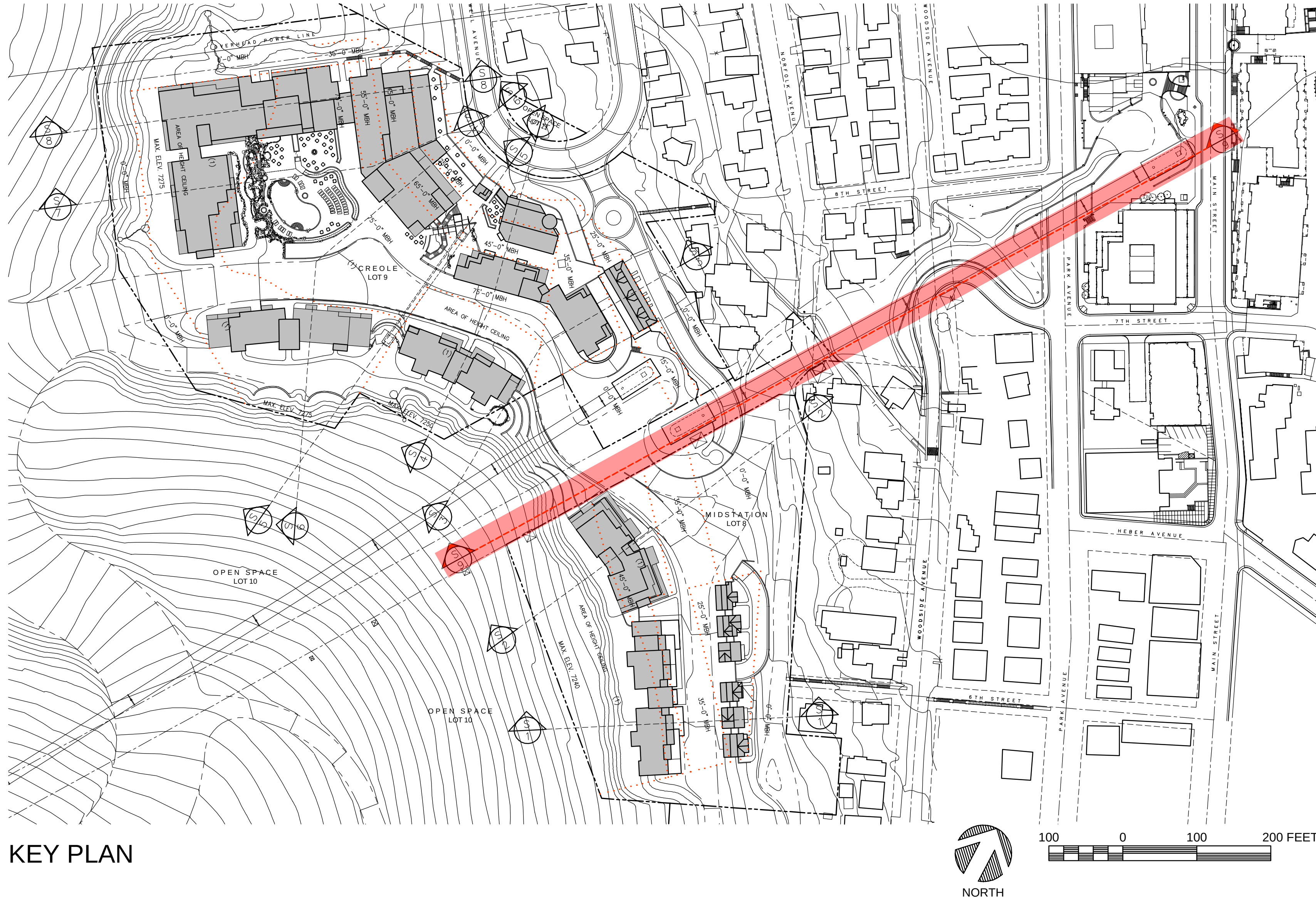












Planning Commission Staff Report



Application: PL-17-03526
Subject: Empire Residences
Author: Kirsten Whetstone, AICP, Sr. Planner
Date: October 25, 2017
Type of Item: Administrative - Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and discuss the Conditional Use Permit for the Empire Residences (Building 3 -Village at Empire Pass Master Planned Development). **Staff requests discussion of 1) side setback reduction requested for balconies on the north elevation and 2) compliance with the VEP MPD Building 3 Volumetric diagram, and continuation to November 29th.**

Description

Applicant: Empire Residences LLC- Brady Deucher
Location: 7695 Village Way
Zoning: Residential Development (RD) District as part of the Flagstaff Annexation and Master Planned Development
Adjacent Land Uses: Deer Valley Resort, Empire Club, condominiums, townhouses, vacant development parcels of the Village at Empire Pass Pod A and open space

Summary

On April 12, 2017, the Planning Department received an application for a Conditional Use Permit (CUP) for a 21 unit residential lodge building to be located on Lot 3 of the Village at Empire Pass North Subdivision (Exhibits A-D) utilizing 24.5 unit equivalents (UE). The building is identified as Building 3 within the Village at Empire Pass Master Planned Development (VEP MPD), approved on July 28, 2004 (Exhibit E). An ADA and a deed restricted unit are also proposed within the lodge building. This application was deemed complete on July 17, 2017, with submission of additional information.

Background

Flagstaff Annexation

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" Master Planned Development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel. The Flagstaff Development Agreement (Agreement) was amended and recorded in March 2007 (Exhibit F).

The 2007 Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, townhouse or PUD units, provided the number of PUD units does not exceed 60. The Mountain Village is also allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A) (Exhibit L- Village Map). The development pods are to be linked by transit. A fourth pod, pod D is allowed 30 single family lots (this area was platted with the Red Cloud Subdivision for 30 single family home sites). Subject property is located within Pod A (Exhibit M- Pod Map). See Exhibit N for density summary of the MPD (note- this is still current density summary as no new condominium plats recording new units/UEs have been recorded).

The Agreement required the applicant to submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the amended Development Agreement form the standards under which the subject subdivision plat, and subsequent Administrative Conditional Use Permit, are reviewed (Exhibit O – [Link to Technical Reports](#)).

Village at Empire Pass Master Planned Development

On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A), known as the Village Master Planned Development (VEP MPD) (Exhibit F). The VEP MPD was the first step in the development process for Pod A. A separate MPD for Pod B1 was approved in May 2002 and amended in 2004, 2005, 2008 and 2009. Additionally, on March 14, 2007, the Planning Commission approved a Master Planned Development for Pod B2 at Empire Pass (location of the Montage Resort and Empire Canyon Day Lodge).

The purpose of the MPD was to establish unit mix and density for the Mountain Village as well as addressing overall project infrastructure throughout the Annexation Area. The MPD established building volumetric diagrams, including specific height exceptions, density and development location. The MPD requires Conditional Use Permit approval for the lodge buildings and Administrative Conditional Use Permit approval for the townhouse and PUD style units, prior to building permit issuance for construction.

Subdivision Approvals

Village at Empire Pass North Subdivision plat, approved by Council on June 15, 2017, plats metes and bounds parcels within the VEP MPD area for the purpose of creating platted lots of record for Buildings 3 and 4, as well as townhouse units on Lot 1. Recordation of the final plat is pending final review by the City Engineer and the City Attorney's Office. Plat recordation is a condition of issuance of a building permit for construction of Building 3. The plat identifies a requirement for affordable housing to be constructed within the buildings on Lots 2 and 3 to be completed prior to issuance of a certificate of occupancy for each building.

Submittal

On April 12, 2017, the Planning Department received an application for a Conditional Use Permit (CUP) for a 20 unit residential lodge building to be located on Lot 3 of the Village at Empire Pass North Subdivision (Exhibits A-D). The application was deemed complete on July 17, 2017 with submission of additional information.

Purpose

The purpose of the Residential Development (RD) Zoning District is to:

- (A) allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- (B) encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- (C) allow commercial and recreational activities that are in harmony with residential neighborhoods,
- (D) minimize impacts of the automobile on architectural design,
- (E) promote pedestrian connections within Developments and between adjacent Areas; and
- (F) provide opportunities for variation in architectural design and housing types.

Land Management Code (LMC) and VEP MPD Analysis

The proposal complies with LMC lot and site requirements of the RD Zoning District and the VEP MPD as described below.

	RD Zoning District and/or VEP MPD
Lot Size	No minimum lot size. Lot 3 is approximately 0.66 acres (28,750 square feet).
Front yard setbacks	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20' (garage is on side).
Rear yard setbacks	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 15'.
Side yard setbacks Roof eaves are allowed to extend 3' into the side, rear and front setbacks. Shared driveway is permitted across the property line within the platted access easement per plat. Sidewalks that provide circulation within the Village are permitted as shown within platted access easements.	Minimum 12 feet side setbacks. North side- proposed minimum setback is 12'. (North side balconies must maintain a 12' setback, as they are not within 30" of final grade, unless the Planning Commission allows a reduction as project is within an MPD.) South side- proposed minimum setback is 12'. On south side the screened and grated mechanical vault is shown in the side yard setback. Screened mechanical equipment is allowed in the side setback but must maintain a minimum 5' setback to the property line- proposed mechanical is entirely below final grade.

Building Height Per Village MPD Volumetric and Height Exception Diagrams (see Exhibit G).	Staff requests discussion regarding compliance with the MPD allowed building volumetric (see Exhibit H- Volumetric Study). A mix of 4 and 5 residential stories are allowed in addition to a parking story and a roof envelop area with the following volumetric configuration: 25% of the building was permitted to reach 74' above existing grade (north end), 55% of the building to reach 82' above existing grade, and 20% of the building (south end) to reach 74' above existing grade. Proposed building (north) 25% at or less than 74', 50% at or less than 82', and (south) 25% at or less than 74'.
Parking	The Transit and Parking Management Plan approved with the MPD requires a 25% reduction in parking from what would be normally required by the LMC. Based on unit sizes, forty-two (42) spaces would be required for the 20 units, one ADA and one EHU. With the 25% reduction 32 spaces are required. The underground parking structure has 30 spaces (29 are code compliant) (including one ADA). There are 3 surface spaces at front drop-off area for required parking.
Architectural Design	All construction is subject to Village at Empire Pass Design Review Board (DRB) approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit. The building as presented was reviewed by the Village at Empire Pass DRB including site and architectural design, articulation, volumetric, height allowances, and setbacks. Final approval is required for permitting.
Residential Units	21 units ranging in size from 496 sf to 3,608 sf (total of 49,000 sf). Deed restricted unit is 880 sf (includes dedicated storage area). ADA unit is 436 sf. Total all residential is 50,316 sf. Total circulation is approximately 16,409 sf.
Commercial space	No commercial space is proposed.
Residential Accessory uses (Guest amenities)	Common residential amenity areas are provided on level one, including locker rooms, fitness area, lounge/pub and lobby areas for the use of the residents and guests. Total amenities is approximately 4,500 sf.

Density Summary Density is per Development Agreement and VEP MPD. 21 units (49,000 square feet, utilizing 24.5 UE). 1 UE is equivalent to 2,000 sf of residential floor area. One ADA and one deed restricted affordable unit are proposed within the building. Development Agreement tracks both UEs (each 2,000 sf) as well as total number of units. Gross building area is 85,789 sf and includes all residential units, circulation and lobby, guest amenities, parking, mechanical, storage, and other (office, housekeeping, etc.). All residential- 50,316 sf- 58% Circulation- 18,029 sf- 21% Guest Amenities- 4,500 sf- 5.2% Parking/mech/storage/other- 12,944 sf- 15.8%. (approximate square footages)	The Mountain Village (Pods A, B1 and B2) was approved with a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units. To date 382 multi-family units (588.742 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built within the Mountain Village, including One Empire. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. One Empire Pass is under construction. Still to be approved/constructed are Tower Residences (aka Building 1), Building 3 (subject property), Building 4 (north of subject property) and B2East, as well as several townhouse units within Pod A. There is sufficient remaining density for the proposal (see Exhibit N- Density Summary). Density summary includes One Empire Pass as the condominium plat was recorded. 168 MF units (196.268 UE) remain at this time.
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Analysis of Conditional Use Criteria

Conditional Uses are subject to review according to the following criteria set forth in the LMC 15-1-10(E). Staff's analysis is in *italics*.

(1) Size and location of the Site;

Empire Residences consists of a single multi-story building with 21 residential units ranging in area from 496 sf to 3,608 sf, one 880 sf affordable housing unit, and one 436 sf ADA unit. Subject property is Lot 3 of the Village at Empire Pass North subdivision, north of Shooting Star and southeast of One Empire Pass adjacent to the Silver Strike lift and ski run. The lot consists of approximately 0.66 acres (28,750 square feet). Excluding the affordable and ADA units, the total market rate residential floor area is 49,000 sf, utilizing 24.5 unit equivalents (UE). Gross building area is 85,789 sf, of which 50,316 sf is residential (58%); 18,029 sf is circulation/lobby (21%); 4,500 sf is guest amenities (5.2%); and 12,944 sf is parking garage, mechanical, storage, manager office, housekeeping, etc. (15.8 %).

*The site slopes up from the street and the design proposes a single level underground parking structure with up to five and six stories of residential uses. Two upper units have a mezzanine level into the roof area. The garage entrance is on the north side. The garage level is mostly below final grade. The size and location of the site comply with parameters of the MPD. **No unmitigated impacts.***

(2) Traffic considerations including capacity of the existing Streets in the Area;

*This site is served by Village Way and Empire Club Drive, private roads that connect to Marsac Avenue, a public Right-of-Way. A traffic management plan was approved as part of the Technical Reports for the Flagstaff Annexation and Development Agreement to reduce overall traffic generated from the development. Parking has been reduced by 25%. A Construction Mitigation Plan is required at the time of Building Permit issuance in compliance with the Flagstaff Development Agreement that reiterates that downhill truck traffic will use Royal Street, unless use of Marsac Avenue is approved and/or required by the City Engineer and Chief Building Official. The Construction Mitigation Plan also addresses where excavated materials will be hauled if they are not used on this site. The Development Agreement requires excavated materials to remain within the Annexation Area. **No unmitigated impacts.***

(3) Utility capacity;

*Sewer, electric, gas, water and phone service is available at the site. A final approved storm water plan, as well as a final utility and grading plan, is required prior to issuance of a building permit. Applicant will need to verify that capacity still exists in the detention pond below this property and will need to maintain run-off sufficient to support the existing tree stands. All above ground utility infrastructure (transformers, ground sleeves, telephone boxes, cable boxes, etc.) are to be located on the property. Staff recommends a condition of approval related to the location of dry facilities on the property to ensure that the location of transformers and other utility infrastructure on the property is shown and these items can be adequately screened. Showing dry utilities on the final plans allows verification from utility companies that the location shown on the plans is viable for their installation. **No unmitigated impacts.***

(4) Emergency vehicle Access;

*Primary emergency access is from Village Way as well as Empire Club Drive that winds through the Village area with two access points onto Marsac Avenue. Village Way intersects both Empire Club Drive and Marsac Avenue providing multiple routes for emergency access. **No unmitigated impacts.***

(5) Location and amount of off-Street parking;

*The Transit and Parking Management Plan approved with the MPD and Flagstaff Development requires a 25% reduction in parking from what would be normally required by the LMC. A total of forty-two (42) spaces are required for the 20 units as configured, the EHU and the ADA unit. The 25% reduction rounds to a required 32 spaces. The underground parking structure will have 30 spaces, of which 29 are code compliant. Additionally, 3 surface spaces are provided in front near the drop-off area. Spaces should not be assigned to individual units. **No unmitigated impacts.***

(6) Internal vehicular and pedestrian circulation system;

*Access to the project is from Village Way, a private street. A drop-off area is located in the front of the building and a bus stop is located nearby on Marsac Avenue. A pedestrian path system is proposed consistent with the Village Master Plan of Trails connecting this building to the Empire Club and shuttle stop. **No unmitigated impacts.***

(7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
*A final landscape plan is required as a condition precedent to Building Permit. Landscaping and irrigation will be water efficient, utilizing drought tolerant plantings, limited turf area, and drip irrigation. The plan shall indicate mitigation for removal of identified significant trees. **No unmitigated impacts.***

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;
This building is one of ten multi-story lodge buildings planned to be clustered within Pod A and oriented along the Silver Strike lift and ski run. Empire Residences is proposed to have four to six floors (with a seventh mezzanine level for three of the sixth floor units within the roof area). There is a single level parking structure under the building. The ADA unit and deed restricted employee housing unit (EHU) are located on the first story, along with three market units and the resident's amenity area (locker rooms, exercise room, lounge/pub, and lobby area). Levels 2 -4 each have four units. Levels 5 and 6 each have three units. Market rate units range in area from 496 sf to 3,608 sf. The ADA unit is 439 sf and the EHU is 880 sf (including assigned storage area).

*Gross building area, including units, parking and all common areas within the building is 85,789 sf. A total of twenty-one (21) residential units are proposed with a total of 49,000 sf, not including the 880 sf deed restricted affordable housing unit (includes dedicated storage areas) and the 436 sf ADA unit. The 49,000 sf utilize 24.5 unit equivalents (UE). To the west, there are five existing buildings of a similar size, height, and volumetric (One Empire Pass, Silver Strike, Flagstaff, Arrow Leaf A and Arrow Leaf B). On the adjacent lot to the south there is one existing building (Shooting Star). Additionally, to the south there is one lodge building still to be constructed (Tower Residences). Adjacent to the north there is a lodge building contemplated on Lot 2 of the Village at Empire Pass North (VEPN) and townhouses are contemplated on Lot 1 of the VEPN, across Village Way to the east. The mass of the building steps up the lot with the slope. The building is articulated both horizontally and vertically. **No unmitigated impacts.***

(9) Usable Open Space;
*Both passive and active Open Space is provided in excess of 88% within the Flagstaff Annexation boundary. The individual lots were not required to provide open space. The proposal includes a useable plaza area in the back adjacent to the ski run/lift area. **No unmitigated impacts.***

(10) Signs and lighting;
*Signs and lighting must be in conformance with the Park City codes and the Flagstaff Mountain Resort Design Guidelines. All exterior signs require a separate sign permit approved by the Planning Department. Any sign shown on the plans is for illustration only and does not indicate approval. Street lights must be approved by the City Engineer (LED, 48 watt, 2700 K in a style consistent with Park City street lights) and if installed, will be privately maintained. **No unmitigated impacts.***

(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

*In the immediate area, there are five existing similarly sized multi-story residential condominium buildings (Silver Strike, Flagstaff (aka Snowberry), Shooting Star, Talisker Tower Club and One Empire Pass), as well as the two story Larkspur town homes and Paintbrush PUD style homes (single-family detached homes). See also #8 above. The master developer is coordinating design elements for all phases of the project and all developments require approval by the Flagstaff Architectural Design Review Board. Staff reviewed the proposed building for compliance with the Volumetric Diagram and maximum building height allowed and finds that the building complies with the intent of these volumetric in terms of allowable building height. The building is 4 to 6 stories of residential (with a lower parking garage and an additional mezzanine for two 6th story units in the roof area). **Staff requests discussion of the building volumetric regarding stories, including allowing the mezzanine level above two units on the 6th story.***

(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

*All uses, except the outdoor patio area, are inside the residential building and there are no expected impacts on residents/visitors or Property Off-Site. Mechanical equipment is proposed to be below final grade and screened with landscaping and covered with a grate material. Staff recommends conditions of approval related to screening of exterior mechanical equipment and protrusions. **No unmitigated impacts.***

(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

*Service and delivery is for residential only as there is no commercial or support commercial component in the building. It is anticipated that laundry/maid service will be needed on a weekly basis throughout the Village. Trash enclosure is located in an accessory structure outside of the garage entry. Three parking spaces in the front provide for loading and unloading. **No unmitigated impacts.***

(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;

*The project will be platted as a condominium. Nightly rental is a permitted use within the RD zoning district. These units will primarily be second homes and it is unlikely that many will be full-time residences, although this possibility is not precluded. **No unmitigated impacts.***

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site.

*There are no Environmentally Sensitive Lands within or adjoining the site. The building, as with most of the lodge buildings, is located on the gentler slopes within the Pod A. The site is currently developed with a temporary sales building. There is some significant vegetation (aspen trees and shrubs) on the site that if removed will have to be mitigated with replacement trees and shrubs. **No unmitigated impacts.***

(16) General Plan. The application is subject to the restrictions and conditions of the Flagstaff Annexation and Development Agreement. In terms of the General Plan, this property was annexed, zoned, master planned and platted to be consistent with the goals and objectives of the Park City General Plan in providing resort based lodging and guest amenities in close proximity to Deer Valley Resort, affordable housing, reduction in traffic generation with clustered development in the Village, shuttle service within the development and within Park City, significant open space and trails, as well as attention to mitigation of past and present environmental impacts.

Department Review

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

Notice

The property was posted and notices were mailed to property owners within 300 feet on October 10, 2017. A legal notice was published in the Park Record on October 7, 2017. No public input has been received at the time of this report.

Significant Impacts

There are no significant fiscal or environmental impacts from this application that have not been mitigated with the Flagstaff Agreement and Master Planned Development and conditions of approval.

Recommendation

Staff recommends that the Planning Commission hold a public hearing and discuss the Conditional Use Permit for Empire Residences (Building 3) of the Village at Empire Pass MPD. **Following public hearing and discussion, Staff requests continuation to November 29, 2017.**

Staff requests discussion regarding:

- 1. Setback reductions for a portion of the length of the balconies on the north elevation, as discussed in the Analysis section above.**
- 2. Compliance with the Building 3 Volumetric approved with the Village at Empire Pass MPD, in terms of allowing the mezzanine level for two sixth floor units and allowing residential use within the roof area.**

Staff prepared draft findings of fact, conclusions of law, and conditions of approval for the Commission's initial review, discussion and comment:

Draft Findings of Fact:

- 1. The Empire Residences Conditional Use Permit (CUP) is located in the RD-MPD zoning district, within Pod A of the Village at Empire Pass Master Planned Development.**
- 2. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.**

3. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Village MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (known as Mountain Village) was amended to include Pod B2 (Montage). The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units. To date 382 multi-family units (588.742 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built (including the One Empire Pass units).
5. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Building 5 is under construction as One Empire Pass. Still to be approved: Tower Residences (Building 1), Building 3 (subject property) and Building 4. There is sufficient density remaining within the MPD with 196.268 UE (168 MF units) remaining (see Exhibit N- Density Summary).
6. Approximately 374 certificates of occupancy have been issued for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D). According to the Annexation and Development Agreement, the affordable housing obligations come due for each 150 certificates of occupancy. The next housing obligation trigger point is 450 certificates of occupancy. The 27 certificates of occupancy for One Empire Pass will bring the total to 401 certificates of occupancy. The 20 certificates of occupancy for Empire Residences in 2018 will then bring the total to 421. Additional certificates are anticipated within the next year for a couple of Red Cloud houses.
7. One affordable AUE is proposed as part of the Empire Residences as required by the subdivision plat. The affordable unit is a total of 880 sf (including dedicated storage). One AUE requires 800 sf of residential floor area, which may include dedicated storage area.
8. On April 12, 2017, the Planning Department received an application for a Conditional Use Permit for a twenty-one (21) unit residential building to be located on Lot 3 of the recently approved Village at Empire Pass North Subdivision. The plat is pending final review by the City Engineer and City Legal Department before recordation.
9. The application was deemed complete on July 17, 2017.
10. Access to the property is from Village Way, a private street, and Marsac Avenue, a public street.
11. The property is also known as Lot 3 of the Village at Empire Pass North Subdivision, approved by Council in 2017.
12. Lot 3 consists of 28,750 square feet and is currently developed with a sales building approved with an Administrative Conditional Use Permit.
13. The property is subject to subdivision plat notes that require compliance with the Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along

the street frontages, water efficient landscape, and includes other utility and maintenance provisions.

14. The proposed Empire Residences CUP consists of a single multi-story building with 21 residential units ranging from 496 sf to 3,608 sf, one 880 sf affordable housing unit (including designated storage areas), and one 436 sf ADA unit.
15. Gross building area is 85,789 sf, of which 50,316 sf is all residential (58%); 18,029 sf is circulation/lobby (21%); 4,500 sf is guest amenities (5.2%); and 12,944 sf is parking garage, mechanical, storage, manager office, housekeeping, etc. (15.8 %).
16. The total floor area of the residential (market rate) units is 49,000 square feet and utilizes 24.5 UE, this does not include the affordable unit or the ADA unit. Guest amenity areas (exercise and recreation areas, locker rooms, lobby and reception area, lounge/pub, restrooms, etc.) are proposed on the first level. These common residential accessory uses do not require use of UEs.
17. No commercial uses are proposed within this building.
18. The Transit and Parking Management Plan approved with the VEP MPD requires a 25% reduction in parking from what would normally be required by the LMC. Based on unit sizes, forty-two (42) spaces would be required for the 20 units, affordable unit, and ADA unit. The 25% reduction rounds up to 32 spaces. The underground parking structure will have 30 parking spaces, of which 29 are code compliant. Three (3) spaces are provided in the front entry drop-off area.
19. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
20. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception was approved with the Village at Empire Pass Master Plan Development. Specific volumetric diagrams were approved for each Building. For Building 3, 25% of the building (north side) was permitted to reach 74' above existing grade, 55% of the building (central) to reach 82' above existing grade, and 20% of the building (south side) to reach 74' above existing grade. The volumetric diagram allows Building 3 to be four and five stories with additional garage level and a roof area level.
21. The proposed building has a lower garage level, portions with 4 and 5 residential floors and a roof area, and a middle section with 5 and 6 residential floors with a mezzanine level in the roof area.
22. The proposed building has 25% (north side) at or below 74', 50% in the central portion at or below 82' and 25% (south side) is at or below 74'.
23. The building complies with RD District zone setbacks maintaining a 20' front setback, 12' side setbacks and 15' rear setbacks. LMC exception to the side yard setback allows screened mechanical equipment to have a 5' setback, which is proposed below final grade on the south side. A portion of the balconies on the north side extend into the 12' setback. Balconies on the north side will need to comply with the 12' minimum side setback unless the Planning Commission grants a reduction per the Master Planned Development.
24. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.

25. Excavated soil will remain within the Flagstaff Annexation area as required by the Annexation Agreement.
26. The property is part of a common development that exceeds one acre and thus has MS4 requirements to meet.

Draft Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development, the Park City Land Management Code, and the General Plan.
2. The proposed use, as conditioned, will be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Draft Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Departments.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines. Final compliance with the City's Lighting Ordinance will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy. Exterior lighting shall be shielded and down directed.
4. All exterior signs require a sign permit prior to installation.
5. Materials color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on October 25, 2017.
6. All exterior mechanical equipment shall be screened and shielded from public streets. Screening with landscaping and fencing/grating materials is allowed. All wall and roof top vents and protruding mechanical shall be painted to match the adjacent wall or roof to minimize impacts on public view.
7. All utility facilities must be located on site, unless specific easements have been provided on the recorded plat. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable and the utility boxes can be screened with landscaping and/or fencing.
8. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on October 25th and November 29th, 2017.
9. The applicant shall record a condominium plat prior to selling individual units.
10. Utility and grading plans, including storm water drainage plans, must be approved by the City Engineer prior to Building Permit issuance.
11. Affordable housing provided with this Conditional Use Permit shall comply with all requirements and stipulations of the Flagstaff Development Agreement and the

City's affordable housing resolution in effect at the time of the Development Agreement prior to issuance of a certificate of occupancy for the building. The affordable unit shall be indicated on the final condominium plat prior to recordation of such plat and shall be completed prior to issuance of a certificate of occupancy for the building. Deed restrictions shall be recorded prior to recordation of the condominium plat.

12. All conditions of approval of the Village at Empire Pass MPD shall continue to apply.
13. All conditions of approval of the Flagstaff Annexation and Development Agreement shall continue to apply, including the restrictions on solid wood burning fireplaces, removal of excavated materials, construction of pedestrian connections to the transit hub within the Village, and provision of any required ADA and affordable housing units.
14. A Final Construction Mitigation Plan (CMP) shall be submitted for approval by the Planning, Building, and Engineering Departments prior to issuance of a building permit. The CMP shall indicate where and how excavated soils will be hauled and/or stored, hours of construction, truck routes, phasing of construction, road closures, and other items required by the Building Department.
15. Final Flagstaff Design Review Board approval shall be submitted to the City prior to building permit issuance.
16. Modified 13 D fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit.
17. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
18. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
19. The deed restricted unit shall be a minimum of 880 sf to meet the plat note requirement of 1.1 AUE for this lot. One AUE is equivalent to 800 sf according to the Development Agreement.
20. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall be submitted with the condominium plat and will be reviewed by the City prior to final condominium plat recordation.
21. This development is part of a common development that is greater than one acre. This development shall meet the MS4 storm water requirements. Prior to building permit issuance, the applicant shall verify that capacity exists in the existing detention pond utilized by Pod A and shall demonstrate that sufficient run-off will remain on site to support existing tree stands.

Exhibits

Exhibit A – Project Description

Exhibit B – Site and Landscape Plans and Floor Plans

Exhibit C – Architectural Elevations

Exhibit D – Subdivision plat (Village at Empire Pass North)

Exhibit E – Village at Empire Pass MPD approval July 28, 2004

Exhibit F – pages from Flagstaff Annexation and Development Agreement (2007)

Exhibit G – Approved MPD Building Volumetric Diagrams

Exhibit H – Volumetric Study

Exhibit I – Existing Conditions survey
Exhibit J – Photos of the site
Exhibit K – Utility Plans
Exhibit L – Village Map
Exhibit M – MPD Pod Map
Exhibit N – Density Summary of Flagstaff MPD
Exhibit O – [Technical Reports \(link\)](#)

Empire Residences LLC

Memo

To: Park City Planning

From: Brady Deucher, Empire Residences LLC

Date: October 1, 2017

Re: Empire Residences CUP application

Empire Residences LLC is seeking a Conditional Use Permit for the development and construction of a residential building on Lot 3 of the Village at Empire Pass North Subdivision. The site is part of the land subject to the Amended and Restated Development Agreement for Flagstaff Mountain recorded in March 2007 which granted the Developer/Owner of the property a Large Scale Master Planned Development. This application seeks to move forward the approvals as required in the development agreement to the level considered a Small Scale Master Plan, for which, we believe a CUP is required.

Empire Residences LLC is proposing to build a 71,000 SF structure consisting of 21 residential for sale properties, (not exceeding 49,000 SF), 1 Accessible Unit as required by town code (1 ADA Unit), 1 Employee Housing Unit (1 EHU Unit), 30 Underground parking spaces and 33 total parking spaces, and various Residential Accessory Uses as defined in the Development Agreement.

The development has an allowable building height of 82 feet. No part of the proposed building exceeds that limit. The underlying MPD contemplated a story count of 4-5 levels, not including the underground parking. The proposed building includes 2 units that form a 6th level, however, this is not inconsistent with the MPD, or our surrounding neighbors. This level also serves to improve the “step down” look that both the MPD and Design Review Board required as the roof steps down both to the north and the south consistently in spite of a significant rise in topography on the south side. The development was able to accomplish this look while meeting the horizontal or vertical building height and percentage requirements. The Empire Pass Design Review Board has specifically approved both the story count and slight setback variations for the development.

Below are answers to specific questions required in the CUP Application:

How will the proposed use “fit-in” with surrounding uses?

The development of a resort style condominium property was specifically contemplated for this site within the previously granted MPD. The proposed building fits the approved massing and square footage allowances per previous approvals.

What type of service will it provide to Park City?

The property is part of the resort residential development of Empire Pass Village.

Is the proposed use consistent with the current zoning district and with the General Plan?

The proposed development is consistent with the Development Agreement recorded in March 2007 for Flagstaff Mountain.

Is the proposed use similar or compatible with the other uses in the same area?

Yes, the proposed property has received approval from the Empire Pass HOA Design Review Board as being compliant with the expected design and use of the property.

Is the proposed use suitable for the proposed site?

Yes, the proposed property fits within the prescribed massing and maximum SF.

Will the proposed use emit noise, glare, dust, pollutants, and odor?

The proposed use is similar in design to the other condominium buildings in Empire Pass Village. There are no extraordinary uses or mechanical systems that one would expect to produce any emissions dissimilar to the other existing properties.

What will be the hours of operation and how many people will be employed?

As a residential property, it is expected to be occupied during all hours of the day. The developer is proposing to have Deer Valley Lodging operate the HOA and thus may employ at least one FTE as a lodge keeper, plus other support employees from existing staff of DV Lodging.

Are there special issues that need to be mitigated?

No.

EMPIRE PASS

October 20, 2017

DESIGN REVIEW BOARD

Harrison Horn
Empire Residences
2520 N. University Ave., Ste 50
Provo, UT 84604

RE: Empire Residences, 7695 Village Way
Final DRB Approval

Dear Mr. Horn,

Thank you for your recent application regarding Empire Residences to the Empire Pass Design Review Board (the DRB) requesting Final Design Approval of the proposed condominium lodge project. The DRB previously reviewed Conceptual plans on December 20, 2016 and February 22, 2017. The Preliminary Approval was granted by the DRB on March 29, 2017. The DRB reviewed the applicants first Final Submittal on June 6, 2017 and September 5, 2017 and did not make a motion for approval and requested more information. At the September 29, 2017 meeting the DRB reviewed the applicant's Final submittal and granted Final Approval with the following conditions:

1. The review was based on plans dated 08.xx.2017 and printed 9.21.17 prepared by BWA Architects and now on file except for:
 - Site Plan Sheet AS100 printed 10.18.17 now on file;
 - Floor Plans Sheet A100 – A107 printed 10.18.17 now on file
2. The applicant has staked the building corners and centerline of both driveways; the DRB had no issues with the lot staking;
3. The applicant has shown on the site plan the designated surface parking spot for the adjacent lot on the north driveway; the parking stall should meet city requirements for stall size and dimensions should be shown on the site plan for location and size.
4. The applicant will not move the Silver Strike Chair transformer located in the northwest corner of the lot; approval of location for transformer located in the northeast corner of the lot to be coordinated with Rocky Mountain Power. Location screened behind monument sign is preferred by the DRB.
5. The north driveway grade of the first 20 feet is at 4.8% maximum and the improved paved driveway width has been reduced from 20 feet wide to 16 feet wide with 2' driveable "curbs" on each side. Applicant to submit curb profile that satisfies requirement for driveability and drainage management. The DRB required both the driveway on the North and the parking lot/driveway on the East to be heated. Driveway grades and widths/dimensions are shown on civil plans dated 06.29.17.

6. The front entry driveway has a maximum grade of 12% in the middle section and grades vary for the rest of the driveway; the applicant has verified the driveway grades on the civil plans;
7. Plans now show easement for Deer Valley shallow utilities from Village Way to Silver Strike Chair; easement will also be shown on VEPN Plat when recorded
8. Unit square footages have been adjusted to remove residential accessory space and the affordable housing unit from overall building allowable square footages;
9. The site is required to include 1.1 Affordable Housing Units ("AHUs"). Current plans show 1.0 AHUs. Applicant has included a 736 sf affordable unit on Level One along with two Owner Storage Lockers for the Affordable Units on Level 0 with total storage area of 144 sf. Applicant has represented that City will accept the total 880 sf as satisfying the On-Site Affordable Housing requirement.
10. Site 3 is now restricted by covenant to 24.5 ERUs. Applicant to ensure the correct number of parking stalls for both market units, affordable unit and ADA unit are shown on the plans to the satisfaction of the City; Applicant to show unit square footages on the plans to the satisfaction of the City;
11. The updated plans show a stone pony wall around chiller units located outside the 20' front yard setback at the NE corner of the building; The pony wall shall be limited to 4' in height. The DRB reviewed and approved the chiller units in this location, provided appropriate landscape screening planted in front.
12. The mechanical units outside of the South building setback are below grade and screened with a stone pony wall and grate top. This portion of the building structure is still shown outside of the building setbacks and this will need to be reviewed and approved through the City. The DRB accepts the setback reduction from 12' to 4' for the below grade mechanical equipment.
13. Applicant has revised the plans to show the generator underground. The mechanical equipment outside of the affordable unit has been relocated to the sides of the building to maintain a clear deck. Revised location of condensers is shown on elevation sheet A201.
14. The DRB previously requested the 12 chillers shown adjacent the front entry of the building be removed; The chillers have been removed from the front entry.
15. Applicant to ensure materials used for decorative panels on stair towers on the exterior of the building will not be a reflective material; A materials board was reviewed and approved by the DRB. All exterior materials are subject to approval of an onsite mockup of materials to be provided as required for final material, color and detailing approval. Materials on stair towers will not be reflective and are as submitted to DRB in 9/29/2017.
16. Building matrix has been corrected to match the building unit counts, including affordable unit and accessible unit.
17. The porte cochere roof materials will be wood and metal;
18. Applicant to grant an easement to the Empire Pass MOA and show on the plans and plat the sidewalk extending from Shooting Star to VEPN Lot 2. Easement will be shown on VEPN plat when recorded. Applicant responsible for construction of sidewalk connection to sidewalk on Shooting Star property;

19. The applicant will rebuild or repair, at its cost, any construction related damage to the Empire Pass sidewalk on the Shooting Star property.;
20. Applicant shall make reasonable efforts to receive approval from the Shooting Star HOA to construct a sidewalk on a preferred alignment closer to the ski trail.;
21. Railing design has been reviewed and meets design requirements.
22. Applicant verified height of landscaped stone faced concrete walls will not exceed 4 feet.
23. Applicant provided cut and fill calculations on Civil 1 of 4 Site & Grading Plan.
24. The applicant will not install any permanent fencing around the site.
25. The square footage for this building is 71,785 square feet; 85,789 gross sf including parking level.
26. Chimneys cap designs have been reviewed and meet design requirements.
27. The applicant plans show proposed height at 82 feet with a maximum of 82 feet for this lot, and other height limits consistent with approved volumetric for site; Approval subject to PCMC confirmation of height compliance with approved volumetric. In order to meet the 82 foot height restriction the application has modified the roof form and has revised the roof stepping. This additional stepping provides greater interest and compliance with the intent of the building massing. See revised roof on A201-A202
 - a. The DRB approved the building massing as proposed with an accepted roof stepping and variation in roof forms.
 - b. The DRB approved the building façade stepping and variation in the vertical planes.
 - c. The DRB reviewed and approved the height of the building.
29. The primary roof pitches of 4:12 are in compliance with the guidelines; lower sloped roof pitches for shed dormers are allowed.
 - a. The DRB approved the proposed roof pitches.
30. Windows are found to follow the design guidelines.
31. Window headers and trim proposed on sheet A511 and exterior elevations comply with the intent of the design guidelines.
32. Exterior entry door, garage door on A201 and A202 follows the intent of the design guidelines.
33. Applicant to submit color and texture sample for concrete drive areas for DRB approval prior to installation;
34. All boulder materials must match closely the DRB approved stone for the building;
35. Applicants understand that except for cementitious siding approved by DRB no faux or manufactured materials may be used as finished exterior product, this would include glu-lam beams, faux stone, bare concrete, vinyl siding, etc.;
36. The DRB reviewed the proposed cedar vertical board siding for exterior wall material; applicant understands all exterior materials are subject to mockup review.
37. Applicant has provided exterior lighting plan, including cut sheets for wall packs, wall sconce, and bollard fixtures.

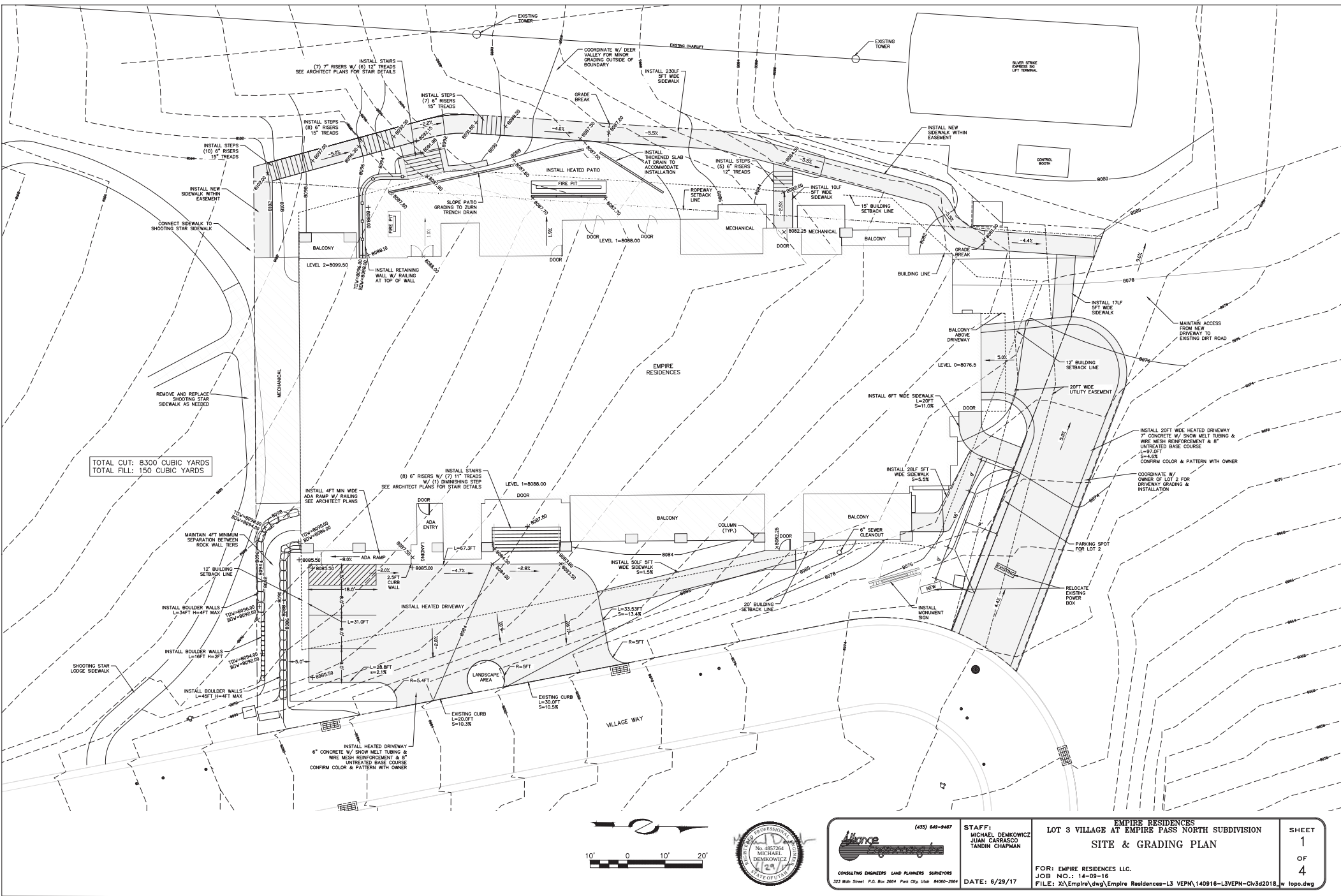
38. Applicant has provided complete landscape plan, including counts, planting specs and detailed grading, for DRB review; the DRB will reserve the right to request additional plantings from any DRB approved landscape plan;
39. Construction management plan will be submitted and reviewed/approved prior to commencement
40. The entry monument specs and pics have been submitted and approved prior and are shown on Detail B2 Sheet AS100.
41. applicant understands that the building is subject to City approvals beyond any approval of the DRB;
42. Applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.
43. Applicant to submit an Improvement Location Certificate (ILC) prepared by a licensed surveyor to confirm the height and location of the foundation are consistent with the DRB approval;
44. In order to maintain the integrity of the Guidelines and encourage the continuity of a cohesive design aesthetic at Empire Pass, when Final approval is granted the approval will expire one year from the date of DRB approval; if no construction activity has occurred or progressed the applicant will be required to return to the DRB for a renewed approval of Final plans.
45. Upon DRB approval of the Working Drawing submittal and prior to start of construction activity, the applicant shall submit a compliance deposit and schedule a pre-construction conference.
46. Applicant has amended plans to show detail and design to express the structure at the roof gables, shed roofs and roofs over decks.
47. Stone walls have been revised to show a thickened stone base and a detail is provided on A4/ A502.
48. Entry porte cochere view meets the intent of the design guidelines.

Again, we thank you for your Final Design submittal and look forward to working with you and your team as the process continues. Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Douglas Ogilvy,
On behalf of the Empire Pass Design Review Board

SITE PLAN



LANDSCAPE PLAN



Scale 1" = 10'
Scale 1" = 20' for 11x17

PLANT SCHEDULE	QTY	COMMON NAME / BOTANICAL NAME	CONT	CSL	SIZE
DECIDUOUS TREES	14	Quaking Aspen (Betula / Pseudots. venusta)	848	2"	Car
EVERGREEN TREES	3	Howey Square / Picea abies	848	10-12"	
	8	White Fir / Abies concolor	848	6"	
SHRUBS	22	COMMON NAME / BOTANICAL NAME	CONT		
	31	Compact Burning Bush / Euonymus alatus Compactus	3 qt		
	81	Karwinsk / Arctostaphylos uva-ursi	1 qt		
	25	Black Fung Dogwood / Cornus amom. 'Wiley's Redwing'	3 qt		
	14	Shrubby Cinqufoil / Potentilla fruticosa 'Wings Tangle'	3 qt		
	14	Yellow Fung Dogwood / Cornus amom. 'Tussockum'	3 qt		
GRASSES	7	Blue Oak Grass / Holcus lanatus variegatus	1 qt		
PERENNIALS	22	COMMON NAME / BOTANICAL NAME	CONT		
	31	Black-eyed Susan / Rudbeckia hirta subsp. 'Goldsum'	3 qt		
	44	Blue Flax / Linum lewisii 'Blue Flax'	1 qt		
	29	Small Blue Lupine / Lupinus albus 'Gentry Blue'	1 qt		
	29	Small Blue Lupine / Lupinus albus 'Terra de Oro'	1 qt		
	17	Summer Pansy / Viola tricolor subsp. 'Summer Pansy'	1 qt		
GROUND COVERS	QTY	COMMON NAME / BOTANICAL NAME	CONT		
	5,328 sf	4" Wood Mulch / 4" Wood Mulch	1 qt		
	528 sf	Gravel / Gravel	1 qt		
	3,037 sf	Kentucky Bluegrass / Poa pratensis	1 qt		

North

RECEIVED
SEP 29 2017
PARK CITY
PLANNING DEPT.

N ROME TWO
EMPIRE RESIDENCES
LANDSCAPE CONCEPT
SITE PLAN

berg
LANDSCAPE
ARCHITECTS

380 E Main St, Suite 204
Midway, UT 84049 ph: (801) 733-2000

DESIGN BY: CNB DATE: 7 MAR 2017
DRAWN BY: CNB REV: L01

THIS DOCUMENT IS RELEASED
FOR REVIEW ONLY. IT IS NOT
INTENDED FOR CONSTRUCTION
UNLESS NOTED AND SIGNED.
CML N. ROME
SERIAL NO. 7182780
DATE: 7 MAR 2017

SITE DETAILS

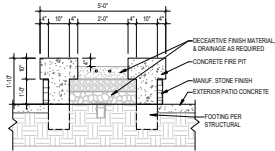
KEYNOTES

508 METAL GRATE
2304 CONDENSER WELL
2802 4" UT BOLLARD

NO.	DATE	REV.	DESCRIPTION
1	10/10/2017	1	ISSUED FOR PERMIT
2	10/10/2017	2	REVISIONS
3	10/10/2017	3	REVISIONS

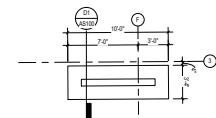
This drawing is a contract document. It is not to be used for construction without the approval of the architect. It is not to be used for construction without the approval of the architect. It is not to be used for construction without the approval of the architect.

D



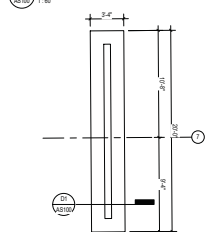
FIRE PIT SECTION
12" x 12"

C



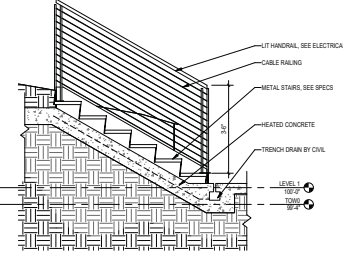
FIRE PIT PLAN
12" x 12"

B



FIRE PIT PLAN
12" x 12"

A



METAL STAIRS OVER HEATED CONCRETE
12" x 12"

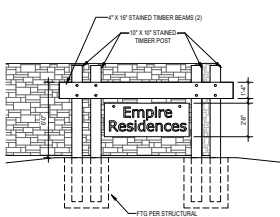
2

2

3

3

MONUMENT SIGN PLAN
14" x 14"

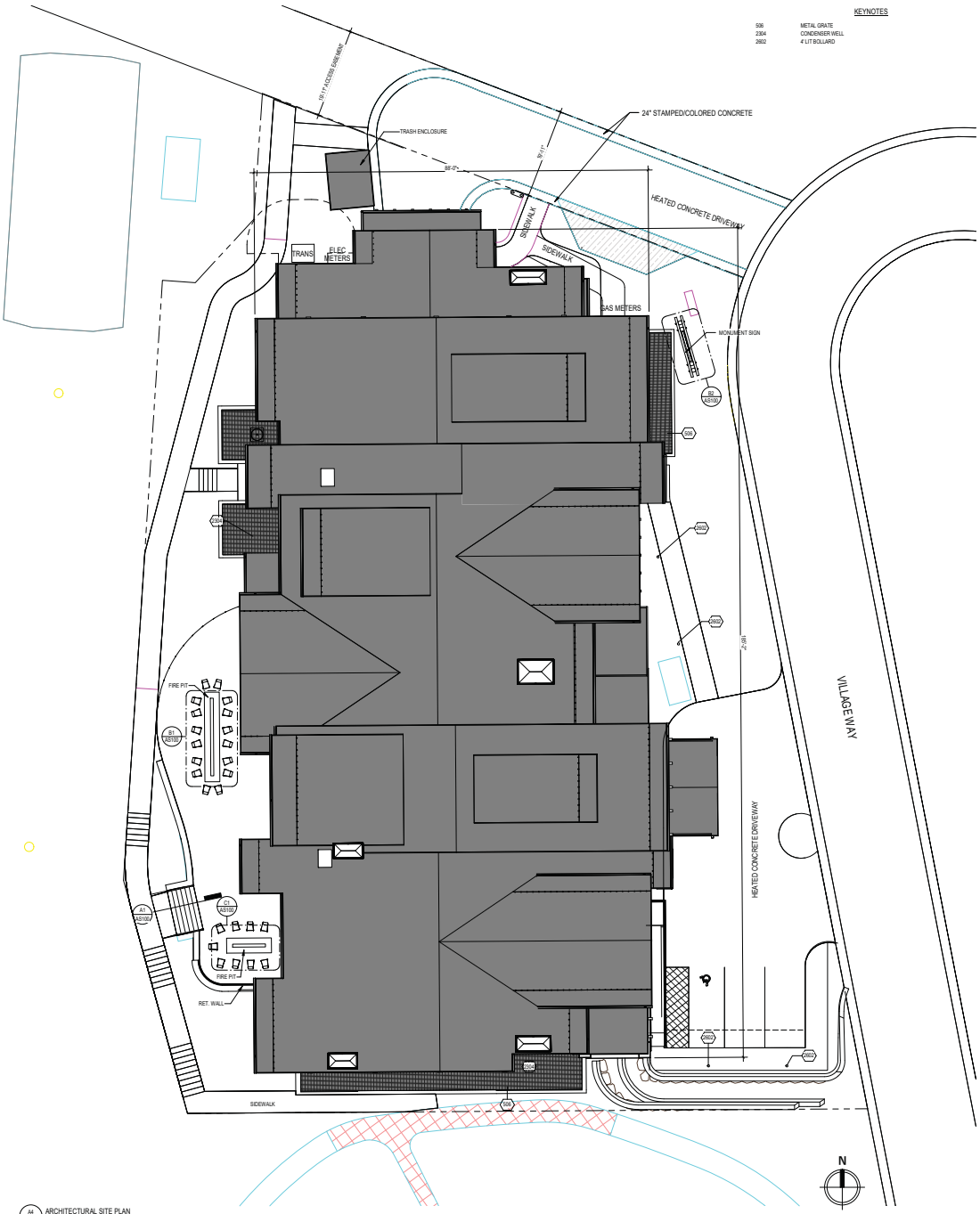


MONUMENT SIGN ELEVATION
14" x 14"

4

4

ARCHITECTURAL SITE PLAN
12" x 12"



D

C

B

A

EMPIRE RESIDENCES
7695 VILLAGE WAY
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ARCHITECTS
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3115 EAST LONLARK, #100
HOLLYWOOD, OHIO 44131
BWA@BWAARCHITECTS.COM

PROJECT NUMBER
415.1701
OWN BY
CHD BY
CONSTRUCTION
DOCUMENTS

ARCHITECTURAL SITE
PLAN

DRAWING NUMBER

AS100

FLOOR PLANS

GROSS AREAS

LEVEL 0	10,880 SF
LEVEL 1	10,880 SF
LEVEL 2	10,880 SF
LEVEL 3	10,880 SF
LEVEL 4	10,880 SF
LEVEL 5	10,880 SF
LEVEL 6	10,880 SF
MEZ	10,880 SF
TOTAL	86,720 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,847 SF	1
LEVEL 2	4	2,463 SF	2
LEVEL 3	4	2,463 SF	3
LEVEL 4	4	2,463 SF	4
LEVEL 5	4	2,463 SF	5
LEVEL 6	3	1,847 SF	6
MEZ	1	1,847 SF	7
GRAND TOTAL	21	48,000 SF	24.3

ALL UNITS

NAME	Area
UNIT 1	426 SF
UNIT 2	882 SF
UNIT 3	426 SF
UNIT 4	882 SF
UNIT 5	426 SF
UNIT 6	882 SF
UNIT 7	426 SF

ALL UNITS

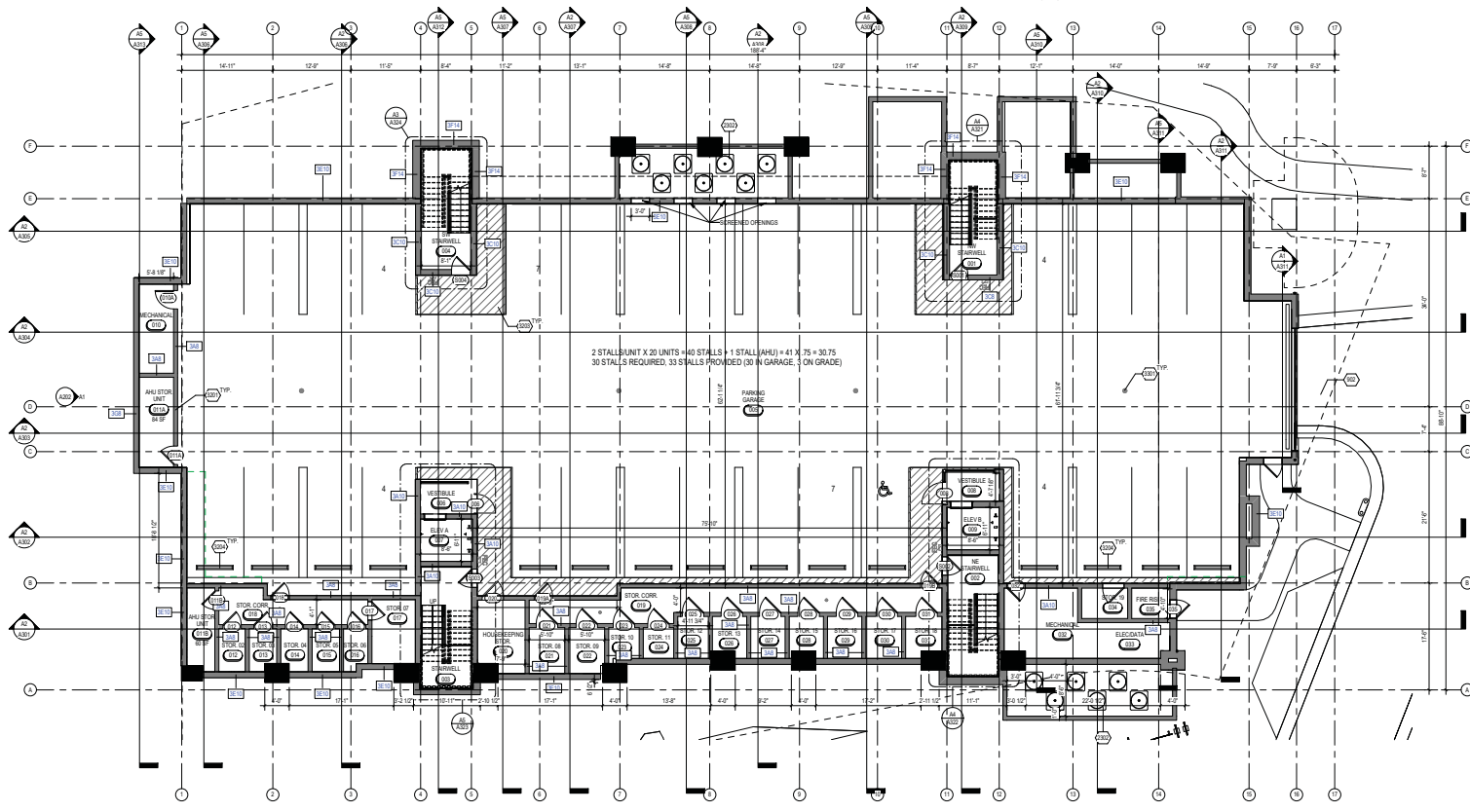
NAME	Area
UNIT A4	2,199 SF
UNIT A5	2,199 SF
UNIT C4	2,199 SF
UNIT C5	2,199 SF
UNIT D4	2,199 SF
UNIT D5	2,199 SF
UNIT E4	2,199 SF
UNIT E5	2,199 SF
UNIT F4	2,199 SF
UNIT F5	2,199 SF
UNIT G4	2,199 SF
UNIT G5	2,199 SF
UNIT H4	2,199 SF
UNIT H5	2,199 SF
UNIT I4	2,199 SF
UNIT I5	2,199 SF
UNIT J4	2,199 SF
UNIT J5	2,199 SF
UNIT K4	2,199 SF
UNIT K5	2,199 SF
UNIT L4	2,199 SF
UNIT L5	2,199 SF
UNIT M4	2,199 SF
UNIT M5	2,199 SF
UNIT N4	2,199 SF
UNIT N5	2,199 SF
UNIT O4	2,199 SF
UNIT O5	2,199 SF
UNIT P4	2,199 SF
UNIT P5	2,199 SF
UNIT Q4	2,199 SF
UNIT Q5	2,199 SF
UNIT R4	2,199 SF
UNIT R5	2,199 SF
UNIT S4	2,199 SF
UNIT S5	2,199 SF
UNIT T4	2,199 SF
UNIT T5	2,199 SF
UNIT U4	2,199 SF
UNIT U5	2,199 SF
UNIT V4	2,199 SF
UNIT V5	2,199 SF
UNIT W4	2,199 SF
UNIT W5	2,199 SF
UNIT X4	2,199 SF
UNIT X5	2,199 SF
UNIT Y4	2,199 SF
UNIT Y5	2,199 SF
UNIT Z4	2,199 SF
UNIT Z5	2,199 SF

FLOOR PLAN GENERAL NOTES:

- 1. GENERAL NOTES APPLY TO ALL DRAWINGS.
- 2. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- 3. DO NOT SCALE DRAWINGS.
- 4. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLATION OF MATERIALS OR EQUIPMENT.
- 5. ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN NATURE AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION UNDER ANY GIVEN LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- 6. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- 7. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE STOPPING AND APPROVED SEALANT.
- 8. ALL WORK AND MATERIALS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND INDICATED BY THE CONTRACTOR.
- 9. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS.
- 10. GENERAL CONTRACTOR SHALL PROTECT ALL EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS' EXPENSE.
- 11. ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS' APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED ITEMS MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- 12. ARCHITECTS' FINISH FLOOR ELEVATION 10'0" SHALL BE USED AS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- 13. FINISH FLOOR SHALL BE USED FOR WALL TYPES.
- 14. SEE SHEET 100 FOR DOOR AND WINDOW TYPES.
- 15. FIRESTOPPING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (SUCH AS VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- 16. SEE GENERAL CONSTRUCTION NOTES ON SHEET 000 FOR FIRESTOPPING REQUIREMENTS.
- 17. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- 18. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2009 (SEE SHEETS 000, 001, 002, 003).
- 19. ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATING WHERE EXPOSED STRUCTURE OCCURS.
- 20. FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENDOCHARGE INTO THE STAIR LANDING BEYOND THE RISER EXTENDING FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- 21. OPERABLE WINDOW VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOW/DOORS AS PER 2012 IRC.

KEY NOTES:

- 1. CONCRETE COLUMN, SEE STRUCTURAL.
- 2. TRAFFIC COATING.
- 3. JANT CONCRETE PER MECH.
- 4. 1" CONCRETE FILLED METAL BOLLARD PTD YELLOW.
- 5. WHITE PAINTED TYPING AS SHOWN.
- 6. PREFAB CONCRETE BUMPER EXPOSED TO CONCRETE SLAB.
- 7. FLOOR DRAIN.



GA-R-100 GARAGE - FLOOR PLAN
1/8" = 1'-0"

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000

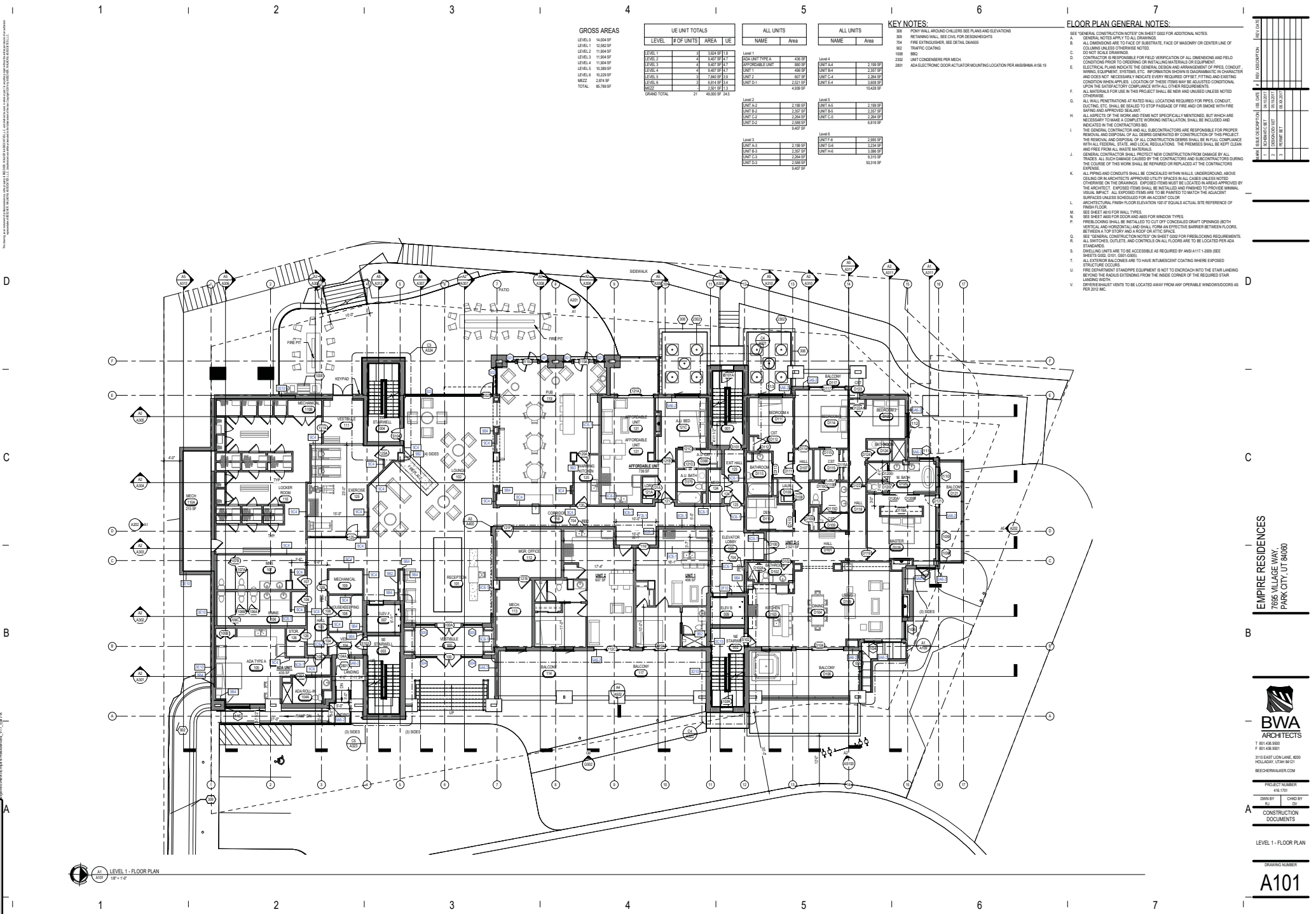


PROJECT NUMBER
48110
DRAWN BY
CHD BY
CONSTRUCTION
DOCUMENTS

GARAGE PLAN

DRAWING NUMBER

A100



GROSS AREAS

LEVEL 1	10,882 SF
LEVEL 2	10,882 SF
LEVEL 3	10,882 SF
LEVEL 4	10,882 SF
LEVEL 5	10,882 SF
LEVEL 6	10,882 SF
MECH	1,000 SF
TOTAL	66,788 SF

UNIT TOTALS

LEVEL	# OF UNITS	AREA	UNIT
LEVEL 1	3	1,047 SF	UNIT 1
LEVEL 2	4	1,047 SF	UNIT 2
LEVEL 3	4	1,047 SF	UNIT 3
LEVEL 4	4	1,047 SF	UNIT 4
LEVEL 5	4	1,047 SF	UNIT 5
LEVEL 6	3	1,047 SF	UNIT 6
MECH	1	1,000 SF	MECH
GRAND TOTAL	21	43,800 SF	21

ALL UNITS

NAME	Area
UNIT 1	1,047 SF
UNIT 2	1,047 SF
UNIT 3	1,047 SF
UNIT 4	1,047 SF
UNIT 5	1,047 SF
UNIT 6	1,047 SF
MECH	1,000 SF

ALL UNITS

NAME	Area
UNIT 1	1,047 SF
UNIT 2	1,047 SF
UNIT 3	1,047 SF
UNIT 4	1,047 SF
UNIT 5	1,047 SF
UNIT 6	1,047 SF
MECH	1,000 SF

KEY NOTES:

- 1. POINT WALLS AROUND CHIMNEYS SEE PLANS AND ELEVATIONS
- 2. RETAINING WALL SEE CIVIL FOR DESIGN HEIGHTS
- 3. FIRE EXTINGUISHER SEE DETAIL DIAGRAMS
- 4. TRAFFIC COATING
- 5. UNIT CONDENSERS PER MECH
- 6. AIR-ELECTRONIC DOOR ACTUATOR MOUNTING LOCATION PER ANSIB80A 4105-19

FLOOR PLAN GENERAL NOTES:

- A. SEE GENERAL CONSTRUCTION NOTES ON SHEET 0100 FOR ADDITIONAL NOTES
- B. GENERAL NOTES APPLY TO ALL DRAWINGS
- C. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMN UNLESS OTHERWISE NOTED
- D. DO NOT SCALE DRAWINGS
- E. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OF MATERIALS OR EQUIPMENT
- F. ELECTRICAL PLANS INDICATE THE GENERAL LOCATION AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, ETC. INFORMATION DRIVING IS SUBORDINATE TO CONDUIT AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION WHEN APPLICABLE. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS
- G. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE
- H. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE STOPPING AND APPROVED SEALANT
- I. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND INDICATED IN THE CONTRACTORS BID
- J. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS
- K. GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE
- L. ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERFLOOR, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWING. EXPOSED ITEMS MUST BE LOCATED IN AREA APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR
- M. ARCHITECTURAL FINISH FLOOR ELEVATION 100'0" SQUARES ACTUAL SITE REFERENCE OF FINISH FLOOR
- N. SEE SHEET 0100 FOR WALL TYPES
- O. SEE SHEET 0100 FOR DOOR AND CASE FOR WINDOW TYPES
- P. FIRESTOPPING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR GATEWAY
- Q. SEE GENERAL CONSTRUCTION NOTES ON SHEET 0100 FOR FIRE-RESISTANT REQUIREMENTS
- R. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS
- S. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2009 (SEE SHEET 0100, 0101, 0102-0103)
- T. ALL EXTERIOR BALCONIES ARE TO HAVE AN INTRINSIC COATING WHERE EXPOSED
- U. FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENCRUST INTO THE STAIR LANDING BEYOND THE FLOOR EXTENDING FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH
- V. EXHAUST VENTS ARE TO BE LOCATED AWAY FROM ANY OPERABLE WINDOW DOORS AS PER 2012 IRC

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000

BWA
ARCHITECTS
1010 4000
F 801 428 9801
3115 EAST LON LANE, #500
HOLLAND, OHIO 43041
BWA@BWAARCH.COM

PROJECT NUMBER
A1010

DWY BY
A1010

CHD BY
A1010

CONSTRUCTION
DOCUMENTS

LEVEL 1 - FLOOR PLAN

DRAWING NUMBER
A101

LEVEL 0	14,004 SF
LEVEL 1	12,582 SF
LEVEL 2	11,904 SF
LEVEL 3	11,904 SF
LEVEL 4	11,904 SF
LEVEL 5	10,380 SF
LEVEL 6	10,229 SF
MEZZ	2,874 SF
TOTAL:	85,789 SF

UE UNIT TOTALS			
LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	3,624 SF	1.8
LEVEL 2	4	9,407 SF	4.7
LEVEL 3	4	9,407 SF	4.7
LEVEL 4	4	9,407 SF	4.7
LEVEL 5	3	7,840 SF	3.9
LEVEL 6	3	6,814 SF	3.4
MEZZ	-	2,501 SF	1.3
GRAND TOTAL	21	49,000 SF	24.5

NAME	Area
------	------

Level 1	
ADA UNIT TYPE A	436 S
AFFORDABLE UNIT	680 S
UNIT 1	496 S
UNIT 2	607 S
UNIT D-1	2,521 S
	4,939 S

NAME	Area
------	------

UNIT A-4	2,199
UNIT B-4	2,357
UNIT C-4	2,264
UNIT E-4	3,608
	10,428

UNIT A-2	2,199 S
UNIT B-2	2,357 S
UNIT C-2	2,264 S
UNIT D-2	2,588 S

Level 5	
UNIT A-5	2,199
UNIT B-5	2,357
UNIT C-5	2,264
	6,819

UNIT A-3	2,199 S
UNIT B-3	2,357 S
UNIT C-3	2,564 S

UNIT F-6	2,995
UNIT G-6	3,234
UNIT H-6	3,086

SEE "GENERAL CONSTRUCTION NOTES" ON SHEET G002 FOR

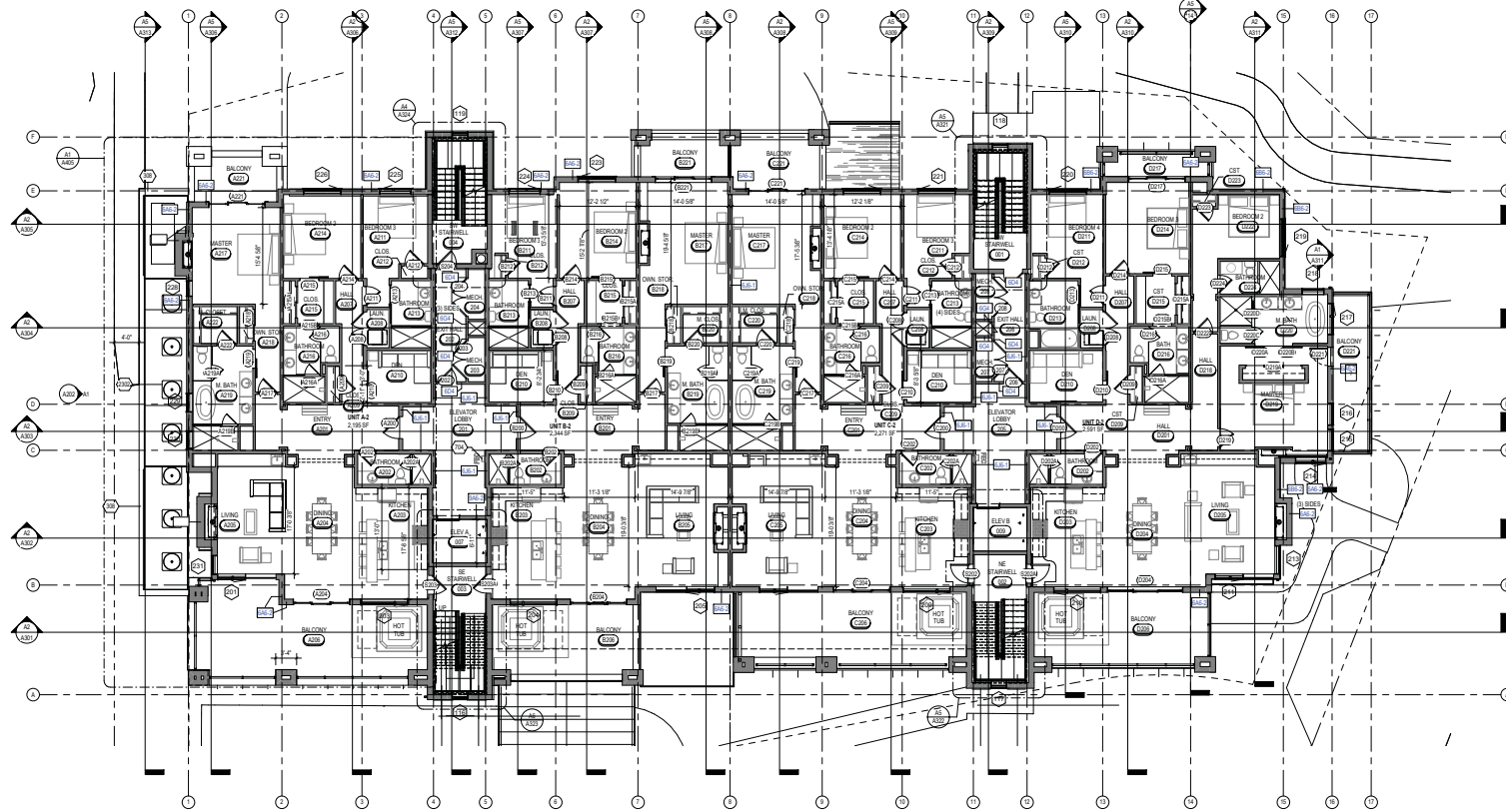
SEE "GENERAL CONSTRUCTION NOTES" ON SHEET G002 FOR

- A. GENERAL NOTES: APPLY TO ALL DRAWINGS.
- B. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF FIRE MANDOLIN OR CENTERLINE OF THE FIRE MANDOLIN.
- C. DO NOT SCALE DRAWINGS.
- D. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- E. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- F. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNUSED UNLESS OTHERWISE SPECIFIED.
- G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- H. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAINTAIN THE INTEGRITY OF THE PROJECT, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- I. THE CONTRACTOR AND SUBCONTRACTORS ARE RESPONSIBLE FOR PROTECTING THE EXISTING WORK AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT.
- J. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- K. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- L. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- M. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- N. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- O. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- P. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- Q. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- R. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- S. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- T. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- U. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- V. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL MANDOLIN AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.

308	PONY WALL
704	FIRE EXTINGUISHER

308	PONY WALL
704	FIRE EXTINGUISHER

2302 UNIT COND



1 LEVEL 2 - FLOOR PLAN
A102 1/8" = 1'-0"

Nothing is to be construed as a representation or warranty of the accuracy or completeness of the information provided herein. The user assumes full responsibility for the use of the information provided herein.

Nothing is to be construed as a representation or warranty of the accuracy or completeness of the information provided herein. The user assumes full responsibility for the use of the information provided herein.

Nothing is to be construed as a representation or warranty of the accuracy or completeness of the information provided herein. The user assumes full responsibility for the use of the information provided herein.

GROSS AREAS			
LEVEL 0	10,804 SF		
LEVEL 1	12,582 SF		
LEVEL 2	11,984 SF		
LEVEL 3	11,984 SF		
LEVEL 4	11,984 SF		
LEVEL 5	11,984 SF		
LEVEL 6	10,804 SF		
MEZZ	1,274 SF		
TOTAL	86,788 SF		

UE UNIT TOTALS			
LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,537 SF	1
LEVEL 2	4	1,437 SF	2
LEVEL 3	4	1,437 SF	3
LEVEL 4	4	1,437 SF	4
LEVEL 5	3	1,365 SF	5
LEVEL 6	3	1,365 SF	6
MEZZ	1	1,274 SF	7
GRAND TOTAL	21	48,003 SF	243

ALL UNITS		
NAME	Area	
UNIT 1	1,537 SF	
UNIT 2	1,437 SF	
UNIT 3	1,437 SF	
UNIT 4	1,437 SF	
UNIT 5	1,365 SF	
UNIT 6	1,365 SF	
UNIT 7	1,274 SF	

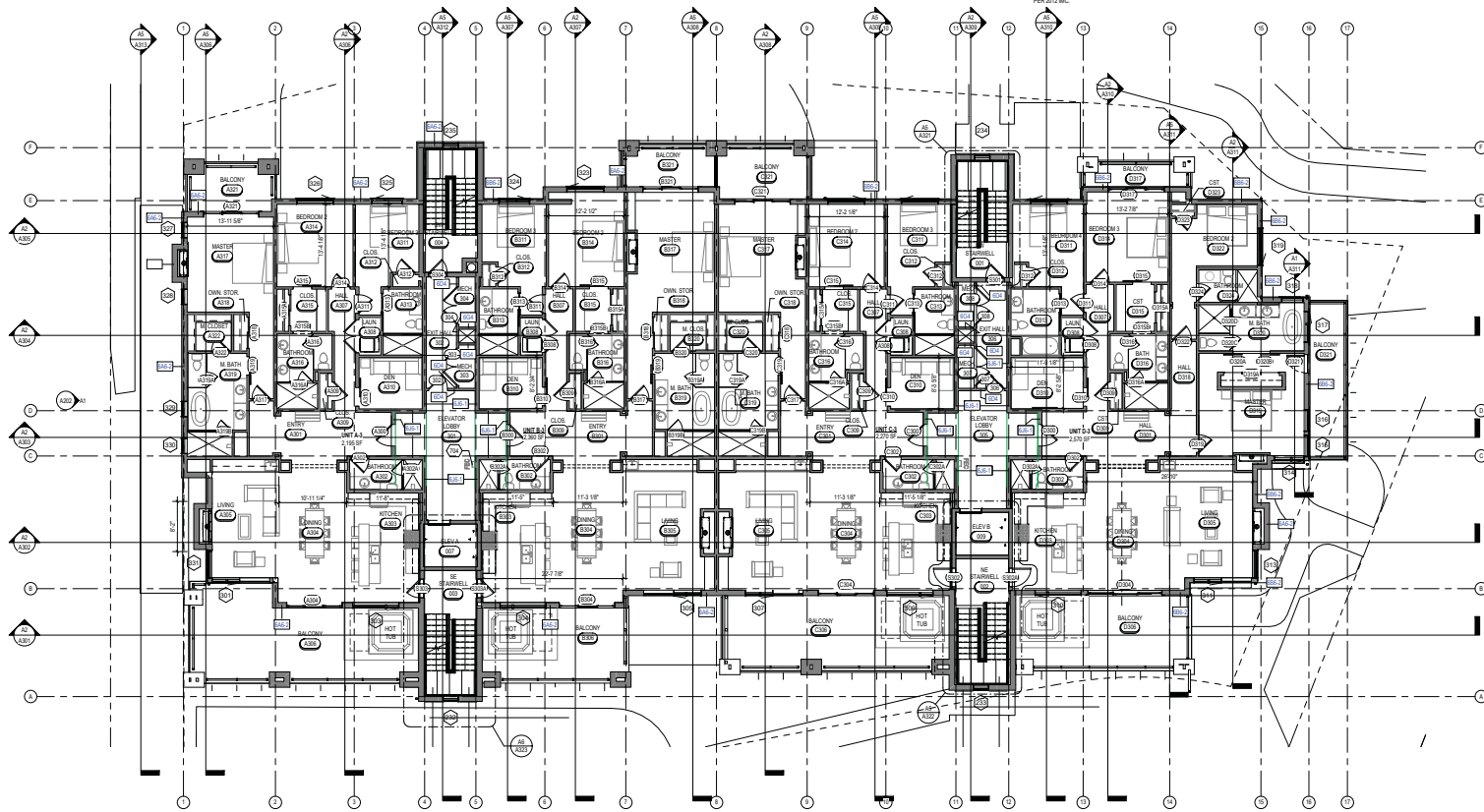
ALL UNITS		
NAME	Area	
UNIT 1	1,537 SF	
UNIT 2	1,437 SF	
UNIT 3	1,437 SF	
UNIT 4	1,437 SF	
UNIT 5	1,365 SF	
UNIT 6	1,365 SF	
UNIT 7	1,274 SF	

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 000 FOR ADDITIONAL NOTES.
- A. GENERAL NOTES APPLY TO ALL DRAWINGS.
- B. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMN, UNLESS OTHERWISE NOTED.
- C. DO NOT SCALE DRAWINGS.
- D. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS THAT CONTRADICT OR DIFFER FROM MATERIALS OR EQUIPMENT CHARACTERISTICS.
- E. ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITIONS WHERE THEY MAY BE ADJUSTED TO MEET THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- F. ALL MATERIALS TO BE USED IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- G. ALL WALL PENETRATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND APPROVED SEALANT.
- H. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND INDICATED IN THE CONTRACTORS BID.
- I. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS.
- J. GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
- K. ALL PIPES AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED PIPES MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED PIPES SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED PIPES ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- L. ARCHITECTURAL FINISH FLOOR ELEVATION 100' OF EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- M. SEE SHEET 000 FOR WALL TYPES.
- N. SEE SHEET 000 FOR DOOR AND ASIS FOR WINDOW TYPES.
- O. PRELIMINARY SHALL BE RETAINED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AREA AND ROOF OR ATTIC SPACE.
- P. SEE GENERAL CONSTRUCTION NOTES ON SHEET 000 FOR PRELIMINARY REQUIREMENTS.
- Q. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED FOR ADA COMPLIANCE.
- R. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2009 (SEE DWELLING UNITS - CIVIL - 000-000).
- S. ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATING WHERE EXPOSED STRUCTURAL STEEL.
- T. FIRE DEPARTMENT STAIRPIPE EQUIPMENT IS NOT TO ENDOUR INTO THE STAIR LANDING BEYOND THE RADIIUS EXTENDING FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- U. DIFFERENTIAL VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 901.2 IBC.

KEY NOTES:

1. FIRE EXTINGUISHER, SEE DETAIL DRAWING.



LEVEL 3 - FLOOR PLAN
10' = 1'-0"

EMPIRE RESIDENCES
7695 VILLAGE WAY
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F 801.438.9801
BWAARCHITECTS.COM

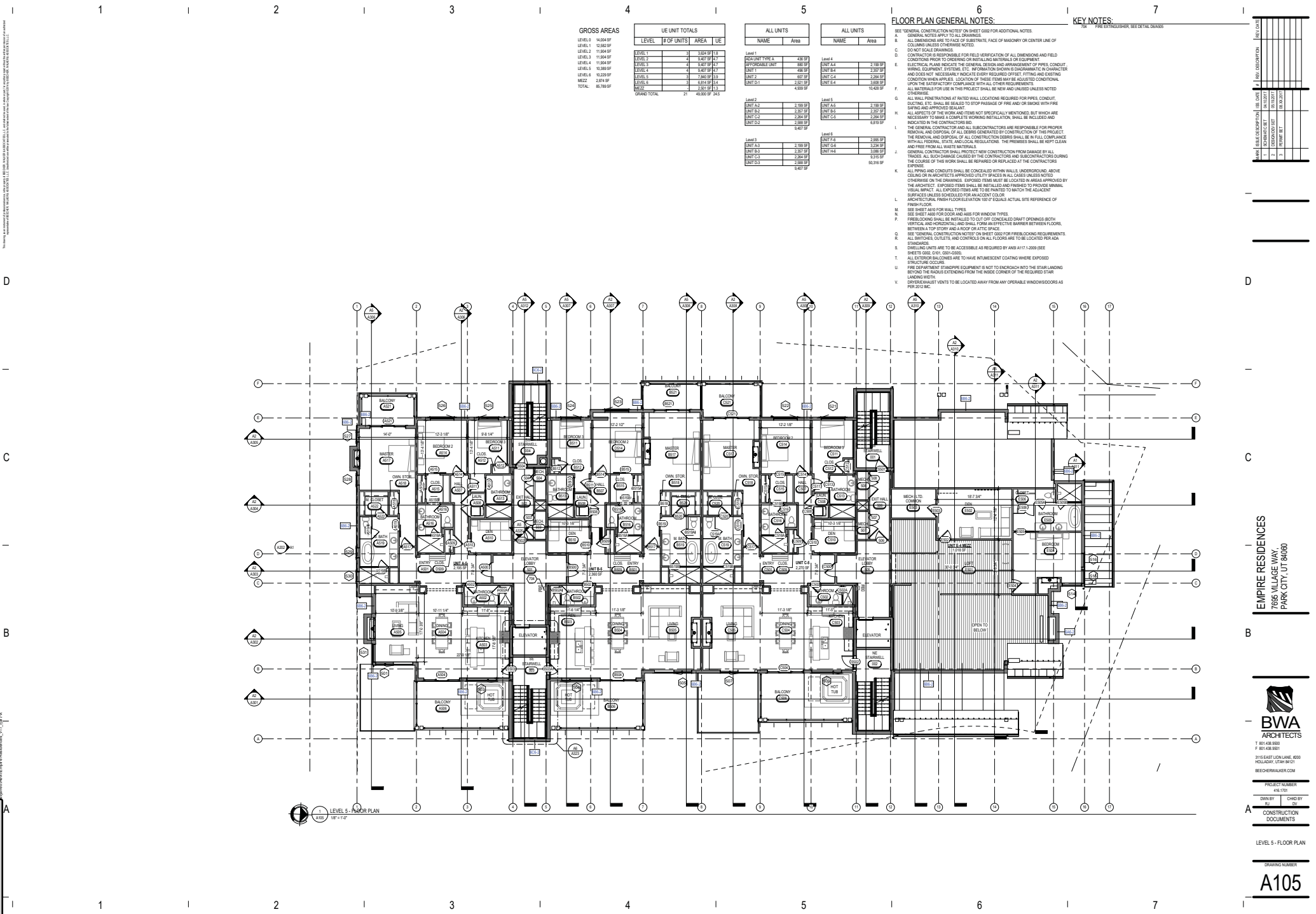
PROJECT NUMBER
481170
OWN BY
CHD BY

CONSTRUCTION
DOCUMENTS

LEVEL 3 - FLOOR PLAN

DRAWING NUMBER

A103



GROSS AREAS

LEVEL 0	10,880 SF
LEVEL 1	12,880 SF
LEVEL 2	11,880 SF
LEVEL 3	11,880 SF
LEVEL 4	11,880 SF
LEVEL 5	10,880 SF
LEVEL 6	10,880 SF
MEZ	1,274 SF
TOTAL	86,788 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,847 SF	1
LEVEL 2	4	1,847 SF	2
LEVEL 3	4	1,847 SF	3
LEVEL 4	4	1,847 SF	4
LEVEL 5	3	1,847 SF	5
LEVEL 6	3	1,847 SF	6
MEZ	1	1,274 SF	7
GRAND TOTAL	21	48,003 SF	243

ALL UNITS

NAME	Area
Unit 1	1,847 SF
Unit 2	1,847 SF
Unit 3	1,847 SF
Unit 4	1,847 SF
Unit 5	1,847 SF
Unit 6	1,847 SF
Unit 7	1,274 SF

ALL UNITS

NAME	Area
Unit 1	1,847 SF
Unit 2	1,847 SF
Unit 3	1,847 SF
Unit 4	1,847 SF
Unit 5	1,847 SF
Unit 6	1,847 SF
Unit 7	1,274 SF

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLATION OF MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN NATURE AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITIONS UNLESS SPECIFIED. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY UPON THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND APPROVED SEALANT.
- ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAME.
- THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THE PROJECT AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED TUBING MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED TUBING SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED TUBING ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10'0" OF COURTESY ACTUAL SITE REFERENCE OF FINISH FLOOR.
- SEE SHEET 1000 FOR WALL TYPES.
- SEE SHEET 1000 FOR DOOR AND WINDOW TYPES.
- FIRESTOPPING SHALL BE INSTALLED TO OUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR FIRESTOPPING REQUIREMENTS. ALL FIRESTOP, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANS A117.1-2008 (SEE SHEET 1000 FOR ADA COMPLIANCE).
- ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATING WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDING EQUIPMENT IS NOT TO ENCRUSCH INTO THE STAIR LANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED TURN LANDING WIDTH.
- DWELLING UNITS VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOW/DOORS AS PER 2012 IRC.

KEY NOTES:

- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLATION OF MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN NATURE AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITIONS UNLESS SPECIFIED. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY UPON THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND APPROVED SEALANT.
- ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAME.
- THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THE PROJECT AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED TUBING MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED TUBING SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED TUBING ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10'0" OF COURTESY ACTUAL SITE REFERENCE OF FINISH FLOOR.
- SEE SHEET 1000 FOR WALL TYPES.
- SEE SHEET 1000 FOR DOOR AND WINDOW TYPES.
- FIRESTOPPING SHALL BE INSTALLED TO OUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR FIRESTOPPING REQUIREMENTS. ALL FIRESTOP, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANS A117.1-2008 (SEE SHEET 1000 FOR ADA COMPLIANCE).
- ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATING WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDING EQUIPMENT IS NOT TO ENCRUSCH INTO THE STAIR LANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED TURN LANDING WIDTH.
- DWELLING UNITS VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOW/DOORS AS PER 2012 IRC.

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000



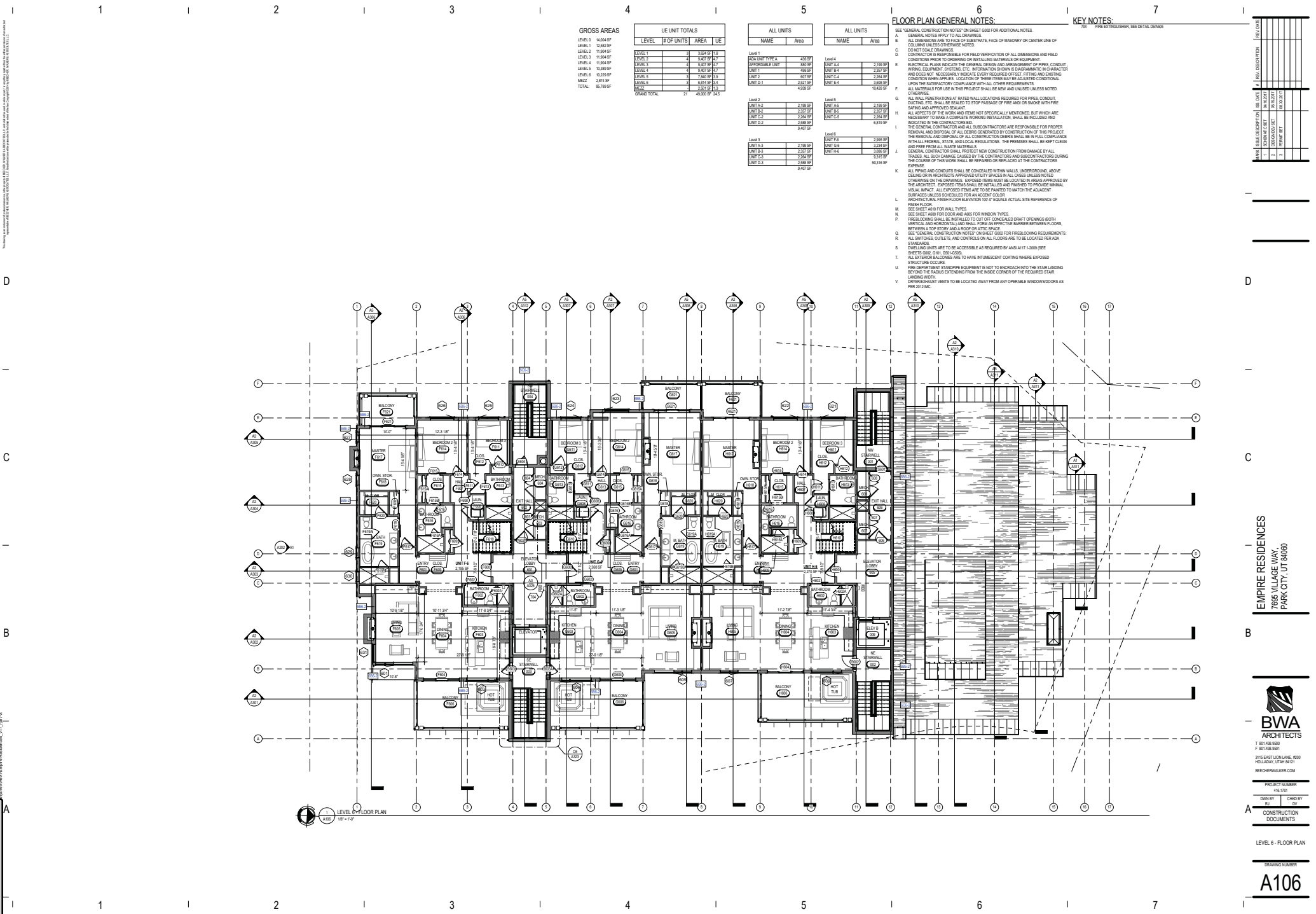
3115 EAST LON LANE, #200
HOLLAND, OHIO 43041
BWAARCHITECTS.COM

PROJECT NUMBER
A1010
OWN BY
CHD BY
CONSTRUCTION
DOCUMENTS

LEVEL 5 - FLOOR PLAN

DRAWING NUMBER

A105



GROSS AREAS

LEVEL 6	60,944 SF
LEVEL 1	12,582 SF
LEVEL 2	11,944 SF
LEVEL 3	11,944 SF
LEVEL 4	11,944 SF
LEVEL 5	10,989 SF
LEVEL 6	10,229 SF
MEZZ	3,274 SF
TOTAL	86,789 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,547 SF	F1
LEVEL 2	4	1,417 SF	F2
LEVEL 3	4	1,417 SF	F3
LEVEL 4	4	1,417 SF	F4
LEVEL 5	3	1,363 SF	F5
LEVEL 6	3	1,314 SF	F6
MEZZ	1	3,274 SF	F7
GRAND TOTAL	21	48,000 SF	F43

ALL UNITS

NAME	Area
UNIT 1	430 SF
UNIT 2	430 SF
UNIT 3	430 SF
UNIT 4	430 SF
UNIT 5	430 SF
UNIT 6	430 SF
UNIT 7	430 SF
UNIT 8	430 SF
UNIT 9	430 SF
UNIT 10	430 SF
UNIT 11	430 SF
UNIT 12	430 SF
UNIT 13	430 SF
UNIT 14	430 SF
UNIT 15	430 SF
UNIT 16	430 SF
UNIT 17	430 SF
UNIT 18	430 SF
UNIT 19	430 SF
UNIT 20	430 SF
UNIT 21	430 SF

ALL UNITS

NAME	Area
UNIT 1	430 SF
UNIT 2	430 SF
UNIT 3	430 SF
UNIT 4	430 SF
UNIT 5	430 SF
UNIT 6	430 SF
UNIT 7	430 SF
UNIT 8	430 SF
UNIT 9	430 SF
UNIT 10	430 SF
UNIT 11	430 SF
UNIT 12	430 SF
UNIT 13	430 SF
UNIT 14	430 SF
UNIT 15	430 SF
UNIT 16	430 SF
UNIT 17	430 SF
UNIT 18	430 SF
UNIT 19	430 SF
UNIT 20	430 SF
UNIT 21	430 SF

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 600 FOR ADDITIONAL NOTES.
- A. GENERAL NOTES APPLY TO ALL DRAWINGS.
- B. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- C. DO NOT SCALE DRAWINGS.
- D. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- E. ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION WHEN APPLIED. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- F. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- G. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND IMPROVED BALANCE.
- H. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND NOTED.
- I. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THE PROJECT WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE REMOVAL SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS.
- J. GENERAL CONTRACTOR SHALL PROTECT EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- K. ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED TUBING MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED TUBING SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED TUBING ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- L. ARCHITECTS FINISH FLOOR ELEVATION 10'-0" EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- M. SEE SHEET 600 FOR WALL TYPES.
- N. SEE SHEET 600 FOR DOOR AND ARCH FOR WINDOW TYPES.
- O. FIREPROOFING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- P. SEE GENERAL CONSTRUCTION NOTES ON SHEET 600 FOR FIREPROOFING REQUIREMENTS.
- Q. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- R. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2008 (SEE SHEETS 600, 601, 602, 603).
- S. ALL EXTERIOR BALCONIES ARE TO HAVE INTERFERENT COATINGS WHERE EXPOSED STRUCTURE OCCURS.
- T. FIRE DEPARTMENT STANDING EQUIPMENT IS NOT TO BE BROUGHT INTO THE STAIR/LANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- U. OPERABLE WINDOW VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOW/DOORS AS PER 2012 IRC.

KEY NOTES:

1. FIRE EXTINGUISHER, SEE DETAIL DRWG.

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	04/10/2017
2	FOR CONSTRUCTION	04/10/2017
3	FOR PERMIT	04/10/2017

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84090

BWA
ARCHITECTS
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HOLLAND, OHIO 43021
BWA@BWAARCH.COM

PROJECT NUMBER
A100

DRAWN BY
A100

CHKD BY
A100

CONSTRUCTION
DOCUMENTS

LEVEL 6 - FLOOR PLAN

DRAWING NUMBER
A106

Level 4	
UNIT A-4	2.195
UNIT B-4	2.357
UNIT C-4	2.264
UNIT E-4	3.608

KEY NOTES:

- 503 METAL GUARDRAIL
704 FIRE EXTINGUISHER, SEE DETAIL D614505

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV DATE
1	SCHEMATIC SET	04.10.2017			
2	DESIGN/DEV SET	05.10.2017			
3	PERMIT SET	08.06.2017			



A107

A107

EXHIBIT C- ELEVATIONS



EMPIRE RESIDENCES
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PARK CITY, UT 84090

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HOLLAND, OHIO 44131
BWA@BWAARCH.COM

PROJECT NUMBER
418170
OWN BY CHD BY
CONSTRUCTION DOCUMENTS

EAST & WEST
ELEVATION

DRAWING NUMBER
A201

Packet Pg 230

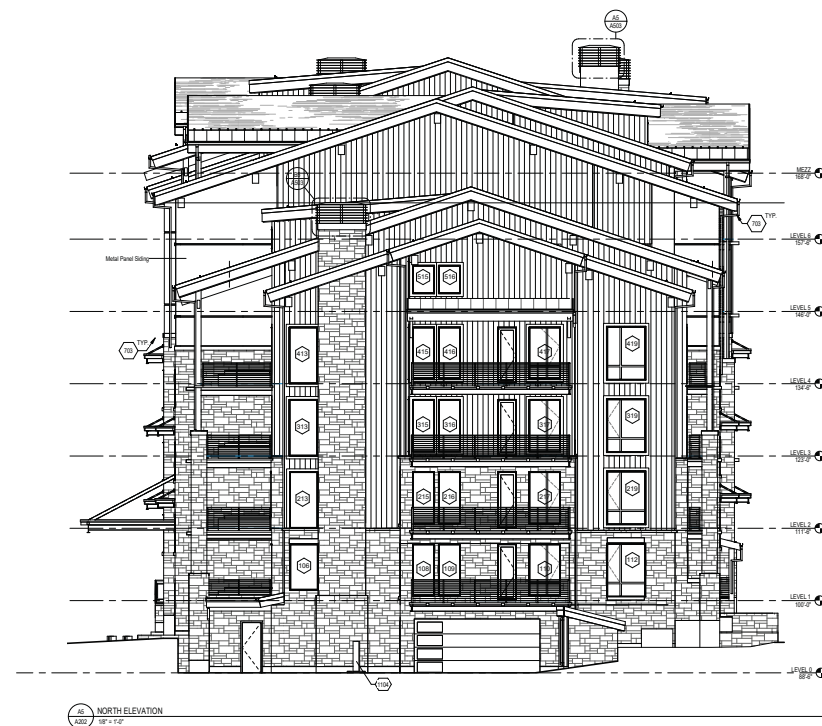
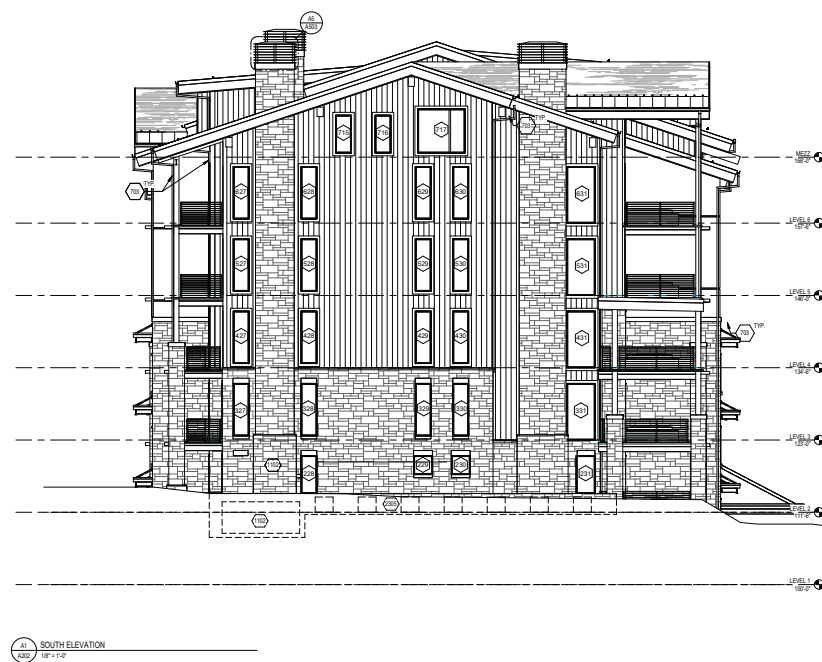
EXTERIOR MATERIALS LEGEND

	30-YEAR ARCH. ASPHALT SHINGLES
	STANDING SEAM METAL ROOF - COPPER
	MANUF. STONE
	METAL PANEL
	BOARD ON BOARD SIDING

[illegible]

KEY NOTES:

703	PREFINISHED METAL RAINGUTTER & DOWNSPOUT.
1102	BACKUP GENERATOR - REFER TO MECHANICAL
1104	REMOTE KEYPAD ACCESS
2305	UNDERGROUND CONDENSERS



EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84060

B



BWA
ARCHITECTS
T 801.438.9500
F 801.438.9201

3115 EAST LION LANE, #200
CULVER CITY, CA 90230

BEECHERWALKER.COM

PROJECT NUMBER
498.1701

DWN BY	CHRD BY
RL	DM

A CONSTRUCTION

CONSTRUCTION
DOCUMENTS

NORTH & SOUTH
ELEVATION

ELEVATION

_____ DRAWING NUMBER

1000

A202

AZ02

ELEVATIONS- MATERIALS



1 NORTH ELEVATION (COLOR)
3/20/16



1 EAST ELEVATION (COLOR)
3/20/16



1 SOUTH ELEVATION (COLOR)
3/20/16



1 WEST ELEVATION (COLOR)
3/20/16

EXTERIOR MATERIALS LEGEND

- ASPHALT SHINGLES
- CEMENT SIDING
- CONCRETE
- GLASS
- STANDING SEAM METAL ROOF
- STONE VENEER

NOTES

- 307 ARCHITECTURAL CONCRETE AT ALL EXPOSED
- CONCRETE
- 402 PAIR FINISHED STONE VENEER TIE
- 405 RAPID SET STONE VENEER TIE
- 001 CHIMNEY CAP
- 005 METAL HANDRAIL
- 011 1/2" METAL HANDRAIL
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- 200 1/2" METAL HANDRAIL

ITEM	DESCRIPTION	QUANTITY	UNIT
1	ASPHALT SHINGLES	100	SQ. YD.
2	CEMENT SIDING	100	SQ. YD.
3	CONCRETE	100	SQ. YD.
4	GLASS	100	SQ. YD.
5	STANDING SEAM METAL ROOF	100	SQ. YD.
6	STONE VENEER	100	SQ. YD.

D

C

B

A

EMPIRE RESIDENCES
7665 VILLAGE WAY,
PARK CITY, UT 84090

BWA
ARCHITECTS

300 EAST UTAH AVE., 4TH
FLOOR, SALT LAKE CITY, UT 84103
BWAARCHITECTS.COM

PROJECT NUMBER
16101

DATE
AUG 23, 2017

CONSTRUCTION
DOCUMENTS

COLOR
ELEVATIONS

DATE
AUG 23, 2017

PROJECT
A910

RECEIVED

AUG 23, 2017

PARK CITY
PLANNING DEPT.

PERSPECTIVES



REV	DATE	DESCRIPTION
1	04.12.2017	SCHEMATIC SET
2	05.12.2017	CONCEPT SET
3	06.12.2017	PERMIT SET

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84090

BWA
ARCHITECTS
T 801.438.9900
F 801.438.9901
3115 EAST LON LAKE, #500
HOLLAND, OHIO 44131
BWA@BWAARCH.COM

PROJECT NUMBER
A911701

DRAWN BY
A

CHKD BY
CHANG

CONSTRUCTION
DOCUMENTS

PERSPECTIVES

DRAWING NUMBER
A911

EXHIBIT D



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 724859, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the herein described property and that to the best of my knowledge this plat is a correct representation of said survey.

BOUNDARY DESCRIPTION

PARCEL A

A parcel of land located in the South half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 428.45 feet coincident with the section line and North 173.03 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 48°58'47" West 120.58 feet to a point on a non tangent curve to the right having a radius of 725.00 feet, of which the radius point bears North 58°06'17" East, said point being on the easterly boundary of Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451, in the Office of the Recorder, Summit County, Utah; thence coincident with Marsac Avenue Right of Way the following four (4) courses: 1) northerly along the arc of said curve 306.94 feet through a central angle of 24°15'25" to a point of reverse curve to the left having a radius of 175.00 feet, of which the radius point bears South 82°21'42" West; thence 2) northwesterly along the arc of said curve 290.23 feet through a central angle of 95°01'25" to a point of reverse curve to the left having a radius of 625.00 feet, of which the radius point bears North 12°39'42" East; thence 4) along the arc of said curve 96.98 feet through a central angle of 08°53'26" to a point on the northerly boundary of the Marsac Mining Claim, recorded survey number S-6414, in the Office of the Recorder, Summit County, Utah; thence coincident with said boundary North 55°00'00" West 276.95 feet; thence North 56°34'49" East 475.97 feet; thence South 85°02'20" East 239.60 feet; thence South 22°25'58" East 215.67 feet; thence South 23°48'28" East 358.05 feet; thence South 21°40'14" West 199.66 feet to the point of beginning.

PARCEL B

A parcel of land located in the northeast quarter of Section 28 and the southeast quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 390.39 feet coincident with the section line and South 118.26 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being at the intersection of Village Way, The Village At Empire Pass, Phase 1, recorded November 24, 2004, as Entry No. 718034 in the Office of the Recorder, Summit County, Utah, and Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Recorder, Summit County, Utah, said point also being on a curve to the right having a radius of 15.00 feet, of which the radius point bears North 38°57'06" West; and running thence coincident with Village Way, the following five (5) courses: 1) westerly along the arc of said curve 16.07 feet through a central angle of 61°23'47" to a point of compound curve to the right having a radius of 62.50 feet, of which the radius point bears North 22°26'41" East; thence 2) northwesterly along the arc of said curve 38.43 feet through a central angle of 30°13'44"; thence 3) North 32°19'35" West 148.50 feet to a point on a curve to the left having a radius of 52.50 feet, of which the radius point bears South 57°40'25" West; thence 4) along the arc of said curve 145.36 feet through a central angle of 158°38'08"; thence 5) South 10°57'43" East 159.62 feet to the northerly boundary of Lot 8, The Village At Empire Pass, Phase 1; thence coincident with said Lot 8 South 89°36'26" West 151.81 feet; thence North 15°22'27" West 77.03 feet; thence North 03°28'20" West 178.84 feet; thence North 86°16'45" West 49.39 feet, said point being on the easterly boundary of The Village At Empire Pass West Side, recorded August 12, 2005, as Entry No. 746744 in the Office of the Summit County Recorder, and running thence coincident with said easterly boundary the following four (4) courses: 1) North 03°31'11" West 17.15 feet to a point on a curve to the right having a radius of 300.00 feet, of which the radius point bears North 84°26'49" East; thence 2) along the arc of said curve 20.22 feet through a central angle of 03°31'42" to a point of compound curve to the right having a radius of 150.00 feet, of which the radius point bears North 86°16'30" East; thence 3) northerly along the arc of said curve 75.83 feet through a central angle of 28°57'57"; thence 4) North 27°16'27" East 56.07 feet to a point on the southerly boundary of Lot 61, Marsac Mining Claim, recorded survey number S-6414 in the Office of the Summit County Recorder; thence coincident with said boundary the following five (5) courses: 1) South 68°50'00" East 113.41 feet; thence 2) North 11°45'46" East 1.93 feet; thence 3) South 64°00'00" East 25.34 feet; thence 4) North 35°00'00" East 79.48 feet; thence 5) North 55°00'00" West 325.43 feet to a point on a non tangent curve to the right having a radius of 575.00 feet, of which the radius point bears South 18°11'59" East, said point being on Marsac Avenue Right of Way, thence coincident with Marsac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 55.52 feet through a central angle of 03°31'57"; thence 2) North 77°20'18" East 65.40 feet to a point on a curve to the right having a radius of 125.00 feet, of which the radius point bears South 12°39'42" East; thence 3) along the arc of said curve 207.31 feet through a central angle of 95°01'25" to a point of reverse curve to the left having a radius of 775.00 feet, of which the radius point bears North 82°21'42" East; thence 4) southerly along the arc of said curve 352.06 feet through a central angle of 26°10'39" to a point of reverse curve to the right having a radius of 725.00 feet, of which the radius point bears South 56°20'03" West; thence 5) southeasterly along the arc of said curve 186.58 feet through a central angle of 14°44'43" to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT REDUS Park City LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat, in witness whereof, the undersigned set his hand this ____ day of _____, 2017.

REDUS Park City LLC, a Delaware limited liability company
By: REDUS Properties, Inc., a Delaware corporation

Its: manager.
By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2017, David Ash personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, David Ash acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____
Residing in: _____
My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE RESIDENCES, LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat, in witness whereof, the undersigned set his hand this ____ day of _____, 2017.

EMPIRE RESIDENCES LLC, a Delaware limited liability company
By: EMPIRE RESIDENCES LLC, a Delaware limited liability company

Its: manager.
By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2017, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Harrison Horn acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____
Residing in: _____
My commission expires: _____

VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

LOCATED IN THE SOUTH HALF OF SECTION 21 & THE NORTH HALF OF SECTION 28
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 2

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 77°20'18" E	65.40'
L2	N 15°22'27" W	77.03'
L3	N 86°16'45" W	49.39'
L4	N 5°33'11" W	17.15'
L5	N 27°16'27" E	56.07'
L6	N 11°45'46" E	1.93'
L7	S 64°00'00" E	25.34'
L8	N 35°00'00" E	79.48'
L9	N 77°20'18" E	65.40'
L10	N 3°43'15" E	134.23'
L11	S 85°48'47" E	7.34'
L12	N 42°44'41" E	19.25'
L13	N 3°56'31" E	27.99'
L15	N 37°49'10" W	29.51'
L16	N 86°16'45" W	29.93'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	625.00'	96.98'	8°53'26"
C2	15.00'	16.07'	61°23'47"
C3	62.50'	38.43'	35°13'44"
C4	52.50'	145.36'	158°38'08"
C5	300.00'	20.22'	3°51'42"
C6	150.00'	75.83'	28°57'57"
C8	575.00'	55.52'	5°31'57"
C9	52.50'	116.13'	128°44'09"
C10	52.50'	29.23'	31°53'59"

LEGEND
● Set 5/8" rebar w/cap, "ALLIANCE ENGR./S 154491"
(Unless noted otherwise)
□ Street Address

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street, P.O. Box 2064 Park City, Utah 84050-2064	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DATE OF _____, 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DATE OF _____, 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DATE OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DATE OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
---	---	---	--	--	--	--	---

TES:

This plot is subject to the Conditions of Approval in Ordinance 2017-_____.
The position of the north $\frac{1}{4}$ corner of Section 28, Township 2 South Range 4 East SLBM, as shown on this survey, is from the dependent re-survey of Section 28, 29, 31, 22 & 33 performed by Robinson, Blehn & Blehn Inc. in 2000 (Rec.# S-3819, Summit County Recorder's Office).

Conditional use permit approval will be required prior to construction on each of the development lots shown hereon.
A declaration of condominium and a record condominium map will be required for the purpose of the sale of individual units within the development lots shown hereon.

The lots described on this plot are subject to the Restated Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-Acre Quinn's Junction Parcel and Iron Mountain dated as of May 2, 2007, and recorded on March 2, 2007, as Entry No. 00805100 in Book 1850, Page 1897 (the "Development Agreement"). By separate Declaration of Payment and Development Covenants, recorded October 4, 2016, as Entry No. 01055133 in the official records of the Summit County Recorder, as amended, Lot 3 has been allocated the right to develop 24.5 Unit Equivalents within no more than 21 dwelling units and the obligation to locate 1.1 Affordable Unit Equivalents thereon, as each of those capitalized terms is defined in the Development Agreement. Lot 2 has been allocated the obligation to locate 2.0 Affordable Unit Equivalents thereon and Lot 1 has no on-site affordable housing obligations. The allocation of Unit Equivalents to Lot 2 and Lot 1 may be done at a future date by a separate recorded document. No Unit Equivalents will be allocated to Lot 4, which is to be used in connection with resort and similar activities. No lot within this plot has been allocated any commercial Unit Equivalents.

The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.

Owners and potential buyers of any unit or land within the lots depicted on this plot are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow, falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such covenants or agreements with such owner.

The owner of Lot 3 hereby grants a non-exclusive resort and access easement over the approximately west twenty feet (20') of Lot 3, as depicted on this plot as the "Cable UDOT Setback" for the benefit of Lot 4 to allow ski lift maintenance access and the right to conduct resort activities, including to locate movable safety fences.

This plot also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:

- a. Agreement and Covenant of Cooperation (Ski Access/Storm Drainage), Entry No. 665956, Summit County Recorder's Office which affects Lot 2 and Lot 3 of this plot.
- b. Right-Of-Way and Easement Grant (Gas Utility), Entry No. 755686, Summit County Recorder's Office, potentially affects Lot 2 and Lot 3.
- c. Grant of Access Easement (Sewer Utility), Entry No. 850350, Summit County Recorder's Office, affects Lot 2.
- d. Grant of Easement (Sewer Utility), Entry No. 716688, Summit County Recorder's Office, affects Lot 2.
- e. Grant of Easement (Storm Drain Facilities), Entry No. 716459, Summit County Recorder's Office, affects Lot 3.
- f. Reciprocal Easement Agreement (Resort and Access) to be recorded in advance of or contemporaneously with this plot in the Summit County Recorder's Office, affects Lot 2, Lot 3 and Lot 4, and describes the use of Easement Area A, Easement Area B, Easement Area C and Easement Area D.

Public safety access and public utility easements are hereby dedicated for all public and private roadways and emergency access roads.

The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.

A ten foot (10') wide snow storage easement is hereby dedicated to the Master Association along the frontage of all lots.

Wastewater service to the Village at Empire Pass North Subdivision shall be provided by the Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for Lots 1 & 2. It shall be the responsibility of the Owner of each lot to extend the public wastewater system within the lot being developed according to the requirements of the Line Extension Agreement.

Village Way is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Village Way is not a public road or right-of-way.

A UDOT Conditional Access Permit or city permit, depending upon the ownership of Marsoc Avenue, will be required prior to construction on Lot 1 and for vehicle access to Lot 2 directly from Marsoc Avenue.

Fire sprinklers will be required within all dwellings constructed on the lots.

Ski Easement Note: 5' Ski and Pedestrian Easement in favor of Lot 4 for resort operations and trail maintenance and for purpose of providing property owners, invitees and guests of One Empire Pass Condominium with ski and pedestrian access to and from adjoining skiways.

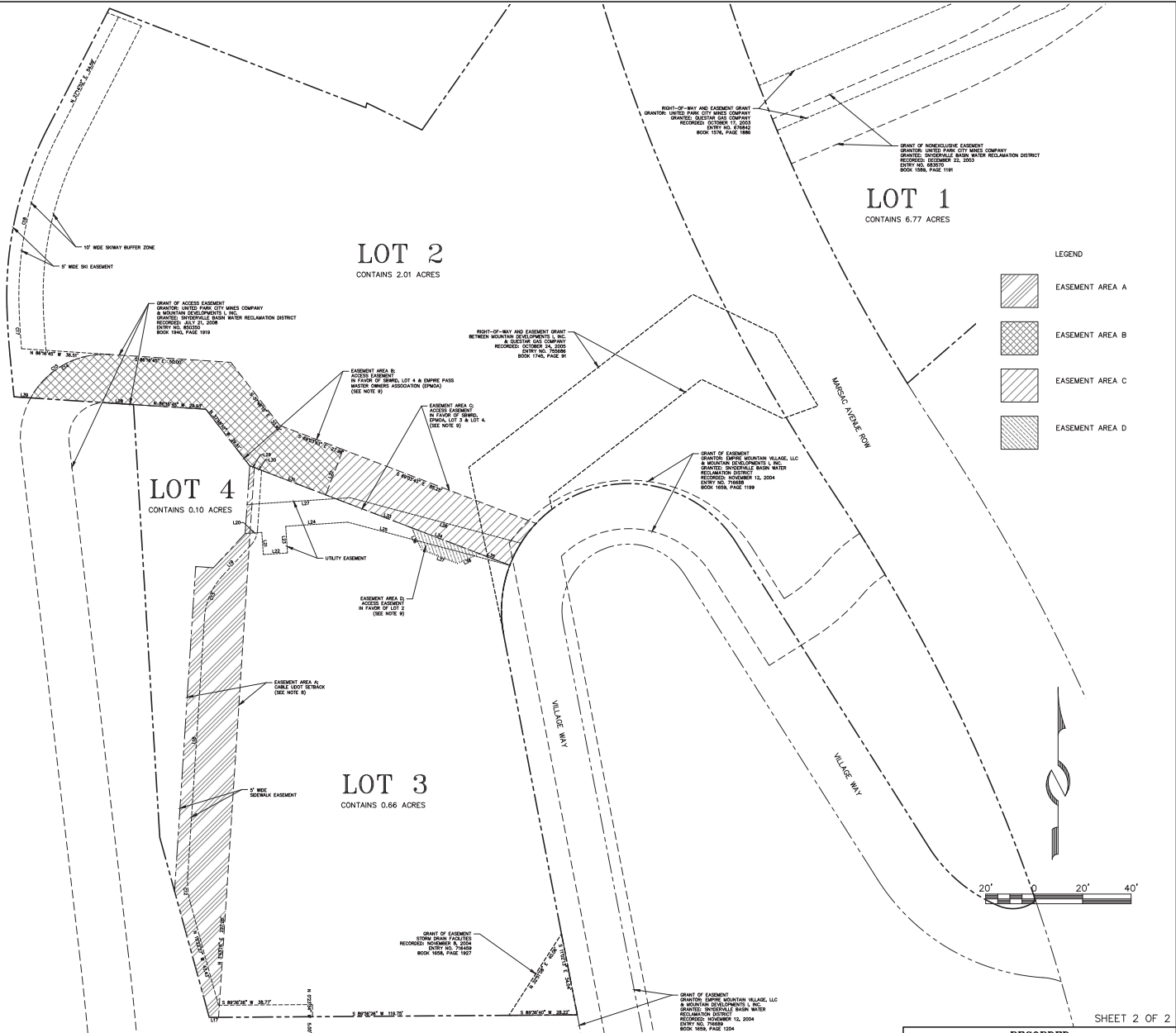
Ski Buffer Note: 10' Skiway Buffer Zone in favor of Lot 4 providing that without prior written consent of owner of Lot 4:

- a. no above-ground building or landscaping obstructions may be constructed in the Skiway Buffer Zone.
- b. no trees or other above-ground landscaping obstructions may be maintained in the Skiway Buffer Zone.

The owner of Lot 2 hereby grants a non-exclusive resort and access easement over the western edge of the property as depicted on this plot as the "5' Wide Ski Easement". This easement is for the benefit of Lot 4 for resort operations and trail maintenance and for the benefit of VEPWS Lot 15 property owners, invitees and guests for purposes of ski and pedestrian access.

The owner of Lot 2 hereby grants a non-exclusive easement near the western edge of the property as depicted on this plot as the "10' Skiway Buffer Zone". This easement is for the benefit of Lot 4 providing that without prior written consent of owner of Lot 4 no above-ground building, trees or other landscaping obstructions may be constructed or maintained in the Skiway Buffer Zone.

At the time of plot recording, Lot 1 includes lands within the Empire Village MPD in the RD Zone and additional lands within the ROS Zone on Lot 1 shall conform to requirements of applicable zoning regulations for the different portions on the property.



Planning Commission Meeting
Minutes of July 28, 2004
Page 10

Findings of Fact - Marsac Avenue & Chambers Street Right-of-Way

1. The property is located between platted Marsac Avenue at the Sandridge parking lots and the Guardsman Connection to Silver Lake.
2. The zoning along the road is HR-1 and ROS.
3. The City Council adopted Ordinance 99-20 on June 24, 1999, approving the annexation and development agreement for the 1,655-acre Flagstaff Mountain area.
4. The Flagstaff Annexation Development Agreement Section 2.10.2 stipulates certain road and intersection improvements, including widening the road, drainage improvements, a passing lane, and runaway truck ramp.

Conclusions of Law

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

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision 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 Subdivision 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 and the plat will be void.

6. Empire Pass Master Planned Development

Planner Brooks Robinson commented on Pod A at Empire Pass and noted that the Planning Commission has discussed many details of his master planned development over several months. The public hearing was re-opened on July 14 and continued to this evening. The Staff has prepared findings of fact, conclusions of law, and conditions of approval for the master plan for Pod A. Pod B1 was previously approved. The Staff finds that this application complies with the Land Management Code and the Development Agreement, which are the controlling documents. There will be additional units and density left over from this approval, and Pod B2 will come in at a later date with its own master plan once the applicants are further along in planning development for that area. The applicant had prepared a number of exhibits and updates for the Commissioners' binders which will comprise this approval. These includes the project description and minor grammatical

error and language revisions. Planner Robinson outlined other updates distributed this evening. The Staff recommended that the Planning Commission re-open the public hearing, consider public input, and provide direction to the Staff and applicant.

Chair Barth referred to Pages 115-123 of the staff report, Summary of Compliance with the Technical Reports, and noted that he did not see in the draft findings any reference to incorporate those pages into a motion. Planner Robinson recalled that on July 14 Commissioner Erickson requested compliance with technical reports, and the decision was made to provide them as a separate document. He offered to add them as a finding.

Doug Clyde, representing the applicant, distributed to the Commissioners a visual simulation from King Road that was inadvertently left out of their package. He was uncertain which phasing plan is included in their packets and wanted to be sure the one they have shows the right units. He noted that town home units 16 and 17 and cluster home units 11 and 12 are in Phase I. He referred to page 6 of the recent handouts and corrected the number of Townhomes and PUD's from 28 to 23 units in the first phase.

Chair Barth re-opened the public hearing.

There was no comment.

Chair Barth closed the public hearing.

Commissioner Erickson read the conditions of approval relative to traffic circulation based on the development agreement and asked if they are part of the transportation mitigation plan and part of the 14 technical reports. Mr. Clyde replied that they are reflected in the existing construction mitigation plans currently on file with the City. Planner Robinson explained that every CUP that comes forward will need its own construction mitigation plan which will be reviewed by the Planning Commission.

The Planning Commission and Mr. Clyde discussed enforcement procedures for downhill traffic.

Planner Robinson revised Finding of Fact 10 by inserting a comma after A(Exhibit H)@ and adding Aand a compliance matrix with the technical reports (Exhibit I).@

Mr. Clyde referred to the density indicated on page 104 of the staff report and noted that 563 takes into account the additional 18 PUD units. This is not reflected in the table above, and he suggested adding the language Accounting the additional 18 PUD units noted below.@

MOTION: Commissioner Erickson moved to APPROVE the MPD in accordance with the findings of fact, conclusions of law, and conditions of approval with the following revisions:

- 1) The incorporation of the revised July 28, 2004, project description as presented by Staff.
2. The revision to Finding of Fact 10 incorporating the compliance report with the 14 technical reports, Exhibit I.
3. The revision to the phasing plan incorporating the town home Units 16 & 17 and the cluster home Units 11 & 12.
4. Correction to the staff report, page 104, with regard to the density incorporating the phrase that the 563.3 units includes the 18 unit equivalents referenced in Pod B1 below.
5. Incorporation of Condition of Approval 10 that they incorporate the technical report updates and clarifications as presented in the staff report

Mr. Clyde stated that the PUD's were originally intended to be 5,000 square feet each, but they had a problem with the Unit Equivalent calculation. He will return with a revised UE calculation which raises the number by 18 additional UE's. It will not change the plan, but it will make it correspond with the way they interpret UE's.

Planner Robinson referred to the density in the Pod B1 section on page 104 and noted that the last sentence should recognize that 90,000 square feet should be assigned to Lot B and not Lot C.

Commissioner Erickson incorporated the change to Page 104 as described by Planning Robinson into his motion. Commissioner Powers seconded the motion.

VOTE: The motion passed unanimously. Commissioner Thomas abstained from the vote, and Commissioner Zimney was not present for the vote.

Commissioner Volkman referred to the status of the technical reports regarding the mine soils hazard plan and the language which states, AA draft work plan for the clean up of Empire Canyon was approved by the EPA and reviewed by the Park City Municipal Corporation. Work will begin this summer.@ Mr. Clyde explained that the Empire Canyon work referred to is the clean up of the creek below the Deer Valley Day Lodge and the top of Daly Avenue. It has no relation to moving the mine dump.

Findings of Fact - Empire Pass

1. The Village at Empire Pass (Mountain Village) Master Planned Development is located in the RD-MPD and ROS-MPD Districts.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The

- Development agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-use development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2 and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
 4. The Development Agreement limits development in Pods A, B-1, B-2 to:
 - No more than 705 Unit Equivalents in no more than 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites;
 - no more than 85,000 square feet of resort support commercial; and
 - a maximum 35,000 square foot day skier lodge in Pod B-2.
 5. The Development Agreement required City review and approval of fourteen (14) technical reports/studies. The reports include details on the following information:
 - Mine/Soil Hazard Mitigation
 - Architectural Design Guidelines
 - Transit
 - Parking
 - Open Space Management
 - Historic Preservation
 - Emergency Response
 - Trails
 - Private Road Access Limitations
 - Construction Phasing
 - Infrastructure and Public Improvement Design
 - Utilities
 - Wildlife Management
 - Affordable Housing
 6. The Planning Commission completed the review and approval process for the technical reports/studies on December 12, 2001.
 7. This Master Plan for Pod A consists of a total of 321.5 units and 435.6 unit equivalents, including the previously approved Paintbrush, Larkspur, and Building H; the Transit Hub, ski lift and ski trails, and the location of the Alpine Club.
 8. Over 65% of the residential units (minimum 306) are within Pod A and within walking distance of the Transit Hub as required by the Development Agreement.
 9. The 14 technical reports/studies along with the Land Management Code and the Development Agreement (99-30) for the standard which the subject Master Planned Development and Phase 1 preliminary/final plat are reviewed.
 10. The applicant has provided supplemental materials including Master Plan Development Project Description (dated July 2004, Exhibit A), Supplemental Project Description and Conditions (dated July 5, 2004, Exhibit B), Volumetric Analysis (dated July 5, 2004, Exhibits D and E), Visual Analysis dated July 4, 2004 (Exhibit F), Architectural Character dated March 19, 2004 (Exhibit G), Supplemental Plans

- including Building Height Diagram, Vegetative Buffer, Trails, and construction Sequencing (Exhibit H), and a Compliance Matrix with the Technical Reports (Exhibit I). Together with the Site Plans dated July 21, 2004, (Exhibit C), these Exhibits and this report comprise the Village at Empire Pass MPD.
11. The Village at Empire Pass MPD illustrates conceptual access and street layouts that have not been specifically approved by the City Engineer and the City Fire Marshall. Final road layout will be subject to individual Subdivisions and Conditional Use Permits.
 12. Conditional Use Permit approval is required prior to any development within the Village at Empire Pass MPD area.
 13. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Thirty (30) detached single-family PUD-style units utilizing 85.4 Unit Equivalents.
 14. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Fifty-One (51) Townhouse units utilizing 64 Unit Equivalents. Eight of these Townhouse units are in a duplex configuration and count toward the PUD limits of 60.
 15. The proposed Village at Empire Pass Master Planned Development includes a conceptual site design for six (6) single-family homes.
 16. Conservation Easements are proposed within platted lots. These Conservation Easement areas will not count toward the development acreage.
 17. The PUD-style cluster homes and the Townhomes are to be platted as condominiums and not as individual lots.
 18. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
 19. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over-length cul-de-sac.
 20. The Planning Commission may decrease setbacks within an MPD. Setback variance is shown on Sheet 10 of 10 of Exhibit A, dated June 15, 2004.
 21. The Maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof).
 22. The Land Management Code, Section 15-6-5(E) allows the Planning Commission to consider increased building height based upon a site specific analysis and determination.
 23. The applicant has requested additional building height for the structures proposed as Buildings 109, inclusive. The proposed building volumetrics are detailed on Exhibit D dated June 14, 2004.
 24. The proposed increase in building height for Buildings 1-9 does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.

25. Proposed Buildings 1-9 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 defined by the Planning Commission.
26. The site plan for proposed Buildings 1-9 includes adequate landscaping and buffering from adjacent properties and uses.
27. The additional building height for proposed Buildings 1-9 has resulted in more minimum open space than required and has resulted in the open space being more usable.
28. An MPD for pod B-2 will be reviewed under a separate MPD application.

Conclusions of Law - Empire Pass

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is compatible in use, scale, and mass with adjacent properties and promotes neighborhood compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place development on the most developable land and least visually obtrusive portions of the site.
11. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing trail connections.
12. The MPD has been noticed and public hearings held in accordance with this Code.
13. The requirements necessary for the Planning Commission to grant additional building height within the MPD pursuant to the Land Management Code Section 15-6-5 have been met.

Conditions of Approval - Empire Pass

1. A Conditional Use Permit is required prior to any development within the Village at Empire Pass MPD area. As per the Phasing Plan, only the nine large multi-family

- buildings require a CUP review by the Planning Commission. All other units are to be reviewed at a Staff level.
2. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the Village Master Planned Development area.
 3. Utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
 4. If and when the realigned Guardsman Road is dedicated to the City, the Developer will execute an encroachment agreement in a form acceptable to the City Attorney and City Engineer for the private improvements (ski bridges and/or tunnels) within the rights-of-way.
 5. All essential municipal public utility buildings associated with the utility plan for the subdivision require a conditional use permit.
 6. The proposed over-length cul de sac that ends in the six single-family lots will have a secondary emergency access from the end of the road to Marsac Avenue. The emergency access will continue as a minimum 20-foot-wide all-weather surface road.
 7. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Conditional Use Permit.
 8. A preliminary landscape plan, including provisions for water-efficient irrigation systems, shall be submitted with each CUP application.
 9. All subsequent applications and approvals are subject to the Technical Reports as approved or amended.
 10. The technical report updates and clarifications as presented in the staff report shall be incorporated in this approval.
7. Red Cloud Subdivision

Planner Robinson noted that Red Cloud, commonly called Pod D, is the third and final Empire Pass application. Thirty single-family lots are proposed on the land owned and controlled by Talisker and the United Park City Mine Company. At the July 14 work session, the Planning Commission discussed the Enchanted Forest and how to apply the statement in the development agreement that no development should occur in the Enchanted Forest. Planner Robinson understood there to be general consensus from the Commission that having a ski easement/conservation easement across an area to be determined would constitute adequate protection. The language will prohibit snowmobiles but will allow skiing in the winter for people coming off the Red Cloud lift. The other issue discussed on July 14 was whether to amend the development agreement and Exhibit A of the development agreement which shows the pod boundaries to move the boundaries further south and west. This would not change the density or average lot size. The Staff analyzed that proposal for separation from ski runs and a visual analysis, and it is the Staff's opinion that the development agreement would have to be amended to allow that to



Recorded this ____ day of ____
____, 2007
at Book # ____ Page # ____

ENTRY NO. 00806100

03/02/2007 02:42:51 PM B: 1850 P: 1897

Agreement PAGE 1 / 49

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 0.00 BY PARK CITY MUNICIPAL CORP



Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P.O. Box 1480, Park City, UT 84060

**AMENDED AND RESTATED DEVELOPMENT AGREEMENT
FOR FLAGSTAFF MOUNTAIN,
BONANZA FLATS, RICHARDSON FLATS,
THE 20-Acre QUINN'S JUNCTION PARCEL
AND IRON MOUNTAIN**

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

- A. WHEREAS, DEVELOPER and DEER VALLEY own approximately; 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

- B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;
- C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;
- D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;
- E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;
- F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;
- G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

- H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and
- I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

- 1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.
- 1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, constituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.
- 1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.
- 1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

with the terms of this Agreement.

- 1.5 **"Inaction"** provisionally¹ means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

- 1.6 **"Meeting Accessory Uses"** provisionally² means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

- 1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B₁, and B₂) and maximum densities, unit equivalencies and configuration more fully described herein.

¹ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

² This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

- 1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.
- 1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.
- 1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.
- 1.11 **"Planned Unit Development" or "PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.
- 1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.
- 1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.
- 1.14 **"Residential Accessory Uses"** provisionally³ means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

³ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

- 1.14.1 Common Ski Lockers
- 1.14.2 Common Lobbies
- 1.14.3 Registration
- 1.14.4 Concierge
- 1.14.5 Bell Stand/Luggage Storage
- 1.14.6 Common Maintenance Areas
- 1.14.7 Mechanical Rooms
- 1.14.8 Common Laundry Facilities and Common Storage Areas
- 1.14.9 Employee Facilities
- 1.14.10 Common Pools, Saunas and Hot Tubs
- 1.14.11 Public Telephone Areas
- 1.14.12 Public Restrooms
- 1.14.13 Administrative Offices
- 1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally⁴ means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

- 1.15.1 Information
- 1.15.2 Lost and Found
- 1.15.3 Mountain Patrol
- 1.15.4 Mountain Administration
- 1.15.5 Mountain Maintenance and Storage Facilities
- 1.15.6 Mountain Patrol and Emergency Medical Facilities
- 1.15.7 Public Lockers
- 1.15.8 Public Restrooms
- 1.15.9 Employee Lockers
- 1.15.10 Ski School/Day Care

⁴ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **“Richardson Flats”** means all of UPCM’s property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **“Transportation Hub”** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **“Unit Equivalent,”** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.⁵ Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER’s responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

⁵ Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

- 2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;
 - 2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;
 - 2.1.3. Specific Transit Plan;
 - 2.1.4. Parking Management Plan;
 - 2.1.5. Detailed Open Space Management Plan;
 - 2.1.6. Historic Preservation Plan;
 - 2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;
 - 2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;
 - 2.1.9. Private Road Access Limitation Procedures;
 - 2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;
 - 2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;
 - 2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;
 - 2.1.13. Wildlife Management Plan; and
 - 2.1.14. Affordable Housing Plan, including phasing.
- 2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 Mountain Village: The Mountain Village is constrained as follows:

- 2.2.1.1 Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.
- 2.2.1.2. Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.
- 2.2.1.3. Maximum Density.** The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.⁶ Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.
- 2.2.1.4. Pedestrian Village.** At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B₁, and B₂) within the Mountain Village must be linked by transit.
- 2.2.1.5. Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

⁶ Hotel rooms of 500 square feet or less constitute 1/4 Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation.** To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim⁷ all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

⁷ Reclamation shall include, at a minimum, revegetation of exposed areas.

The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

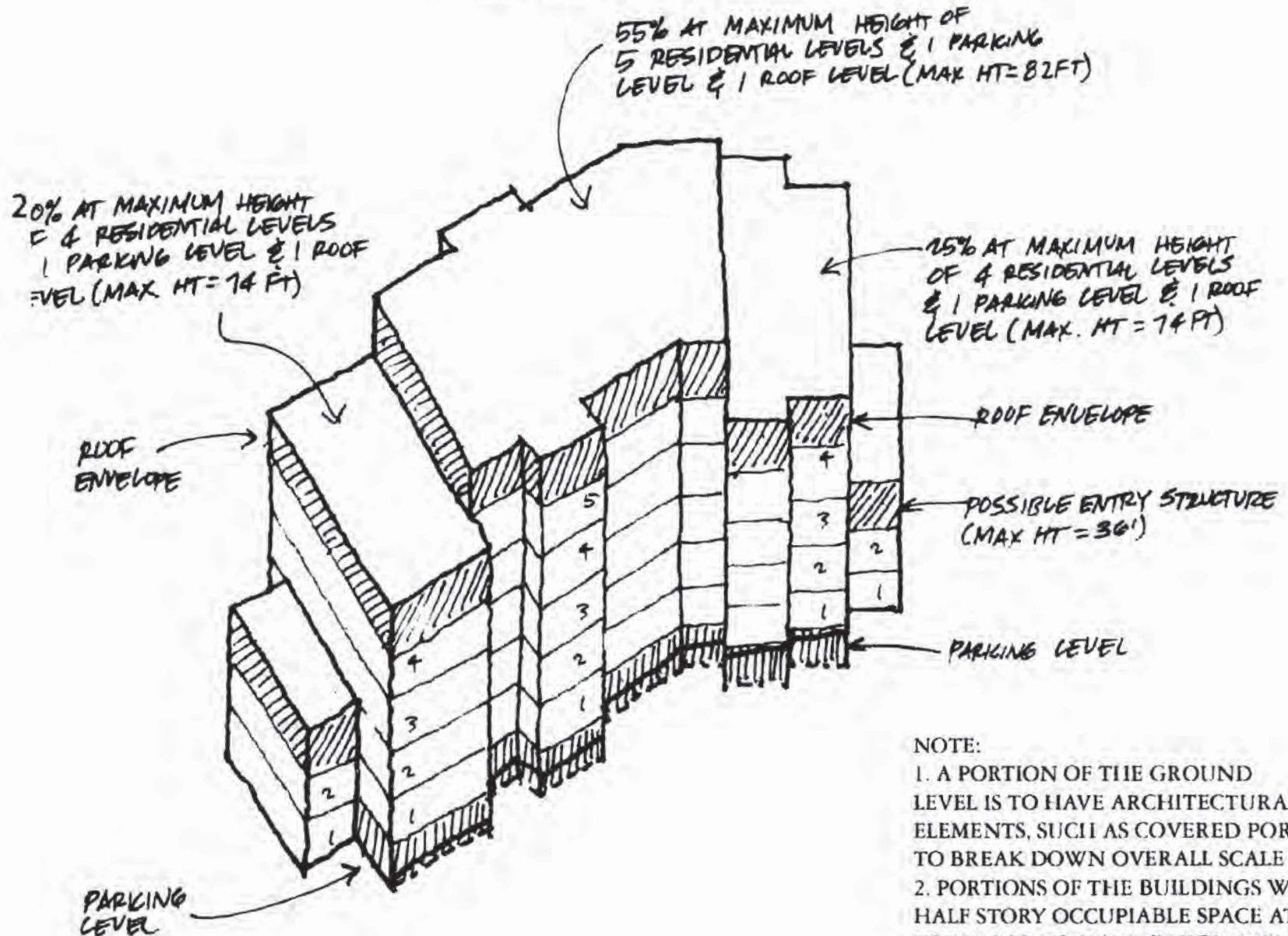
2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Master Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,

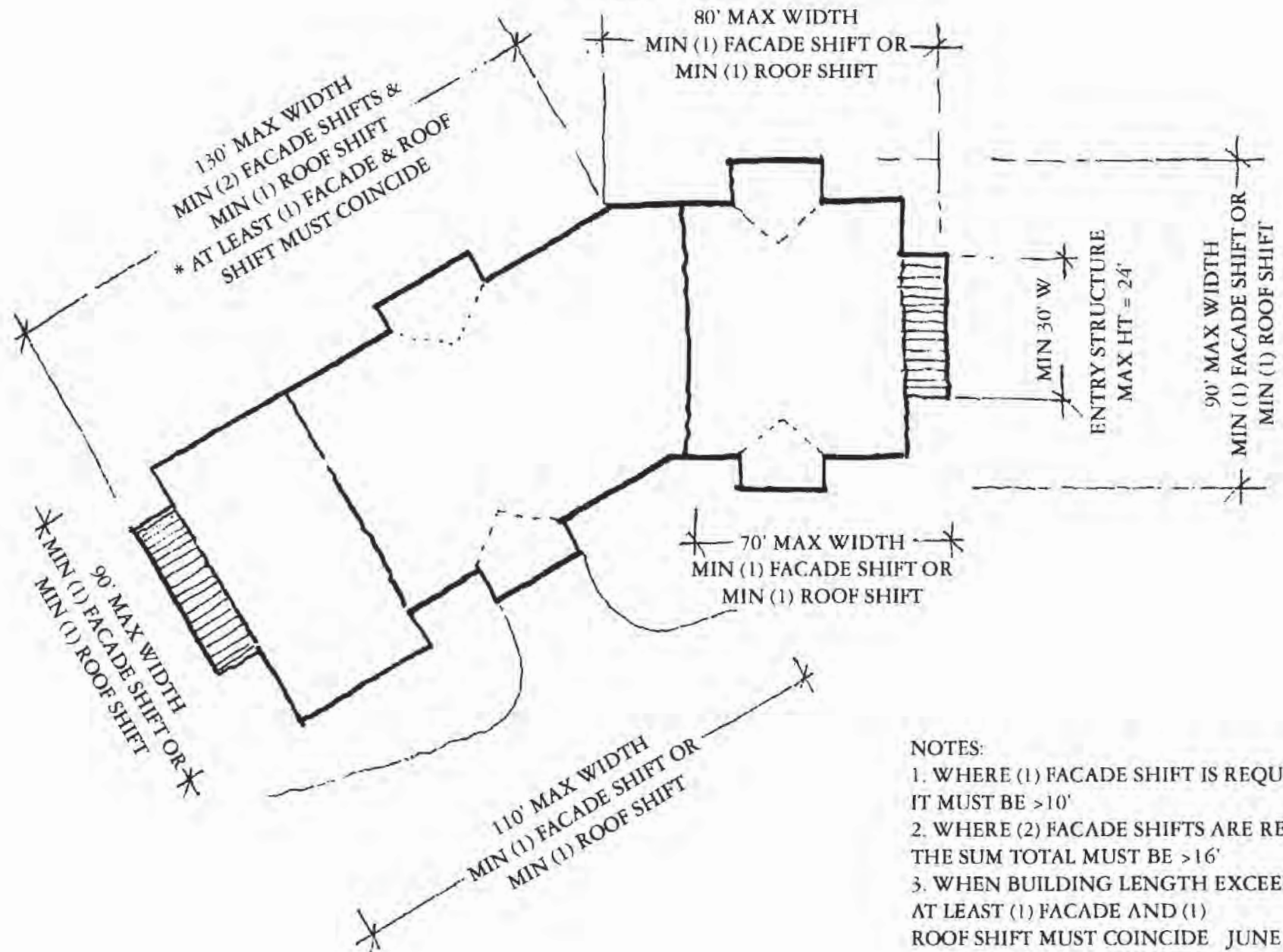
Building 3 Volumetrics Isometric View



JUNE 17, 2004

Building 3 Volumetrics Plan View

EXHIBIT G

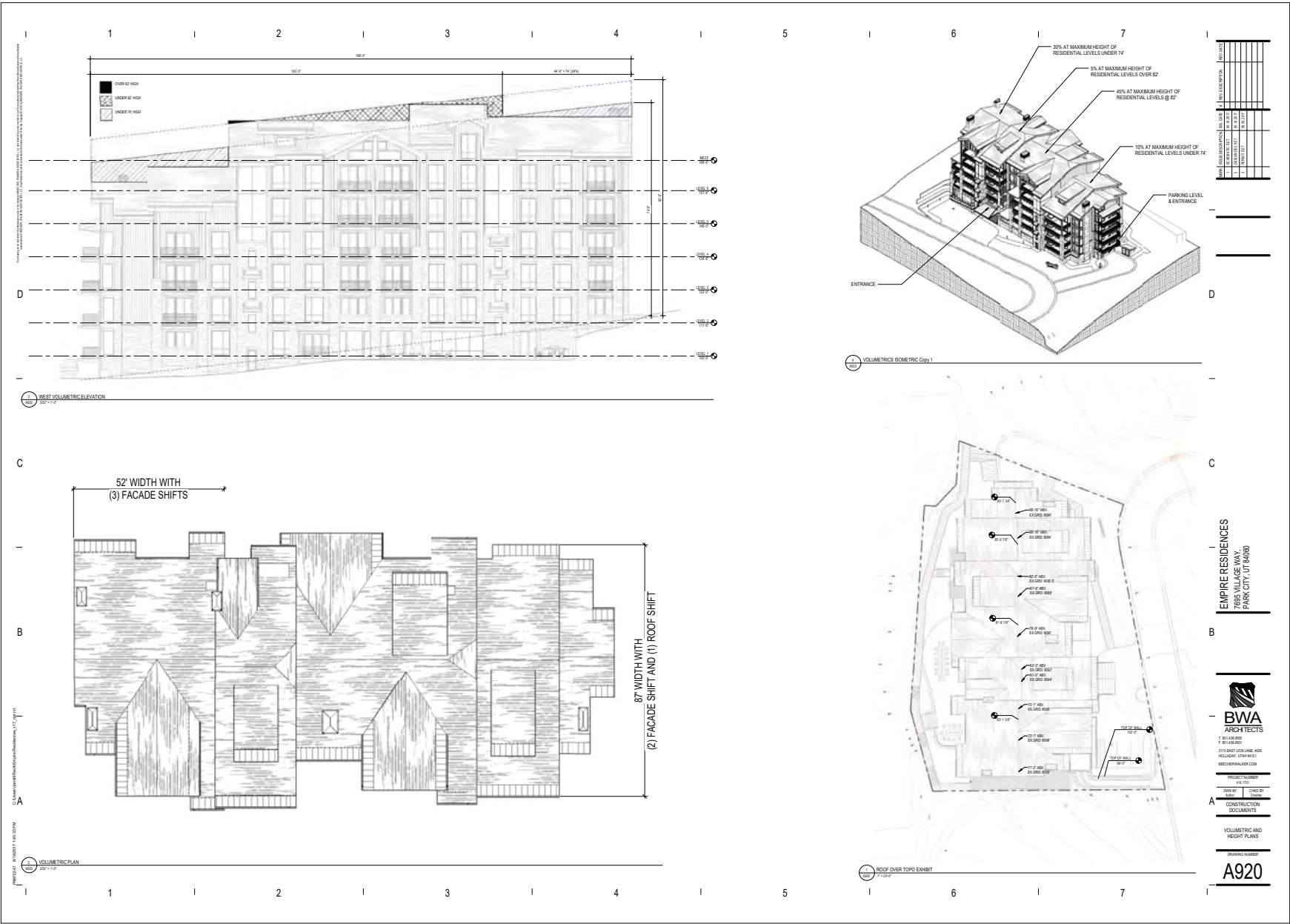


NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
 2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
 3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE
- JUNE 17, 2004

EXHIBIT H

Volumetric Study- Empire Residences CUP



This drawing is a schematic of a proposed building. It is not intended to be used for construction or to represent a building that has been constructed. It is the responsibility of the user to verify the accuracy of the information presented in this drawing.

Architectural rendering of a proposed building.

Packet Bn 267

D

C

B

A



REV.	DESCRIPTION	DATE
1	SCHEMATIC SET	04.10.2017
2	CONSTRUCTION SET	08.10.2017
3	PERMIT SET	08.10.2017

D

C

B

A

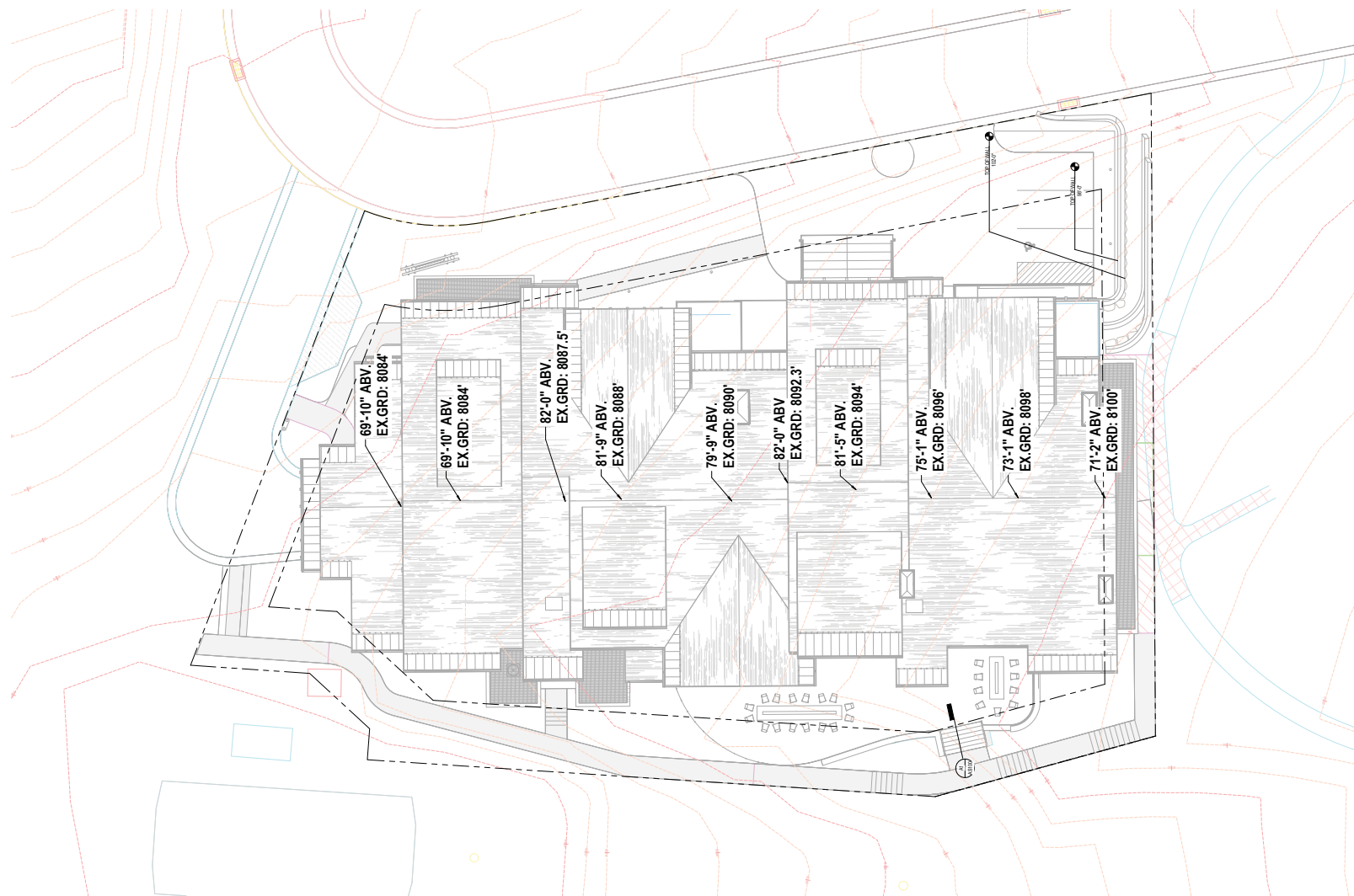
EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84090

BWA
ARCHITECTS
T 801.438.8800
F 801.438.8801
3115 EAST LON LANE, #500
HOLLAND, OHIO 44131
BWA@BWAARCH.COM

PROJECT NUMBER
491.170
OWN BY
ARCH BY
CONSTRUCTION
DOCUMENTS

HEIGHT ANALYSIS

DRAWING NUMBER
A920



MARK	ISSUE DESCRIPTION	ISS. DATE	REV. DESCRIPTION	REV. DATE
1	SCHEMATIC SET	04/10/2017		
2	DESIGN/CON. SET	05/19/2017		
3	PERMIT SET	08/30/2017		

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84060



3115 EAST LION LANE, #200
HOLLADAY, UTAH 84121
BEECHERWALKER.COM

PROJECT NUMBER

49.1701	
DANBY	CHANDLER

CONSTRUCTION

DOCUMENTS

Root Over Time

DRAWING NUMBER

A021

A921

Not for Construction. This drawing is a conceptual illustration of the proposed development and is not intended to be used for construction purposes. It is provided for informational purposes only. The design is subject to change without notice. The information contained herein is not to be used for any other purpose without the written consent of the architect.

Architect: BWA Architects
Engineer: BWA Engineers

Packet Pg. 269



VOLUMETRICS ISOMETRIC Copy 1

NO.	DATE	DESCRIPTION
1	10/10/17	SCHEMATIC SET
2	10/10/17	CONSTRUCTION SET
3	10/10/17	PERMIT SET

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000

BWA
ARCHITECTS
T 801.438.9900
F 801.438.9901
3115 EAST LON LAKE, #500
HOLLAND, OHIO 44131
BWA@BWAARCH.COM

PROJECT NUMBER	492.1701
OWN BY	CHD BY
CONSTRUCTION	DOCUMENTS

3D NE SIDE
DRAWING NUMBER
A922

This drawing is a computer-generated architectural rendering of a proposed project. It is not a photograph of an existing building. The rendering is for informational purposes only and does not constitute a contract. The actual project may vary from the rendering. The rendering is the property of BWA Architects and is not to be reproduced without written permission.

Architect: BWA Architects
Project: Empire Residences
Date: 10/1/2017

Packet Pg. 370

D

C

B

A



3D NW SIDE

NO.	DATE	DESCRIPTION
1	10/1/2017	SCHEMATIC SET
2	10/1/2017	CONSTRUCTION SET
3	10/1/2017	PERMIT SET

D

C

B

A

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84090

BWA
ARCHITECTS
T 801.438.9900
F 801.438.9901
3115 EAST LONLAKE, #200
HOLLAND, OHIO 44131
BWA@BWAARCH.COM

PROJECT NUMBER	492.1701
OWN BY	CHD BY
ARCH	CHD
CONSTRUCTION	DOCUMENTS

3D NW SIDE
DRAWING NUMBER
A923

EXISTING CONDITIONS

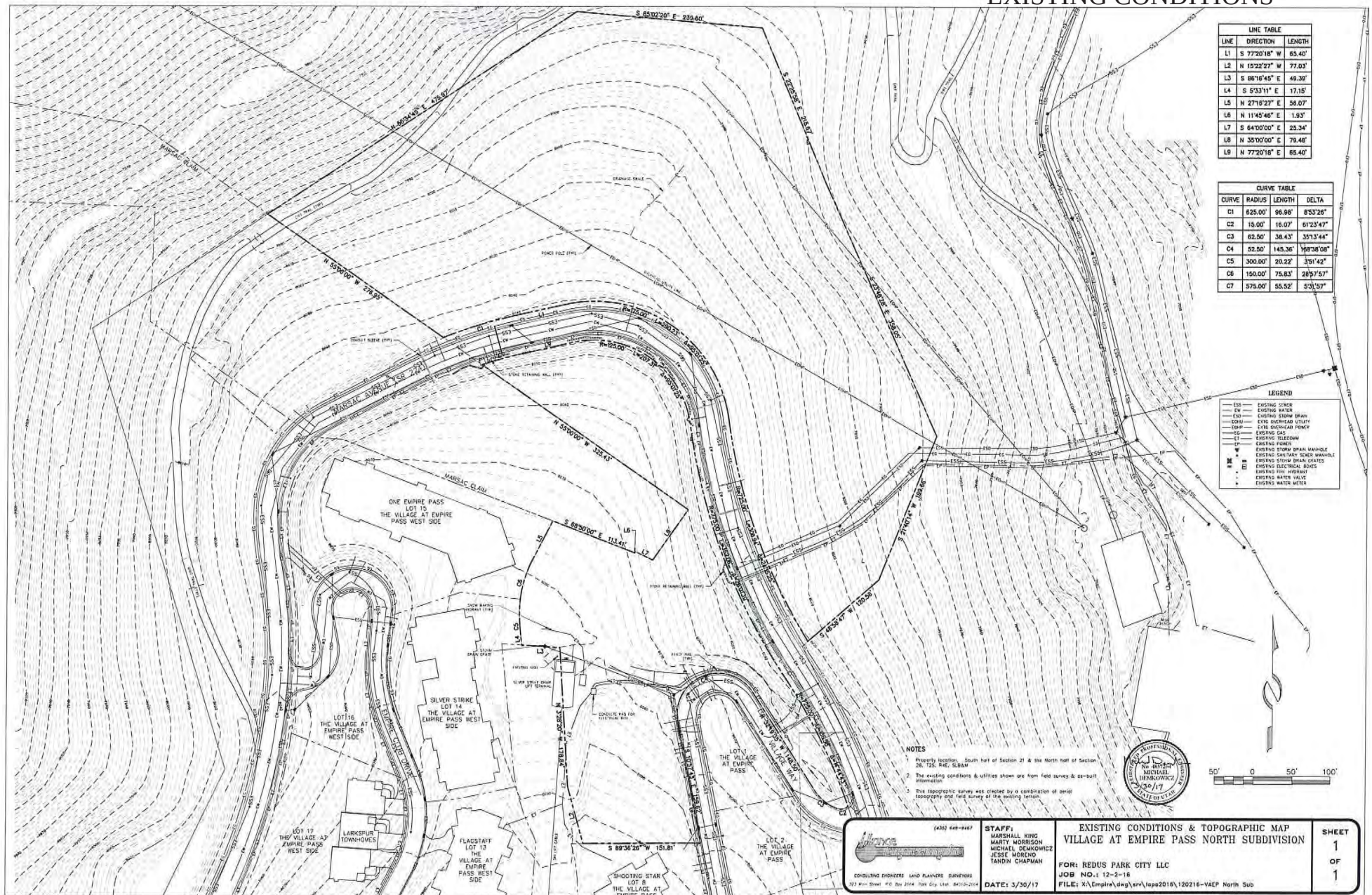


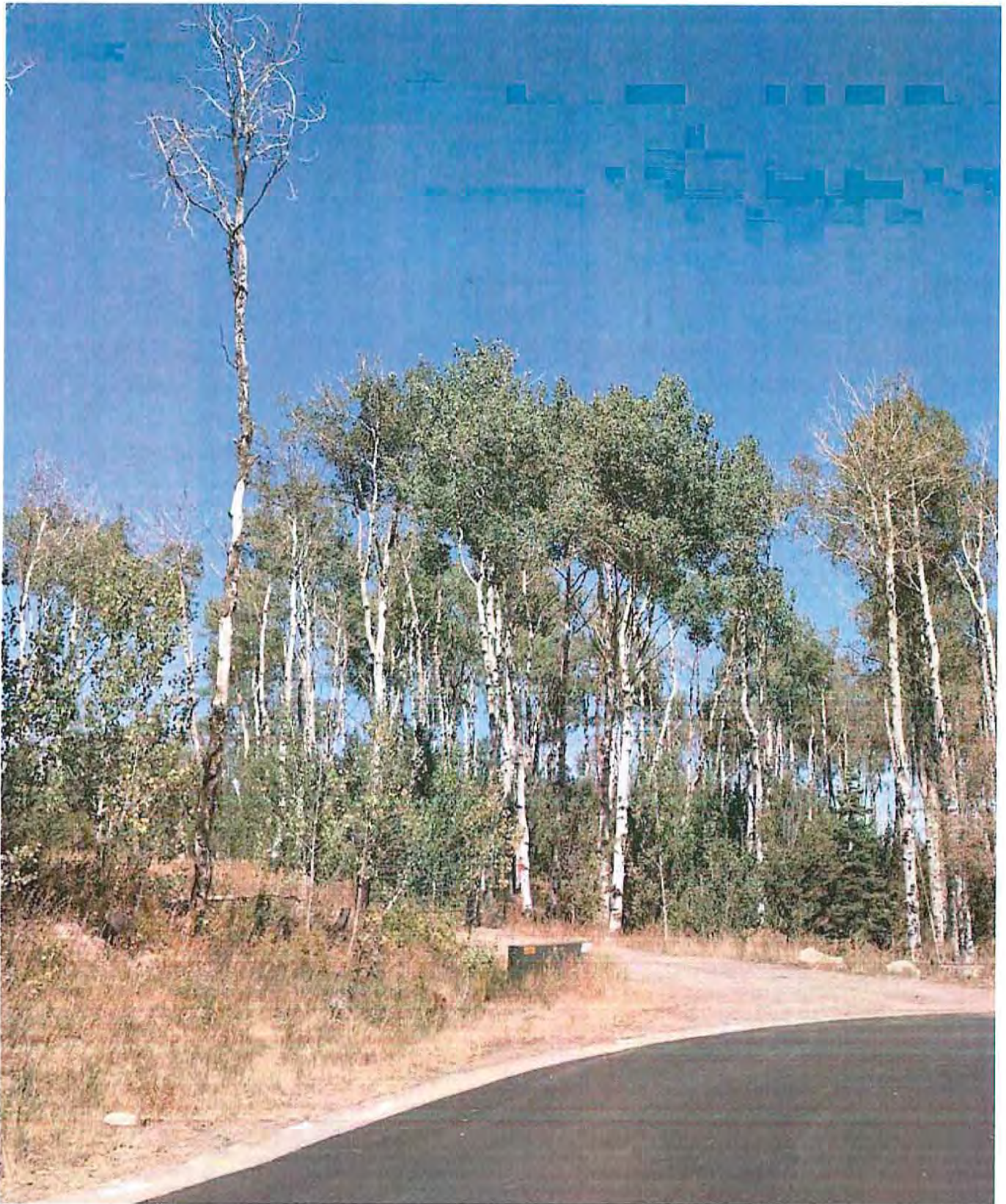
EXHIBIT J- AERIAL PHOTO



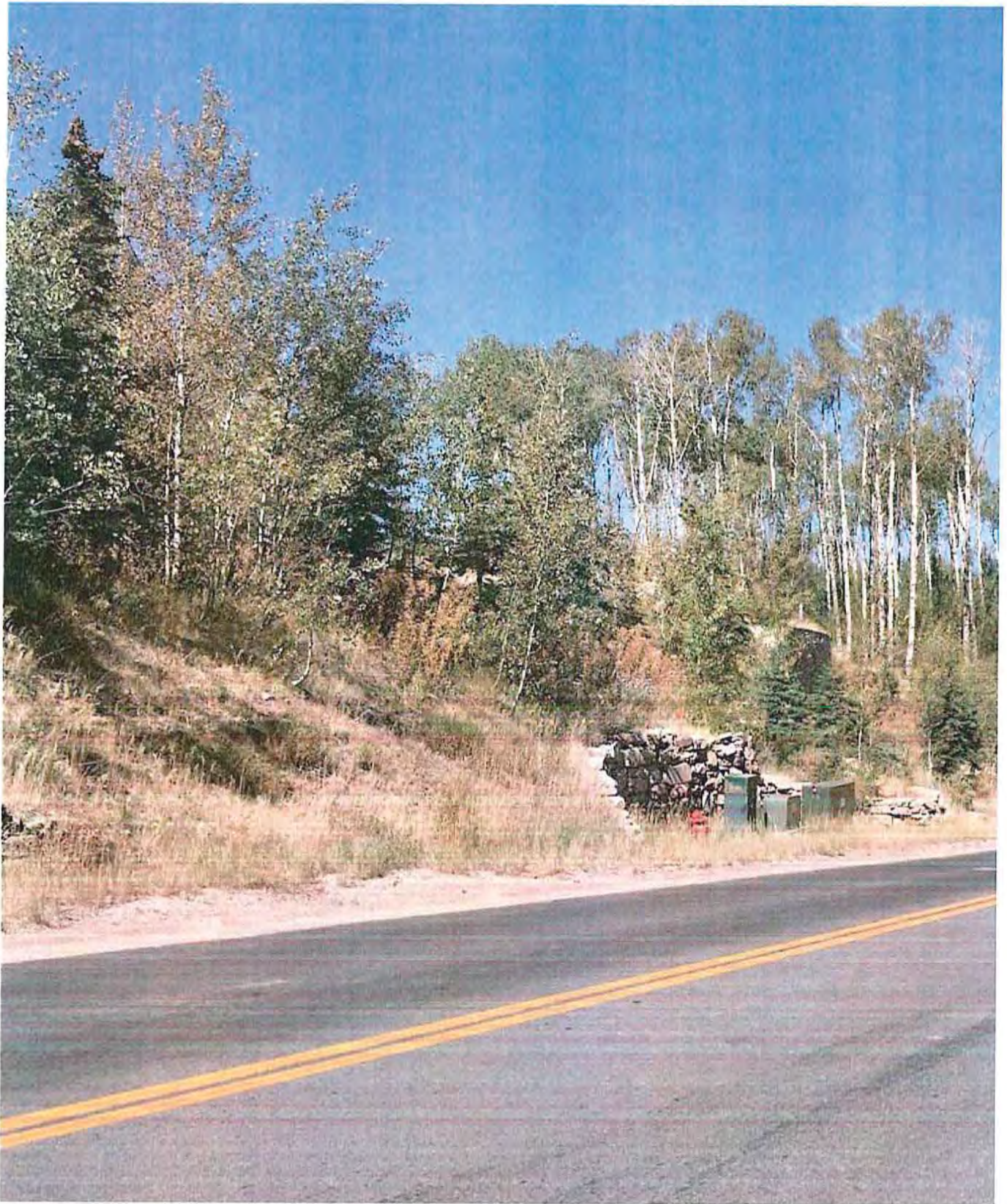
SUBJECT PROPERTY



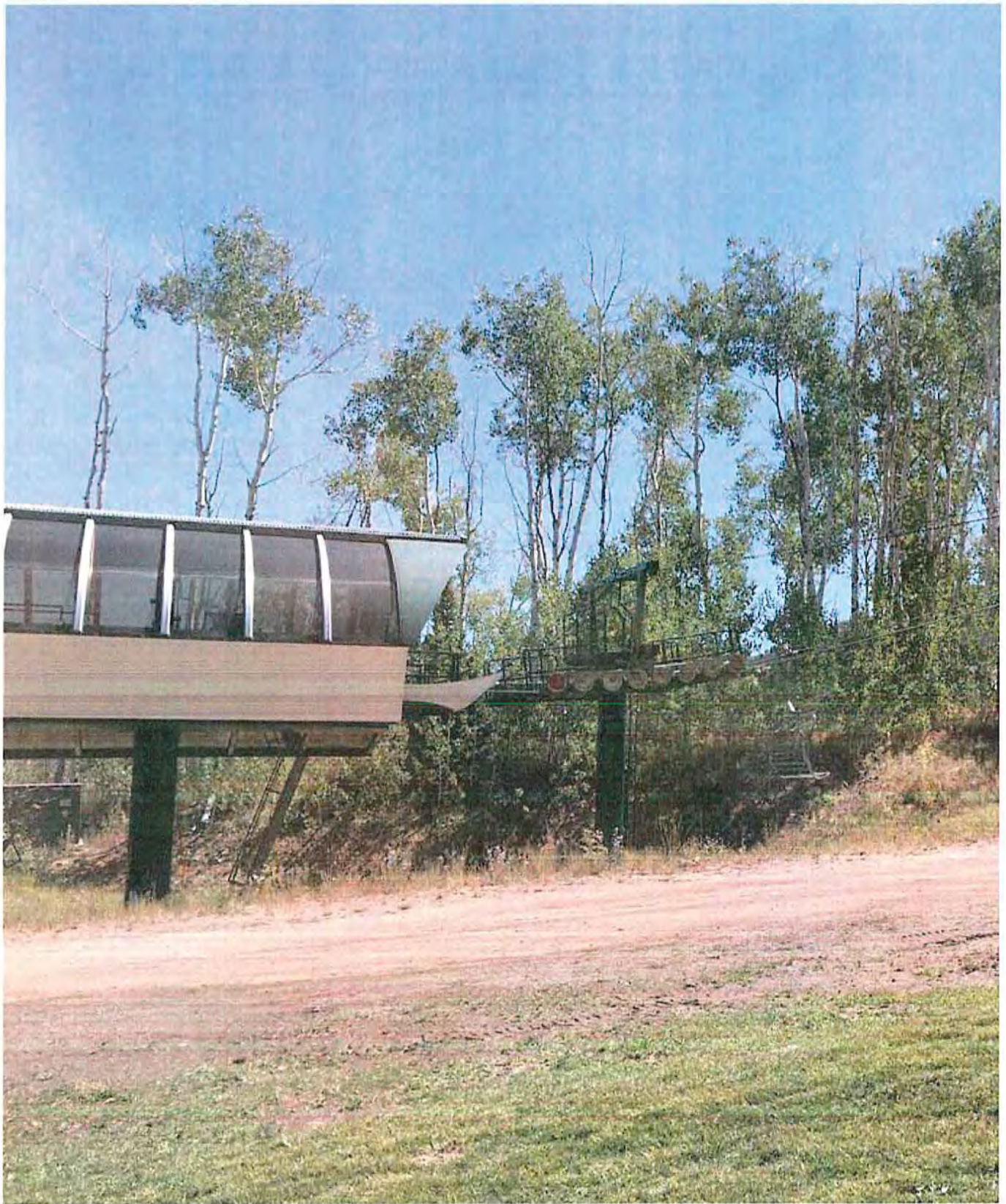
(435) 848-9487 alliance Engineering CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 220 Main Street, P.O. Box 2054 Park City, Utah 84060-2054	STAFF: MARSHALL KING MARTY MORRISON MICHAEL DEMKOWICZ JESSE MORENO DATE: 8/25/16	AERIAL PHOTOGRAPH VILLAGE AT EMPIRE PASS NORTH SUBDIVISION FOR: REDUS PARK CITY LLC JOB NO.: 12-2-16 FILE: K:\Empire\dwg\Exhibit\VAEP North Sub-artha.dwg	SHEET 1 OF 1
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Looking northwest to Lots 2 and 3 from Village Way.



Looking west from Marsac to Lot 2



Looking west from Lots 2 and 3 to Silver Strike Lift

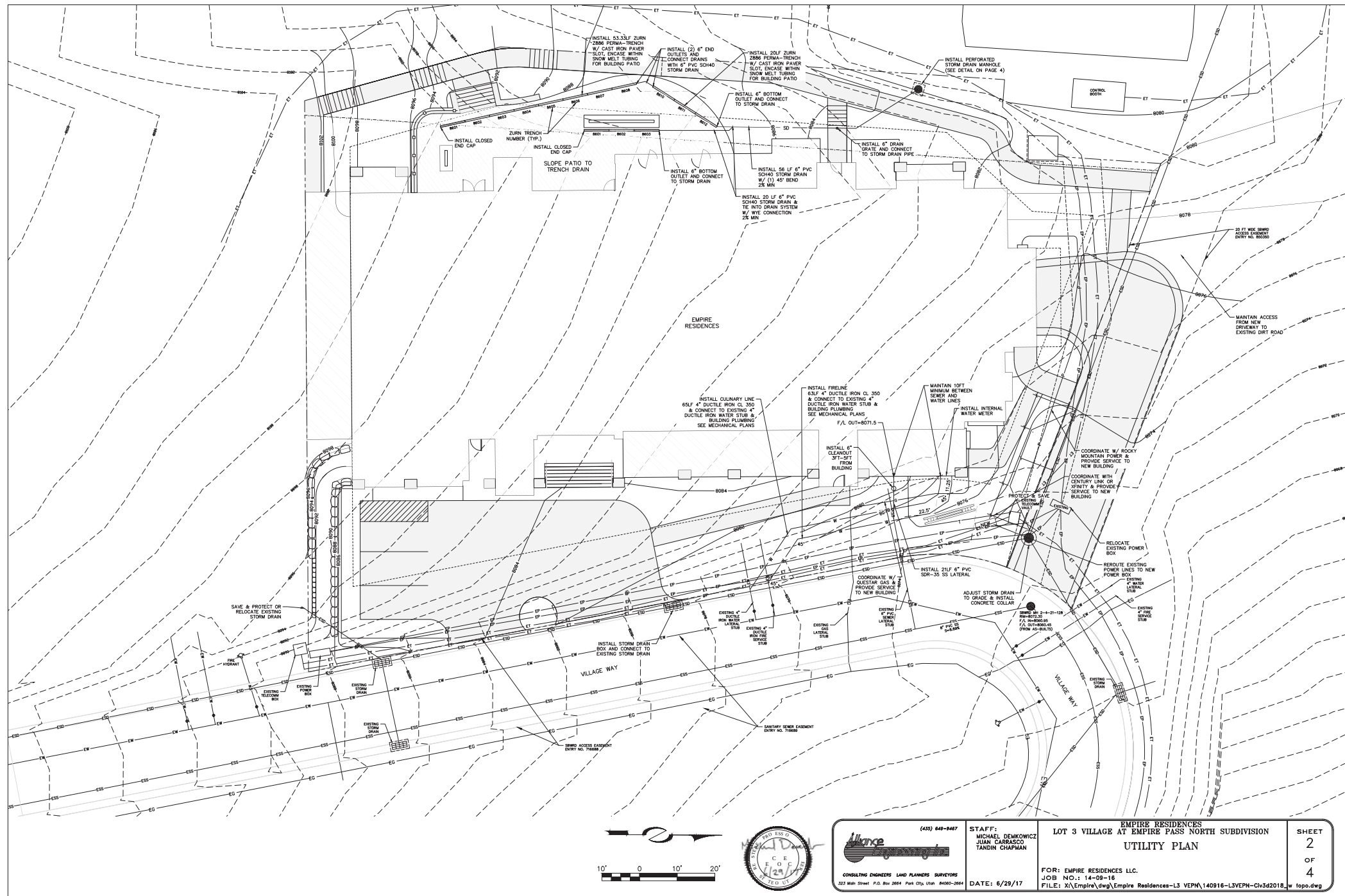




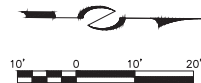
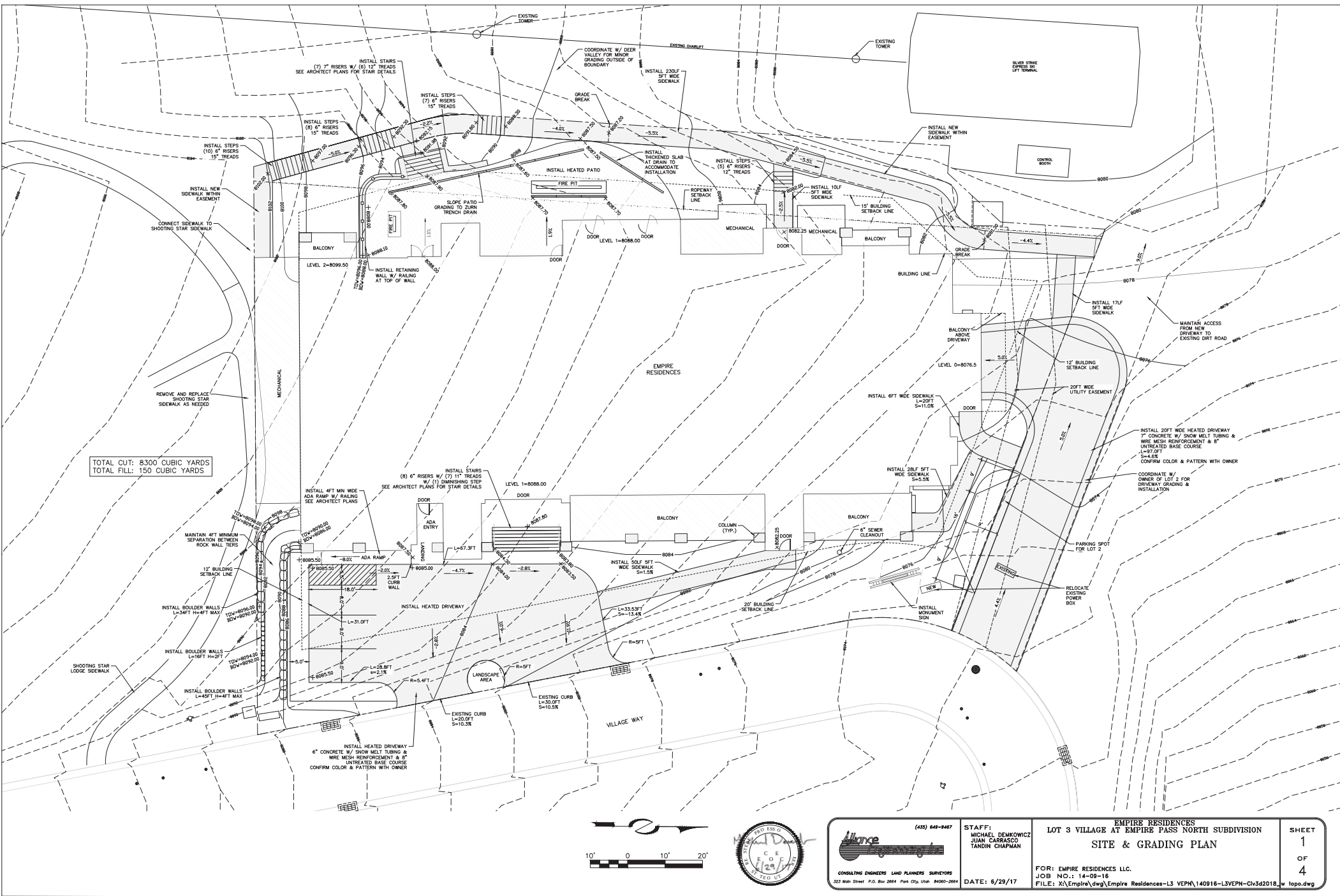




EXHIBIT K- UTILITY PLANS



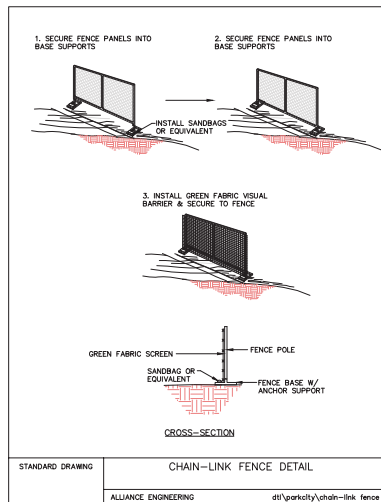
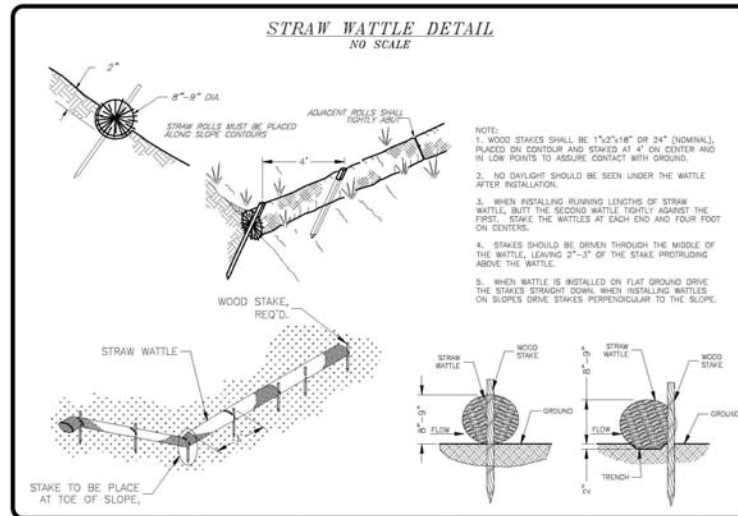
SITE AND GRADING



Ullence
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street, P.O. Box 2004, Park City, Utah 84002-2004
(435) 649-9407

7	STAFF:	LOT 3 VILLAGE AT EMPIRE PASS NORTH SUBDIVISION	SHEET
	MICHAEL DEMKOWICZ	SITE & GRADING PLAN	1
	JUAN CARASCO		OF
	TANDIN CHAPMAN		4
8	DATE: 6/29/17	FOR: EMPIRE RESIDENCES LLC.	
0064		JOB NO.: 14-09-16	
		FILE: X:\Empire.dwg\Empire_Residences-L3_VEPN\140916-L3VEPN-Civ3d2018_topo.dwg	

STORM WATER PLAN

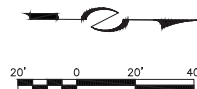
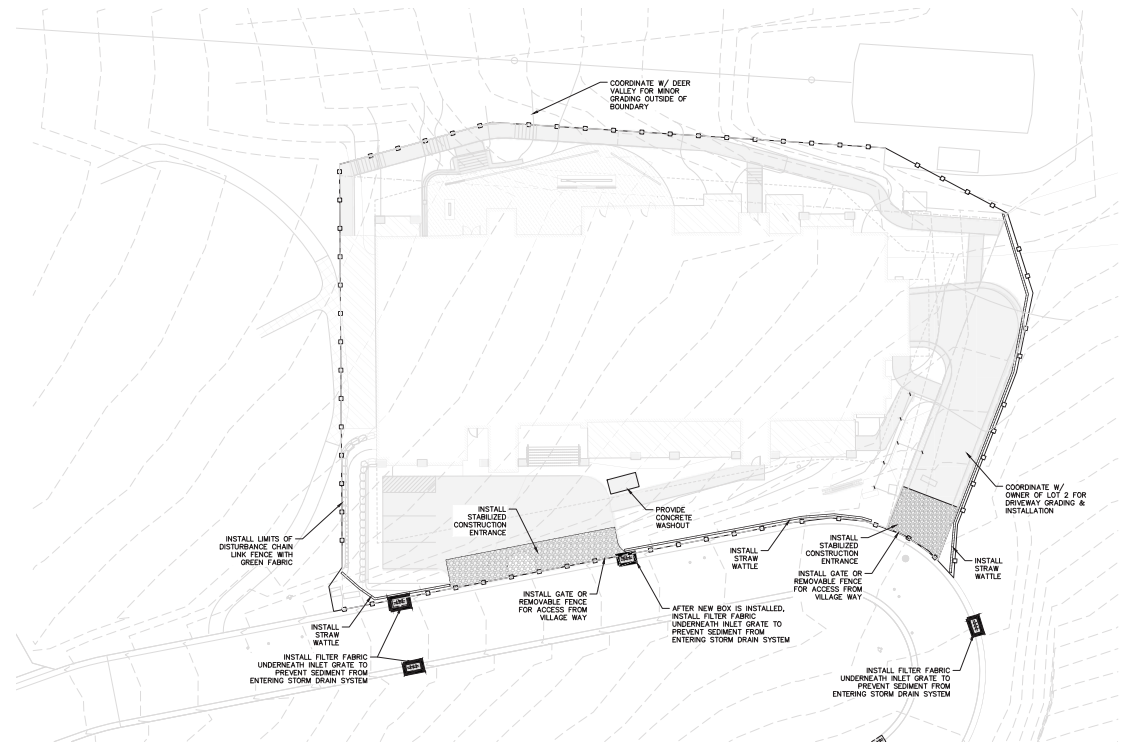


INSTALLATION:

1. Install at any point of ingress or egress at a construction site where adjacent traveled way is paved.
2. Clear and grub area and grade to provide slope shown for driveway, or access/intersection. If adjacent to waterway, use a maximum slope of 2%.
3. Compact subgrade and place filter fabric if required.
4. Place coarse aggregate, 1 to 2 1/2 inches size; to a minimum depth of 6 inches for commercial projects, and 4 inches for residential projects.

MAINTENANCE:

1. Inspect daily for loss of gravel or sediment buildup.
2. Inspect adjacent roadway for sediment deposit and clean by sweeping or shoveling.
3. Repair entrance and replace gravel as required to maintain control in good working condition.
4. Expand stabilized area as required to accommodate traffic, and off site street parking and prevent erosion at driveway.



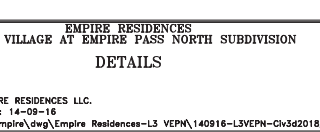
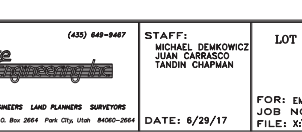
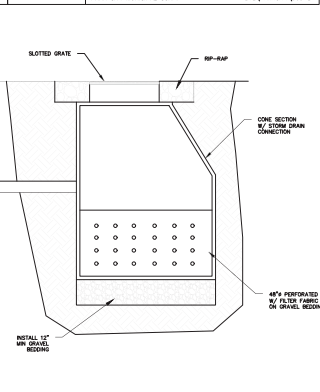
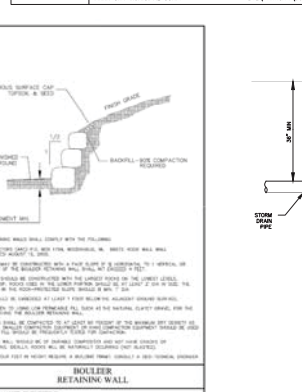
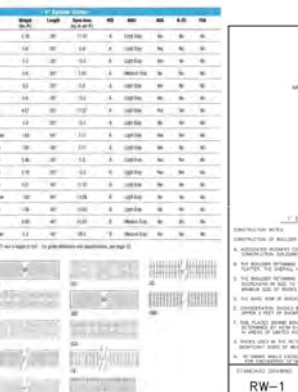
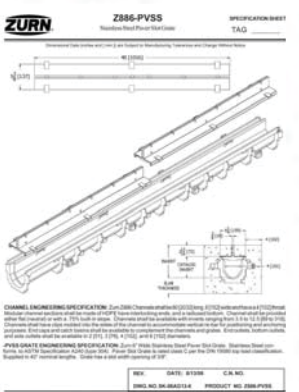
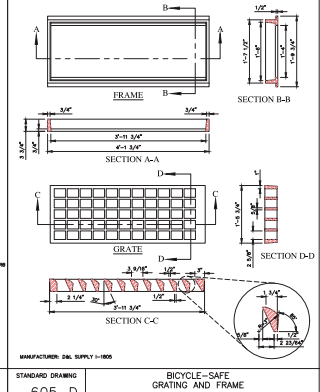
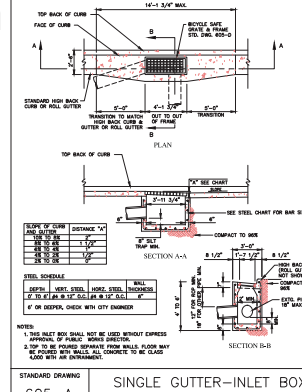
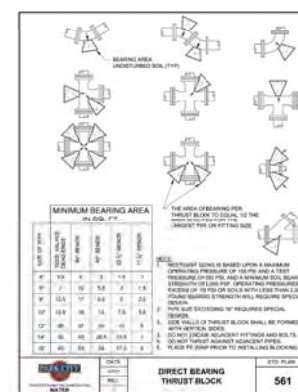
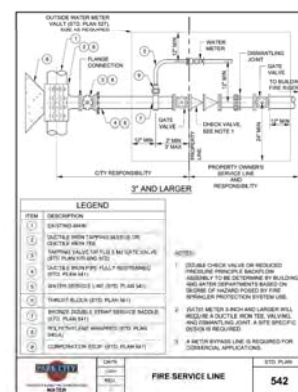
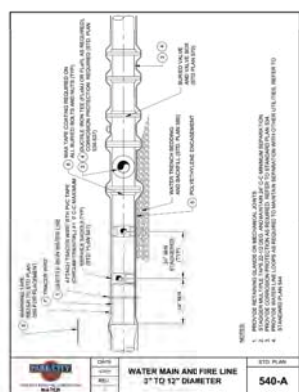
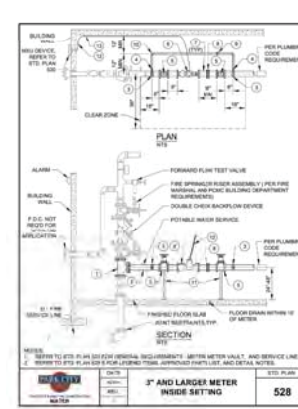
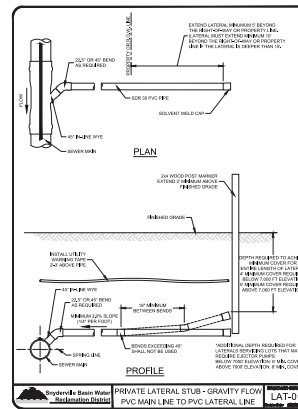
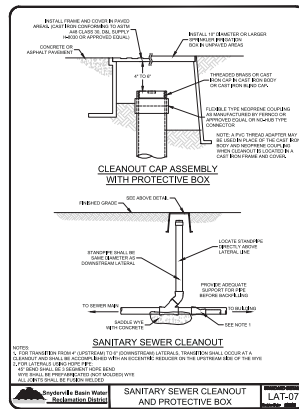
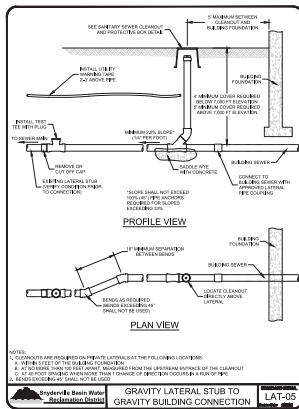
STAFF:
MICHAEL DEMKOWICZ
JUAN CARRASCO
TANDIN CHAPMAN

DATE: 6/29/17

EMPIRE RESIDENCES
LOT 3 VILLAGE AT EMPIRE PASS NORTH SUBDIVISION
STORM WATER PREVENTION
POLLUTION PLAN & DETAILS
FOR: EMPIRE RESIDENCES LLC.
JOB NO.: 14-09-16
FILE: X:\Empire\dwg\Empire Residences-L3 VEPN\140916-L3VEPN-Civ3d2018

SHEET
3
OF
4
topo.dwg

UTILITY PLAN DETAILS



(435) 649-9487

STAFF:
MICHAEL DEMKOWICZ
JUAN CARASCO
TAMM CHAPMAN

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

303 Main Street, P.O. Box 2004, Park City, Utah 84002-2004

EMPIRE RESIDENCES
LOT 3 VILLAGE AT EMPIRE PASS NORTH SUBDIVISION
DETAILS

FOR: EMPIRE RESIDENCES LLC.
JOB NO.: 14-09-16
FILE: X:\Empire\dwg\Empire_Residences-L3_VEPN\140916-L3VEPN-Civ3d2018_topo.dwg

SHEET
4
OF
4

DATE: 6/29/17



SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

October 4, 2017

Harrison Horn
Empire Residences LLC
2520 N. University Ave. #50
Provo, UT 84604

Subject: Empire Residences/Village at Empire Pass Lot 3
Service Provider Letter

Dear Mr. Horn,

This is to respond to your request regarding wastewater service for the referenced project in the Snyderville Basin.

The proposed project is within the Snyderville Basin Water Reclamation District (SBWRD). The SBWRD can provide wastewater service to the project provided the established procedures for obtaining said wastewater service are followed as outlined SBWRD standards. The Developer is encouraged to contact our office to begin the SBWRD development process.

Wastewater service is not committed by SBWRD until SBWRD receives full payment of all required fees including SBWRD impact fees.

Please contact me with any questions.

Sincerely,

for BDA
Bryan D. Atwood, P.E.
District Engineer

Cc: Riley Jarrett, Beecher Walker Architects
Project File

Subject
Property

Development Site
per MPD



Master Plan - Summer

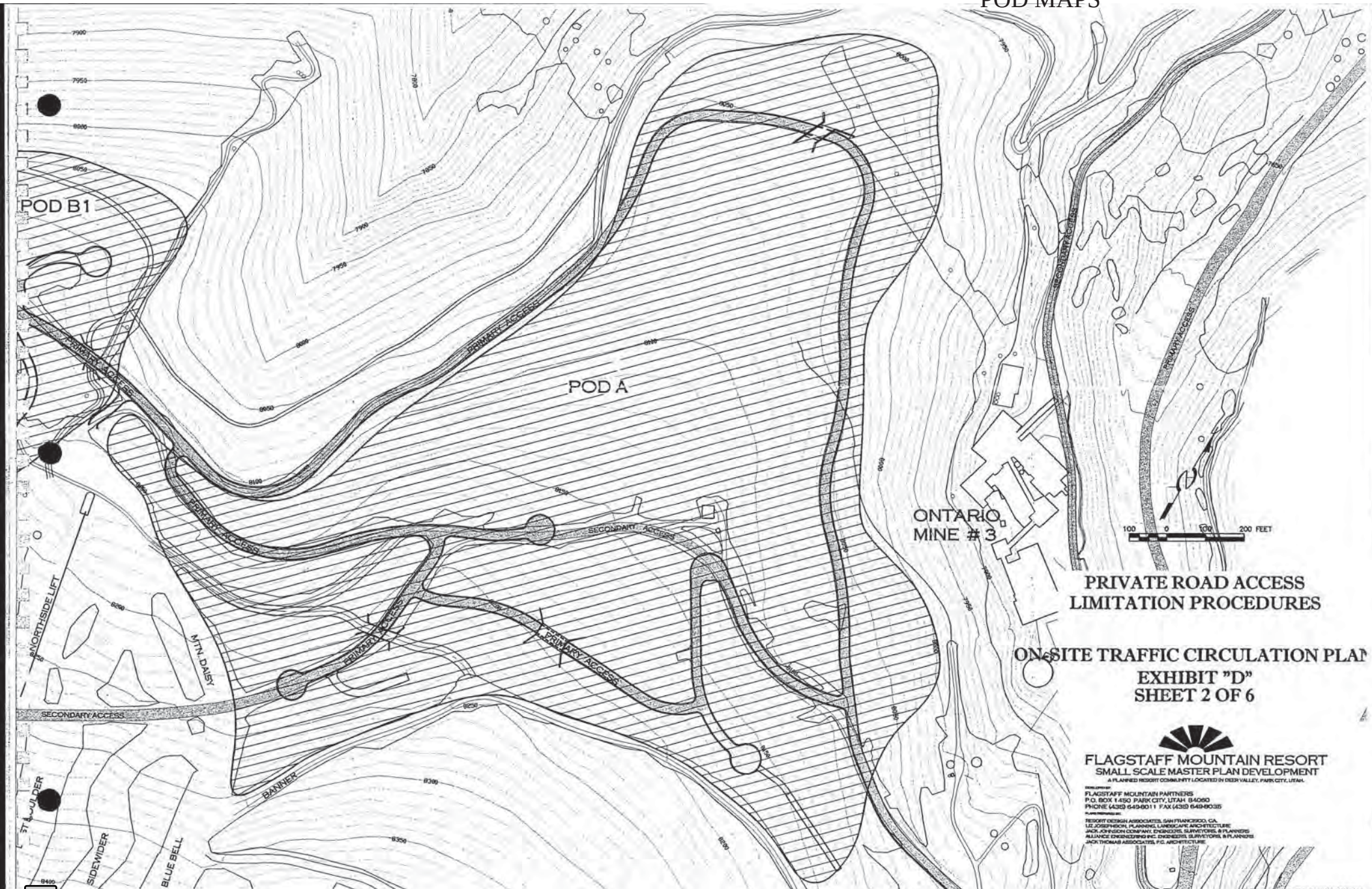
May 6, 2006

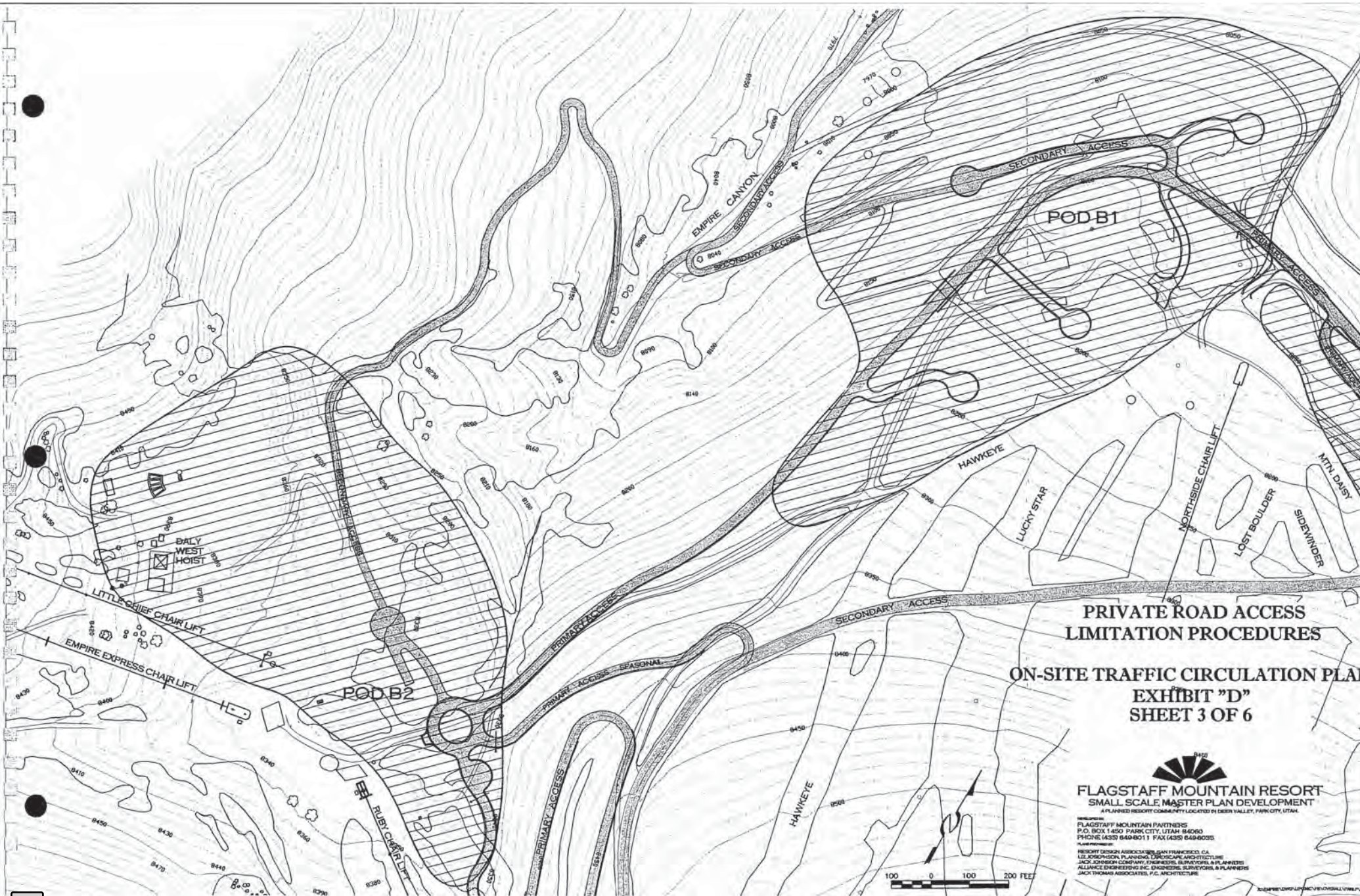
HART HOWERTON
PLANNING ARCHITECTURE
LANDSCAPE ARCHITECTURE
ART DIRECTION

THE VILLAGE AT EMPIRE PASS
Park City, Utah

EXHIBIT M

POD MAPS





**PRIVATE ROAD ACCESS
LIMITATION PROCEDURES**

**ON-SITE TRAFFIC CIRCULATION PLAN
EXHIBIT "D"
SHEET 3 OF 6**

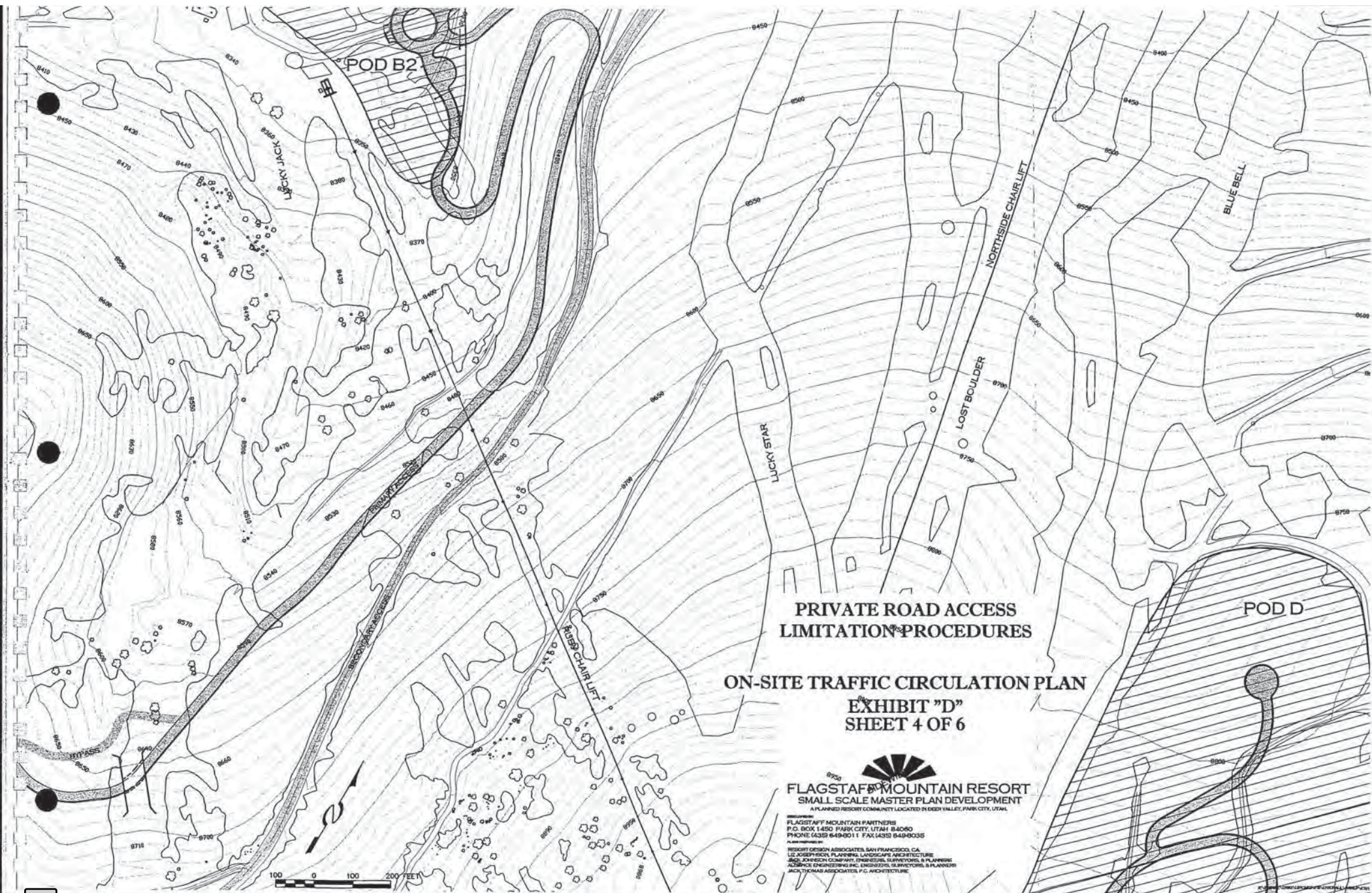


FLAGSTAFF MOUNTAIN RESORT
SMALL SCALE MASTER PLAN DEVELOPMENT
A PLANNED RESORT COMMUNITY LOCATED IN DEER VALLEY, PARK CITY, UTAH

FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450 PARK CITY, UTAH 84060
PHONE (435) 644-0111 FAX (435) 644-0035

DESIGNED BY:
HERBERT GORDON ASSOCIATES, SAN FRANCISCO, CA
LEE ROSSIGNON, PLANNING, LANDSCAPE ARCHITECTURE
JACK JOHNSON COMPANY, ENGINEERS, SURVEYORS & PLANNERS
ALLIANCE ENGINEERING INC. ENGINEERS, SURVEYORS & PLANNERS
JACK THOMAS ASSOCIATES, P.C. ARCHITECTURE

100 0 100 200 FEET

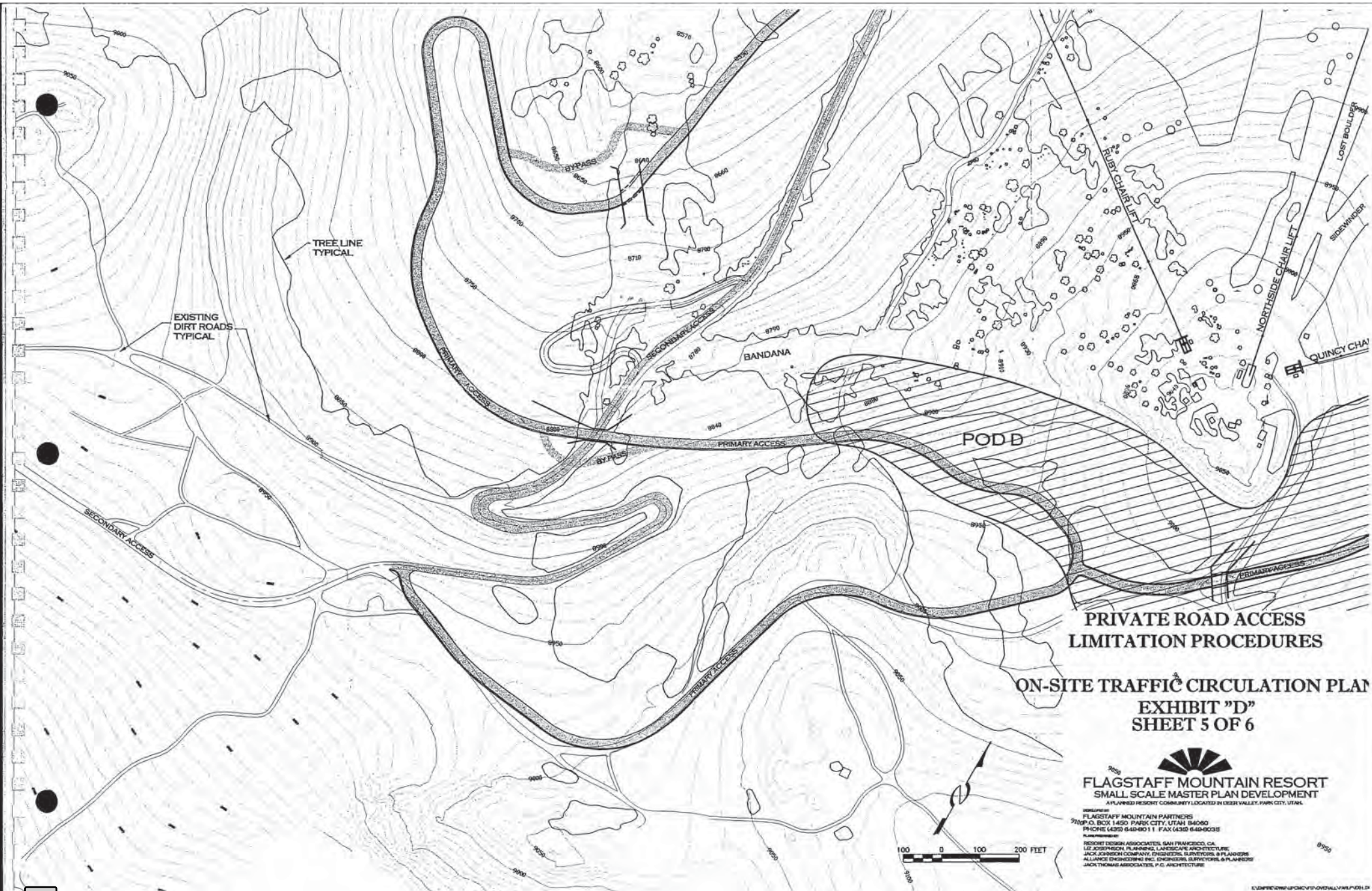


**PRIVATE ROAD ACCESS
LIMITATION PROCEDURES**

**ON-SITE TRAFFIC CIRCULATION PLAN
EXHIBIT "D"
SHEET 4 OF 6**

FLAGSTAFF MOUNTAIN RESORT
SMALL SCALE MASTER PLAN DEVELOPMENT
A PLANNED RESORT COMMUNITY LOCATED IN DEER VALLEY, PARK CITY, UTAH

FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450 PARK CITY, UTAH 84060
PHONE (435) 644-0011 FAX (435) 644-0035
PLANNED BY:
RESORT DESIGN ASSOCIATES, SAN FRANCISCO, CA
L.D. JOSEPHSON, PLANNING, LANDSCAPE ARCHITECTURE
AND JOHNSON COMPANY, ENGINEERING, SURVEYING, & PLANNING
ASSOCIATES, ENGINEERING, SURVEYING, & PLANNING
JACK THOMAS ASSOCIATES, P.C. ARCHITECTURE



**PRIVATE ROAD ACCESS
LIMITATION PROCEDURES**

**ON-SITE TRAFFIC CIRCULATION PLAN
EXHIBIT "D"
SHEET 5 OF 6**

**FLAGSTAFF MOUNTAIN RESORT
SMALL SCALE MASTER PLAN DEVELOPMENT**

DESIGNED BY
FLAGSTAFF MOUNTAIN PARTNERS
700 P.O. BOX 1450 PARK CITY, UTAH 84060
PHONE (435) 648-4801 FAX (435) 648-0035

DESIGNED BY
RESORT DESIGN ASSOCIATES, SAN FRANCISCO, CA
LE JOHNSON, PLANNING, LANDSCAPE ARCHITECTURE
JACK JOHNSON COMPANY, ENGINEERS, SURVEYORS & PLANNERS
ALLIANCE ENGINEERING INC. ENGINEERS, SURVEYORS & PLANNERS
JACK THOMAS ASSOCIATES, P.C. ARCHITECTURE

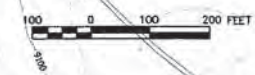


EXHIBIT N

Flagstaff Annexation and Empire Pass Units and Unit Equivalents Updated for 5.24.17

POD	Single Family	Allowed SF lots	SF Permits	SF CO #'s
A	Banner Wood-platted	6	4	4
B1	Northside-platted	10	10	10
D	Red Cloud-platted	30	12	11
Totals	(Single Family only)	46	26	25

POD	Multi-family	Units Approved/Proposed	Square Feet Platted w/ condo	Units Platted w/ condo	UE Approved/Proposed w/ condo or sub	UE Platted with condo	MF Units Platted as PUDs	ADA provided/r equired	EHU provided	On Mtn AUE provided/ proposed	CO UE's	CO Units	Status
A	Horseshoe Townhouses on Lot 1 VEPN plat TDB	0		0		0	0			0	0	0	0 Sub Plat under review
A	Lot 3 VEPN plat-(Bldg 3) Proposed	21		0	24.50	0	0	1		1.1 AUE	0	0	0 Sub Plat under review
A	Lot 2 VEPN plat-(Bldg 4) TBD	0		0		0	0	2		2.0 AUE	0	0	0 Sub Plat under review
A	Tower Residential- platted lot/no condo plat (Bldg 1)	25		0	38.90	0	0	1		0.75 AUE	0	0	0 CUP expired/not platted
A	Shooting Star-platted lot and condo (Bldg 2)	21	36,109	21	18.30	18.055	0	1	0	0	18.1	21	Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	27	65,026	27	32.80	32.513	0	1	1	1.125 AUE	0	0	27 Under Construction
A	Silver Strike-platted lot and condo (Bldg 6)	34	71,305	34	35.60	35.653	0	2	1	1.1 AUE	35.7	34	Completed
A	Flagstaff -platted lot and condo (Bldg 7)	37	73,506	37	35.90	36.753	0	2	2	1.6 AUE	36.8	37	Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	46,458	28	24.50	23.229	0	2	3	2.85 AUE	23.3	28	Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	48,746	28	25.70	24.373	0	2	0	0	24.4	28	Completed
A	Grand Lodge-platted lot and condo (Bldg H)	27	65,344	27	33.00	32.672	0	2	1	1.2 AUE	32.7	27	Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	48,693	15	24.40	24.347	6	0	0	0	24.4	15	Completed
A	Larkspur West Townhouses-all platted/condo	12	41,273	12	20.70	20.637	0	0	0	0	20.7	12	Completed
A	Paintbrush PUDs- all platted/condo	12	63,076	12	31.90	31.538	12	0	0	0	32	12	Completed
A	Belles PUDs- all platted/condo	17	90,000	17	45.00	45	17	0	0	0	37.85	14	14 Completed
B1	Nakoma PUDs- phase 1 platted/condo	17	90,000	17	45.00	45	17	0	0	0	35	13	13 Completed
B1	Ironwood- all platted/condo	24	73,944	23	37.40	36.972	0	1	1	1 AUE	37.1	23	Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms		hotel rooms	69.60	72.665	0		0	0	72.4	1	Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	94	218,669	84	114.00	109.335	0	5	10	7.8 AUE	109.3	84	Completed
B2	B2 East- B2East Subdivision approved/No condo plat yet	70		0	81.00	0	0	2		4.2 AUE	0	0	Sub plat approved
Totals (Multi-family only)		509	1032149	382	738.20	588.742	52	24	19	24.725 AUE 16.675 AUE built to date (on mtn)	539.75	349	
Maximum Allowed by Flagstaff Development Agreement		550		550	785.00	785	60	n/a					
Remaining UE/Units/AUE		41		168	46.80	196.258	8	n/a					

Affordable Housing											
MF Totals by POD only aprvrd or platted (not SF lots)	Units Approved	Units Platted	UE Approved	UE Platted	MF Units as PUD	Total MPD AUE required	Total off Mtn AUE required	Total on Mtn AUE required	Total off Mtn AUE built	Total on Mtn AUE built	Total AUE owed
A (not including Lot 3 and Tower CUP)	258	258	327.8	324.77	35						
B1	41	40	82.4	81.972	17						
B2 (plus 174 hotel rooms) not including B2East	94	84	183.6	182	0						
A, B1, B2	393	382	593.8	588.742	52	118.9	94.175	24.725	89	16.675	13.225

% of MF units total in Pods A, B1 and B2 that are in POD A
(MPD requires minimum of 50%)

SF- Single family lot/house

MF- Multi-family/condominium units

PUD- Planned Unit Development Style MF

EHU- Employee Housing Unit (no min number)

AUE- Affordable Unit Equivalent (1 AUE = 800 sf)

UE- Unit Equivalent (1 UE = 2,000 sf residential)

ADA- American Disability Act required units

VEPN- Village Empire Pass North Subdivision plat

CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)

EXHIBIT O

Technical Reports

See Link in Exhibit list.