

**PARK CITY MUNICIPAL CORPORATION
 PLANNING COMMISSION
 CITY HALL, COUNCIL CHAMBERS
 SEPTEMBER 25, 2013**



AGENDA

MEETING CALLED TO ORDER – 5:30 PM		<i>pg</i>
WORK SESSION – Discussion items only. No action taken.		
1255 Park Avenue, Park City Library – Discussion of possible amendment to Master Planned Development	PL-13-01992	5
ROLL CALL		
ADOPTION OF MINUTES OF SEPTEMBER 11, 2013		43
PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda		
STAFF AND BOARD COMMUNICATIONS/DISCLOSURES		
CONTINUATION(S) - Public hearing and continuation as outlined below		
Park City Heights – Pre-Master Planned Development and Amendment to Master Planned Development	PL-13-02009 PL-13-02010	
<i>Public hearing and continuation to October 9, 2013</i>		
REGULAR AGENDA - Public hearing and possible action		
1255 Park Avenue, Park City Library – Pre-Master Planned Development	PL-13-01992	81
<i>Public hearing and possible action</i>	<i>Planner Grahn</i>	
Second Amended Stag Lodge Phase IV, 8200 Royal Street Unit 52 – Amendment to Record of Survey	PL-13-02025	91
<i>Public hearing and possible recommendation to City Council</i>	<i>Planner Alexander</i>	
Ontario Pack Subdivision, 463 & 475 Ontario Avenue – Plat Amendment	PL-13-02019	111
<i>Public hearing and possible recommendation to City Council</i>	<i>Planner Alexander</i>	
Second Amended 2519 Lucky John Drive Replat – Plat Amendment	PL-13-01980	127
<i>Public hearing and possible recommendation to City Council</i>	<i>Planner Whetstone</i>	
70 Chambers Avenue – Steep Slope Conditional Use Permit	PL-13-01939	153
<i>Public hearing and possible recommendation to City Council</i>	<i>Planner Whetstone</i>	
Land Management Code – Amendments to Chapter 2.4 (HRM)	PL-12-02070	203
<i>Public hearing and possible recommendation to City Council</i>	<i>Planner Astorga</i>	
General Plan – Sense of Community		239
<i>Public hearing and discussion only</i>	<i>Planning Manager Sintz</i>	

ADJOURN

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

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.
 Planning Commission - September 25, 2013

WORK SESSION

Planning Commission Staff Report – Work Session



Author: Anya Grahn, Historic Preservation Planner
Subject: 1255 Park Avenue – Park City Library
Project Number: PL-13-01992
Date: September 25, 2013
Type of Item: Administrative –Master Planned Development (MPD)
Amendment Work Session discussion

Summary

Staff recommends that the Planning Commission look at the Park City Library Plan located at 1255 Park Avenue during a work session and give preliminary feedback based on the limited information provided, prior to the applicant submitting a formal MPD amendment and the associated public hearings.

Topic

Applicant: Park City Municipal Corporation, represented by Matt Twombly and Jonathan Weidenhamer
Location: 1255 Park Avenue
Zoning: Recreation Commercial (RC)/Recreation and Open Space (ROS) Districts
Adjacent Land Use: Recreation Commercial (RC)/Recreation and Open Space (ROS), Historic Residential (HR-1), and Historic Residential-Medium Density (HRM) Districts
Reason for Review: MPD requires Planning Commission review and approval

Proposal

The purpose of this work session is to introduce a proposal, submitted by Park City Municipal Corporation, owner of the property, to construct a 2,400 square foot addition to an existing building located at 1255 Park Avenue. The existing building is 48,721 square feet and is located on a 3.56 acre property consisting of several Old Town lots and parcels. A plat amendment application has been submitted to combine the lots into one lot of record for the building. The building is known as the Park City Library and Education Center and was previously known as the Carl Winters School.

Before you tonight is a work session on the concept plan. A public hearing will be held on the Pre-MPD during regular session on tonight's agenda.

Background

The Planning Commission approved the first MPD for this site on December 13, 1989. At that time, the MPD was intended to rehabilitate the dilapidated 1926-27 Carl Winters School as a cultural center that would be enhanced with associated lodging facilities. Partnered with Northwest Investment, the City planned to develop a school featuring

classrooms, auditorium, ballroom, and support commercial as well as a hotel adjacent to the restored school building. Site improvements included the following:

- Truck access and loading facilities on site from Norfolk and/or 12th Street
- 50-foot radius turn-around for buses at the corner of 13th and Norfolk
- Widening of 13th Street to a minimum of 30 feet.
- 12th Street between Woodside and Norfolk shall be designed and reconstructed to accommodate emergency traffic and existing utilities
- Stairway including full landscaping, lighting and signage shall be provided up to 13th Street from Norfolk to Empire
- Storm drainage improvements
- City bus delivery on Park Avenue and at 13th Street and Norfolk as well as a new bus shelter on Park Avenue
- Overhead utilities on and adjacent to the site shall be placed underground

By 1992, the partnership with the developer had dissolved and the City had elected to move the Park City Library into the Carl Winters building. In addition to outlining the necessary restoration needed to accommodate the new use, Conditions of Approval also included:

- The restoration of the school building in compliance with the Secretary of the Interior's Standards for Rehabilitation and nomination of the historic building for listing on the National Register of Historic Places.
- The uses shall include the Park City Library, leasable space, and a theatre with a maximum seating capacity of 520 seats.
- 92 permanent parking spaces shall be provided on site.
- City council shall consider at least the temporary improvement of the South End of City Park, consistent with the Parks Master Plan to accommodate 51 parking spaces.
- A final site and landscape plan shall be submitted and approved by the Community Development Staff which shall emphasize screening of the proposed parking with special attention to buffering the parking and uses from the adjacent residential uses.
- The permitted uses for the "leasable space" shall include public, quasi-public, and educational uses.
- Provisions shall be made on site for truck access and loading facilities.
- Pedestrian circulation plan shall be improved and installed which includes pedestrian connections through the Site from Norfolk to Park Avenue.
- Existing overhead utilities on and adjacent to the site shall be placed underground.
- A sign plan shall be reviewed and approved.
- Other conditions of approval are outlined in Exhibit B.

The original facility received a Conditional Use Permit (CUP) in 1992 as part of the approved Master Planned Development. The CUP for the Restoration of the Carl Winters School permitted the following:

1. Approval of library and office use.

2. Providing a minimum 100 parking spaces on the site.
3. Height and setback exceptions in order for the 1992 addition to achieve architectural compatibility.

Similarly, the 1992 Revised MPD also approved two (2) setback exceptions. The existing historic building encroaches into the setback along 12th Street and Norfolk Avenue, and the 1992 addition created a further encroachment. The permanent parking was also approved to encroach into the side yard setback. The number of permanent parking spaces was reduced from 100 to 92 parking spaces, with an overflow parking lot provided on the east side of Park Avenue, at Mawhinney Parking.

In the RC/ROS zones, all new Public or Quasi-public projects greater than 10,000 square feet Gross Floor Area are subject to the Master Planned Development process. Changes to an MPD, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and Development Agreement by the Planning Commission. When the modifications are determined to be substantive, the project will be required to go through the MPD-Application public hearing and determination of compliance. The pre-MPD process provides an early opportunity for public comment on the proposal prior to completion of final drawings by the applicant.

Discussion

The Architects and applicants would like to discuss the proposed building design with the Commission by walking them through the building program and discussing various factors driving the building layout, site plan/parking, and height.

Setbacks

The minimum setbacks around the exterior boundary of an MPD shall be twenty five feet (25') for parcels greater than one (1) acre in size. The setback may be increased to meet historic compatibility requirements. The Planning Commission may also decrease the required perimeter setback from twenty-five feet (25') to the zone required setback if it is necessary to provide desired architectural interest and variation. The Planning Commission may also reduce Setbacks within the project from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria.

The existing historic structure and 1992 addition do not meet the current setback requirements. Though it is legal noncomplying, the 1992 addition encroaches into the Norfolk Avenue right-of-way and has a zero foot (0') lot line along 12th Street.

The proposed project requests Planning Commission approval for a reduced setback of fifteen feet (15') for the new addition, which extends along Norfolk Avenue. There is good reason for this setback reduction as the RC District, in which the library building is located, requires only a fifteen foot (15') rear yard setback and the proposed setback

provides for architectural interest and variation. Though typically the portion of the property along Norfolk Avenue would be considered a front yard, the lack of entrances and character defining features of the structure's architecture do not provide another façade along Norfolk, but rather a rear building elevation. Moreover fifteen feet (15') is an acceptable offset for an addition to a historic structure, providing greater differentiation between the old and the new.

In addition, the expansion of the library will provide additional public amenities and benefits. A café, meeting rooms and conference rooms, new elevator, additional restrooms, and outdoor community space have all been incorporated into the proposed design. Furthermore, the reduced setback will enable an excellent and sustainable design that utilizes best planning and design practices while preserving the character of the neighborhood and of Park City.

Open Space

All MPDs shall contain a minimum of sixty percent (60%) open space. The Planning Commission shall designate the preferable type and mix of open space for each MPD. This determination will be based on the guidance given in the Park City General Plan.

As existing, the library property has approximately seventy-three percent (73%) open space. The new addition, with a proposed footprint of approximately 2,400 square feet, will reduce the amount of open space from 114,100 square feet to 111,700 square feet.

Staff finds that the proposed open space complies with the goals of the General Plan.

The following will be provided to meet the open space requirement if the proposed addition is approved:

Square Footage Summary		
Total Property Square Footage		155,250 SF
Total Building Square Footage		19,600 SF
Open Space		111,700 SF
Percentage of Open Space		71.94%

As seen in Exhibit F, the open space calculations include hardscape such as the existing sidewalks and paths as well as the new proposed terrace. Five and one-half percent (5.5%) of the open space is hardscaped. There is also 105,510 square feet of green space provided within the green area next to the park. Does the Planning Commission agree with this open space analysis?

Off Street Parking

The number of Off-Street parking spaces in each MPD shall not be less than the requirements of this code, except that the Planning Commission may increase or decrease the required number of off-street parking spaces based upon a parking analysis submitted by the applicant at the time of the MPD.

The 1992 MPD specifically stated that 92 permanent parking spaces were required; currently there are 98 spaces at the library.

Due to its location along the north side of the historic building, the new addition will not reduce the number of permanent parking spots already available on the site; however, the plans are for greater way finding from the Park Avenue bus stop to the Library entrance which will eliminate a minimum of eleven (11) parking stalls. This will provide a maximum number of 87 parking stalls within the MPD.

In addition to the 87 parking stalls provided on site, there is also an additional 72 parking spaces located just east of Park Avenue at Mawhinney Parking. In previous MPDs, this lot was designated as overflow parking. The applicant intends to continue to utilize this parking lot for overflow parking as well as possible use for staff parking.

A parking analysis of the proposed uses and parking requirements is shown:

Use	Parking Requirements:	SF of Proposed Use	Number of Parking Spots Required:
Essential Municipal Public Utility Use, Facility, Service, and Structure (Library)	1 space/1,000 SF	47,468 SF	48 spaces
Offices, General (Library)	3 spaces/1,000 SF	2,862 SF	9 spaces
Café	3 spaces/1,000 SF	315 SF	1 space
Public and Quasi-Public Institution (Montessori School)	1 space/1,000 SF	3,735 SF	4 spaces
Public and Quasi-Public Institution (Pre-School)	1 space/1,000 SF	990 SF	1 space
Recreation Facility, Public (Senior Center)	5 spaces/1,000 SF	1,934 SF	10 spaces
Entertainment Facility, Indoor (Park City Film Series)	1 space/4 seats	520 seats	130 spaces
Office, General (Park City Film Series)	3 spaces/1,000 SF	160 SF	1 spaces
Total			204 spaces

In the previous MPD agreement, the following conclusions were made as to the parking reduction from the reduced Planning Commission approved 105 spaces to 92 parking spaces based on the rationale that the theater, library, and offices would all be occupied at the same time. The following findings were made to support this reduction:

- The theater would likely be used in the evening when the offices are not occupied and the library has limited use.
- 92 permanent parking spaces would require a minimum reduction in the amount of green space.

- The controlled entry off of 12th Street would be limited to emergency purposes and special events.
- City Council would consider the improvement of the south end of City Park to accommodate at least 51 spaces in the capital improvement budget for 1992-93, acknowledging this would be a benefit not only for the Carl Winters Building but also to alleviate parking demand caused by events at City Park.

Today, the applicant is asking to amend the MPD with a second parking reduction to less than 87 parking spaces. Staff believes the request for the parking reduction is reasonable for the following reasons:

- The parking space reduction will allow for an improved entry sequence connecting the Park Avenue bus stop to the front entrance of the library and, in turn, create additional open space.
- As more riders utilize public transit, there is less demand for parking at the Carl Winters Library.
- Library staff have also committed to parking at the overflow parking lot at Miners' Hospital, lessening the demand for on-site parking.
- The shared uses of the Carl Winters building—Library, Montessori School, proposed café, and Park City Film Series—will permit lesser demand on parking due to hours of operation.

The applicants have submitted a study from July 31, 2012 through July 31, 2013 emphasizing the use of public transit near the Library. The following table outlines this annual usage:

Bus Stop	Alighting (Get Off)	Boarding (Get On)	Total
Westside of Park Avenue (adjacent to the Library)	13,019	18,579	31,598
East side of Park Avenue (adjacent to Skate Park)	10,803	11,491	22,294
Annual passenger activity	23,822	30,070	53,892

The following numbers have been calculated from January 2013 to April 2013, showing the quarterly results:

Bus Stop	Alighting (Get Off)	Boarding (Get On)	Total
Westside of Park Avenue (adjacent to the Library)	2,779	5,355	8,134
East side of Park Avenue (adjacent to Skate Park)	3,893	3,159	7,052
Quarterly passenger activity	6,672	8,514	15,186

Public Works predicts that these calculations have a margin of error of roughly five percent (5%). Six (6) routes service the library during the fall/winter bus schedule: Routes 1,2,3,4,5,and 7. The average number of riders boarding or leaving the bus each day on average is roughly 194 passengers.

The applicant also proposes to use the existing loading zone adjacent to Norfolk Avenue as a book drop. The book drop requires a gravity-fed system that will transfer Library materials from the book drop to an interior sorting system in a timely manner. Currently, there is a book drop in front of the Library near the entrance. Library staff empty this book drop approximately five (5) to seven (7) times daily. The new book drop is proposed to reduce operating costs by increasing staff efficiency in sorting and reshelving materials. Moreover, the Library predicts that the book drop will reduce wear and tear on library materials.

The proposed location of the book drop will permit Library users to return materials without exiting their vehicle. It is likely, due to the limited space within the loading zone, that the driver will need to do a Y-turn in order to access the book drop, or park and exit their vehicle. If the book drop is not installed at this location, it is likely that the area will be used for staff parking.

Staff recommends that the Planning Commission require a parking analysis of the site that provides the following information:

1. Number of parking spaces required for each use. Discussion of how complimentary uses can utilize the same parking spaces in order to reduce the need for additional hard-scaping.
2. Identify staff parking demands at overflow parking lot at Mawhinney Parking/Skate Park.
3. Parking demands/requirements at different busy times of the day.
4. Number of parking spaces that could be provided in the existing loading lot if a book drop off was not provided.

Does the Planning Commission agree with this proposal?

Building Height

The height requirements of the Zoning District in which an MPD is located shall apply except that the Planning Commission may consider an increase in the height based upon a Site specific analysis and determination.

The original 1990 MPD included exceptions to height and setback standards. The setback exception resulted from the desire to fully use the nonconforming historic structure. The height exception proposed to preserve open space and minimize the apparent bulk and mass of the then-proposed lodging facility. Neither exception was required to achieve densities greater than would otherwise have been allowed in the zone.

The current project does not propose to maximize the allowed building height of thirty-five feet (35') as permitted in the RC District. Rather, the design intends to reduce the height of the 1992 addition, revealing the terra cotta cornice of the iconic landmark building.

Site Planning

An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed. The project should be designed to fit the Site, not the Site modified to fit the project. In Site Planning for the MPD, the design must be sensitive to providing adequate open space, minimize grading and the need for retaining structures, adequate internal vehicular and pedestrian/bicycle circulation, adequate areas for snow removal and snow storage, a plan for trash storage and collection and recycling facilities, transportation amenities, and service and delivery access and loading/unloading areas.

The Site Plan, as proposed, meets the open space requirement and provides adequate pedestrian/bicycle circulation. Currently, pedestrians may access the site via Park Avenue and 12th Street by sidewalk. There is no defined pedestrian connection between the bus stop on Park Avenue and the Library entrance. The applicant proposes to improve the existing entry sequence by developing a landscaped pedestrian path through the existing parking lot that leads directly from the bus stop to the entrance of the new addition.

Areas for snow removal and snow storage, trash storage and collection, recycling facilities, and service and delivery access have not been identified.

Landscape and Streetscape

To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of drought tolerant species. Lawn or turf will be limited to a maximum of fifty percent (50%) of the area not covered by Buildings and other hard surfaces and no more than seventy-five percent (75%) of the above Area may be irrigated.

A limited number of trees along the north elevation of the structure will be removed in order to accommodate the new addition; however, additional trees will be planted on site.

A landscape plan will be submitted with the MPD application. **Are there certain elements that the Planning Commission would like the applicant to address in this landscape plan?**

Future Process

Following direction from the Planning Commission, and then after a public hearing is held and if the Planning Commission finds compliance with the General Plan, the applicant may submit a Master Planned Development application. The MPD application will address the items discussed at this pre-MPD work session and a public hearing. The applicant may submit an application for a Conditional Use Permit (CUP) for any

uses that require a CUP, such as the café, concurrent with the MPD application. An approval of this pre-application is the first step in the MPD process and focuses on General Plan and zoning compliance for the proposed MPD. Further public input is required with the MPD and CUP applications and public hearings will be scheduled.

A public hearing was noticed (Park Record, posted on property and courtesy notice) for public hearing on September 25, 2013, for the Pre-MPD Application.

In addition to the MPD, the applicant will also be returning to the Planning Commission for a plat amendment.

Recommendation

Staff recommends the Commission review the proposal and discuss the following items:

- Does the Planning Commission have any questions regarding the building layout, site plan, parking, and building height?
- A landscape plan will be submitted with the MPD application. Are there certain elements that the Planning Commission would like the applicant to address in this landscape plan?
- Does the Planning Commission agree with the open space analysis?
- Does the Planning Department concur with the findings as described for compliance with goals of the General Plan?

Exhibits

Exhibit A – 1990 Master Planned Development

Exhibit B – 1990 Conditional Use Permit

Exhibit C – 1990 Development and Disposition Agreement

Exhibit D – 1992 Master Planned Development

Exhibit E – Proposed Elevation Renderings

Exhibit F – Site Plan

Exhibit G – Aerial Photograph

Exhibit H – Park City Library Renovation/Addition Square Footage Comparison

Exhibit I – Library Area Parking

**PARK CITY CULTURAL CENTER
MASTER PLANNED DEVELOPMENT**

Findings:

1. The Carl Winters School is a building with historic and architectural significance that is worthy of restoration.
2. Park City would benefit from a cultural center to serve the community's cultural, educational and conference needs.
3. The Carl Winters School is an appropriate site for such a cultural center.
4. Open space is an important need of the Park Avenue area and any development of the Carl Winters School should include an important open space component.
5. The development and restoration of the Carl Winters School should be accomplished with specific attention to the potential impacts on the neighborhood, particularly parking and traffic.
6. The long-term viability of a cultural center would be enhanced by providing associated lodging facilities.
7. The Carl Winters site is an appropriate location for such associated lodging facilities in a building up to 145,000 square feet provided that adequate open space is maintained and reasonable on-site parking is provided.
8. The northeast corner is currently zoned HCB which could accommodate a variety of commercial uses in buildings as tall as 45 feet with minimal set back from the street. No off-street parking would be required for the first two levels of development.
9. The Park City Cultural Center is to be developed in two phases: 1) restoration of the Carl Winters school and 2) development of the lodging facility. In addition to the Master plan Development approval each phase will require conditional use permit approval which can address specific issues of use, operation and design.
10. The project includes exceptions to height and set-back standards. The set-back exception results from the desire to fully use the nonconforming historic structure. The height exception is proposed to preserve open space and minimize the apparent bulk and mass of the lodging facility. Neither exception is required to achieve densities greater than would otherwise be allowed in the zone.

Conditions:

Parking

1. Prior to approval of a conditional use permit for the lodging accommodations, the developer shall prepare and the Planning Commission shall approve a parking and circulation management plan which will address both the usual and peak demands of the combined Carl Winters restoration and the new lodging facility. As a minimum, the parking management plan should include at least 180 parking spaces on the site and provision for peak use of additional spaces based on the following requirements reduced by 16% for joint or mixed use parking:
 - a. Hotel
 - 1) rooms-.66 spaces per room
 - 2) support commercial-1 space per 1000 square feet
 - b. School
 - 1) classrooms, auditorium and ballroom-1 space per 200 square feet
 - 2) support commercial-1 space per 1000 square feet

Those spaces may be provided in a variety of ways including:

- a. Formal agreements for use of existing off-site facilities within 500 feet.
- b. Formal agreements for more remote off-site parking with appropriate transit arrangements.
- c. Additional on-street parking provided by the developer on the project side of the street.
- d. Specialized parking management such as valet parking and/or special transit services.
- e. New parking facilities constructed within 500 feet.

The parking and circulation management plan shall specifically address mitigation for potential neighborhood impacts of overflow parking and traffic. In no case shall the developer rely on or encourage use of on-street parking in the residential areas nearby the facility except as provided in "c" above.

2. The on-site parking shall be regulated such that it is available for the patrons and users of the Carl Winters School and the lodging facility.
3. No performance or special event shall be allowed in the facility which would attract more than 800 guests without specific prior written approval from the Community Development Director and Chief of Police. In granting approval the Chief of Police shall require specific techniques to minimize the

potential negative impacts of overflow parking and traffic in the neighborhood.

Site improvements.

4. Provisions shall be made for truck access and loading facilities on-site. Those facilities shall be approached from Norfolk and/or 12th Street. The facilities shall be designed so that trucks or large commercial vehicles are not required or encouraged to arrive or leave the project on Norfolk or Woodside south of 12th Street.
5. The project shall provide a 50 foot radius turn-around for buses at the corner of 13th Street and Norfolk or other solutions satisfactory to the City Engineer and Public Works Director.
6. Thirteenth Street shall be widened to a minimum 30 feet. Full frontage improvements shall be installed on the project side of all public streets adjacent to the project south side of the street.
7. Twelfth Street between Woodside and Norfolk shall be designed and reconstructed to accommodate emergency traffic and existing utilities in addition to any cultural center needs.
8. A stairway including full landscaping, lighting and signage shall be provided up 13th Street from Norfolk to Empire. Pedestrian circulation shall be provided throughout the site.
9. Storm drainage improvements shall be provided to the satisfaction of the City Engineer and Public Works Director. It is anticipated that a connection to the storm drain on Park Avenue will be required.
10. The project shall be designed to accommodate City bus delivery on Park Avenue and at 13th Street and Norfolk. A new bus shelter should be provided on Park Avenue.
11. Existing overhead utilities on and adjacent to the site shall be placed underground.

Open space.

12. Sixty percent of the site shall be maintained in open space. A central plaza shall be developed which would accommodate a variety of passive uses such as weddings, recitals, picnics, and casual public use. Any variance to the open space requirement shall be based on a full justification of the public benefit of the reduction such as improved useability of the open space or significant reduction in the apparent bulk or mass of the project.

13. The space shall be maintained by the project and be available to the public at all times except when scheduled for specific events or activities.

Building.

14. The new building shall not exceed 145,000 square feet or 200 leasable or rentable rooms.
15. The building shall be designed to minimize visual impacts and the appearance of bulk as viewed from Park Avenue, 13th Street, Norfolk Avenue and the Carl Winters Building. The new building shall not exceed 45 feet and no more than 20% of the total square footage or more than 60% of the first floor footprint shall exceed 40 feet.
16. The building shall be stepped or set back from 13th and Norfolk so that winter solar shading of buildings is minimized.
17. Retail and commercial uses shall be limited to those directly associated with and incidental to the principal uses. Restaurants, associated offices and incidental retail would be consistent with this intent; destination or comparison shopping retail would not.

Agreement.

18. Prior to commencing construction of the lodging building, the developer shall enter into an agreement with the City covering the development and disposition of the property. That development and disposition agreement should clearly set forth the obligations of each party and incorporate by reference the master plan development approvals.
19. The agreement shall provide a schedule for construction including a requirement that phase one commence within one year of the MPD approval.

tr/winters.2

Revised 1/17/90

**PARK CITY CULTURAL CENTER
CONDITIONAL USE PERMIT FOR THE RESTORATION
OF THE CARL WINTERS SCHOOL**

Findings:

1. The Carl Winters School is a building with historic and architectural significance that is worthy of restoration.
2. Park City would benefit from a cultural center to serve the community's cultural, educational and conference needs.
3. The Carl Winters School is an appropriate site for such a cultural center.
4. Open space is an important need of the lower Park Avenue area and any development of the Carl Winters School should include an important open space component.
5. The development and restoration of the Carl Winters School should be accomplished with specific attention to the potential impacts on the neighborhood, particularly parking and traffic.
6. The existing building encroaches into the required set back. The project would extend the west building face along the same set back in order to fully use the historic structure. This Conditional Use Permit includes an exception to the set back requirement.

Conditions:

1. Restoration of the Carl Winters School shall commence within one year and be completed within two years of approval of this permit.
2. The project shall include a minimum of 100 parking spaces on the site. Access to the parking should be provided directly from Park Avenue with no access from 13th Street, Woodside Avenue or Norfolk Avenue. The west and north sides of the parking lot shall be landscaped with trees and shrubs to buffer the parking from public streets and to provide mature landscaping for the eventual development on the site.

Additionally, prior to any event or performance expected to attract more than 400 people, the developer shall submit to the Community Development Director a plan for meeting the additional parking requirements. In general that plan should address parking needs of one space per each two people above 300 to a maximum of 190 total spaces. The parking plan shall be approved by the Community Development Director and Chief of Police prior to the event. Parking options may include:

- a. agreements for off-site parking;
 - b. temporary parking on the site;
 - c. remote parking with provisions for transit service;
 - d. special parking arrangements, such as valet parking or limousine service.
3. Prior to commencing restoration of the Carl Winters Building, the developer shall enter into an agreement with the City covering the development and disposition of the Carl Winters property. That development and the disposition agreement (DDA) should clearly set forth the obligations of each party and incorporate by reference this conditional use permit.
 4. All property not used for buildings, permanent landscaping or parking shall be planted in turf with temporary irrigation including the property at the corner of 13th and Park Avenue. The temporary turf should be installed as early in the project as possible.
 5. Use of the property shall be limited to education, cultural and conference purposes. Retail and other commercial uses shall be limited to those directly associated with and incidental to these principal uses.
 6. Prior to commencing restoration, the developer shall initiate the process to place the Carl Winters Building on the National Register.
 7. The restoration shall conform with Federal (Department of Interior) standards for rehabilitation of historic structures. The developer shall grant a facade easement to the City.
 8. Prior to commencing construction the developer shall provide the City with an irrevocable letter of credit for \$1,500,000 to assure completion of the restoration.
 9. Without prior approval from the Community Development Director, hours of operation shall be from 7 a.m. to 10 p.m. Sunday through Thursday and from 7 a.m. to midnight Friday and Saturday.
 10. During the course of restoration, construction staging and construction parking shall be confined to the site. Access for construction traffic to the site shall be directly from Park Avenue with no access from Thirteenth, Norfolk Avenue or Woodside Avenue without specific approval from the Community Development Director.

Revised 1/17/90

tr/winters

**CARL WINTERS SCHOOL PROPERTY
DEVELOPMENT AND DISPOSITION AGREEMENT
OUTLINE**

Recitals (parties to the agreement and historical background)

A. OBLIGATIONS OF THE CITY

1. The City will transfer title of property.
2. The City will acknowledge and respect:
 - (a) A Conditional Use Permit (CUP)
 - (b) A Master Planned Development (MPD)
 - (c) Zone changes to Recreation Commercial District Master Planned Development (RC-MPD).
3. The City will prepare plans for the area.
4. The City will consider forming a Redevelopment Agency (RDA) Project Area that would include the Park City Cultural Center site in 1990.
5. The City will cooperate in the development of the Center, consistent with City policy and the public interest.
6. The City will use all Development Impact Fees collected for the Center (excluding Water Impact and Connection Fees) and proceeds from the sale of the subject property for projects in the area.

B. NORTHWEST OBLIGATIONS:

1. Northwest agrees that it will perform the following:
 - (a) Purchase the property at the corner of Park Avenue and Thirteenth Street.
 - (b) Form a non-profit foundation (the Foundation) to operate the restored Carl Winters School.
 - (c) Northwest and Chris Jeffries will guarantee the restoration of the Carl Winters School.
2. Northwest will comply with all conditions of the CUP and MPD. Northwest may deduct from the balance owed the City one-half the cost of stairway improvements to connect the Center to the Park City Ski Area and all of the cost for landscaping and lighting for the stairway.

3. Northwest will place the Carl Winters School building on the National Register of Historic Buildings and grant a facade easement.
 4. Northwest will commence renovation of the Carl Winters School building within 12 months and complete construction within 24 months.
 5. Northwest will commence construction of the new accommodations building within five years of the completion of the Carl Winters restoration and will complete construction within eighteen (18) months of commencing construction.
 6. Northwest will limit the uses of the Carl Winters School building to cultural, educational and conference activities.
 7. Northwest will guarantee perpetual public use of and access to the theatre in the Carl Winters School building for cultural events. Northwest will make thirty (30) days available annually at no cost and an additional thirty (30) days available annually at one-half the regular rate to groups or organizations for public performances.
 8. Northwest will pay the City the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) in cash within seven (7) years.
 9. Northwest and Chris Jeffries will be responsible for any operating deficits for five (5) years.
 10. Northwest will pay or defer development review fees.
 11. ~~Northwest will pay development impact, water impact, water connection and building fees as specified by City ordinance, except that:~~
 - (a) No fees paid for the Carl Winters School building restoration.
 - (b) Development impact fees will be paid at the current rate or the a rate in effect at the time of the building permit, whichever is less.
 12. Northwest will pay all real estate commissions and closing costs of the property transaction. Northwest may deduct from the balance owed the City up to Twenty Thousand Dollars (\$20,000) for real estate commissions and one-half the customary title and escrow charges.
 13. Ninety (90) days after execution of this Agreement; Northwest will be responsible for all utilities and maintenance of the Carl Winters School building.
- C. DEFAULT:

1. Northwest will be in default of this Agreement if it fails to meet the time schedules.
2. If default occurs, the City will be entitled to receive from Northwest one of the following:
 - (a) Cash payment of the balance owed the City.
 - (b) The Development (vacant) Parcel.
 - (c) The transfer to a not-for-profit organization designated by the City of the renovated Carl Winters School building.

Northwest may only elect remedy (c) if the renovated Carl Winters School has been operating with a positive cash flow for the preceding twelve (12) months.

3. In the event that Northwest elects either remedy (a) or (c) the City shall have the right to repurchase the Development Parcel.
4. In the event of default the City shall be entitled to draw upon the letter of credit.
5. If Northwest fails to meet the conditions of transfer, Northwest will forfeit the \$25,000 Deposit.
6. Either party may seek specific performance or other legal remedy except monetary damages. The prevailing party shall be entitled to an award of its costs.

D. **CLOSING:**

The documents necessary for closing.

E. **NOTICE:**

Where, how and when notice is given.

F. **COMPLETE AGREEMENT - COVENANT TO RUN WITH LAND:**

G. **SEVERABILITY:**

tr/dda.0
1/17/90

PARK CITY

1884

Department of Community Development
Engineering • Building Inspection • Planning

January 21, 1992

Northwest Investment
118 East 57th Street
New York, New York 10022

NOTICE OF PLANNING COMMISSION ACTION

Project Description: Carl Winters - Request for Approval of
Master Planned Development

Date of Meeting: January 8, 1992

Action Taken By Planning Commission: APPROVED

Findings:

1. The Carl Winters School is a building with historic and architectural significance that is worthy of restoration.
2. The Park City Library is inadequate and a larger facility is necessary.
3. The Library Board recommended that the best alternative for expansion of library services is to relocate the library to the Carl Winters School.
4. Open space is an important need of the lower Park Avenue area and the maintenance of the green space is critical.
5. The restoration and use of the Carl Winters School should be accomplished with specific attention to the potential impacts on the neighborhood, particularly parking and traffic.
6. The provision of a 500 seat theater would be a community benefit and should be accomplished if neighborhood impacts can be adequately mitigated.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (801) 645-5020 • Engineering 645-5020 • Building 645-5040
Planning 645-5021 • FAX (801) 645-5078

Notice of Planning Commission Action - Carl Winters MPD
Page Two

7. There will be times when there will be traffic and parking impacts on the neighborhood which cannot be fully mitigated, but there is a public benefit which offsets those temporary impacts.
8. The MPD approval includes two setback exceptions. The existing building encroaches into the setback and a necessary addition creates a further encroachment. The permanent parking is also proposed to encroach into the sideyard setback.

CONDITIONS OF APPROVAL:

1. The Carl Winters School will be restored according to the Secretary of Interior's Standards for Rehabilitation and the structure will be listed on the National Register of Historic Places.
2. The uses shall include the Park City Library, leasable space and a of theater with a maximum seating capacity of 520 seats.
3. In order to provide adequate parking, the following parking shall be provided:
 - a. 105 permanent spaces shall be provided on site. The primary access to this parking will be from Park Ave with secondary access from 12th Street.
 - b. The South end of City Park shall be improved to accommodate at least 51 parking spaces. Pedestrian connections to the Carl Winters site shall be improved.
 - c. Additional parking of 30-50 spaces is necessary to be provided prior to occupancy of the theater by more than 400 people. That parking could be provided by:
 - i. Widening Norfolk and 13th to accommodate parallel parking and 2 way traffic or diagonal parking and one way traffic for an additional 35 to 40 spaces.
 - ii. Providing overflow parking on the site with the understanding that open space and recreational uses ar the priority. This would only ba acceptable if the overflow parking would not permanently adversely impact the use of the area for recreational purposes.
 - iii. Other parcels may be available for purchase in the vicinity which may be suitable and cost effective for use as overflow parking.

Notice of Planning Commission Action - Carl Winters MPD
Page Three

- d. As the facility is renovated and operating, the City shall review the parking demand to assess whether additional measures are necessary, such as the improvement of the existing pedestrian connection to the Park City Ski Area.
4. Prior to theater occupancy by more than 400 people, the South end of City Park shall be improved to accommodate at least 51 parking spaces. The City Council shall consider the permanent improvement of the South end of City Park when RDA increment or impact fees become available.
 5. Prior to any event or performance expected to attract more than 400 people, the developer shall receive approval by the Community Development Director and Police Chief.

It is anticipated that during the U.S. Film Festival, and for other events 6 time per year, the theater will be at capacity. During those times, signage shall be installed to direct overflow parking to the appropriate areas.

Any additional capacity use of the theater will require extraordinary measures to mitigate potential parking demand. A parking plan will be required to be submitted. The parking plan shall be approved by the Community Development Director and the Chief of Police prior to the event. Parking options may include:

- a. agreements for off-site parking;
- b. additional temporary parking on the site;
- c. remote parking with provisions for transit service;
- d. special parking arrangements, such as valet parking or limousine service.

If other events are occurring which may also impact this neighborhood, the request may be denied by the Police Chief.

6. A final site and landscape plan shall be submitted and approved by the Community Development Staff which shall emphasize screening of the proposed parking with special attention to buffering the parking and uses from the adjacent residential uses.
7. During the course of restoration, construction staging and construction parking shall be confined to the site. Access for construction traffic to the site shall be directly from Park Ave.

o

Notice of Planning Commission Action - Carl Winters MPD
Page Four

8. The permitted uses for the "leasable space" shall include public, quasi-public and educational uses. Offices uses may be considered and approved by the Community Development Director if it is determined that those uses will not generate frequent visitor traffic. Prohibited uses shall include retail and service commercial uses, property management and check-in facilities, travel agencies and real estate offices.
9. Provisions shall be made on site for truck access and loading facilities. Those facilities shall be designed so that large trucks and large commercial vehicles are not required or encouraged to arrive or leave the site on Norfolk or Woodside south of 12th Street.
10. A pedestrian circulation plan shall be approved and installed which includes pedestrian connections through the site from Norfolk to Park Avenues.
11. Existing overhead utilities on and adjacent to the site shall be placed underground.
12. Sewer reconstruction will be necessary and approval received from the Snyderville Basin Sewer Improvement District.
13. The reconstruction must commence within 6 months of this approval and must be completed within 18 months.
14. A sign plan shall be reviewed and approved by the Community Development Staff. It is not anticipated that every use in the building will be identified through building signage.
15. The theater shall not be run for commercial purposes on a daily basis, for uses such as a movie theater.
16. Extension of the Historic District Parking Regulations for off-street parking shall be extended to include this neighborhood.
17. The City shall give a high priority to street improvements along Woodside and Norfolk Avenues in this neighborhood in the annual CIP budget review and in formulation of a plan to spend RDA funds which may become available in the future.
18. Uses of theater during the daytime will be subject to approval of the Community Development Director and Police Chief.

Notice of Planning Commission Action - Carl Winters MPD
Page Five

19. If uses are changed which would result in a significant increase in the anticipated parking demand, the use would be a Conditional Use and would require review by the Planning Commission.

Date of Expiration:

The reconstruction must commence within 6 months of this approval and must be completed within 18 months.

Nora L. Seltnerich
Nora L. Seltnerich, AICP
Planning Director

1/21/92
Date

ACKNOWLEDGEMENT

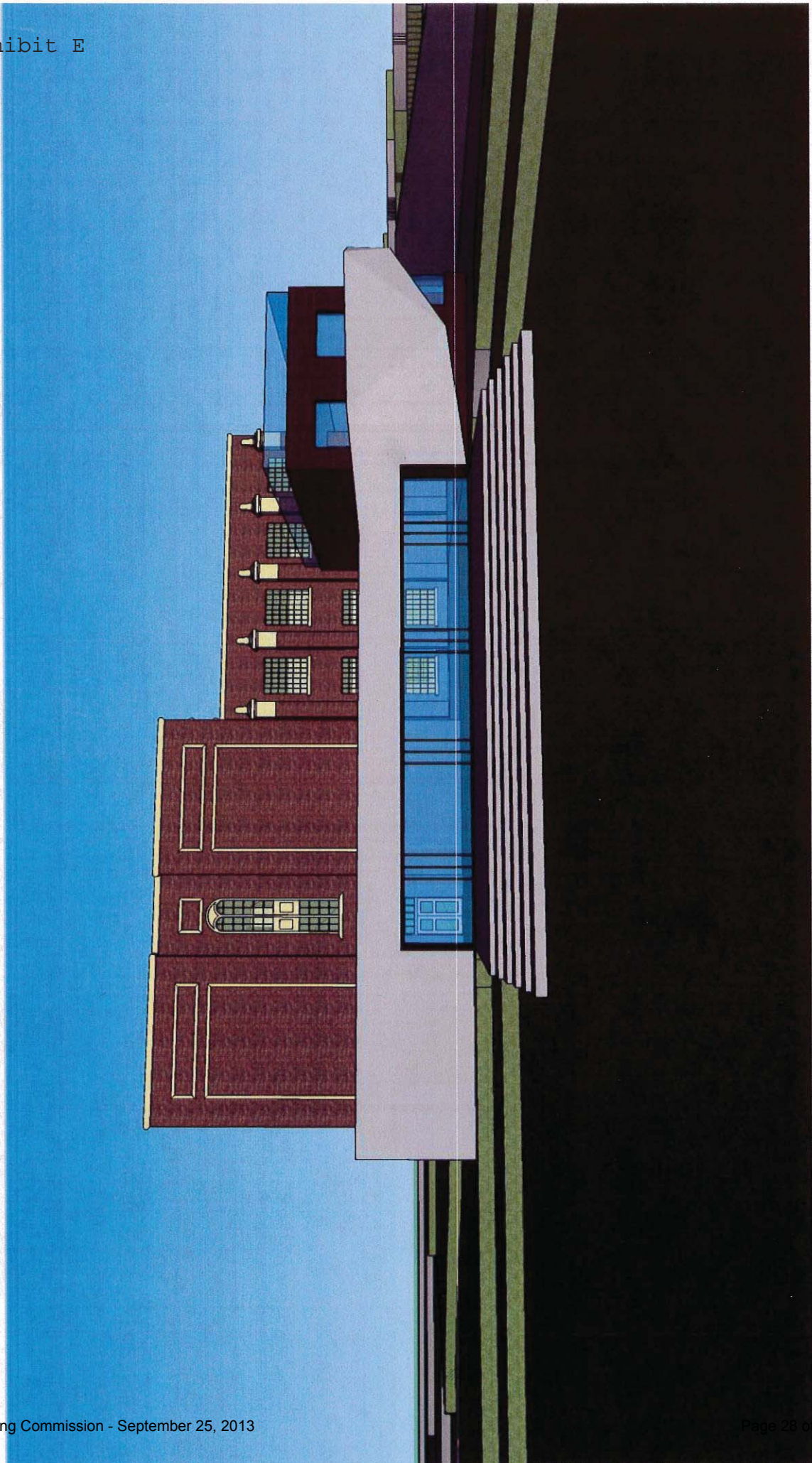
I, the undersigned, hereby acknowledge the conditions by which the project referred to above was approved.

Date _____

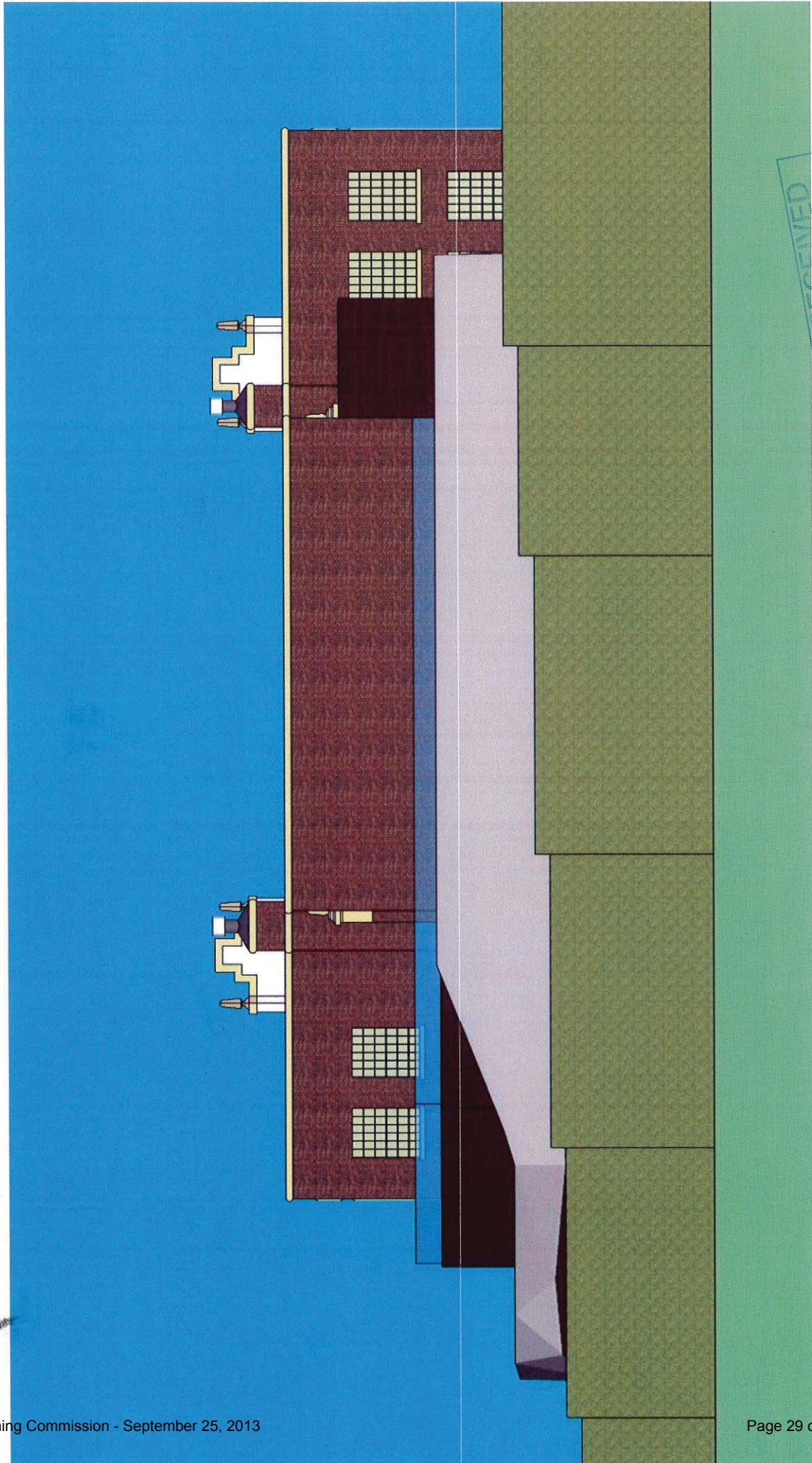
NO CONSTRUCTION SHALL BE PERMITTED UNTIL A SIGNED COPY OF THIS LETTER, SIGNIFYING CONSENT TO THE CONDITIONS OUTLINED ABOVE, HAS BEEN RETURNED TO THE PLANNING DEPARTMENT.

NOTICE: THIS APPROVAL HAS BEEN APPEALED TO THE CITY COUNCIL AND IS NOT FINAL. THE CITY COUNCIL CONSIDERATION IS TENTATIVELY SCHEDULED FOR FEBRUARY 13, 1992.

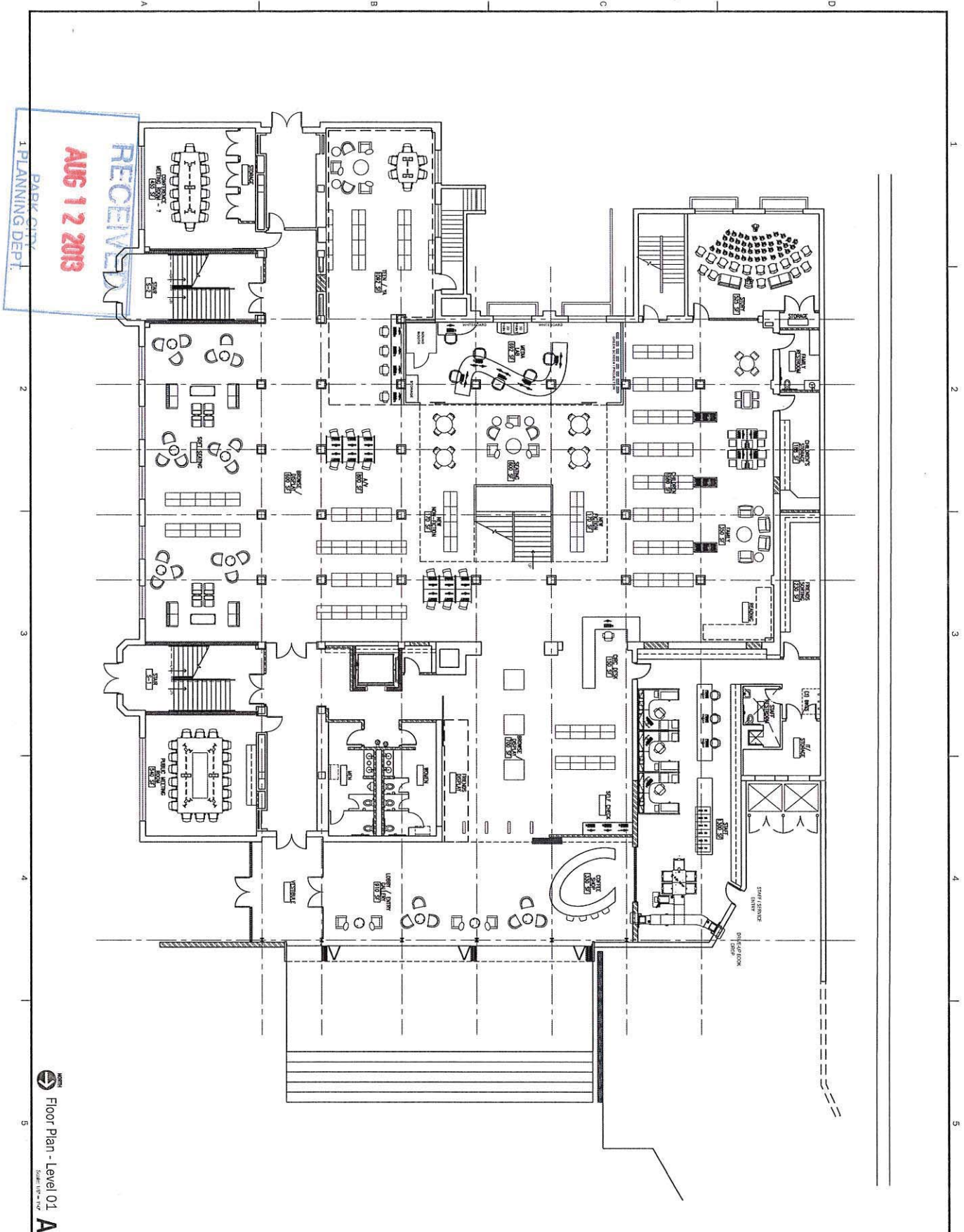
CC: Wally Wright, Cooper-Roberts
Toby Ross, City Manager



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AUG 12 2013
 PARK CITY
 PLANNING DEPT.

Level 01
 Floor Plan - Level 01
 A5

AE101
 Floor Plan
 Level 01

**Park City Library and Carl Winters
 School Building Remodel Project**

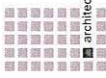
Planning Commission - September 25, 2013

date: 12 August 2013
 project no.: 130122
 MPD Pre-Application

revisions

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 Salt Lake City, UT 84111
 801.532.4940
 architectural design studio



architectural design studio

250 east 100 south
Salt Lake City, UT 84111
801.532.4540

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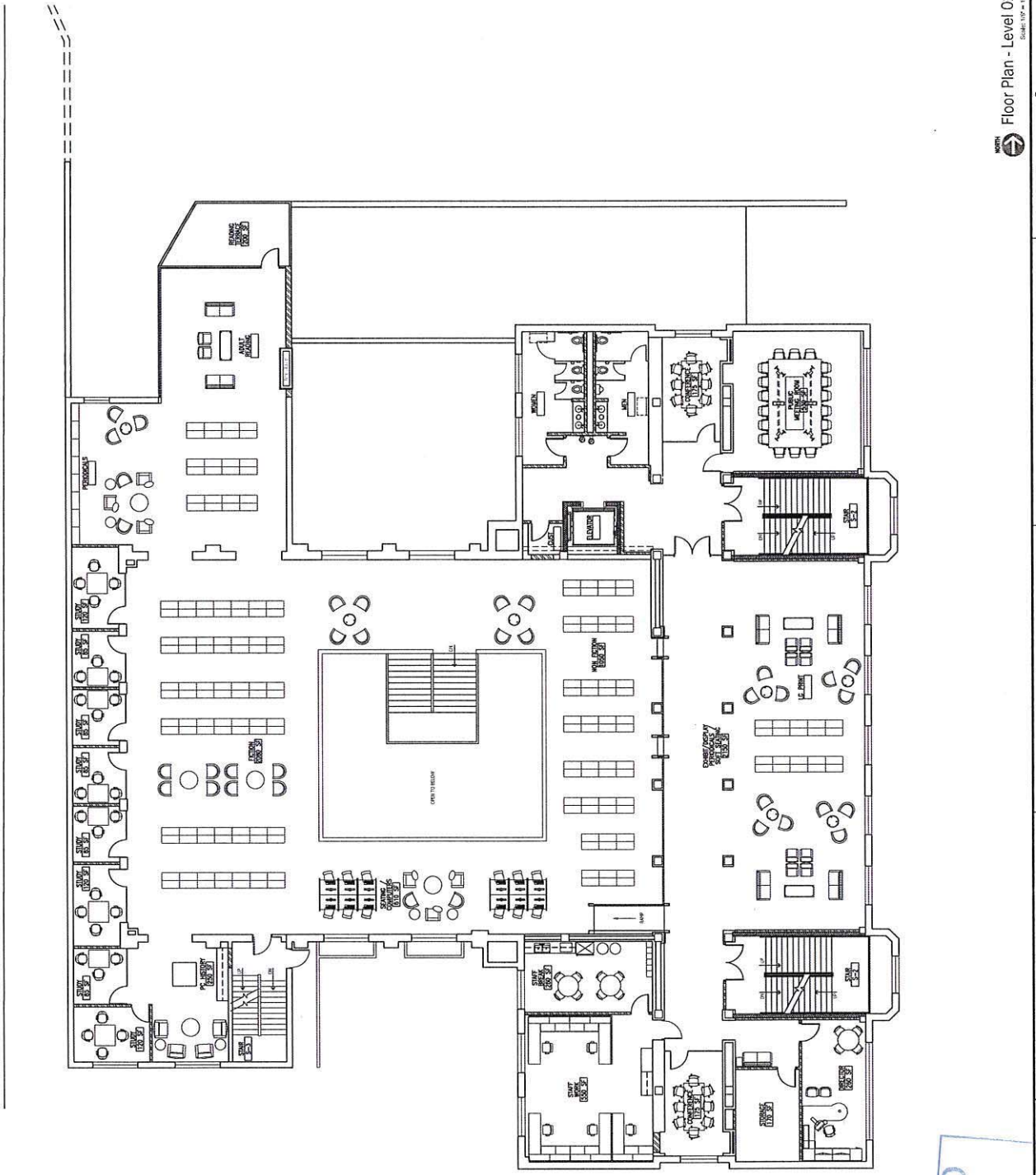
revisions

date: 12 August 2013
Project no.: 130122
MPD Pre-Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Floor Plan
Level 02
AE102

Floor Plan - Level 02 A5
Scale: 1/8" = 1'-0"



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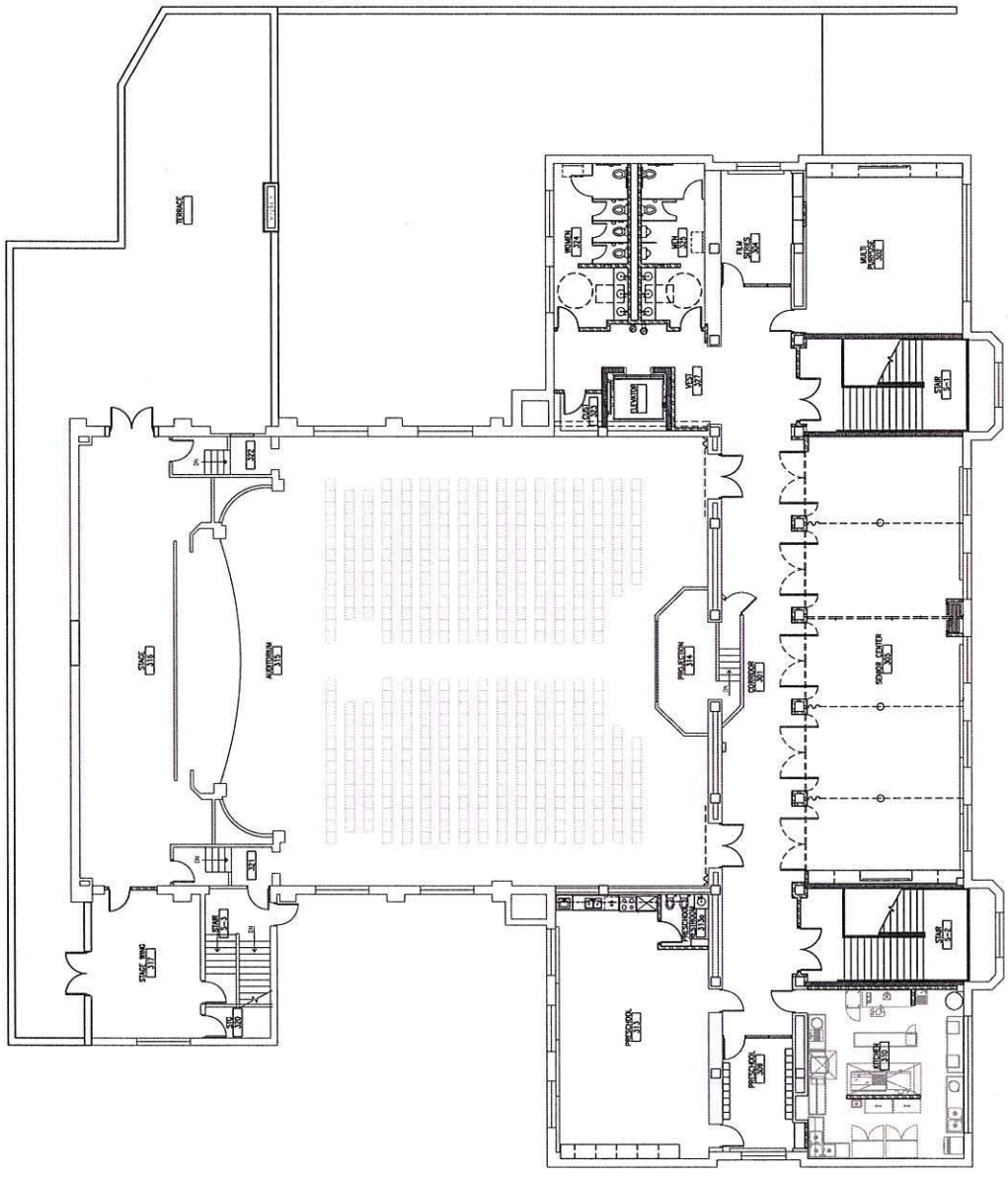
revisions

Date: 12 August 2013
Project no.: 130122
MPD Pre-Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Floor Plan
Level 03
AE103

Floor Plan - Level 03 A5
DATE: 10/1/10



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PLANNING

SURVEYOR'S CERTIFICATE

I, Robert A. Madison, do hereby certify that I am a registered Professional Surveyor in the State of Utah, License No. 34987-2201 as prescribed under the laws of the State of Utah. I have personally supervised the execution of the work shown on the sheets shown and described herein. I further certify that the information shown on the sheets shown is a true and correct representation of the work shown at the time the field work was completed.



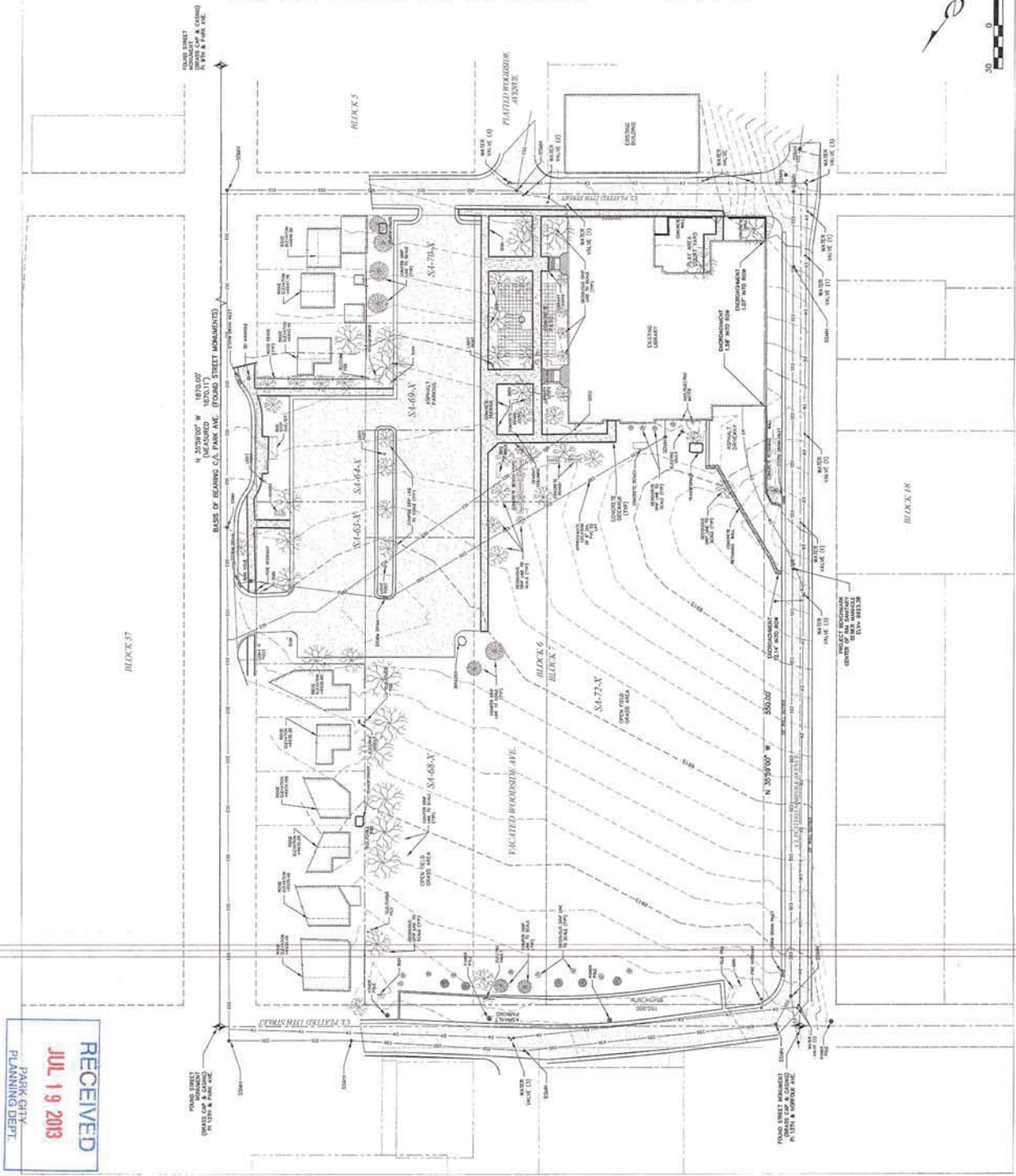
LEGAL DESCRIPTION

- TAX ID NO. SA-63-X: Block 6 of Lot 6, 7, and 8, BLOCK 6, SWIDERS ADDITION TO AMHODD PARK CITY SURVEY, on the east of record in the office of the recorder, Summit County, Utah.
- TAX ID NO. SA-64-X: All of Lot 8, 9, 10, and 12, and the South half of Lot 13, BLOCK 6, SWIDERS ADDITION TO AMHODD PARK CITY SURVEY, on the east of record in the office of the recorder, Summit County, Utah.
- TAX ID NO. SA-68-X: All of Lots 23 through 28, BLOCK 6, SWIDERS ADDITION TO AMHODD PARK CITY SURVEY, on the east of record in the office of the recorder, Summit County, Utah, the West portion of said Spryres Addition and morning there along the East line of said Block 7 to the West line of said Block 6, the West line of said Block 6 to the West line of said Block 5, thence westerly along the West line of said Block 5 to the Northwest corner of Lot 27 of said Block 5, thence West along said Block 5 to the point of beginning.
- TAX ID NO. SA-69-X: All of Lots 36, 40, and 41, BLOCK 6, SWIDERS ADDITION TO AMHODD PARK CITY SURVEY, on the east of record in the office of the recorder, Summit County, Utah.
- TAX ID NO. SA-70-X: All of Lots 42, 43, 45, and 46, BLOCK 6, SWIDERS ADDITION TO AMHODD PARK CITY SURVEY, on the east of record in the office of the recorder, Summit County, Utah.
- TAX ID NO. SA-72-X: All of Lots 1 through 14, BLOCK 7, SWIDERS ADDITION TO AMHODD PARK CITY SURVEY, on the east of record in the office of the recorder, Summit County, Utah, the West portion of Accented Woodside Avenue Beginning at the Southwest Corner of Block 7 of said Spryres Addition and morning there along the East line of said Block 7 to the West line of said Block 6, the West line of said Block 6 to the West line of said Block 5, thence westerly along the West line of said Block 5 to the Northwest corner of Lot 27 of said Block 5, thence West along said Block 5 to the point of beginning.

- NARRATIVE:**
- 1) The purpose of this survey is to establish the existing conditions on the subject parcel.
 - 2) Property corners were not set as part of this topographic survey.
 - 3) The Block of Bearing of the survey are found survey monuments as shown.
 - 4) Date of field work: 11/07/2013.
 - 5) Project benchmark, Center of Iron of Summit Sewer Manhole as shown.

TAX ID NO. S
SA-63-X, SA-64-X, SA-68-X, SA-69-X, SA-70-X, SA-72-X
EXISTING CONDITIONS SURVEY

FOR PARK CITY MUNICIPAL CORPORATION JOB NO. 11-09-01



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revisions

date: 02 August 2013
project no.: 130122
MPP Pre-Application

Park City Library and Carl Winters School Building Remodel Project
1255 Park Avenue, Park City, Utah



Site Plan **AS101**



Site Plan **A5**

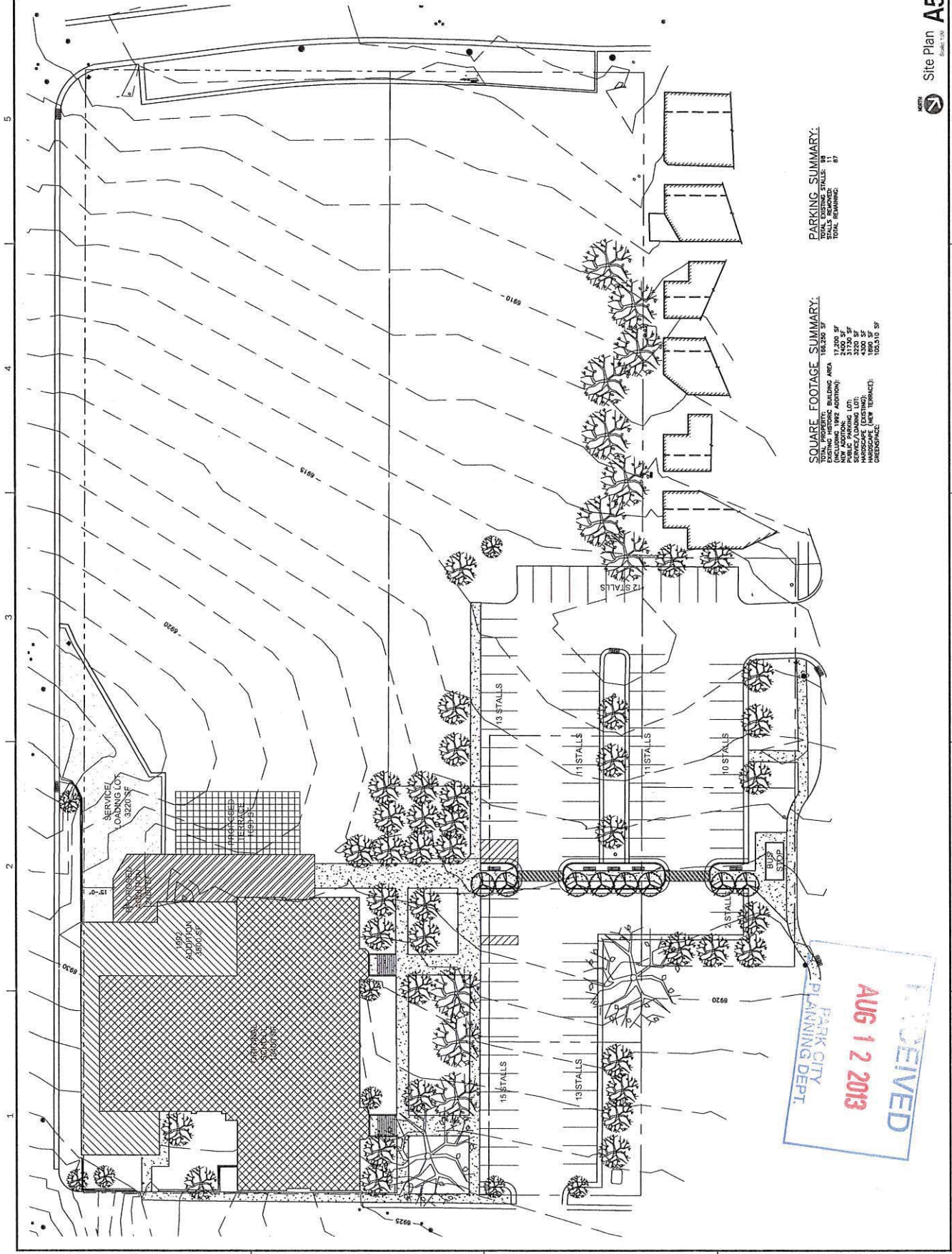
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revisions

date: 12 August 2013
project no.: 1300122
MPD Pre-Application

Park City Library and Carl Winters
School Building Remodel Project

1255 Park Avenue, Park City, Utah



PARKING SUMMARY:
EXISTING PAVED STALLS: 10
STALLS REQUESTED: 87
TOTAL REMAINING: 97

SQUARE FOOTAGE SUMMARY:
EXISTING HISTORIC BUILDING AREA: 18,226 SF
EXISTING HISTORIC ADDITION: 2,400 SF
NEW ADDITION: 14,000 SF
PUBLIC PARKING LOT: 31,750 SF
LANDSCAPE (EXISTING): 4,000 SF
LANDSCAPE (NEW TERRACE): 182,010 SF
TOTAL: 242,406 SF

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PLANNING DEPT.
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PARK CITY LIBRARY RENOVATION/ADDITION SQUARE FOOTAGE COMPARISON

FLOOR	ROOM	OLD SF	NEW SF	NOTES:
FIRST	AV/AUDIO BOOKS	570	800	
	CAFÉ	0	315	
	CHILDREN/FAMILY	1,270	1,920	
	CIRCULATION DESK	450	0	
	COLLECTION AREAS (TOTAL)	3,080	2,175	OLD SF FIGURE INCLUDES GENERAL COLLECTIONS, LIBRARY 112, RESEARCH MATERIALS, AND SPANISH AREA. NEW SF INCLUDES NEW FICTION, NEW NON-FICTION, BROWSE/DISPLAY, AND SEATING
	ENTRY GALLERY	0	910	
	FRIENDS OF THE LIBRARY	345	555	
	LIBRARY STAFF/WORKROOM AREAS	1,255	1,690	OLD SF FIGURE INCLUDES STAFF WORKROOM 112A, DIRECTOR'S OFFICE 106, LIBRARY STAFF 103, BREAK ROOM 120, AND RECYCLE AREA 121
	MEETING ROOM	550	540	
	PUBLIC COMPUTERS	430	400	
	STORAGE (TOTAL)	700	330	
	STORYTIME	320	525	
	TEEN / YOUNG ADULT	590	920	
PRE-TEEN	0	615		
MEDIA LAB	181	1,762	MOVED FROM SECOND FLOOR	
TOTAL FOOTPRINT (GSF)		17,165	19,519	
SECOND	COLLECTION AREAS (TOTAL)	1,820	7,617	NEW SF FIGURE INCLUDES COLLECTION AREAS, EXHIBIT/DISPLAY/PERIODICALS/SOFT SEATING, SEATING/COMPUTERS, AND ADULT READING
	PUBLIC COMPUTERS	0	400	
	CONFERENCE ROOMS	0	350	
	OPEN ROOMS (MEETING ROOMS)	2,500	0	
	PUBLIC MEETING ROOM	0	530	
	PC HISTORY	310	300	
	READING TERRACE	0	440	
	STAFF	0	1,172	
	STORAGE (TOTAL)	1,690	170	
	STUDY ROOMS	1,230	785	
	TOTAL FOOTPRINT (GSF)	15,778	16,513	

THIRD	MONTESSORI SCHOOL	3,735	0	
	PC FILM SERIES	160	160	
	SANTY	4860	4860	
	STAGE	820	820	
	STAGE WING	845	315	MULTI-PURPOSE ("GREEN ROOM")
	STORAGE (TOTAL)	935	40	
	PRESCHOOL	990	990	MOVED FROM SECOND FLOOR
	KITCHEN	0	534	
	SENIOR CENTER	0	1,400	
	MULTI PURPOSE	0	538	
	TERRACE	0	2,000	
	TOTAL FOOTPRINT (GSF)	15,778	16,045	



MINUTES – SEPTEMBER 11, 2013

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 11, 2013

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Thomas, Brooke Hontz, Stewart Gross, Charlie Wintzer

EX OFFICIO:

Thomas Eddington, Planning Director; Kayla Sintz, Planning Manager, Kirsten Whetstone, Planner;
Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Vice-Chair Thomas called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except for Commissioners Savage, Strachan and Worel. With four members the Planning Commission had a quorum to conduct business.

ADOPTION OF MINUTES

August 28, 2013

MOTION: Commissioner Gross moved to APPROVE the Minutes of August 28, 2013 as written. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington reported that Matt Evans completed his contract with the City at the end of August and he had moved on. He welcomed Christy Alexander and Ryan Wassum to the Planning Department.

Director Eddington reminded the Commissioners that the City Tour was scheduled for Wednesday through Sunday of the following week. He noted that some of the Planning Department Staff would be out of the office on those days.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. **510 Payday Drive – Plat Amendment**
(Application #PL-13-01945)

Planner Kirsten Whetstone reviewed the request for a subdivision plat for the first four lots of the subdivision called Thaynes Creek Ranch Estates, which is the first phase of the Richards Annexation and the preliminary plat that was approved earlier this year with the annexation.

Planner Whetstone handed out a revised exhibit. She noted that the plat and the plat notes were the same. The only difference was a change in the barn location.

Planner Whetstone noted that the application was a request for approval of the final subdivision for the first phase of the Thaynes Creek Ranch Estates consisting of four single family lots on four acre lots. The lots are accessed off of a private street that accesses off of the north side of Payday Drive located off of SR224 at the north part of town. Lots 1, 3 and 4 have frontage on Payday Drive. Lots 1, 2 and 3 also have frontage on Country Lane, formerly known as Richards Court.

Planner Whetstone reported that the Richards annexation was approved earlier this year for the 13.75 acre parcel. The zoning is single family. This request was the first phase of the subdivision. The Staff had conducted an analysis of the land use and density. The maximum building footprints were identified on the plat. The larger lots, Lots 1 and 2, back up to the City Open space with a building footprint of 4150 square feet. The smaller lots on Payday Drive have a footprint of 3900 square feet. Planner Whetstone stated that language in the CC&Rs require that the second story can be no larger than 60% of the main level. That requirement was memorialized as a plat note since the City does not enforce CC&Rs. The maximum footprints were also included as a plat note.

Planner Whetstone stated that the barns are consistent with preliminary plat with a 1300 square foot footprint on the larger lots. She noted that the Fire District had requested a plat note limiting the size of the barn to restrict the internal floor area of the barns to 1200 square feet. She clarified that the size of the barns remained the same, but the applicant was proposing to place them in a different location. Planner Whetstone noted that the 1200 square foot limitation was based on meeting the Fire Code. She noted that the maximum building footprint was to be determined at the time of the final plat as discussed during the preliminary plat process. The maximum limits of disturbance area had been identified in plat notes with the maximum irrigated area for Lots 1 and 2 at 16,000 square feet. The maximum irrigated area for Lots 3 and 4 was 10,000 square feet. The total area that could be disturbed, including all irrigated landscaping, barns, patios, hardscape, driveway, and building footprint for Lots 1 and 2 was 45% of the lot area and 75% of the lot area for Lots 3 and 4. Planner Whetstone noted that the plat requires an extension of the sidewalk on the north side of Payday over to Iron Canyon Drive to provide access to the Park. Affordable housing is required to be satisfied prior to issuance of the first certificate of occupancy. That has been identified in the Annexation Agreement as .9 AUEs and it would be resolved with the Housing Authority.

Planner Whetstone remarked that additional items that were requirements of the annexation agreement were memorialized and transferred from the conditions of approval in the draft ordinance.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council on the four lot final subdivision plat of the Thaynes Creek Ranch Estates Phase One, based on the findings of fact, conclusions of law and

conditions of approval outlined in the draft ordinance, with an additional condition of approval regarding the maximum interior area of a barn.

Steve Schueller with Alliance Engineering stated that the applicant was comfortable with the square footage that Planner Whetstone reported. However, they questioned whether it made sense to formalize the barn location on the plat without knowing the architecture for individual residents. Mr. Schueller understood that the barn needs to be 75' feet away from an existing residence, and he believed that restriction was sufficient to address any future development and impacts to the existing neighborhood; as opposed to formalizing a location on the plat.

Vice-Chair Thomas asked if Mr. Schueller was suggesting a flexible envelope. Frank Richards, the applicant, replied that he would like a flexible envelope. Planner Whetstone explained that it was moved further north in an effort to address the concerns of a potential lot owner of Lot 2. He expressed a desire to move the envelope to the north so he could utilize his common access easement between Lots 2 and 6. If that occurred, he would not need an additional driveway back to the barn.

Mr. Richards acknowledged that it was the preference of the potential owner of Lot 2. However, there was not a potential buyer for Lot 1 and he was uncomfortable restricting a future buyer from putting his house and barn where he wanted. Mr. Richards agreed with the building envelopes, but he did not agree with telling a property owner where he had to locate his house on his lot because it affects the marketability. He noted that the lots are 1.25 acres and the structures could be located in a number of different locations on the lot. Mr. Richards requested that the Planning Commission allow some flexibility for locating the barn and the house as long as it stays within the building envelope.

Commissioner Wintzer asked if a building envelope was identified on the plan. Mr. Schueller replied that there was not a house envelope at this time. Vice-Chair Thomas pointed out that there were setbacks and the no-build zone with regard to the house, as well as a 75' separation between the house and the barn.

Commissioner Wintzer referred to the conditions of approval from the January 9th meeting, which stated that the Planning Commission would identify building locations, barn locations, utility locations and the location of driveways and service roads to barns. He understood that would all be approved on the plot plan; however, the applicant was asking that those locations not be identified. Planner Whetstone stated that Lots 3 and 4 were relatively small and there was a standard setback that was no longer being identified. Instead, they were identifying the maximum building footprint and a maximum disturbance area, and leaving the location to the applicant. On Lots 1 and 2 the 80' no-build zone was identified and they attempted to identify the barn location until Lot 2 requested that it be moved further to the north. The Staff thought the barn on Lot 1 should also be located on the north property line. Planner Whetstone clarified that there was not an identified building pad on the lots.

Commissioner Wintzer reiterated that the annexation was approved with a condition of approval stating that it would all be identified on the final plat. Planner Whetstone stated that the Staff could go back and do that, but they did not believe it was necessary since there were no wetlands.

Commissioner Wintzer stated that his only concern was that without a topo he was unable to determine whether or not the buildings would be located in the middle of a view corridor. He would not care about location if he could be certain that placement of the buildings would not affect the view corridor. Planner Whetstone recalled that the Planning Commission wanted the buildings as close to the private driveway as possible. She noted that the Staff report identifies maximum widths and lengths to get the houses as close to the private driveway as possible. The 80' no-build zone is the buffer area that was agreed to at the time of the preliminary. Planner Whetstone clarified that it was not a requirement and the Planning Commission left it open to discussion at the final plat process.

Commissioner Hontz noted that page 22 of the Staff report references historical and cultural resources. If the wetlands were delineated, she thought a cultural resources study was a requirement of the permitting process. Mr. Richards stated that a cultural study had already been done. Planner Whetstone stated that the Planning Department had a copy of the study. Mr. Richards pointed out that there were no wetlands on Lots 1, 2, 3, and 4. The remaining two lots have wetlands.

Vice-Chair Thomas opened the public hearing.

There were not comments.

Vice-Chair Thomas closed the public hearing.

Vice-Chair Thomas was comfortable having a flexible bubble for the barn location because it allows for better design. He thought the no-build zone and the separation between the barn and the houses were sufficient.

In response to Commissioner Wintzer, Director Eddington pointed out that the conditions of approval for the annexation indicated a building pad for the barn, but not for the house. If the Planning Commission chooses to allow more flexibility, they need to be clear that it was based on a review of Condition #14 of the annexation approval.

Commissioner Wintzer asked if the conditions were approved by the Planning Commission or the City Council. Director Eddington replied that the conditions were ultimately approved by the City Council and recorded. Commissioner Wintzer clarified that his comment was taken from the Planning Commission minutes and their approval. Director Eddington noted that the condition in the Planning Commission minutes indicated a building pad. However, the conditions in the ordinance that were recorded after the City Council approval did not include the building pad. It was possible that it was changed at the City Council level.

Vice-Chair Thomas reiterated his preference to allow flexibility for locating the buildings. With the restrictions on length and width of the driveway, the house would be pulled closer to the street. He believed flexibility would allow for a better custom designed project.

Vice-Chair understood that Mr. Richards had contemplated combining Lots 3 and 4. Mr. Richards replied that it was originally talked about, but Lot 3 was sold and the owner only wanted a half acre. The lot combination was no longer necessary.

Planner Whetstone read plat note 4, "In the event that lots 3 and 4 are combined, the maximum building footprint allowed shall be consistent with the maximum building footprint of Lots 1 and 2." Vice-Chair Thomas suggested that they strike that clause. Assistant City Attorney McLean recommended that the language be left in to address a future possibility. Vice-Chair Thomas stated that if the language is left, he wanted to address the issue of what typically happens when lots are combined and how they reduce the footprint proportionately from 2.0 to 1.5. Planner Whetstone agreed that it was 150% of the average footprint of the two lots. Vice-Chair Thomas pointed out that combining the lots would require a separate plat amendment and it would be addressed at that time. Commissioners Gross and Wintzer concurred.

Commissioner Hontz referred to page 28 of the Staff report, Finding of Fact #12, and revised the last sentence to read, "Only one single family homes **is permitted to be** constructed on each of Lots 3 and 4." She believed the language change was more consistent with the first sentence.

Commissioner Hontz referred to page 29, Condition of Approval #11, and suggested that they strike the last sentence, "Barns shall not be used for human occupation" because it was stated as Condition #19. She suggested that they leave Condition #19 as written and remove the redundant language from Condition 11.

Commissioner Hontz could not recall the number of conditions that were also plat notes and requested that they be identified all together in one place. She believed it would be easier for an owner or buyer to have a better understanding if the plat note conditions were together.

Commissioner Hontz referred to the last sentence of Condition of Approval #17 related to affordable housing. She was concerned about having a bedroom within a house designated as an affordable housing unit. She understood it would need to be approved by the Housing Authority, but was uncomfortable with the language. Vice-Chair Thomas pointed out that the sentence specifies 810 square feet. He did not share Commissioner Hontz's concern based on the specified square footage and approval by the Housing Authority. Commissioner Gross agreed that a room within a house would not be 810 square feet. Condition #17 was not changed.

Commissioner Hontz referred to page 31, Condition of Approval #26. She thought it was incorrect to say **maximum house building footprint**. The Condition was changed to read, "Lots 1 and 2 are restricted to a maximum building footprint of 4,150 s.f. for the **house and garage**. Lots 3 and 4 are restricted to a maximum building footprint of 3,900 s.f, **for the house and garage**. Barn footprints are restricted to maximum of 1,300 s.f.

Commissioner Hontz added Condition of Approval #29 to state that due to fire flows required by the Park City Fire District, no more than 1200 square feet of interior area may be allowed within the barns. Commissioner Gross thought the condition should specify "per fire standards" so it always complies with the Fire District.

Commissioner Hontz added Condition of Approval #30 to address Commissioner Wintzer's concern. Because of the no-build area she was comfortable with allows flexibility for locating the barns on either of the lots. However, she wanted to add language stating that the desired outcome was reduced road area and preservation of the view corridor from SR224. Commissioner Hontz thought the language should be soft as opposed to a hard standard because it would be subjective. Vice-Chair Thomas thought the issue was already addressed sufficiently without adding a new condition. Commissioner Hontz thought they should modify the condition where it was addressed to allow for flexibility. Vice-Chair Thomas clarified that a fixed barn location is not a necessity and it should be a flexible square footage as long as it meets the setbacks and required separations.

Planner Whetstone recommended that the language on page 20 of the Staff report under Access should become Condition of Approval #31. She read from page 20. "Each lot is allowed a maximum driveway width of 15 feet measured at the property line with Payday Drive or Country Lane. Each driveway may widen as it approaches the garage. Overall driveway lengths shall be minimized to the greatest extent possible in order to locate building pads for Lots 1 and 2 as far west as possible. Driveway lengths for Lots 3 and 4 shall be consistent with the driveway lengths of lots in the surrounding neighborhood." Commissioner Hontz believed the language as a condition of approval would address all the issues regarding flexibility. Vice-Chair Thomas concurred.

Mr. Richards stated that the lots are set back nearly 1,000 feet from the road. The adjoining properties come within 200 feet of the road. Driving into Park City, the homes along Payday Drive that were built several years ago are not visible because of the trees and foliage that were planted in the rear property line. He preferred to require the owners to plant trees if the Planning Commission had concerns about visibility in the entry corridor. Mr. Richards stated that he was confused because when he started this project and wanted large lots with a farm feeling, there was positive support for having livestock moving around in the area. He was now hearing concerns about having barns for horses and livestock where anyone could see it. He would be more comfortable requiring trees and landscaping than telling someone where they have to specifically locate their home and barn. Mr. Richards thought the lots would be minimally visible from the highway.

Vice Chair Thomas thought that adding the additional criteria from the language on page 20 was appropriate. It would allow the needed flexibility by not specifically locating the building pads.

Planner Whetstone asked for clarification on the language for Condition #30. Commissioner Hontz remarked that Condition #30 should cancel out Condition #14 in the annexation approval by saying that they were not specifically identifying locations for the items stated in Condition #14 of the annexation approval. Condition of Approval #31 would allow flexibility for the barn location. Condition of Approval #32 should say that the Planning Commission was allowing flexibility of the barn location because it was shown on the plat.

Director Eddington drafted language for Condition #30 to read, "...that allows flexibility with regard to barn location not being held to a building pad."

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council for 510 Payday Drive based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

Mr. Richards had questions regarding the size of the Barn as recommended by Scott McAdams with the Fire District. Planner Whetstone stated that she would get clarification from Scott McAdams, and if Mr. Richards still had an issue with it he could bring it up to the City Council when they review the plat amendment.

Findings of Fact – 510 Payday Drive

1. The property is located north of Payday Drive (north of the Thayne's Creek Ranch Subdivision), south of Aspen Springs Subdivision, east of Iron Canyon Subdivision, and west of Highway 224.
2. The property was annexed into Park City with the Richards/PCMC Annexation approved by the City Council on January 31, 2013 and recorded at Summit County on April 12, 2013.
3. The property is zoned Single Family (SF).
4. Access to the property is from Payday Drive at the existing driveway to the Richard's property.
5. On January 31, 2013, concurrent with the Annexation, the City Council reviewed and approved a preliminary subdivision plat for a total of seven single family lots and one common lot for the riding arena. The proposed phase one plat is consistent with the preliminary subdivision plat and consists of four (4) lots.
6. The property is not within the Entry Corridor Protection Overlay zone (ECPO) and no portion of the plat is within the Park City Soils Ordinance boundary.
7. No non-conforming conditions are created by the subdivision.
8. The subdivision complies with the Land Management Code regarding final subdivision plats, including SF zoning requirements, general subdivision requirements, and lot and street design standards and requirements.
9. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; and 5) preservation of natural amenities and features, have been addressed through the Annexation and subdivision plat review process as required by the Land Management Code.
10. Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
11. The property is subject to the Employee/Affordable Housing requirements of the Affordable Housing Guidelines and Standards Resolution 20-07. One Affordable Unit Equivalent equals 900 square feet. The affordable housing obligation determined at the time of the annexation is 15% of 6 new units or 0.9 AUE (810 sf). Affordable housing shall be provided on-site according to requirements of the Housing Resolution 20-07, unless payment of fees in lieu is approved by the Park City Housing Authority. Additional requirements regarding affordable housing are stated in the Annexation Agreement.

Fees in lieu of providing affordable dwelling units are subject to the dollar amounts established by the Housing Authority and in effect at the time of submittal of building permits or as required by the Housing Authority. The affordable housing obligation shall be satisfied prior to issuance of the first certificate of occupancy for new construction within the subdivision.

12. Land uses proposed in the first phase subdivision include a total of four (4) single family lots. Only one single family home and one barn are permitted to be constructed on each of Lots 1 and 2. Only one single family home is permitted to be constructed on each of Lots 3 and 4.
13. Per the Land Management Code, a maximum of 2 horses per acre of lot area are permitted on lots containing one acre or more, subject to an administrative conditional use permit and an animal management plan.
14. The PCMC Parcel that is adjoining Lots 1 and 2, allows only those uses permitted by the Deed of Conservation Easement.
15. Lots 3 and 4 may be combined into one lot of record, allowing a maximum of 2 horses on the combined lot, subject to the LMC Section 15-2.11-6 Maximum House Size and Setbacks on Combined Lots and any conditions of approval of a plat amendment to combine the lots prior to issuance of a building permit.
16. The subdivision plat is consistent with the purpose statements of the SF zone. The SF zone does not allow nightly rental uses and restricting this use is consistent with the character of the surrounding neighborhood.
17. Areas of wetlands and irrigation ditches, and any required setbacks from these areas for the private road were identified during the annexation.
18. The proposed subdivision is outside the City's Soils Ordinance District.
19. Wetlands are protected by language in the LMC and Annexation Agreement requiring building pad locations, setbacks, and requirements for protection of sensitive lands during construction. There are no delineated wetlands on Lots 1-4.
20. There is good cause for this subdivision plat in that it creates legal lots of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility easements for orderly provision of utilities; provides access easements for adjacent property; provides a no build area (80' setback) for protection of the City's Open Space, and is consistent with the approved the Richards/PCMC Annexation Agreement and preliminary subdivision plat.
21. The findings in the Analysis section are incorporated herein.

Conclusions of Law – 510 Payday Drive

1. The subdivision complies with LMC 15-7.3 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the Richards/PCMC Annexation Agreement approved by the City Council on January 31, 2013.
4. The subdivision is consistent with the Richards/PCMC preliminary plat approved by the City Council on January 31, 2013.

5. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat.
6. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 510 Payday Drive

1. City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County on or prior to the date that is one year from the final City Council approval. If recordation has not occurred within this extended timeframe, the plat amendment approval will be void, unless a complete application requesting a further extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Conditions of approval of the Richards/PCMC Annexation, as stated in the Annexation Agreement, continue to apply.
4. Final approval of the sewer facilities/utility plan by the Snyderville Basin Water Reclamation District is required prior to final plat recordation.
5. A landscape and irrigation plan shall be submitted for City review and approval for each lot, prior to building permit issuance. All applicable requirements of the LMC regarding top soil preservation, final grading, and landscaping shall be completed prior to issuance of a certificate of occupancy.
6. An industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to issuance of a building permit to provide third party inspection for compliance with LEED for Homes Silver rating, per the Annexation Agreement.
7. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and conditions of the Annexation Agreement prior to building permit issuance.
8. A financial guarantee, in a form and amount acceptable to the City and in conformance with the conditions of approvals, amounting to 125% of the value of all required public improvements shall be provided to the City prior to building permit issuance for new construction within each phase. All public improvements shall be completed according to City standards prior to release of this guarantee. The twenty-five percent shall be held by the City through the warranty period and until such improvements are accepted by the City.
9. All standard project conditions shall apply.
10. Recordation of a final subdivision plat is a requirement prior to issuance of building permits.
11. The final subdivision plat shall include plat notes stating that the maximum density of the first phase subdivision is four (4) single family dwelling units and that no lot shall be further subdivided to increase the overall density of the subdivision.
12. All exterior lighting shall be reviewed with each building permit application for compliance with best lighting practices as recommended by the Dark Skies organization.
13. Fencing shall be consistent through-out the subdivision. A fencing plan shall be submitted with each building permit application to allow Staff to review all fencing for consistency through-out the subdivision and to review impacts of fencing on wildlife movement through

the site. The fencing plan shall include location of fences and materials, dimensions, and installation methods.

14. Construction of a five foot wide public side walk along Payday Drive connecting the existing sidewalk on the north side of the street with a pedestrian crossing at Iron Mountain Drive is required to provide connectivity to Rotary Park. The sidewalk and all required public improvements, including landscaping of the public right-of-way along Payday Drive, shall be completed prior to issuance of a certificate of occupancy for any new house on these lots.
15. A grading plan and landscape plan shall be submitted with each building permit application and this requirement shall be noted on the final subdivision plat. Excavated materials shall remain on site to the greatest extent possible and shall be addressed with the grading plan.
16. A note shall be included on the final subdivision plat requiring each new house in the development to meet LEED for Homes Silver Rating certification (at a minimum) with required water conservation requirements as further described in the Annexation Agreement.
17. The application is subject to the City's Affordable Housing Resolution 20-07 and as further described in the Annexation Agreement. The affordable housing obligation shall be provided on the property, unless otherwise approved by the Park City Housing Authority with payment of fees in-lieu. If the affordable housing unit is provided within the subdivision, the unit will not count against the maximum allowed density. The affordable housing obligation shall be satisfied prior to issuance of the first certificate of occupancy for new construction. Provision of an affordable housing unit within an existing house may be allowed, subject to approval by the Park City Housing Authority to satisfy the required 0.9 AUE (810 sf).
18. A note shall be added to the final subdivision plat stating that the Planning Director may grant an administrative Conditional Use permit for the raising and grazing of horses on these lots, including a barn located within an identified building pad on the final subdivision plat, provided the application complies with the LMC requirements for raising and grazing of horses and providing an Animal Management Plan is submitted and approved.
19. A note shall be added to the final subdivision plat indicated that barns may not be used for human occupation.
20. All conditions and restrictions of the Annexation Agreement shall continue to apply to the Final Subdivision plat and shall be noted on the plat prior to recordation.
21. The existing recorded easement, providing access to Payday Drive for an adjacent property to the northwest of the existing Richards house, is identified on the proposed plat. Because the easement falls short of connecting to Payday Drive, the proposed plat shall identify an access easement to join up with the Payday Drive public ROW, or a separate extension of the existing easement shall be recorded at Summit County and the recording information shall be memorialized on the plat prior to recordation.
22. Prior to recordation of a final subdivision plat a historic reconnaissance survey shall be conducted by the applicant in conformance with the City's Historic Preservation Chapter 11 of the Land Management Code and a certification letter regarding any historic resources shall be submitted to the City. Any discovered historical or cultural resources will be added to the City's Historic Sites Inventory and designated as either "Significant" or "Landmark" according to the criteria as listed in LMC Chapter 11.
23. Ownership of water rights shall not affect the application of the Impact Fee Ordinance to the Property at the time of development of the lots as further described in the Annexation Agreement.

24. A note shall be included on the plat prior to recordation indicating that a lot line adjustment application will be allowed to combine Lots 3 and 4 into one lot of record if desired by the lot owner(s). The lot combination will be subject to the LMC Section 15-2.11-6 Maximum House Size and Setbacks on Combined Lots.
25. Modified 13-D residential fire sprinklers are required for all new construction as required by the Chief Building Official.
26. Lots 1 and 2 are restricted to a maximum building footprint of 4,150 sf, for the house and garage. Lots 3 and 4 are restricted to a maximum building footprint of 3,900 sf, for the house and garage. Barn footprints are restricted to a maximum of 1,300 sf.
27. Maximum irrigated area for finished landscape (excluding pasture areas irrigated with private irrigation shares) is 16,000 sf for Lots 1 and 2 and 10,000 sf for Lots 3 and 4. All landscaping shall comply with LMC Section 15-5-5 (M). Trees, such as cottonwoods, willows, aspens, and fruit trees may be planted in the pasture areas provided they are irrigated only with private irrigation shares.
28. Maximum LOD area (including house and barn footprints, paved driveways, patios and other hardscape, and irrigated landscaping) for Lots 1 and 2 is restricted to a maximum of 45% of the Lot Area and for Lots 3 and 4 this LOD area is restricted to a maximum of 75% of the Lot Area. Area necessary for utility installation is excluded from the maximum LOD area calculation and if within the pasture areas shall be re-vegetated with like pasture vegetation.
29. Due to Fire Flow requirements the maximum interior floor area for barns on Lots 1 and 2 is limited to 1,200 square feet.
30. Building footprint locations for the houses and barns on Lots 1 and 2 are flexible, however the location shall minimize visibility of the houses and barns from SR 224 entry corridor. Houses shall maintain, at a minimum, the required setbacks from all barns. A photographic visual analysis of the proposed houses, as viewed from a minimum of three locations along the SR 224 entry corridor between the Olympic Loop art work and Payday Drive, shall be submitted with the building permit application.
31. Each lot is allowed a maximum driveway width of fifteen feet, measured at the property line with Payday Drive or Country Lane. Each driveway may widen as it approaches the garage. Overall driveway lengths shall be minimized to the greatest extent possible in order to locate building pads for Lots 1 and 2 as far west as possible. Driveway lengths for Lots 3 and 4 shall be consistent with driveway lengths of lots in the surrounding neighborhood.

**2. 2519 Lucky John Drive – Plat Amendment
(Application PL-13-01980)**

The Staff requested that this item be continued to September 25, 2013.

Vice-Chair Thomas opened the public hearing.

There were no comments.

Vice-Chair Thomas closed the public hearing.

MOTION: Commissioner Gross moved to CONTINUE 2519 Lucky John Drive to September 25, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

**3. 489 McHenry Avenue – Ratification of Findings
(Application #PL-12-01689)**

Planner Astorga reported that on July 31, 2013 the Planning Commission directed the Staff to prepare findings of fact and conclusions of law for a negative recommendation for Lots 17, 18, and 19 Echo Spur Development replat. The Planning Commission was being asked to ratify the findings of fact and conclusion of law this evening. The Staff report included all Staff reports, supplemental Staff reports and minutes from previous meetings.

The applicant, Leeto Tlou had questions regarding the findings of fact. He noted that Finding #17 states that, "The retaining wall for Echo Spur Drive is very noticeable from the Deer Valley roundabout and looks extremely tall." He asked whether that was actually a finding of fact or an opinion.

Commissioner Hontz understood that the intent was to build the case for the visual impact on the ridgeline. Assistant City Attorney McLean stated that it under a finding of fact and the language was in the appropriate place as a finding.

Mr. Tlou indicated on the number of statements regarding the visual impact of the proposal, particularly from Deer Valley Drive. If the concern is the size and scope of the house, comparing those with the houses above and behind his lots, he did not understand why there was a concern with his proposal versus the existing houses.

Assistant City Attorney McLean informed Mr. Tlou that the purpose this evening was to ratify the findings and conclusions on the motion to forward a negative recommendation. She requested that he address his comments to the actual findings and conclusions for ratification. Mr. Tlou replied that he was only trying to get clarification, but he understood if this was not the appropriate forum. Planning Manager Sintz pointed out that Mr. Tlou would have the opportunity to make his comments and state his concerns at the City Council level.

Vice-Chair Thomas opened the public hearing.

There were no comments.

Vice-Chair Thomas closed the public hearing.

MOTION: Commissioner Hontz moved to forward a NEGATIVE recommendation to the City Council for Lots 17, 18, 19 Echo Spur Development Replat Amendment located at approximately 49 McHenry Avenue, based on the Findings of Fact and Conclusions of Law as outlined in the Staff report.

Vice-Chair Thomas stated that he was not present for the July 31st meeting; however, he had read the Staff report and the minutes in detail and he felt comfortable voting this evening. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 489 McHenry

1. The proposal includes the reconfiguration of Lots 17, 18, and 19 of Block 58 of the Park City Survey.
2. The lots are located north of the intersection of Rossi Hill Drive and platted McHenry Avenue to be known as Echo Spur Drive.
3. The applicant requests approval to re-plat the three (3) Old Town lots of record into one (1) lot of record.
4. All three lots are currently vacant, platted lots of record.
5. The subject area is located within the HR-1 District.
6. The minimum lot area for a single family dwelling is 1,875 square feet.
7. The minimum lot area for a duplex is 3,750 square feet. The proposed lot area is 5,625 square feet.
8. A duplex is a conditional use that requires Planning Commission review and approval.
9. The minimum lot width is twenty five feet (25').
10. The proposed lot width is seventy five feet (75').
11. Lot 17, 18, and 19 are lots of record found within Block 58 of the Park City Survey, also recognized as parcel numbers PC-485-P, PC-485-Q, and PC-485-C, respectively.
12. The Planning Commission has expressed major concerns with access over platted Fifth Street (formerly Third Street).
13. Platted Fifth Street has not been built and the City does not plat to build this a road.
14. When the road and utilities were built in 2009, the topography was slightly altered.

15. The highest point on the site is six feet (6') higher than the October 2006 survey.

16. The improvements and the conditions regarding the road have not been dedicated to the City.

17. The retaining wall for Echo Spur Drive is very noticeable from the Deer Valley Roundabout and looks extremely tall.

18. There is a private land settlement agreement related to lots in this vicinity that could potentially affect access or the relationship with the site.

19. The site is located on a ridgeline.

20. According to LMC § 15-7.3-2 (D), ridges shall be protected from Development, which Development would be visible on the skyline from the designated Vantage Points in Park City.

21. There are concerns regarding vantage points because the site is very abrupt looking from the roundabout.

22. Without understanding the private land settlement agreement, it would be difficult to take look at these lots which would set a precedent for five to six lots leading up to this development.

23. The impacts of the neighborhood and the surrounding area are not understood.

24. There is not good cause to approve the proposed plat amendment.

25. The purpose statements of the HR-1 are not met; specifically:

(A). Preserve present land Uses and character of the Historic residential Areas of Park City;

(B). encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;

(E). Development parameters that are consistent with the General Plan policies for Historic core.

26. According to LMC section 15-7.3-1(D) the Planning Commission has the right to require larger set backs on a lot on a ridge line.

27. The proposed plat amendment request does not comply with the following General Plan (GP) statements:

a. The historic downtown area, an attraction for visitors and residents, has been well maintained, but the scale of new development threatens to detract from the charm of Main Street. (GP page 3).

b. New development, both commercial and residential, should be modest in scale and utilize historic and natural building materials. New structures should blend in with the landscape. (GP page 5).

c. Preserve an attractive, healthy environment with clean air and natural landscape. To preserve the natural views of the mountains and meadows, new development should not be allowed on ridges, but rather focused between the middle of the base of hills and in other less visible areas. New development should retain the maximum possible amount of natural vegetation, to screen the structures and preserve the natural quality of the landscape. (GP page 6).

d. Broad vistas across ridge lines hillsides and meadows give the town an open feeling, uninterrupted by obtrusive development. Trees and vegetation on the hillsides and mountain slopes maintain the town's link with nature..... (GP page 12).

e. Direct development to the "toe" of slopes, preserving the ridge tops, meadows and visible hillsides. (General Plan page 20).

f. Require new development to be more compatible with the historic scale of the surrounding area. (GP page 55).

g. Building height and mass of new structures should be compatible with the historic structures. Consider further limiting building heights, and floors area ratios. (GP page 56).

h. Development to the toe of slopes, preserving the ridge tops, meadows, and visible hillsides. (GP page 57).

i. Encourage future hillside development that it is clustered at the base of the hills and stays off ridge lines within the Historic District. (General Plan page 148).

28. The intent of the General Plan is to protect ridge lines.

29. The LMC defines a ridge line area as the top, ridge or Crest of Hill, or Slope plus the land located within one hundred fifty feet (150') on both sides of the top, crest or ridge.

30. The proposed development sits on a ridgeline and the site meets the definition of a ridgeline.

31. New development should not be allowed on ridges.

32. Ridges in Old Town should not be jeopardized.

33. This ridge is the entrance corridor to Old Town and Deer Valley.
34. The proposed house would be extremely visible from Deer Valley Drive and the roundabout.
35. The General Plan does not address the Sensitive Lands Overlay, but it does address ridgelines.
36. The subtle ridgelines are the only ridgelines left, which are being threatened when built upon.
37. The topographic map shows the site is clearly on a ridgeline.
38. Exhibit A, topographic map from the July 31, 2013 staff report does a great job indicating the ridgelines.
39. As the property gets closer to the end of the knoll, the visual impact of the ridgeline is more dramatic and visual from other parts of the community.
40. No increase in minimum setbacks or a reduction in height was proposed by the Applicant to mitigate the impacts on the ridgeline.

Conclusions of Law – 489 McHenry

1. The proposed plat amendment is not consistent with the Park City Land Management Code and applicable State Law regarding lot combinations.
2. The public will be materially injured by the proposed plat amendment.
3. Approval of the plat amendment does adversely affect health, safety, and welfare of the citizens of Park City.
4. There is Good Cause to deny the proposed plat amendment as the plat does cause undo harm on adjacent property owners because the proposal does not meet the requirements of the Land Management Code.

4. Land Management Code – Amendments to Chapter 2.4 (HRM)

Planner Francisco Astorga handed out public input from Clark Baron that he had received that day. He apologized for not being able to forward the electronic version to the Commissioners earlier in the day.

Planner Astorga reviewed the request to have the Planning Commission review the proposed amendments to the Land Management Code, specifically changes to the Historic Resident

Medium Density District (HRM). The Staff finds the changes to be appropriate in the District. Planner Astorga noted that the changes were introduced to the Planning Commission at a work session discussion on July 31, 2013. At that time the majority of the Planning Commission did not respond favorably to the proposed changes. Understanding that the proposed changes are critical to the future development of the HRM District, the Staff was reintroducing the LMC changes again this evening.

Planner Astorga referred to page 233 of the Staff report and noted that the first change related to Section 15-2.4-5, Special Requirements for Multi-unit Buildings, where the language specifies the front yard, rear yard and side yard requirements for a multi-unit building, which is a structure with more than four units. Planner Astorga noted that the open space requirement for this type of use is 60% open space. The Staff recommends changing the Code to be consistent with the language of the MPD, where in redevelopment areas the open space requirement is reduced to 30%.

Planner Astorga explained that the Staff believes this specific change is appropriate because of the proximity of the entire neighborhood to City Park, and how those opportunities for open space are directly within the neighborhood. The Staff had also done additional research and found that there were limited sites in the District with the capability to house a multi-unit building. Planner Astorga reported that a multi-unit building is a conditional use and the size of the lot yields the number of allowed units. The minimum lot area for a four-plex multi-unit building is 5,625 square feet. Very few lots within the HRM District could accommodate a four-plex.

Planner Astorga referred to page 234 of the Staff report and noted that the second proposed amendment related to the Exception in the Code in Section 15-2.4-6, Existing Historic Structures, which indicates that for Historic Structures, the Planning Commission may reduce the minimum setbacks through the conditional use permit process for additions to historic structures. In the HRM District, multiple buildings are allowed on one lot. Therefore, the location of the newer buildings which are not attached to historic structures are limited because of the building envelope; the area of the lot minus the setback. The Staff finds that by allowing new construction to encroach on to the front, side, rear, or rear setbacks would allow for better separation between the historic structure and new construction. Through the compatibility analysis reviewed by the Planning Commission and through the CUP criteria, the Staff believed they could determine an appropriate number for encroachment into the side yard setback.

Planner Astorga referred to page 237 and the proposed revision related to the limited access off Sullivan Road. The Staff found it appropriate to have an incentive within this District for affordable housing. The Code revision would state, "When the Development consists of fifty percent (50%) or more deed restricted Affordable Housing Units, the requirements for the access off Sullivan Road would not apply to that specific site."

Planner Astorga stated that the Staff could provide the actual number of lots that would have access off Sullivan Road. He pointed out that it would be specifically for affordable housing units.

Planner Astorga disclosed that the proposed revision would positively affect the Green Park

Cohousing conditional use permit. The Staff was prepared to answer any questions related to compliance with the General Plan or the other community values from the 2009 Visioning results.

The Staff recommended that the Planning Commission review the proposed amendments to the Land Management Code for Chapter 2.4, Historic Residential Medium Density, conduct a public hearing, and forward a positive recommendation to the City Council to adopt the ordinance as presented in Exhibit A.

Vice-Chair Thomas asked if Planner Astorga had a map of the HRM zone. Planner Astorga stated that he had created a map earlier today. Because the map was difficult to see on the monitors, the Planning Commission and the public gathered around the table to review a printed copy of the map. Planner Astorga outlined the boundaries of the HRM District. He identified the historic structures that would apply for the second proposed amendment, which would give the Planning Commission the authority to reduce the minimum setbacks. Planner Astorga pointed out where Sullivan Road begins and ends in the HRM District. Planner Astorga pointed out the lots that could qualify for the proposed changes. The remaining lots already have multi-unit structures or the lots are not large enough to accommodate a multi-unit building.

Planner Astorga reported that there were a total of 24 historic sites within the HRM District; ten are Landmark sites and 14 are Significant sites.

Planning Manager Sintz remarked that under the Draft Ordinance 13-23, the HRM is now allowed to have MPDs. Therefore, the existing language indicating open space for redevelopment being reduced from 60% to 30% would only be allowed if someone came in with an MPD application. She noted that the ordinance was previously approved by the Planning Commission.

Vice-Chair Thomas opened the public hearing. He clarified that all comments should be general to the amendments proposed for the HRM District and not to a specific project.

Clark Baron, a resident at the Struggler Condominiums, stated that he has provided input at previous meetings regarding a particular project. He understood that they were not talking about that project this evening; however, in his experience, it is not good policy to make Code changes to benefit a specific project or a specific developer. He believed that was the direction they were going with the proposed amendments and he was uncomfortable with that thought. Mr. Baron stated that the City owns a piece of property that has been discounted significantly for sale. He noted that the project as designed did not meet the Code and the City is now trying to change the Code so a particular project could be approved. Mr. Baron felt the density in the area was already significant and he did not believe the project was a good choice for the property. To negate an entire section of the Code on mandatory neighborhood housing elements is not right. Mr. Baron commented on the amount of snow in Park City and noted that reducing the amount of open space also reduces the space for snow storage and other important elements and that would create additional problems.

Mr. Baron emphasized that it was bad public policy to make Code changes to benefit one

particular project, and from his perspective it appears to be an in-house job. He asked the Planning Commission to forward a negative recommendation to the City Council for the proposed changes because it is not good public policy and it would not benefit the citizens of Park City. Mr. Baron also thought it was inappropriate to negate large sections of the Code for the benefit of putting in affordable housing. They should not ignore the historic nature of the historic properties by putting in high density housing next to them. He thought they should maintain the green space and the historic character of the area.

Dan Mauss stated that his comments pertained to the proposed changes in general. He remarked that there is little developable land left in the Historic District this was not the time to be compromising the standards that previous Councils and Commissions worked so hard to establish over the years. He felt it was important now more than ever to hold to those values. Mr. Mauss did not believe they should snub the efforts of the City fathers who gave their all to assure a great future in Park City. He thought they should heed the lessons that were learned by those crafting the decisions years ago and embrace their wisdom and honor their vision for what they saw in moving the City forward. Mr. Mauss stated that cherry picking the elements of the Code they like and tossing aside the elements that hinder the progression of a specific development is shortsighted and establishes a dangerous precedent.

Mr. Mauss that those in the Struggler Condominiums have watched the City grow in a way they love. The consistency in the way they apply the Codes and the guidelines is what makes the City great. Exceptions and compromises create holes in what would otherwise be a consistently great city. Every project needs to stand on its own and meet the established criteria. It should not count on exceptions, changes and compromises to make their idea work. Mr. Mauss did not believe the proposed changes have a place in this area of town because it would compromise the Historic District and the gateway to the City.

Stu Johnson objected to the proposal to reduce the amount of open space in that area because it is the Gateway to the Historic District and an introduction to Old Town in general. Even if some of the lots would not allow for a four-plex, it could allow for a decent amount of expansion on to the existing structures. Mr. Johnson thought the green space between buildings creates an inviting feel into town. Also, he has lived in the east where houses come up to the roadway and it makes it feel dark and claustrophobic. He was concerned that allowing houses to encroach into the setbacks would create the same feeling. There is also an increased fire hazard when the houses are set closer together. Mr. Johnson echoed Mr. Baron's comment regarding snow removal.

Kaisi Baron, a full-time resident of the Struggler condos, requested that the Planning Commission not reduce the green space. The historic feel in the neighborhood is nice and charming and she enjoys how it looks living there.

Vice-Chair Thomas closed the public hearing.

Vice-Chair Thomas explained that periodically the City revises the Land Management Code when it is apparent that a change is needed. It occurred in the Historic Districts for the Steep Slope criteria a number of years ago when the City saw a transformation in Historic Old Town

that began to dominate the historic community with overly large homes. The City modified the Steep Slope criteria and changed the Code to protect the Historic District. Vice-Chair Thomas felt this was an appropriate time to examine this neighbor as well.

Vice-Chair Thomas noted that he had missed the work session in July, but he personally supports the idea of more affordable housing and some degree of flexibility.

Commissioner Hontz stated that in her profession she often looks at Codes to determine when it should change and how it benefits the community and/or the applicants. However, not every Code change proposed should be approved. She felt it was worthwhile to have the dialogue and she appreciates the public who attend multiple meetings to express their comments.

Commissioner Hontz recalled a lengthy discussion at the work session about open space and MPDs. She understood that moving forward, if someone were to propose an MPD in the HRM District, the open space could be reduced to 30%. She asked if that was correct or if it would be reduced to 30% as part of the give and take of an MPD application. Planning Manager Sintz recalled that for a redevelopment the open space starts at 30%. Commissioner Hontz asked Planner Astorga to check the LMC for clarification.

Commissioner Hontz stated that during the July work session she had not supported the proposed changes and nothing presented this evening had changed her mind in terms of how it impacts the community and particularly the Historic District. Commissioner Hontz noted that a lively piece of the MPD discussion was that if the MPD in redevelopment only allows 30%, they needed to look at changing it. She might be willing to go to 30% with the caveat that the mandatory setbacks are not counted as part of the 30% open space. Without that caveat, she would not support the reduction in open space. She agreed that this was the gateway to the Historic District and the initial impression people have of the Historic District. Commissioner Hontz noted that the issue was a matter of feet. Going from a 3' setback to a 5' setback would make a major difference in terms of how the project looks and feels, as well as affecting the neighborhood and the livability of the neighborhood.

Commissioner Hontz stated that affordable housing is discussed at nearly every meeting and it is important to figure out how it would work in Park City. She did not believe the proposed changes would do anything to help promote or address the problem. Commissioner Hontz believes that affordable housing is an important component that the City needed to address.

Commissioner Hontz remarked on the four community ideals that came out of visioning; community, natural setting, small town and historic character. She thought the proposed changes erode all four of the ideals in some way. Reducing the amount of open space and livability of the project erodes the fabric of how people interact from the street or Sullivan Road with the properties. Commissioner Hontz stated that she struggles with any change that erodes what they are supposed to continually look at to see if it fits within the four levers.

Commissioner Hontz thought the Staff report and the map were well done and actually helped indicate the potential impacts that would be caused by the revisions. She pointed out that nearly 100 properties would fall under the proposed changes and would allow structures to go bigger

and have less open space and narrower setbacks.

Commissioner Hontz commented on the Sullivan Road access. She understood how it could be supported as a good idea if it was specifically related to affordable housing. However, the rule was put into place to keep from expanding the look and feel of additional parking alongside of the Park. Commissioner Hontz believed that even with affordable housing they should not try to eradicate and re-create the rule. The Code regulation was put in place to stop devolving the Park and she did not think they should take it in the opposite direction.

Commissioner Wintzer concurred with Commissioner Hontz. He pointed out that there are no CC&Rs in Old Town. The Planning Commission and the LMC are the only protection the Old Town residents have. Speaking as an Old Town resident who has gone through major changes in his neighborhood, it is difficult when you do not have a vote on whether or not to change the rules in your zone. The Code changes are presented and the Planning Commission votes on them. Commissioner Wintzer appreciates the position that affordable housing is in and they need to find a way to work with it. However, he did not believe that changing the Code in this particular location would make it easier. After looking at the map he could see four or five properties that could potentially grow into large projects and he did not think the proposed changes for setbacks and reduced open space were the right application. Commissioner Wintzer was concerned that it could eventually push into the other zones.

Commissioner Gross clarified that a portion of the area was part of the Lower Park Avenue RDA. Planner Astorga replied that this was correct. Commissioner Gross was pleased to see a resolution to Sullivan Road in terms of it not really being a road. He did not believe 30% was enough open space, noting his previous comment about not having allowances for green roofs and other elements. Commissioner Gross thought there could be some resolution between 30% and 50%. He believed it was important to have affordable units along one of the few walkable areas of town that is accessible to services, transit, recreation and workforce. It was also important to find places to bring in additional density to help with the vision of the City moving forward.

Vice-Chair Thomas thought it was important to have an affordable housing component in the community and this was an opportunity to evolve the Code to do so. Vice-Chair Thomas suggested that if a project contains at least 50% of affordable housing the open space could be reduced to 30%. He asked if the Commissioners would find the reduction palatable if 50% of the project was affordable housing. Planning Manager Sintz asked if they would feel more comfortable restricting it to properties that only fronted the Park. It would recognize adjacent open space amenities offered by the Park for the same criteria.

Director Eddington clarified that the Staff proposal to reduce open space in this area was due to General Plan discussions regarding open space, potential infill opportunities and affordable housing. He stated that this particular area was the residential medium density zone within the Historic District and the entry corridor to town. The idea was that if a property is within walking distance to the Park, which is most of the HRM zone, that was the Planning Best Practice and why the 30% reduction was recommended. If the Planning Commission wanted to restrict it further, they could limit it to properties directly adjacent to the Park. He thought that would be an

appropriate compromise.

Commissioner Gross recalled a discussion nearly a year ago when they went through the variations of houses abutting each other and the psychological perspective from the pedestrian standpoint. He thought this was critical towards making Park Avenue a continuation of the walkable City. Commissioner Gross was interested in resolving the issue so they could move forward with projects in the area and enhance density in the appropriate places.

Commissioner Wintzer stated that if the Planning Commission chose to move forward, he would need to see how the other properties would be affected, including the parking lot. Commissioner Wintzer remarked that the larger the property, the lesser percentage of setbacks could be open space. He was not comfortable moving forward without first having a study of the adjacent properties and what they would look like if they were developed. He clarified that the study should include the City properties. Commissioner Wintzer felt it was important to properly look at the entire neighborhood. He would be more willing to support the proposed changes if all the criteria had 50% affordable housing.

Director Eddington suggested that the Staff could take the five or more properties adjacent to the Park on Sullivan Road and look at the size and the setbacks. He pointed out that the setbacks would not change on Park Avenue because of the historic structures. The only front setback that would change would be the Sullivan Road driveway. Director Eddington noted that it would preserve the Park Avenue right-of-way and protects the historic fabric, and at the same time separate the historic structures from the new building and push them closer to the Sullivan driveway road parking lot. He believed they could begin to look at the building envelopes and the setback and guesstimate what 30% versus 60% open space would look like. Director Eddington emphasized that it would only be a guesstimate. He noted that most of the existing buildings along Park Avenue do not meet 60% open space. Director Eddington explained that the Code was amended to include the requirements for Sullivan Road in 2006 after most of the existing development had already occurred. Planner Astorga pointed out that the ordinance that approved the special requirements for multi-unit buildings was adopted in 2009.

Planning Manager Sintz asked how many lots that would be restricted to fronting Sullivan Road also have historic structures. Planner Astorga answered two, which was the Green Park Cohousing site at 1450-1460 Park Avenue. He explained that there were a number of historic structures but none of them meet the minimum requirement of 1.3 of an acre for a four-plex. Planning Manager Sintz stated that another restriction could be to tie it to community visioning of historic preservation.

Commissioner Hontz stated that after the last meeting she was under the assumption that most of the Commissioners either questioned the setback change or were uncomfortable with it. She expected to see more clarification this evening rather than just a reiteration of the same language. She offered to provide a number of assumptions to conduct an analysis. Planning Manager Sintz believed it came down to give/gets. The question is whether they find that affordable housing projects are worthwhile, whether this is an appropriate location, and whether

they should incentivize people who preserve historic structures. Commissioner Hontz replied that all the Commissioners want affordable housing, but everyone knows that the existing affordable housing cannot be purchased. She was hesitant to change the Code for something that may not be able to be built or sold. Commissioner Hontz felt it was irresponsible not to talk about a holistic view.

Vice-Chair Thomas noted that the Planning Commission could move to approve, deny or continue. If they chose to continue this item, the Planning Commission needed to give clear direction to the Staff. He asked if the Staff could provide a diagram that would help bring clarity to the issue. Director Eddington requested direction from the Planning Commission relative to modeling from 60% to 30% open space. He understood that they would be taking away some of the green space and pushing people into the use of City Park.

Commissioner Hontz asked if the side yard setback would literally go from 3-foot to 5-foot. She did not understand what a 30% reduction in open space would do to the square footage. Commissioner Wintzer understood that the setbacks would not change. Director Eddington replied that the setback would only change if the building had to be pushed back from the historic structure towards Sullivan Avenue. The front yard setbacks that face Park Avenue would not change.

Planner Astorga clarified that the Code required setbacks for multi-unit buildings were 10-foot side yard, 10-foot rear yard, 20-foot front yard, or 25-feet for a front facing garage. The setbacks are standard for all multi-unit buildings. The Staff was not proposing to change any of the other requirements. Commissioner Hontz stated that she was not suggesting that any of the setbacks would be decreased; however, in some cases the setbacks could result in the entire 30% open space. The question was whether the Commissioners were comfortable with that going down the street. Vice-Chair Thomas replied that it would not necessarily replicate going down the street because it would depend on an individual parcel.

MOTION: Commissioner Gross moved to forward a POSITIVE recommendation to the City Council to modify the LMC Amendments to Chapter 2.4, Historic Residential Medium Density, per the ordinance presented in Exhibit A.

The motion failed for lack of a second.

Commissioner Wintzer preferred to continue the item with direction to Staff to use the map to identify every property that would be affected by the proposed changes. If it is only one property he would be more inclined to accept the change. Commissioner Wintzer was uncomfortable making a decision without seeing all the properties to understand the implications.

Planning Manager Sintz asked if the direction included historic structures. Commissioner Wintzer clarified that it would include any property that would be affected if the Code was changed. It would include historic structures, the ones that front Sullivan Road and open space. Planner Astorga asked if the lots with existing multi-unit structures should be included in the analysis. Commissioner Wintzer stated that most of the existing multi-unit structures were built in the 1970's and 1980's and he believed they would eventually be re-developed. He would like

the analysis to include those properties so he could see what would occur with redevelopment.

Vice-Chair Thomas asked if the Staff could prepare the requested diagram and analysis by the next meeting. Planner Astorga answered yes.

MOTION: Commissioner Wintzer moved to CONTINUE the LMC Amendments to Chapter 2.4 to the September 25th meeting, with direction to Staff to identify all the properties that would be affected by the proposed changes on a 2-dimensional diagram. Vice-Chair Thomas seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission adjourned the regular meeting and moved into work session to discuss the General Plan Task Force recommendations for Small Town. That discussion can be found in the Work Session Minutes dated September 11, 2013.

The Park City Planning Commission meeting adjourned at 9:20 p.m.

Approved by Planning Commission: _____

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
SEPTEMBER 11, 2013**

PRESENT: Jack Thomas, Brooke Hontz, Stewart Gross, Charlie Wintzer, Thomas Eddington, Kayla Sintz, Mark Harrington, Polly Samuels-McLean

WORK SESSION ITEMS

General Plan – Discussion of Task Force recommendation for Small Town

Director Eddington remarked that this work session was the beginning of the General Plan Review and Work Sessions/Public Hearings that would be held over the next few months. He noted that the review schedule for both the Planning Commission and the City Council was very aggressive, but workable.

Director Eddington stated that the Planning Commission would be reviewing the Small Town Section of the General Plan this evening. He reported that the Planning Commission previously reviewed the General Plan section for Small Town on October 10th and October 16th of 2012 as it was in the updating process. He explained that when the draft was completed, Task Force was formed to participate in an eight meeting review process. The Task Force was very productive and it gave the representatives from the Planning Commission and the City Council the opportunity to get into the details and report back to their fellow Commissioners and Council members. The Staff benefits from the Task Force meetings and it helped them begin to make the redline changes to the document, which were attached as exhibits to the Staff report.

Director Eddington remarked that the objective this evening was to choose a Planning Commission liaison for the coordinating committee. If the Staff finds major issues with the schedule, the liaison would be willing to meet with the City Attorney's Office, the Planning Department and a City Council liaison between regular meetings to address issues.

The Commissioners preferred to wait until the other Commissioners were in attendance to see if they would be available to handle the time commitment. Commissioner Gross volunteered to be on the committee in the interim.

Director Eddington reported that the Planning Commission and the City Council addressed three policy issues at the joint meeting on September 4th. The Staff report contained a brief summary of the outcome of that meeting. He asked if the Commissioners had anything specific to address before the Staff drafted the language for the General Plan.

Director Eddington noted that the Outcomes were outlined on page 268 of the Staff report, based on the comments at the joint meeting with the City Council

Policy 1 – Encourage growth inward with regard to the densification. Director Eddington stated that after significant discussion at the joint meeting there was concern about density as a standalone, but there was a willingness to consider it if affordable housing and TDRs were the give/gets. The Staff was directed to modify the policy to include language to that effect relative to goals and strategies.

Commissioner Hontz noted that several in the group were still uncomfortable with density. She felt

they were getting closer to acceptance in terms of tying density to something that would benefit the community. However, they are not able to control sprawl outside of their borders, which is where they do not want sprawl to occur. Commissioner Hontz was not comfortable with the mechanisms that are currently in place to reduce density. She provided a number of scenarios that could occur to support her concern. Commissioner Hontz stated that she could manufacture density in both Summit and Wasatch Counties very easily. Therefore, a TDR density that takes density off of sprawl, may not always be a benefit. Based on her professional experience she understood that the numbers are not always real. Park City is trying to protect itself from both Counties and the TDR numbers are not real in either County.

Commissioner Hontz was concerned that the City had not done the long-term visioning for infrastructure, sewer, water and roads to know whether they could withstand potentially increased density that has not already been built. Commissioner Hontz liked the idea in concept, but it would not work in practice. She was very uncomfortable with the policy language.

Vice-Chair Thomas pointed out that they were talking about an outcome and a modification to clarify that the City is not a goal in its own right; and to include community give/gets that may justify additional density in neighborhoods that can handle the additional load, without compromising keeping Park City Park City. He noted that the Staff was also asking the Commissioners to density in BoPa. Vice-Chair Thomas intended to focus his comments on BoPa. Based on modeling that was previously done, and the land use law that is in place, they have approximately 5.5 million square feet of potential buildout. They currently have 1 million square feet in place. He asked how they could determine whether additional density should be added to the 5.5 million and what basis they should use for measurement. Vice-Chair Thomas was certain that the City would not build 5.5 million square feet of three-story space. He believed they would be going through the MPD process and other processes to see how things work.

Vice-Chair Thomas understood the give/get principles, but he thought it was also reasonable to consider that when someone develops a large parcel, they need streets and store fronts to make the project marketable and to make the project work. The idea of giving streets and store front, as well as additional density, means tall buildings, more height and other elements that begin to impact what they were trying to preserve. Vice-Chair Thomas stated that this was a big issue for him and he was unsure how they could use 5.5 million as a base number to evolve density because the number is hypothetical.

Director Eddington clarified that the 5.5 million assumes the most severe case if everyone puts all the parking underground and everything is maximized. He noted that it could be done now under the General Commercial Zone, which is why the analysis was done. Vice-Chair Thomas stated that when the analysis was being done he never considered the number to be real.

City Attorney Harrington thought the comments were accurate and a good extension of the joint meeting. He believed this was a critical issue and the area where the Planning Commission and the City Council were different in their vision. The vision was not so different in the high level concept, and the commonality was the same in terms of the goals. However, how to get there and what they are willing to sacrifice and preserve is very different. The fact that the minority was the majority this evening forced the conversation to be direct. Mr. Harrington recognized that this was a fundamental shift for some neighborhoods. The proposal is to meet some of the long terms problems, which are

both regional and local, and the Staff's recommendation is one methodology for addressing it. It is a shift and one that would require overt leadership and a very high level of proactive from the City to steer the direction rather than letting the market guide it.

Mr. Harrington thought the broader question is what they want to telegraph as the policy and the vision. Is it willingness to accept these density changes that the market may not deliver on its own, or is that too risky because they do not control the end game. He noted that the higher prioritization is neighborhoods, streets and mitigating traffic. It is important to prioritize how to address the negatives and the deliverables as much as they want to prioritize the long term capacity issue, which is what the Charles Buki vision was trying to address. Mr. Harrington stated that it was equally valid, but it may not be their priority. Rather than look for the commonality where they can agree on the language, the goal should be to flush out the specificity that does not dictate a result for the Land Management Code, but articulates the direction.

Mr. Harrington believed that the City Council was willing to go further to get a result, and the Planning Commission was approaching it differently.

Commissioner Wintzer agreed that BoPa was a good example, as well as the Deer Valley and PCMR parking lots. He felt the statement was so broad that it could have been interpreted into the conversation they had earlier about a different project. He thought they should target three or four areas to move density. The statement was so broad that density could be everywhere rather than be regulated. He felt the statement was saying that as a general plan they were trying to bring density into town, and he could not support that.

City Attorney Harrington stated that as a group, the Planning Commission has struggled to identify receiving zones within town for density they already knew they wanted to move. Commissioner Wintzer referred to the earlier discussion over a project in a neighborhood that was affecting people on both sides, but that the Planning Commission supported. In his opinion, to have a general statement was premature considering how hard it was to deal with 400 square feet of land in one project.

Vice-Chair Thomas suggested approaching it more specifically from neighborhoods and districts and talk about the nature of the height, form and scale and roads in the neighborhood.

Director Eddington asked if the Commissioners would feel differently if the language was revised to say, "We support higher densities in town in defined areas". He defined the areas as BoPa, LoPa, Deer Valley parking lots, PCMR parking lots and Snow Creek. City Attorney Harrington thought the question should be where they want new growth to occur, regardless of its source.

Vice-Chair Thomas thought new growth was more appropriate than higher density. Director Eddington clarified that higher density is higher than what exists. City Attorney Harrington stated that if they focus on new growth as opposed to higher, it could encapsulate both. Vice-Chair was uncomfortable with more density than what exists because it is a staggering number in looking at the density. He starts to think about big, vertical and tall and how it starts to impact the entry corridors. Allowing that would be completely inconsistent with their values and could push them in the wrong direction.

Commissioner Gross suggested that they revise the language to say, "We support growth in town",

and leave out “higher densities in town.” Commissioner Wintzer thought they were several examples of how additional densities could be beneficial or hurtful. He thought they should be very careful about what they support and how they get it into the City. Commissioner Wintzer thought the statement contradicted the four core values.

Commissioner Hontz noted that page 272 of the Staff report talks about the 2009 visioning. She believed that the way the policy was written conflicted with the language in the second paragraph. People were asked what would make them leave Park City and the most common answer too much change or growth, followed by loss of natural beauty and environmental decline associated with growth. When people were asked what they wanted Park City to be like in 20 years, the answer was stay the same, small town feel, sense of community, uniqueness, less development, smarter growth, green and open. Commissioner Hontz felt there was a strong message that people were afraid of exactly what Policy 1 would allow. She asked how they would prioritize the negative.

City Attorney Harrington stated that the Planning Commission needed to agree on whether or not this should be the number one policy. Commissioner Hontz did not think it should be. Mr. Harrington stated that as a group they could look at refining a new policy statement that softens the transition from the vision to Policy 1. It is goal one and that is the most important goal. If they could not agree on that point, that would present other issues. He clarified that he was not suggesting that they abandon the policy, but he understood that the preference was to modify the language in a context that transitions from the vision core values into a policy statement which reflects the four principles; and move this to a new highly qualified policy statement, notwithstanding Policy Goal 1. They could progressively entertain smart planning tactics or employ strategies that results in new growth in town, if x-things are met. It allows for the “it depends” win/win, but it is not the first goal. Mr. Harrington emphasized that it would be a deviation from the Staff recommendation and he was not advocating for that. He was only trying to direct the Commissioners to a solution.

Director Eddington stated that the core value of natural setting would be negatively impacted by sprawl and/or development on the outside. However, additional development in an area that is already developed preserves natural setting. He believed there was some compatibility with putting density in an area to preserve open space somewhere else. Commissioner Hontz stated that as written, the policy could also impact the historic character because density could come into the Historic District. Director Eddington replied that the strategies reflect affordable housing and TDRs, but they do not talk about putting density in Old Town.

Commissioner Hontz felt strongly that the intent needed to be clear in the goal language and in the strategies. City Attorney Harrington stated that it begins with regional collaboration. The biggest shift the Staff was recommending was a much higher level of regional collaboration beyond anything they have seen in the past or tried to attempt. The Staff has made good progress in terms of laying the foundation for collaboration to occur, but it all depends on third parties. He noted that the City has been aligned with Summit County even when there have been differences. However, it is much more of a nuance negotiation with Wasatch County because they have a different set of priorities. Mr. Harrington stated that the strategies for the Policy statement as currently written would not work unless that fundamentally changed. The issue was how to integrate the goal without undermining the current planning policy.

Commissioner Wintzer understood that they could not define what occurs in the County, but in some respects, if the City provides housing for people who work in Salt Lake, they would be better off

putting more density at Redstone to mitigate the traffic. He suggested that they find a way to incorporate that into the County's mission as well. Commissioner Wintzer believed that at a certain point traffic will drive what they do. The further they can stop the traffic out of town, they better off they would be.

Commissioner Wintzer was unsure whether he agreed with the statement to support higher density in town because Park City streets are more choked than the County streets. He stated that higher density for affordable housing was different from higher density for commuters who want to live in Park City and commute to Salt Lake. The person who spends money skiing every day is the valuable customer, not the one who works and shops in Salt Lake but lives in Park City. He would be more comfortable if they could define the goal for higher density.

City Attorney Harrington thought the policy question could be summarized by whether there was a scenario in which they could implement a regional TDR program without the necessity of annexation. He asked if the Commissioners were willing to consider a policy goal in which they could achieve a better density outcome without changing the municipal boundaries; and have it be done by interlocal agreement. Commissioner Hontz could only think of one instance where she would be comfortable with that scenario. She thought the people who participated in the visioning spoke clearly and she was uncomfortable with where it would take them.

Commissioner Wintzer did not believe the policy as written reflected what Mr. Harrington had offered. He could possibly support it if the language was modified. Director Eddington stated that the agreement to modify the language was part of the outcome.

City Attorney Harrington asked if the Commissioners still wanted the policy as goal number one if the language was modified. Commissioner Wintzer thought they should discuss all the policies first to see if they should be renumbered.

Policy 2 – Increase opportunities for local food production within City limits. City Attorney Harrington believed the direction from the joint meeting was to de-emphasize it in the General Plan and handle it through confirmation, implementation and the LMC. People can do these things but it does not need to be stated affirmatively as a visionary component of the General Plan.

Commissioner Gross noted that the principles talk about sustainable agriculture practices. City Attorney Harrington stated that the language would be pulled from the principles.

Policy 3 – Continue to provide necessary commercial and light industrial services within the City limits by allowing a range of commercial uses within the City limits; including industrial uses in appropriate areas. Director Eddington stated that when they first looked at this policy there was a discussion with regard to businesses in the Light Industrial Zone and whether those businesses would be appropriate in other areas. The only opportunity is right outside the City in the Park City Industrial Park for auto related businesses or light industrial businesses. Within the City, the only area is the Bonanza Park Light Industrial zone where those businesses could be accommodated. The Staff recommendation was to still keep it and allow for it in the Bonanza Park area and do it via character zones under Form Based Code. Director Eddington stated that the Planning Commission generally agreed to that at the joint meeting. He asked if they wanted to clarify any of the ideas or language.

Commissioner Wintzer thought the area on the edge of town was appropriate. He did not believe it was worth writing if it was not incentivized.

Planning Manager Sintz believed everyone understood the LI zone, but there was also the LI uses. As pointed out during the joint meeting, gas stations and other important businesses in town are in the GC zone. She suggested that they think of the uses separate from just the zone designation for Light Industrial. Commissioner Wintzer pointed out that they were also in the process of doing Form Based Code with the only place that is Light Industrial. He thought they should deal with it in that zone and see if it is acceptable in that location. Director Eddington clarified that it was the Staff's recommendation and they wanted to make sure the Planning Commission agreed. The Staff also recognized that the goal would have to have economic development incentivization because it will not work without an incentive.

City Attorney Harrington suggested that they include in the strategies an analysis of the existing uses in LI which may make the LI zone incompatible. He noted that most of the LI zone is in residential use. He suggested that they could rezone it to residential. Director Eddington clarified that the Staff recommendation for form based code. The character zone for Fireside would not recommend gas stations or automotive. It would recommend it in the other character zones on the opposite side of Bonanza Drive.

Commissioner Wintzer was concerned about the potential of losing the last gas station in town. He pointed out that two other gas stations were taken out to accommodate development. City Attorney Harrington thought his concern related to Policy Issue # 5 in terms of allowing increased flexibility in existing subdivisions. He recalled strategies that specify increased commercial area in the existing neighborhoods. He asked if part of the incentivization would be to allow more support commercial into the existing neighborhoods. He noted that they have struggled with that in the past in terms of whether or not a gas station should go into Park Meadows or Upper Deer Valley.

Commissioner Wintzer stated that he was disappointed with the City for not putting a restaurant back in the Racquet Club. Not having watering holes and local restaurants within a neighborhood encourages driving. Commissioner Wintzer thought the City should do whatever it could to keep as much light industrial in town as possible. He stated that one of the traffic problems is the number of people who drive to the junction to buy sheets and towels to take to Deer Valley. They could solve that problem by having those services in town. City Attorney Harrington thought they could state that in a vision, but the two were different. One is to have consolidated traditional zones that are focused on the use. The second is to spread it out and create opportunities in limited and distinct locations within neighborhoods. Commissioner Wintzer thought they were short-sighted when they did not put in support industrial in the Deer Valley, Upper Deer Valley and the Empire Pass area. The City encourages people to drive to and from places like laundromats and Home Depot. For future annexations he thought the developer should be required to provide their own support commercial.

Commissioner Hontz asked if there was consensus to modify the language in Policy #3 to address the issues with the current Light Industrial, strengthen language in Form Based Code and additionally find appropriate locations within other zones on a neighborhood, by neighborhood basis. Vice-Chair Thomas was unsure how that could be done in historic neighborhoods. Commissioner

Hontz thought they could identify those neighborhoods as places where it would not work. Commissioner Wintzer thought they could find create ways to allow it in the Historic District.

Director Eddington summarized that the direction was to look at additional neighborhood sites for potential support facilities or neighborhood services. Commissioner Wintzer clarified that if that was what they wanted, they needed to be specific in requiring it. Vice-Chair Thomas agreed. The ability to purchase goods and services in town makes it a complete town.

City Attorney Harrington compared it to the analogy of complete streets. They have their pluses and minus, depending on the prioritization. Part of it comes from natural evolution as the community changes, and in some cases it is a drastic change in a short period of time. They have to pick and choose what they want to facilitate. The real question is whether they want to encroach upon existing neighborhoods for that, or whether they want to segregate and keep it in defined areas.

Commissioner Wintzer thought there could easily be a commercial laundromat on a lower floor of an apartment structure in Bonanza Park. He provided other examples to show how commercial support could be accomplished in the existing zones. Vice-Chair Thomas remarked that it would have to be incentivized for someone to do it. Commissioner Wintzer concurred.

City Attorney Harrington understood from the comments that support commercial should be tied to the limited uses they specifically want rather than a broad support commercial definition. Commissioner Wintzer thought it should also be tied to reducing traffic.

The Commissioners discussed Policy Issue #2, and whether annexation should be encouraged or discouraged and whether the annexation policy declaration boundary should be expanded to protect undeveloped land. Director Eddington referred to the annexation map on page 281 of the Staff report and noted that the black boundary was the Park City Boundary. The red boundary is the existing annexation declaration area boundary. The blue boundary was a potential proposed boundary for the ADA. Director Eddington stated that for the first time they were recommending crossing over Highway 40 to the east and south into Wasatch County looking down near the Brighton Estates, Bonanza Flats area. He explained that the Staff thought it was important to expand the boundaries in an effort to better define what could be in their boundaries. He noted that page 283 of the Staff report identifies the nodes of development that are in existence or on the way.

In looking at those areas, they want the ability to define what goes into the Park City boundaries. The Staff felt that the east side of Highway 40 is an area that is important to the future entry corridor to Park City. However, they left the boundaries alone near Jordanelle.

Commissioner Hontz indicated a portion by the St. Regis and asked if that could be captured. City Attorney Harrington was unsure whether they could unilaterally move it under the existing agreement with Wasatch County. He would try to find the answer. At a minimum he believed it would have to be amended. Commissioner Gross asked if they could show it and then work through the conditions and details. Commissioner Hontz questioned whether it might create a political downside in terms of relations with the County. Commissioner Wintzer thought it would. City Attorney Harrington suggested that it would have to be done delicately and jointly with the County in the spirit of cooperation. It was a hard fought compromise and an elegant solution in terms of the bifurcation of the tax structure that remained with the County, as well as the planning goals that restricted what the County could do in the future. Mr. Harrington thought it would be appropriate for the Planning

Commissioner to provide input to the City Council in terms of how they would like to see the agreement modified with the potential goal for annexation. He advised against moving the line on the map.

Commissioner Wintzer stated that he was the most concerned with Bonanza Flat because it is a problematic area in terms of getting in and out of town. It is a sensitive issue and by identifying it on the map they need to be careful not to imply that the City intends to annex Bonanza Flat as an area for density. He agreed that it was better for the City to control it.

Vice-Chair Thomas disclosed that he had done early planning studies regarding Bonanza Flats before it became an MPD. Commissioner Hontz disclosed that she had done the entitlements but it was a long time ago. Vice-Chair Thomas stated that the impact of any development in that area coming through town would be horrendous. Director Eddington noted that when UDOT chip sealed Guardsman it became a much easier road to access.

Commissioner Hontz asked if the City was suggesting Mountain Top because that area was undeveloped and not part of Round Valley. Director Eddington stated that the linear lots are developed, but the Mountain Top section is in the existing ADA boundary and the Staff recommended keeping that line. Commissioner Hontz believed an area identified to the right of that boundary line was on the other side of the ridgeline. Director Eddington stated that the area was included for an accessibility route. Commissioner Hontz pointed out that accessibility would promote development on those lots. They would need to have clear language to explain why that ADA boundary was changing.

Assistant City Attorney Harrington recalled that Mountain Top was rejected two or three times based on police and water service limitations, and he suggested that the Staff look at the record on past decisions. Director Eddington recalled that managed growth was the reason for including Mountain Top.

Director Eddington continued reviewing the annexation boundaries and noted that some of the boundaries were along private property lines. He stated that for the next meeting the Staff could put markers on the map to help clarify and identify specific properties. Commissioners Thomas and Wintzer requested that the Staff print a large version of the map to have on the table in front of them.

Commissioner Hontz asked if it was possible to extend the blue line in the northeast corner all the way up behind the jail and Home Depot. Director Eddington explained that the reason for stopping the line was because the Silver Creek area has some entitlements and it has started to develop as its own node and the node is within the County. They were looking at whether there was an opportunity to separate nodes rather than to just have corridor sprawl. The Staff could look at Commissioner Hontz's suggestion. However, the initial thought was if the City could work with the County to protect open space and corridor sprawl, the give/get would be for the County to get the commercial base.

Commissioner Wintzer pointed out that they would need to be careful about inheriting toxic dirt soils. The current advantage is that the land cannot be developed because of the toxic soil and the City would not want that liability.

City Attorney Harrington asked if annexation was addressed in any other goal in the existing General Plan. Director Eddington was unsure of the goal number, but it addresses land use and talks about annexation. Mr. Harrington directed the Staff to look for an opportunity for additional follow-up, as well as outreach with both Counties, and come back with facts based on feedback and the existing agreements. Director Eddington stated that in terms of the ADA boundaries, he doubted that the Planning Commission would have clear answers before making their recommendation to the City Council. Mr. Harrington believed the Staff would have feedback on whether the policy could be shaped without offending the Counties. The goal would be to either stay the status quo and establish a process for future modifications, or have consensus at the onset to formerly include it in the ADA without it being perceived as jurisdiction overstepping. The Staff should have at least a generic answer before the Planning Commission forwards their recommendation to the Council.

Director Eddington referred to Policy Issue #6, which talks about additional accessory uses and apartments in residential zones. He believed this related to the discussion relative to Goal Policy #1, the densification issue. Director Eddington stated that this idea stemmed from past discussions relative to historic sites in Old Town. One specific discussion talked about the square footage of a detached garage on a historic site not counting towards the footprint of the building if it also contained a studio or an affordable unit above. Director Eddington clarified that the policy spreads further than the Historic District. It could be in Park Meadows or anywhere else in town. He emphasized that the accessory use would be long term leases and not nightly rental.

City Attorney Harrington thought they needed to be clear on this policy issue because it would change the ordinance and allow accessory uses where it is not currently permitted. Commissioner Wintzer recalled that it was currently not permitted in any neighborhood. Commissioner Hontz replied that it was permitted in Old Town. Mr. Harrington clarified that it is permitted in Old Town with restrictions. There can only be a certain number within a certain area. Accessory uses were also permitted within one zone in Prospector with the stipulation of a 300 foot separation.

Commissioner Wintzer thought it was worth exploring. He pointed out that it was a fragile issue with ramifications if it is done wrong, and they would have to do it in a way that works without offending anyone. Commissioner Wintzer was unsure whether he could support the subdivision of lots to create additional structures. He agreed with the idea of accessory apartments or affordable units, but the question was how to make it work.

Commissioner Hontz remarked that it goes back to the parking component and whether it was suitable for an area or if they would be cramming more into an already crowded area. Commissioner Wintzer concurred. They would need to find a way to reduce the number of cars associated with those properties to avoid putting more pressure on the neighborhood. Commissioner Wintzer stated that if the City wanted affordable housing units, this would be a way to pick up additional units.

The Commissioners discussed the pros and cons of allowing accessory uses and the areas where it would work best or not work at all. Director Eddington understood that the direction was to leave in the accessory use language but to look at specific zones and qualifications.

Director Eddington returned to Policy Issue #5 to discuss the subdivision of existing properties.

Commissioner Wintzer was not interested in having that argument. The Staff had only identified eight lots and he believed the Planning Commission had more important issues to address. Vice-Chair Thomas agreed.

Director Eddington reviewed the revised layout for the General Plan outlined on page 269 of the Staff report. The revised layout would make the General Plan an easier document to reference. Commissioner Wintzer requested that the Staff conduct a session for the Commissioners on how to use the General Plan. It would strictly be a learning session and not a policy discussion. Two or three short sessions could be scheduled in the Planning Department to make sure they did not have a quorum.

Commissioner Hontz suggested that the introduction include instructions on how to use the General Plan. Director Eddington stated that there would be instructions on how to use the document. He noted that the Executive Summary section talks about a short stand alone executive summary which would outline what the General Plan is, how to use it, what it contains, the core values and the primary goals and strategies. He asked if the Planning Commission favored that idea or whether they preferred a more detailed introduction.

Vice-Chair Thomas preferred a more detailed introduction and one book instead of two. Commissioner Wintzer could see problems with people only reading the small book and claiming that they did not know there was a more detailed document. However, he recognized that printing the large book was a significant cost for someone who only wanted a summary of what the town is like. Director Eddington believed that the majority of people would use the electronic version online because it would be hyperlinked with definitions. If someone only wanted a specific section, they would not have to print the entire document. Director Eddington summarized that the preference was for a detailed introduction and only one book.

The Commissioners discussed the General Plan schedule. City Attorney Harrington stated that they could choose one liaison or rotate Commissioners. The Commissioners favored the suggestion to rotate. Commissioner Gross reiterated his earlier offer to be the interim liaison and offered to take the first two weeks. As the Commissioners read through the redlined version they should email their comments to the assigned liaison.

The Commissioners set the following schedule for the remaining meetings:

Steward Gross – Small Town – 9/11
Nann Worel – Sense of Community – 9/25
Adam Strachan – Natural Setting – 10/9
Charlie Wintzer – Historic Character – 10/23
Jack Thomas &
Brooke Hontz - Neighborhoods – 11/6

Vice-Chair Thomas called for public input.

Mary Wintzer disclosed that she was married to Commissioner Charlie Wintzer. Ms. Wintzer stated that her comments were only an observation, but it related to what Commissioner Hontz's read earlier about what was said during Visioning. Ms. Wintzer noted that she had attended every

meeting starting with the first meeting with Charles Buki. At that time Mr. Buki commended them and said how more people than ever before had attended Visioning. After a series of meeting over a period of several months, at the final meeting with Mr. Buki he presented stark flashing numbers without pretty pictures. If that was done as a scare tactic she recalled the feeling in the room and how the mood became somber. Ms. Wintzer believed the Mayor's finest hour was when he said he would take it with a grain of salt. Ms. Wintzer stated that from the time of that meeting they have gone away from and were negating the very first meeting where people said what they wanted Park City to be. People were very concerned about changing the lifestyle that they had come to Park City for or what they expected to be able to have. When they talk about loading density they would destroy the happiness of people and why they came to Park City. Loading people on top of load is great if you live in Virginia like Mr. Buki, because people are used to that, but they are not used to it in Park City. She was very concerned about the movement towards density. Ms. Wintzer understood that Mr. Buki had convinced the Planning Department and others to take that direction, but it was totally opposite from what the citizens asked for during Visioning.

Hope Melville recognized that the Planning Commission has a difficult job putting this all together in a usable document. However, she was surprised that Goal 1 was increasing density because it was totally opposite from the four goals of small town, community, and keeping Park City Park City. She could not understand how they could possibly say that the goal is to increase density in Park City and she was very concerned if that was the direction of the new General Plan.

Ruth Meintsma was bewildered by the process. She agreed with Ms. Melville on the difficulty of putting it into one document. Ms. Meintsma understood the density because Mr. Buki was actually talking about making housing and living in Park City available to a group of people that is it not available to currently. She believed that was what the density issue was trying to address. Ms. Meintsma remarked that density is a scary word, but affordability to middle income people is also important.

The Work Session was adjourned.

REGULAR AGENDA

Planning Commission Staff Report



Author: Anya Grahn, Historic Preservation Planner
Subject: 1255 Park Avenue – Park City Library
Project Number: PL-13-01992
Date: September 25, 2013
Type of Item: Administrative –Pre-Master Planned Development (MPD) Application

Summary

Staff recommends that the Planning Commission review the Park City Library Pre-Master Plan Development located at 1255 Park Avenue, hold a public hearing, and determine whether the concept plan and proposed use (or requested amendments) are in compliance with the Park City General Plan.

Topic

Applicant: Park City Municipal Corporation, represented by Matt Twombly and Jonathan Weidenhamer
Location: 1255 Park Avenue
Zoning: Recreation Commercial (RC)/Recreation and Open Space (ROS) Districts
Adjacent Land Use: Recreation Commercial (RC)/Recreation and Open Space (ROS), Historic Residential (HR-1), and Historic Residential-Medium Density (HRM) Districts
Reason for Review: MPD requires Planning Commission review and approval

Background

As outlined in the Background section of the MPD work session report starting on page 5 of this packet, previous Master Planned Developments (MPDs) were approved for this site in 1989 and 1992. The 1992 MPD, in particular, enabled the rehabilitation of the landmark Carl Winters School building to accommodate the Park City Library as well as additional leasable space. These leasable spaces now include the Park City Film Series, Pre-School, and Montessori School. Two (2) setback exceptions were approved along 12th Street and Norfolk Avenue, enabling the 1992 addition to create a further encroachment as well. The 1992 MPD also reduced the necessary number of parking spaces as part of the approved 1992 Conditional Use Permit (CUP).

Changes to an MPD, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and Development Agreement by the Planning Commission. When the modifications are determined to be substantive, the project will be required to go through the MPD-Application public hearing and determination of compliance. The pre-MPD process provides an early opportunity for public comment on the proposal prior to

completion of final drawings by the applicant.

Staff finds that a Pre-MPD Application is necessary for this project. The library will be expanded by approximately 2,400 square feet in order to meet the demands of a twenty-first century library. These demands include a café as well as other meeting and conference rooms. A new terrace will also be created on the north elevation of the structure, adjacent to the park. In addition to these community gathering spaces, the library will temporarily house the Park City Senior Center. The increased density on the site as well as the modifications to the 1992 MPD in terms of uses are substantial, and staff finds that a Pre-MPD application is necessary in order to amend the existing MPD.

This is an application for a Pre-Master Planned Development (MPD) as defined in 15-6-4(B). The objective of a pre-application meeting is to determine whether the concept plan and proposed use (or requested amendments) are in compliance with the Park City General Plan. This finding of compliance is made prior to the applicant submitting a complete Master Planned Development application. As stated in the Land Management Code Section 15-6-4 (B):

“At the pre-Application public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development (or amendments, in this case). This preliminary review will focus on General Plan and zoning compliance for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.

The Planning Commission shall review the preliminary information for compliance with the General Plan and will make a finding that the project complies with the General Plan. Such finding is to be made prior to the Applicant filing a formal MPD Application. If no such finding can be made, the applicant must submit a modified application or the General Plan would have to be modified prior to formal acceptance and processing of the Application.”

Due to the current building exceeding its useful life and the need to accommodate the expanding needs of the library and community, the applicant is proposing renovating the existing building and putting on a new addition to the historic Carl Winters School. A new 2,400 square foot addition to the north elevation of the library is proposed, as well as significant changes to the existing 1992 addition in order to create a comprehensive design. The new addition will provide additional space for the expanding Park City Library. Within the existing structure, the third floor will be remodeled as a temporary home for the Senior Center while still accommodating the Montessori Pre-School and Park City Film Series. In an effort to meet the growing demands for a twenty-first century library, the architects propose to also create a café within the new addition as well as a vehicular book drop adjacent to the loading area off of Norfolk Avenue. The addition is described in more detail below.

In addition to this MPD amendment, the applicants will also be asking for a plat

amendment to remove lot lines in order to renovate the site as well as a Conditional Use Permit (CUP) for the proposed café. The plat amendment is intended to create a single lot of record. The building currently sits on the metes and bounds parcel SA-72S and the field and parking lot lie across five (5) adjacent City-owned metes and bounds parcels. A portion of the platted (un-vacated) Woodside Avenue remains on parcel SA-72X. The applicant will be petitioning for a street vacation of this portion of Woodside Avenue at a later date as well.

Analysis

A. Zoning.

Relevant purpose statements of the RC-Recreation Commercial District are:

- (A) Allow for the Development of hotel and convention accommodations in close proximity to major recreation facilities,
- (B) Allow for resort-related transient housing with appropriate supporting commercial and service activities,
- (C) Encourage the clustering of Development to preserve Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of construction and municipal services,
- (D) Limit new Development on visible hillsides and sensitive view Areas,
- (E) Provide opportunities for variation in architectural design and housing types,
- (F) Promote pedestrian connections within Developments and to adjacent Areas,
- (G) Minimize architectural impacts of the automobile,
- (H) Promote the Development of Buildings with designs that reflect traditional Park City architectural patterns, character, and Site design,
- (I) Promote Park City’s mountain and Historic character by designing projects that relate to the mining and Historic architectural heritage of the City, and
- (J) Promote the preservation and rehabilitation of Historic Buildings.

As previously outlined in the Work Session report on pages 5 through 13 of this packet, the following conditions exist or are proposed on the site:

	Code Requirement	Existing	Proposed
Setbacks	MPDs require 25’ around the perimeter of the site. May be reduced to zone or adjacent zone setbacks.		
Front (Park Ave)	15 feet	225 feet	225 feet
North Side	10 feet	397 feet	360 feet
South Side	10 feet	0 feet Legal non-complying	0 feet Legal non-complying
Rear (Norfolk Ave)	15 feet	0’ (1992 MPD approved)	15’ for new addition only
Height	35 feet (3 stories)	35 feet (3 stories)	Less than 35 feet (2

			stories)
Open Space	60% open space	114,100 SF (73%)	111,700 SF (71%)
Parking	204 spaces	98 spaces (as approved by 1992 MPD)	88 spaces

As noted in the work session report, the applicant is requesting the Planning Commission to approve a reduced setback of fifteen feet (15') for the new addition along Norfolk Avenue. Though the Library currently supports 98 parking spaces on site, the applicant is proposing a parking reduction of eleven (11) parking spaces in order to accommodate an improved entry sequence between the Park Avenue bus stop and the Library entrance. The applicant intends to continue to utilize the additional seventy-two (72) parking spaces at Mawhinney Parking, directly east of the Library, as overflow parking.

B. Initial Compliance with General Plan

The objective of a pre-application public hearing and meeting is to determine whether the concept plan and proposed use (*or requested amendments to those*) are in compliance with the Park City General Plan. Therefore, you are being asked if this project addresses the goals of the General Plan. The primary goals of the General Plan related to the redevelopment of the Lower Park Avenue Neighborhood Plan include:

Goal 1: Preserve the mountain resort and historic character of Park City

The proposal to expand the Library will be modest in scale and ensure the continued use of the historic Landmark Carl Winters School. The new structure will complement the existing historic building, complying with the Design Guidelines for Historic Sites.

Goal 3: Maintain the high quality of public services and facilities.

The City will continue to provide excellence in public services and community facilities by providing additional space for the transformation of the Park City Library into a twenty-first century library and community center. In addition to improving the quality of the spaces within the structure that are utilized by the Park City Film Series and Montessori School, a new café, and vehicle-accessible book drop-off will also be provided in accordance with the Library's goals of becoming a twenty-first century library.

Goal 5: Maintain the unique identity and character of an historic community.

Careful consideration will continue to be made in regards to the historic Carl Winters Library. The rehabilitation of the structure and the new addition will maintain the health and use of the site as a community center and library. Moreover, the new addition must comply with the Design Guidelines and be simple in design, modest in scale and height, and have simple features reflective of our Mining Era architecture and complementary to the formality of the existing historic structure.

Goal 10: Develop an integrated transportation system to meet the needs of our visitors and residents.

In the previous MPD, careful consideration was paid to developing an appropriate parking plan. Given the uses of the structure, limited parking is necessary to complement the needs of the library, Montessori school, and Park City Film Series. The complementary uses of the structure ensure shared parking that limits the number of parking spaces required. Additionally, over flow parking is provided at Mawhinney Parking. The existing parking lot does not dominate or overpower the character of the site, nor detract for the historic character of the site and Lower Park Avenue neighborhood.

The reduction of eleven (11) parking spaces will permit an improved pedestrian entrance sequence between the Park Avenue bus stop and the entrance to the Library. This improved entry sequence will encourage greater use of public transit, walkability, and biking to the library. The project is on the bus line and within walking distance of Main Street.

The project is also consistent with the goals of the new General Plan, as outlined below:

Goal 1. Park City will grow inward, strengthening existing neighborhoods while protecting undeveloped land representative of the community's core values from future development.

Rather than build a new modern library on a vacant parcel of land, the City has committed to continue using the historic Carl Winters School building. Retaining the location of the Park City Library downtown and in the Lower Park Avenue neighborhood supports our goal of growing inward and strengthening the existing neighborhood. At the same time, it protects undeveloped land that could have accommodated the library at the fringe of the city.

Goal 3. Public transit, biking, and walking will be a larger percentage of residents' and visitors' utilized mode of transportation.

The proposed design continues to encourage accessibility of the site by public transit and pedestrian travel. In addition to the existing sidewalks along Park Avenue and 12th Street, the proposed pedestrian walkway between the Park Avenue bus stop and Library entrance will enhance walkability, biking, and the use of public transit.

Goal 9. Park City shall continue to provide unparalleled parks and recreation opportunities for residents.

The preservation of open space and introduction of a paved patio along the north elevation of the new addition will encourage greater use of the site's park and recreational space.

Goal 10. Park City shall provide world-class recreation and public infrastructure to host local, regional, national, and international events thus furthering Park City's role as a world-class, multi-seasonal destination resort community.

The improvements made to the Library site will improve the quality of space at the library, which is utilized annually during the Sundance Film Festival. Moreover, such improvements will enhance the marketability of the site and its future ability to host local, regional, national, and international events and thus promote the City's role as a world-class, multi-seasonal destination resort community.

Goal 15. Preserve the integrity, scale, and historic fabric of the locally designated historic resources and districts for future generations.

The rehabilitation and continued use of the Carl Winters School preserves the integrity, scale, and historic fabric of the landmark structure. The proposed addition will be subordinate to the historic building as well as meet the Design Guidelines. Every effort will be taken to ensure that the building retains its eligibility to the National Register of Historic Places.

Lower Park Avenue Neighborhood Plan

As outlined in the new drafted General Plan, the Lower Park Avenue Neighborhood will be the resort center of the downtown area. As previously described, the improved entry sequence will improve pedestrian connectivity between local civic buildings and public gathering areas coupled with public transportation opportunities. Furthermore, public investment in historic sites, public buildings, and public gathering areas as this site proposes, will ensure best use for increased return on community (ROC).

The Lower Park Avenue Neighborhood Plan, in particular, asserts that the Library Center and surrounding green space provide opportunities for enhanced civic and event functions without compromising the existing community park and gathering spaces. The addition to the library and new café will improve the quality of life for residents in this neighborhood and add to the resort appeal of the Library center. Finally, the LoPA Plan considers additional uses for the Library Center that enhance rather than detract from the civic and park characteristics the community currently enjoys at the site. The temporary relocation of the Senior Center to this parcel and rehabilitation of the Library's third floor, are both examples of projects that could be accomplished without compromising the existing attributes of the Library Center and green space. This parcel is also showcased during events such as the Sundance Film Festival. Events such as these provide opportunities to demonstrate Park City's commitment to historic preservation, education, building community and sustainability.

Departmental Review

The MPD pre-application request was discussed at the Development Review Committee where representatives from local utilities and City Staff were in attendance. Numerous items with the concept were discussed, including building structure, height reeducation, the location of the new addition, and proposed interior uses.

Notice

Notice of the Master Planned Development pre-application was provided to the public in the form of published notification, an on-site sign, and a letter mailed to property owners within 300 feet of the site fourteen days in advance of the Planning Commission

meeting.

Public Input

No comments have been received by staff at the date of this writing.

Alternatives

1. The Planning Commission may find that the project initially complies with the General Plan; or
2. The Planning Commission may find that the project does not initially comply with the General Plan, and direct the applicant to make modifications; or
3. The Planning Commission may continue to discuss whether or not the project initially complies with the General Plan.

Significant Impacts

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

Consequences of not taking action on the suggested recommendation

The applicant will have to revise the current application.

Future Process

If the Planning Commission finds compliance with the General Plan, the applicant may submit a Master Planned Development application. The MPD application will address the items discussed at this pre-MPD public hearing. The applicant may submit an application for a Conditional Use Permit (CUP) for any uses that require a CUP such as the cafe, concurrent with the MPD application. An approval of this pre-application is the first step in the MPD process and focuses on General Plan and zoning compliance for the proposed MPD. Further public input is required with the MPD and CUP applications and public hearings will be scheduled. In addition the applicant will return to the Planning commission for a plat amendment as well as vacation of the Woodside Avenue right-of-way, which exists within the Library parking lot.

Recommendation

Staff recommends the Planning Commission discuss the findings, amend them as necessary, and ratify the findings for the pre-application initial compliance with the General Plan for a Master Planned Development.

Findings of Fact

1. The property is located at 1255 Park Avenue in the Recreation Commercial (RC) District.
2. The Planning Department received a plat amendment application on June 14, 2013, in order to combine the north half of Lot 5, all of Lots 6 through 12, the south half of Lot 13 and all of Lots 23 through 44 of Block 6 of the Snyders Addition as well as Lots 1 through 44 of Block 7 and the vacated Woodside Avenue. Upon recordation of the plat, this property will be known as the Carl Winters School Subdivision, and is 3.56 acres in size.
3. There is a Master Planned Development from 1992 for the property; however, the

changes purposed to the concept and density justify review of the entire master plan and development agreement by the Planning Commission. The library will be expanded by approximately 2,400 square feet in order to meet the demands of a twenty-first century library. These demands include a café as well as other meeting and conference rooms. A new terrace will also be created on the north elevation of the structure, adjacent to the park. In addition to these community gathering spaces, the library will temporarily house the Park City Senior Center.

4. The applicant submitted a pre-MPD application on July 19, 2013; the application was deemed complete on August 16, 2013.
5. The Park City Library contains approximately 48,721 square feet and was originally approved through two (2) MPDs in 1990 and 1992, as well as a Conditional Use Permit in 1992 to permit a Public and Quasi-Public Institution, the library. An amendment to the Conditional Use Permit will be processed concurrently with the Master Planned Development.
6. Access is from Park Avenue, with a secondary entrance along 12th Street.
7. A finding of compliance with the General Plan is required prior to submittal of applications for the Master Planned Development and Conditional Use Permit. Compliance with applicable criteria outlined in the Land Management Code, including the RC District and the Master Planned Development requirement (LMC-Chapter 6) is necessary prior to approval of the Master Planned Development.
8. Planning Commission action for General Plan compliance does not constitute approval of a Conditional Use Permit or Master Planned Development. Final site plan and building design are part of the Conditional Use Permit and Master Planned Development review. General Plan compliance allows an applicant to submit a formal MPD application for Planning Commission review.
9. Staff finds that the proposal complies with Goal 1 of the General Plan in that it preserves the mountain resort and historic character of Park City. The proposal to expand the Library will be modest in scale and ensure the continued use of the historic Landmark Carl Winters School. The new structure will complement the existing historic building, complying with the Design Guidelines for Historic Sites.
10. Staff finds that the proposal complies with Goal 3 of the General Plan in that it maintains the high quality of public services and facilities. The City will continue to provide excellence in public services and community facilities by providing additional space for the transformation of the Park City Library into a twenty-first century library and community center.
11. Staff finds that the proposal complies with Goal 5 of the General Plan in that it maintains the unique identity and character of an historic community. The rehabilitation of the structure and the new addition will maintain the health and use of the site as a community center and library. Moreover, the new addition must comply with the Design Guidelines and be simple in design, modest in scale and height, and have simple features reflective of our Mining Era architecture and complementary to the formality of the existing historic structure.
12. Staff finds that the proposal complies with Goal 10 of the General Plan in that it supports the existing integrated transportation system to meet the needs of our visitors and residents. The improved entry sequence will encourage greater use of

public transit, walkability, and biking to the library. The project is on the bus line and within walking distance of Main Street.

13. Staff finds that the proposal also complies with the proposed goals of the drafted 2013 General Plan in that the proposal encourages Park City to grow inward, strengthening existing neighborhoods while protecting undeveloped land. It also encourages greater use of public transit, biking, and walking will be a larger percentage of residents' and visitors' utilized mode of transportation. Moreover, it will enable Park City to continue providing unparalleled parks and recreation opportunities for residents as well as world-class recreation and public infrastructure to help further Park City's role as a world-class, multi-seasonal destination resort community. Finally, the project seeks to preserve the integrity, scale, and historic fabric of the locally designated historic resources and districts for future generations.
14. The discussion in the Analysis section is incorporated herein.

Conclusions of Law

1. The pre-application submittal complies with the Land Management Code, Section 15-6-4(B) Pre-Application Public Meeting and Determination of Compliance.
2. The proposed Master Planned Development concept initially complies with the Park City General Plan.

Exhibits

Please see Exhibits on pages 14 through 39 of the work session report.

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Second Amended Stag Lodge
Phase IV condominium plat for Unit
52 located at 8200 Royal Street East

Authors: Kirsten A Whetstone, AICP Senior Planner
Christy J. Alexander, Planner

Date: September 25, 2013

Type of Item: Administrative – Condominium Record of Survey Amendment

Project Numbers: PL-13-02025

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing, consider input and consider forwarding a positive recommendation to City Council on the Second Amended Stag Lodge Phase IV amended condominium plat for Unit 52 based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Topic

Applicant: Bruce Baird, representative of owner and HOA

Location: 8200 Royal Street East

Zoning: Estate (E) as part of the Deer Valley MPD

Adjacent Land Uses: Stag Lodge Condominium units, ski terrain of Deer Valley Resort, single family homes.

Reason for Review: Plat amendments require Planning Commission review and recommendation to City Council for final action.

Proposal

This is an application to amend the existing Stag Lodge Phase IV record of survey plat for Unit 52. This unit is a detached, single family unit. The amendment is a request to identify additional basement and sub-basement areas for these units as private area. This area is currently common area because it isn't designated as either private or limited common on the plats. This additional basement area exists and is located within the existing building footprint. . If approved, the private area of Unit 52 increases by 1,718 sf. The footprint of the Unit will not change and no additional parking is required.

Background

On August 16, 2013, the City received a complete application for an amended record of survey for the Stag Lodge Phase IV condominiums. The applicant seeks to amend the plat to identify additional basement areas as private area for Unit 52, and will allow the owner to finish the basement area for private living space. The lower level basement area will have a walkout to the exterior finished grade.

Stag Lodge Phase IV First Amended plat was approved by City Council on March 5, 1992 and recorded at Summit County on July 30, 1992. Stag Lodge Phase IV plat, consisting of Units 44, 45, 46, 50, 51 & 52, was first amended on June 6, 2002 and recorded at the County on January 22, 2003. The first amendment added private area

to Units 45, 46, 50, 51, & 52 and increased them to 3,180 sf.

Stag Lodge is subject to the 11th Amended Deer Valley Master Plan Development (DVMPD) that allows 52 units for Stag Lodge. There are 52 existing Stag Lodge units and the proposed amendments do not create additional units. Within the DVMPD, a developer can utilize either the City’s Unit Equivalent (UE) formula of 2,000 square feet per or develop the allowed number of units without a stipulated unit size.

In the case of Stag Lodge the developer utilized the number of units with no size restriction. The Stag Lodge Condominium project consists of 52 units ranging in size from 2,213 sf to 4,921 sf. Unit 52 is currently platted as 3,180 sf. If approved, the private basement area of Unit 52 increases by 1,718 sf. Approval of the basement area as private area would increase Unit 52 to 4,898 sf.

The proposed amendment does not change the number of units. Exterior changes include adding natural stone veneer, French doors, and windows to the exposed foundation wall beneath the decks. The parking requirement for this unit is 2 spaces. The unit has an attached two car garage No additional parking is required.

Unit 52 was constructed in 1985. At the time of initial construction, the subject basement areas included partially excavated, unfinished crawl space, with unpaved floors. On August 30, 2013 the applicant submitted a building permit to complete the excavation and finish the basement, including adding exterior doors and windows to the walk out portion of the basement.

Analysis

The zoning for Unit 52 within the Deer Valley MPD is Estate (E). The area was not part of the original Deer Valley MPD that was zoned RD-MPD during the approval of that Master Planned Development. The Estate area of Stag Lodge was included in the Deer Valley MPD during the approval process for the Stag Lodge Condominiums. The property is subject to the following criteria:

	Permitted through MPD/CUP	Proposed
Height	28’-35’	No changes are proposed.
Setbacks	Per the record of survey plat.	No changes are proposed.
Units/ UE	52 units	No change proposed to the allowed number of units.
Parking	2 spaces for Unit 52	2 spaces for Unit 52. No changes are proposed

Good Cause

Staff finds good cause for this amended record of survey to reflect the as-built conditions and allow the owner to utilize basement area as private living area without increasing the building footprint or parking requirements, consistent with provisions of the Deer Valley MPD.

Department Review

This project has gone through an interdepartmental review on August 27, 2013, and no issues were raised pertaining to the requested plat amendments.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

Public Input

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

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The Planning Commission may recommend that the City Council approve the Second Amended Stag Lodge Phase IV record of survey plat for Unit 52 as conditioned or amended, or
- The Planning Commission may recommend that the City Council deny the plat amendment application and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion and provide Staff and the Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. Water and sewer impact fees, and other fees associated with increased floor area, are evaluated during the building permit process and collected prior to issuance of any building permits.

Consequences of not taking the Suggested Recommendation

The additional basement areas will not be identified as private areas and will remain as common area. This area will not be considered to be part of Unit 52 for the exclusive use of Unit 52.

Recommendation

Staff recommends the Planning Commission conduct a public hearing, consider input and consider forwarding a positive recommendation to City Council on the Second Amended Stag Lodge Phase IV plat for Unit 52 based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Exhibits

Ordinance

Exhibit A- Amended plat

Exhibit B- Existing plats for Unit 52

Exhibit C- Elevations and photos

Ordinance No. 13-

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE STAG LODGE PHASE IV CONDOMINIUMS FOR UNIT 52, LOCATED AT 8200 ROYAL STREET EAST, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Stag Lodge Phase IV condominium Unit 52, has petitioned the City Council for approval of a request for an amendment to the record of survey plat to designate additional basement area as private area; and

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

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

WHEREAS, the Planning Commission, on September 25, 2013, held a public hearing to receive input on the amended record of survey plat;

WHEREAS, the Planning Commission, on September 25, 2013, forwarded a recommendation to the City Council; and,

WHEREAS, on October ____, 2013, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amended Stag Lodge Phase IV record of survey plat for Unit 52 to reflect as-built conditions and allow the owner to utilize basement area as private living area without increasing the building footprint or parking requirements, consistent with provisions of the Deer Valley MPD, as amended (11th Amended MPD).

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 Amended Stag Lodge Phase IV condominium record of survey plat for Unit 52, 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 8200 Royal Street East, Unit 52.
2. The property is located within the Estate (E) zone and is subject to the Eleventh Amended Deer Valley MPD (DVMPD).
3. Within the DVMPD, a project can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per UE or develop the allowed number of units without a stipulated unit size.
4. The Deer Valley MPD allowed 50 units to be built at the Stag Lodge parcel in addition to the 2 units that existed prior to the Deer Valley MPD. A total of 52 units are allowed per the Eleventh Amended Deer Valley MPD and 52 units exist within

the Stag Lodge parcel. The Stag Lodge parcels are all included in the 11th Amended Deer Valley Master plan and are not developed using the LMC unit equivalent formula.

5. Stag Lodge Phase IV plat was approved by City Council on March 5, 1992 and recorded at Summit County on July 30, 1992. Stag Lodge Phase IV plat, consisting of Units 44, 45, 46, 50, 51, & 52, was first amended on June 6, 2002 and recorded at the County on January 22, 2003. The first amendment added private area to Units 45, 46, 50, 51, & 52 and increased them to 3,180 sf.
6. On August 16, 2013, a complete application was submitted to the Planning Department for an amendment to the Stag Lodge Phase IV record of survey plat for Unit 52.
7. The plat amendment identifies additional basement area for Unit 52 as private area for this unit. The area is currently considered common area because it is not designated as either private or limited common on the plats.
8. The additional basement area is located within the existing building footprint and crawl space area and there is no increase in the footprint for this building.
9. Unit 52 contains 3,180 sf of private area. If approved, the private area of Unit 52 increases by 1,718 sf. Approval of the basement area as private area would increase Unit 52 to 4,898 sf.
10. As a detached unit, the parking requirement is 2 spaces per unit. The unit has an attached two car garage. The plat amendment does not increase the parking requirements for this unit.
11. Unit 52 was constructed in 1985. Building permits were issued by the Building Department for the work. At the time of initial construction, the subject basement areas were partially excavated, unfinished crawl space, with unpaved floors.
12. The HOA voted unanimously for approval to convert common to private space
13. The findings in the analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this amendment to the record of survey.
2. The amended record of survey plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended record of survey plat is consistent with the 11th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed record of survey amendment.
5. Approval of the record of survey amendment, subject to the conditions of approval, will 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 record of survey plat for compliance with State law, the Land Management Code, the recorded plats, and the conditions of approval, prior to recordation of the amended plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. All conditions of approval of the Stag Lodge Condominium record of survey plats as amended shall continue to apply.
4. The plat shall be recorded at Summit County as a condition precedent to issuance of certificates of occupancy for the interior basement finish work.

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

PASSED AND ADOPTED this ___ day of ____, 2013.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

City Recorder's Office

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor of the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original as recorded in my office.

LEGAL DESCRIPTION
The above described premises are situated in the County of Summit, State of Utah, and are more particularly described as follows:

Second Amended Record of Survey Map of Stag Lodge Phase IV Unit 52, a Utah Condominium Project, located in Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Park City, Summit County, Utah.

ASSOCIATION CONSENT AND CONSENT TO RECORD

I, the undersigned, being the duly authorized representative of the Association of Stag Lodge Phase IV Unit 52, do hereby consent to the recording of the foregoing map.

ACKNOWLEDGMENT

I, the undersigned, being the duly authorized representative of the Association of Stag Lodge Phase IV Unit 52, do hereby acknowledge the foregoing map.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being the owner of the above described premises, do hereby declare that I am the owner of the same and do hereby consent to the recording of the foregoing map.

ACKNOWLEDGMENT

I, the undersigned, being the owner of the above described premises, do hereby acknowledge the foregoing map.

SECOND AMENDED RECORD OF SURVEY MAP
STAG LODGE PHASE IV UNIT 52

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH. SHEET 2 OF 2

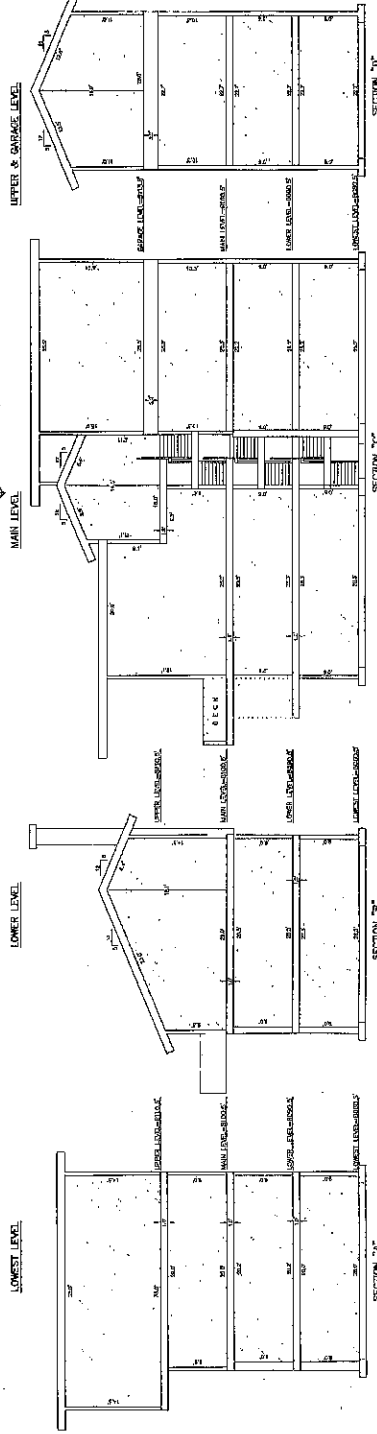
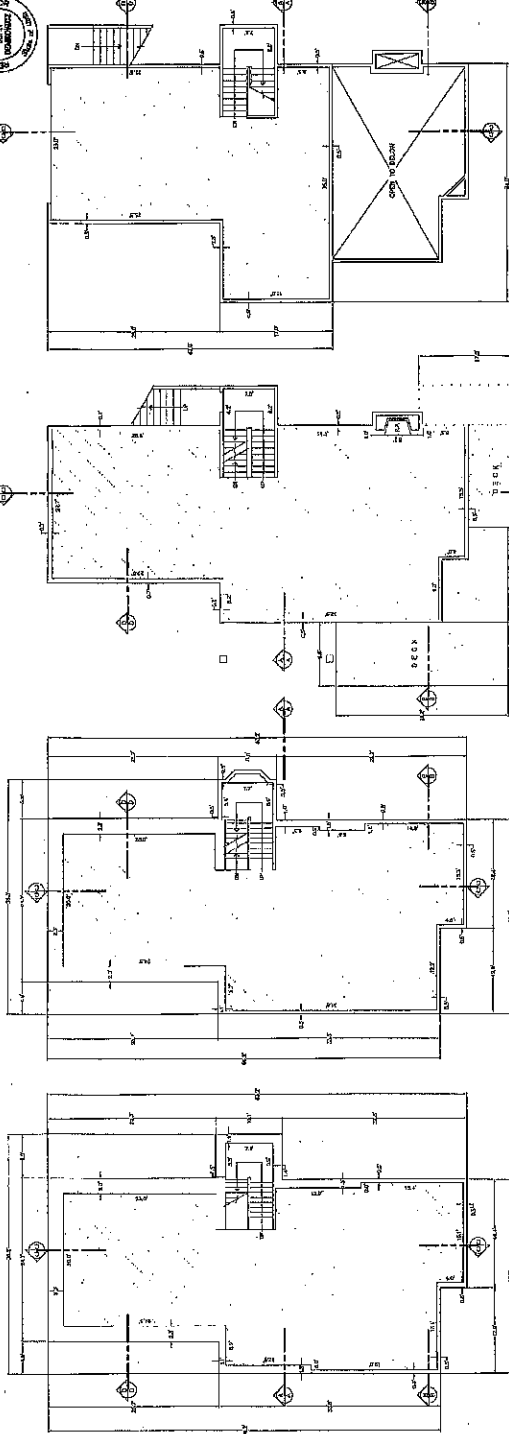


TABLE: FLOOR AREA TABLE. Lists lowest, lower, main, upper, and total square feet for various areas.

TABLE: OWNERSHIP DESIGNATIONS. Lists names and ownership percentages for various units.

TABLE: NOTES. A list of technical notes and specifications for the project.

Approval and signature blocks for various stakeholders: Planning Commission, Engineer's Certificate, Park City Engineer, Park City Attorney, Park City Recorder, Council Approval and Acceptance, and State of Utah. Includes dates and signatures.

SURVEYOR'S CERTIFICATE
 I, **Michael J. Smith**, Surveyor, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on **12/31/2013**.

LEGAL DESCRIPTION
 The above described plat was prepared by me or under my direct supervision and that I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on 12/31/2013. I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on 12/31/2013.

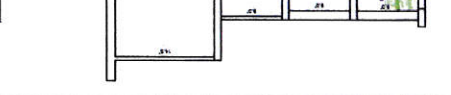
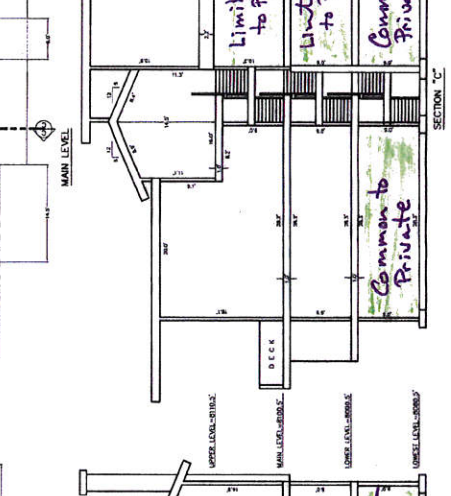
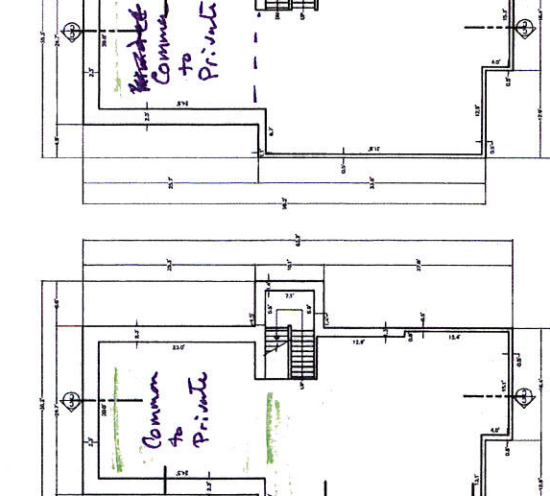
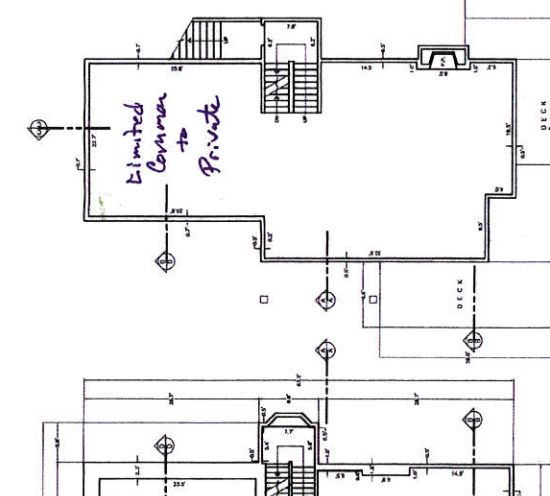
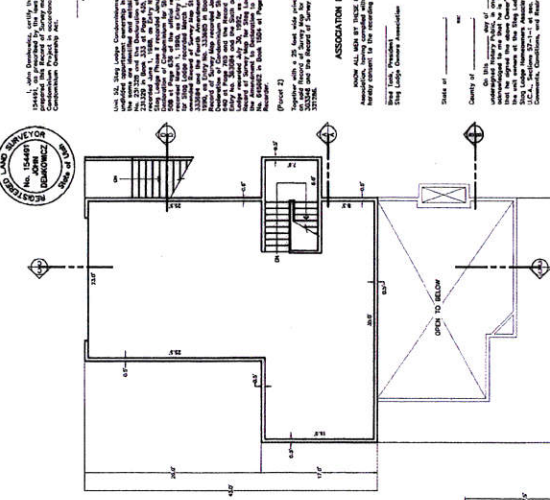
ASSOCIATION DEDICATION AND CONSENT TO RECORD
 I, the undersigned, hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on 12/31/2013.

ACKNOWLEDGMENT
 I, the undersigned, hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on 12/31/2013.

OWNER'S DEDICATION AND CONSENT TO RECORD
 I, the undersigned, hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on 12/31/2013.

ACKNOWLEDGMENT
 I, the undersigned, hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed and bonded Surveyor in the State of Utah. My commission expires on 12/31/2013.

SECOND AMENDED RECORD OF SURVEY MAP
STAG LODGE RECEIVED
PHASE IV AUG 12 2013
UNIT 52
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECAUNT LAKE BASE & MERRIDIAN PARK CITY, SUMMIT COUNTY, UTAH
 SHEET 2 OF 2



FLOOR AREA TABLE

LOWEST LEVEL	1,069 SQ. FT.
LOWER LEVEL	1,037 SQ. FT.
MAIN LEVEL	1,037 SQ. FT.
UPPER LEVEL	627 SQ. FT.
TOTAL SQ. FT.	4,008 SQ. FT.

NOTES
 1. Interior dimensions shown are to deck surfaces.
 2. All structural elements are depicted as common areas.
 3. All physical features are incorporated as shown or depicted as common areas.
 4. Refer to Description of Condominium for complete description of ownership.
 5. Dimensions are shown on all units.
 6. Refer to the City of Park City for rules and regulations.
 7. Refer to the City of Park City for rules and regulations.

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY THE PARK CITY COUNCIL THIS DAY OF 2013 A.D.

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF 2013 A.D.

APPROVED BY THE PARK CITY PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF 2013 A.D.

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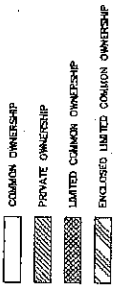
APPROVED BY THE PARK CITY PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF 2013 A.D.

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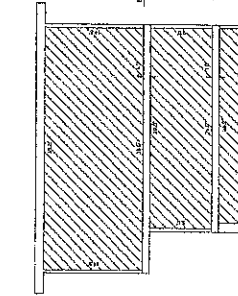
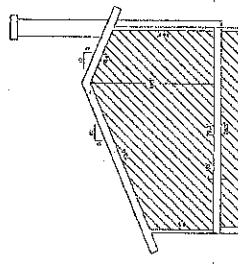
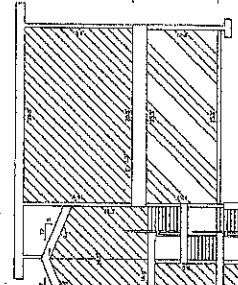
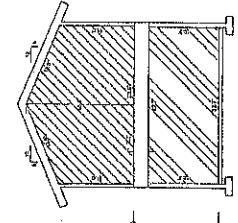
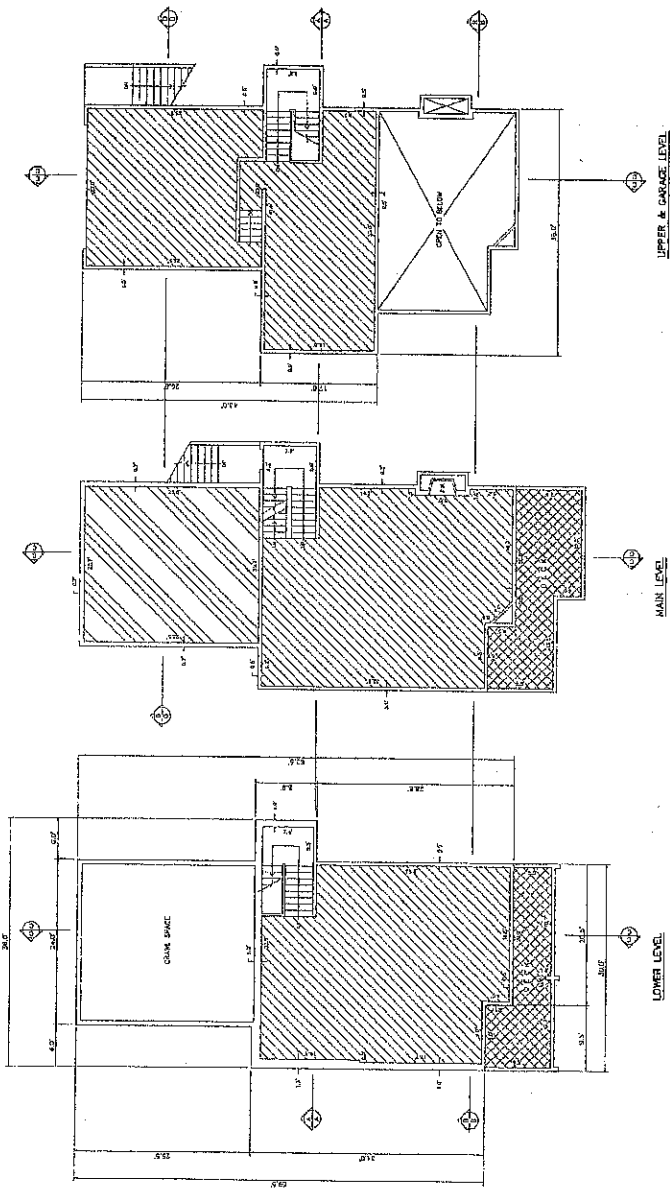
EXHIBIT B

- NOTES:**
1. Plans and elevations shown on this sheet originate from the Architectural Drawings prepared by Richard D. Cole and Associates.
 2. Interior dimensions shown are to finished surfaces.
 3. All structural elements are designated as common area.
 4. All physical features and improvements not shown are designated as common area.
 5. Refer to Description of Condominiums for complete description of ownership.
 6. **BENCHMARK:** See Sheet 1 of 2 for location and elevation.



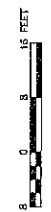
FLOOR AREA / FLOOR ELEVATION TABLE

	UNIT 44	UNIT 45	UNIT 46	UNIT 47	UNIT 48	UNIT 49	UNIT 50	UNIT 51	UNIT 52
LOWER LEVEL	8143.1'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'
MAIN LEVEL	1021 S.F.	1021 S.F.	1021 S.F.	1021 S.F.	1021 S.F.	1021 S.F.	1021 S.F.	1021 S.F.	1021 S.F.
UPPER LEVEL	8143.1'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'
GARAGE LEVEL	8143.1'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'	8149.0'
TOTAL SQ. FT.	2998 S.F.	2998 S.F.	2998 S.F.	2998 S.F.	2998 S.F.	2998 S.F.	2998 S.F.	2998 S.F.	2998 S.F.



STAG LODGE PHASE IV

RECORD OF SURVEY MAP OF
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE OFFICE OF THE CLERK OF THE DISTRICT COURT
SALT LAKE COUNTY, UTAH
DATE 02-28-2013 TIME 09:58:00 AM PAGE 17
BY: [Signature] RECORDER



UNITS 44, 45, 46, 50, 51, & 52

UNITS 45, 46, 50, 51, & 52

STAG LODGE PHASE IV

FIRST AMENDED RECORD OF SURVEY MAP

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 23
TOWNSHIP 2 SOUTH, RANGE 4 EAST
PARK CITY, SUMMIT COUNTY, UTAH

SHEET NO. 57-01 (SEE ATTACHED RECORD MAPS)
645525

DATE 12-23-2011

BY: [Signature] RECORDOR

DATE 12-23-2011

BY: [Signature] RECORDOR

DATE 12-23-2011

BY: [Signature] RECORDOR

OWNER'S CERTIFICATE

I, the undersigned, being the owner of the above described property, do hereby certify that the information herein is true and correct to the best of my knowledge and belief.

[Signature]
OWNER

OWNER'S DELIGATION AND CONSENT TO RECORD

I, the undersigned, do hereby authorize the recording of the above described map and the information contained therein, and I consent to the recording of the same.

[Signature]
OWNER

ACKNOWLEDGMENT

I, the undersigned, do hereby acknowledge the recording of the above described map and the information contained therein, and I consent to the recording of the same.

[Signature]
OWNER

ENGINEER'S CERTIFICATE

I, the undersigned, being a duly licensed Professional Engineer in the State of Utah, do hereby certify that the information herein is true and correct to the best of my knowledge and belief.

[Signature]
ENGINEER

PLANNING COMMISSION APPROVAL

I, the undersigned, being a member of the Park City Planning Commission, do hereby approve the recording of the above described map and the information contained therein, and I consent to the recording of the same.

[Signature]
PLANNING COMMISSION MEMBER

APPROVAL AS TO FORM

I, the undersigned, being a duly licensed Professional Engineer in the State of Utah, do hereby certify that the information herein is true and correct to the best of my knowledge and belief.

[Signature]
ENGINEER

CERTIFICATE OF ATTEST

I, the undersigned, being a duly licensed Professional Engineer in the State of Utah, do hereby certify that the information herein is true and correct to the best of my knowledge and belief.

[Signature]
ENGINEER

COUNCIL APPROVAL AND ACCEPTANCE

I, the undersigned, being a member of the Park City Council, do hereby approve the recording of the above described map and the information contained therein, and I consent to the recording of the same.

[Signature]
COUNCIL MEMBER

UNIT	FLOOR AREA	FLOOR ELEVATION	SEA LEVEL ELEVATION
UNIT 45	3,157 SQ. FT.	8,100.00 FT.	8,100.00 FT.
UNIT 46	3,157 SQ. FT.	8,100.00 FT.	8,100.00 FT.
UNIT 50	3,157 SQ. FT.	8,100.00 FT.	8,100.00 FT.
UNIT 51	3,157 SQ. FT.	8,100.00 FT.	8,100.00 FT.
UNIT 52	3,157 SQ. FT.	8,100.00 FT.	8,100.00 FT.
TOTAL	15,785 SQ. FT.	8,100.00 FT.	8,100.00 FT.

NOTES:

- INTENDING CONDOMINIUM BUYERS ARE TO FINISH SURFACES.
- ALL STRUCTURAL ELEMENTS ARE IDENTIFIED AS COMMON AREAS.
- ALL COMMON AREAS ARE IDENTIFIED AS COMMON AREAS.
- REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF COMMONS.
- REMARKS: SEE SHEET 1 FOR LOCATION AND ELEVATION.

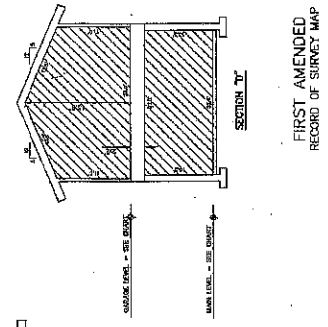
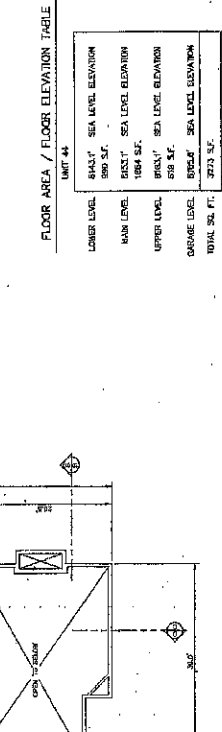
NOTES:

1. This Amended Record of Survey Map is an Amendment of the First Amended Record of Survey Map for Stag Lodge Phase IV, Unit 44, recorded on July 20, 1992, at Public Records in the Summit County Clerk's Office, and is subject to the same terms and conditions as the original map.
2. All other conditions of record of the Stag Lodge Condominium project continue to apply.
3. Should it become necessary to amend this Amended Record of Survey Map, the same shall be done by a duly qualified professional engineer or architect, and the amended map shall be recorded in the Summit County Clerk's Office, and the original map shall be annotated with such amendments, and the amended map shall be subject to the same terms and conditions as the original map.
4. The dimensions of the private spaces and access (driveways) are based on the Record of Survey Map of Stag Lodge Phase IV, Unit 44, recorded on July 20, 1992, at Public Records in the Summit County Clerk's Office, and the original map shall be annotated with such amendments, and the amended map shall be subject to the same terms and conditions as the original map.

FLOOR AREA / FLOOR ELEVATION TABLE

UNIT 44

LOWER LEVEL	6457	SEA LEVEL ELEVATION	590 SF.
MAIN LEVEL	1857	SEA LEVEL ELEVATION	1854 SF.
UPPER LEVEL	1857	SEA LEVEL ELEVATION	636 SF.
GARAGE LEVEL	2773	SEA LEVEL ELEVATION	2773 SF.
TOTAL SQ. FT.			12629 SF.



FIRST AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE IV

A UTAH CONDOMINIUM PROJECT
SUBJECT TO THE STAG LODGE PHASE IV
TOWNSHIP 2 SOUTH, RANGE 7 EAST
PARK CITY, SUMMIT COUNTY, UTAH

SCALE: 1/8" = 1'-0"

RECORDED
DATE: 07/20/92
BY: [Signature]

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF [Signature]
DATE: 07/20/92
BY: [Signature]

JOB NO. 5-7-01 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

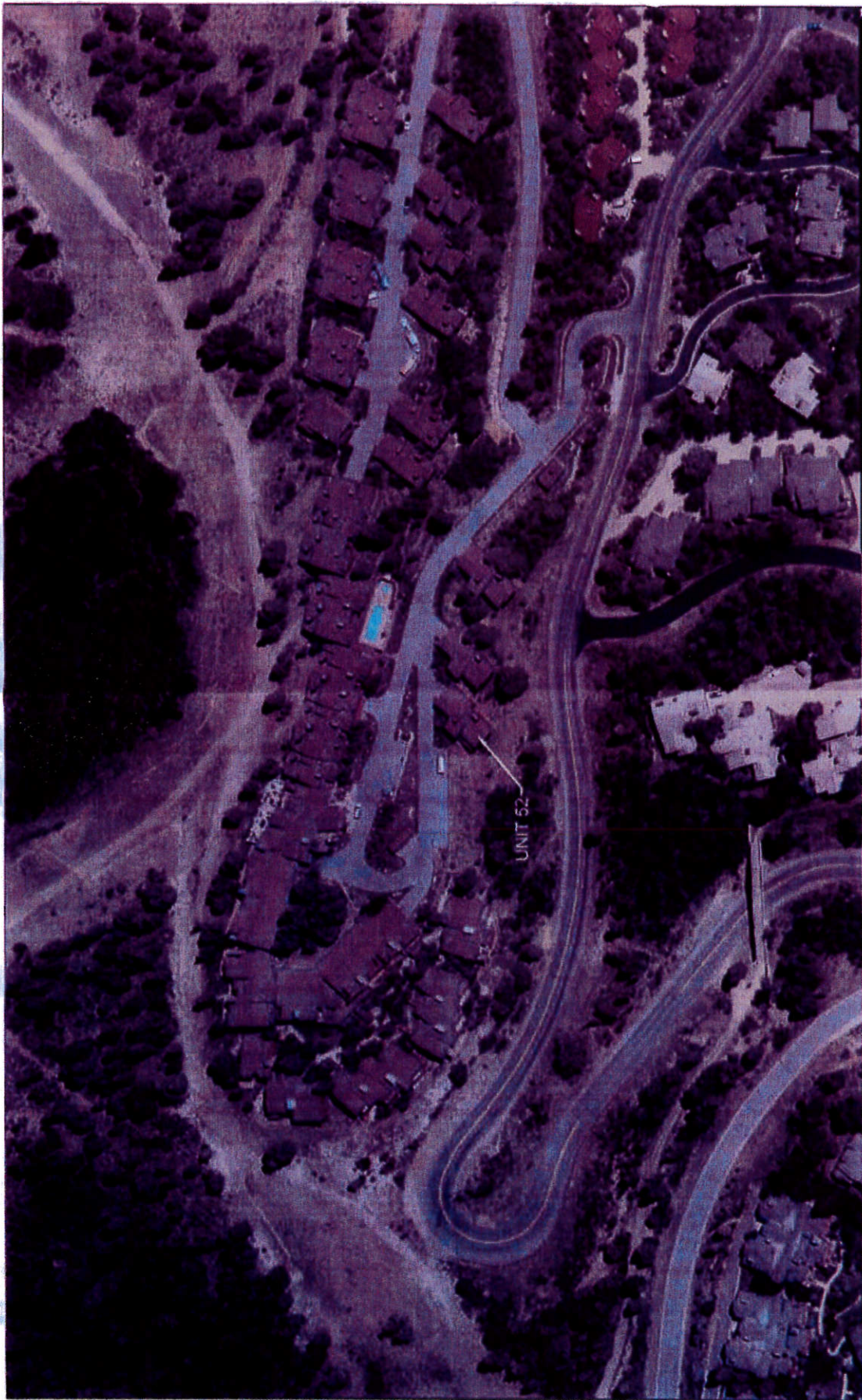
UNIT 44

NOTE:

1. FINISH DIMENSIONS SHOWN ARE TO FINISH SURFACES.
2. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
3. ALL PHYSICAL FEATURES AND IMPROVEMENTS NOT SHOWN ARE DESIGNATED AS COMMON AREAS.
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. DIMENSIONS: SEE SHEET 1 FOR LOCATION AND ELEVATION.



EXHIBIT C



FLORIAN ENGINEERING

PROJECT: 1
OF 1

RECEIVED

STAG LODGE PHASE UNIT 52

AUG 12 2013

FROM: JODY TEBALDO
JOB NO.: 10-1-13
FILE: Z:\Projects\Stag Lodge\Stag Lodge Unit 52\10-1-13.dwg

DATE: 8/7/13

DATE: 8/7/13

DATE: 8/7/13











Planning Commission Staff Report



Subject: 463 & 475 Ontario Avenue - Plat Amendment
Author: Christy Alexander, Planner II
Date: September 25, 2013
Type of Item: Administrative – Plat Amendment
Project Number: PL-13-02019

Summary Staff Recommendation

Staff recommends that the Planning Commission hold a public hearing for the Ontario Pack Subdivision 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.

Description

Applicant: Jeremy Pack, owner
Location: 463 & 475 Ontario Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential single family and duplex dwellings
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

The applicant is requesting a plat amendment (Exhibit A) for the purpose of combining Lots 19 and 20, Block 55 of the Park City Survey. There are no existing homes on these lots (Exhibit B). The applicant wishes to combine the lots into one lot of record for a new single family house.

Background

The property consists of two "Old Town" lots. The lots have frontage on Ontario Avenue and are located within the HR-1 zoning district. There is not an existing house on either property.

On August 6, 2013, the owner submitted a complete application for a plat amendment to combine the lots in order to create one (1) legal lot of record for a new single family house. The applicant wishes to combine the lots because Lot 19 currently is a non-conforming lot due to the square footage being less than that required in the Land Management Code. All the neighboring lots within the neighborhood meet the minimum lot requirements. The reason that Lot 19 does not meet the requirements is due to the previous owner of the property, Joe Rush, having received a Lot Line Adjustment in August of 1994. At the time, Joe Rush owned Lots 13, 14, and 19. Mr. Rush had previously applied for a Historic District Design Review of his proposed house plans for Lots 13 and 14 in August of 1993. The two floor plans were very similar but due to

Marsac Avenue abutting the properties at a diagonal, the house plans for Lot 14 had to be setback further from the front and did not meet the required ten (10) feet rear yard setbacks within the zone. Mr. Rush then applied in April of 1994 for a Variance for Lot 14, to allow the rear yard setbacks to be reduced to three (3) feet instead of the required ten (10) feet. His variance request was denied by the Board of Adjustment. Mr. Rush still wanted to build the home on Lot 14 as was originally proposed so he then applied for the Lot Line Adjustment in July of 1994 affecting lots 14 and 19, which gave 100 sf (4 feet deep of the rear yard) of Lot 19 to the rear yard of Lot 14, so that the home would meet the required setbacks of the zone. Because Mr. Rush owned Lot 19, he was agreeable to placing the deed restriction upon Lot 19 which states that "Grantor restricts construction on this lot alone. Construction can only occur with another lot adjacent to the property used for construction." Due to this deed restriction and the substandard lot size, a single family home cannot be built upon the lot unless Lot 19 is combined with an adjacent lot. The current applicant and owner, Mr. Pack, owns Lot 19 and the adjacent Lot 20. He now requests that the proposed plat amendment be approved so that he may combine Lots 19 and 20 to build one single family home upon the land. The new home may have a larger footprint than would be allowed on one single lot but the required setbacks are then increased so that the larger home will not have an adverse impact upon the adjacent properties. There are also several duplexes within the neighborhood which have a larger footprint than a single family home is allowed so Mr. Pack's home will not be out of proportion to others within the neighborhood. Mr. Pack's application was deemed complete on August 30, 2013.

Analysis

The current application is a request to combine two lots into one lot of record containing 3,650 square feet of lot area. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family house and 3,750 square feet for a duplex. The lot meets the required lot size for a single family house.

The purpose of the Historic Residential (HR-I) 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.

Plat Amendment (Ontario Pack Subdivision)

- Min Lot Size: 1,875 square feet (sf) (3,650 sf existing with plat amendment)
- Max Footprint: 1,486 sf based on combined lot size

- Min Front/Rear Setbacks: 10 feet
- Min Side Setbacks: 5 feet
- Maximum Height: 27 feet

The proposed plat amendment does not create any new non-conforming situations.

Good Cause

Planning Staff finds that there is good cause for this plat amendment as the plat amendment resolves the conflict with Lot 19 currently being a substandard lot. Due to Lot 19 not containing the minimum lot size required as stated in the Land Management Code, no homes may be built on the lot. The lot has been deed restricted to prohibit “construction on this lot alone.” However, the restriction also states that “construction can only occur with another lot adjacent to the property used for construction.” By combining the remaining portion of Lot 19 with Lot 20, all of the land will then be usable for construction of one new single family home that meets all the parameters found in the Land Management Code. Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures in LMC 1-18. A Historic District Design Review application or pre-application is required prior to issuance of any building permits for new construction on the property. Any area proposed for future construction that meets requirements for applicability of a Steep Slope Conditional Use permit shall be reviewed for compliance with the Steep Slope Conditional Use permit review criteria, prior to issuance of any building permits.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

No public input was received at the time of writing this report. Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting noticed for October 17, 2013.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council on the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision) as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council on the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision) and direct staff to make Findings for this decision; or
- The Planning Commission may continue the public hearing and discussion on the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision) to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a recommendation.
- The “take no action” alternative is not an option for administrative plat amendments.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The lots would remain as they currently exist and Lot 19 would remain unbuildable as a single lot. A single family house could be proposed on Lot 20.

Recommendation

Staff recommends that the Planning Commission hold a public hearing for the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision) 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- Plat

Exhibit B- Existing conditions site plan

Exhibit C- Aerial photo/vicinity Map

Exhibit D- Photos

Draft Ordinance

Ordinance No. 13-

**AN ORDINANCE APPROVING THE 463 & 475 ONTARIO AVENUE PLAT
AMENDMENT (ONTARIO PACK SUBDIVISION)
COMBINING A PORTION OF LOT 19 AND ALL OF LOT 20, BLOCK 55, AMENDED
PLAT OF THE PARK CITY SURVEY, LOCATED IN PARK CITY, UTAH**

WHEREAS, the owner of property located at 463 & 475 Ontario Avenue petitioned the City Council for approval of the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision); and

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

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

WHEREAS, the Planning Commission held a public hearing on September 25, 2013, to receive input on the 463 & 475 Ontario Avenue Subdivision Plat Amendment;

WHEREAS, the Planning Commission, on September 25, 2013, forwarded a recommendation to the City Council;

WHEREAS, the City Council held a public hearing on October 17, 2013; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision) to combine a portion of Lot 19 and all of Lot 20 in order to create a lot of record for a new single family home.

WHEREAS, Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

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 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack Subdivision) 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 463 & 475 Ontario Avenue and consists of two "Old Town" lots, namely Lots 19 and 20, Block 55, of the amended Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.

3. The property has frontage on Ontario Avenue and the combined lot contains 3,650 square feet of lot area. The minimum lot area for a single family lot in the HR-1 zone is 1,875 square feet. The minimum lot area for a duplex in the HR-1 zone is 3,750 sf.
4. Single family homes are an allowed use in the HR-1 zone.
5. On August 6, 2013, the owner submitted an application for a plat amendment to combine the two lots into one lot of record for a new single family house.
6. The application was deemed complete on August 30, 2013.
7. The property has frontage on and access from Ontario Avenue.
8. The lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.
9. A Steep Slope Conditional Use Permit is required for any new construction over 1,000 sf of floor area and for any driveway/access improvement if the area of construction/improvement is a 30% or greater slope for a minimum horizontal distance of 15 feet.
10. The proposed plat amendment does not create any new non-complying or nonconforming situations.
11. The maximum building footprint allowed for Lot One is 1,486 square feet per the HR-1 LMC requirements and based on the lot size.
12. The plat amendment secures public snow storage easements across the frontage of the lot.
13. In 1994, a lot line adjustment was done combining 100 square feet of Lot 19 with Lot 14. Therefore, by itself, the remainder of Lot 19 is substandard.

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 subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lot.
4. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.

5. Modified 13-D sprinklers will be required for new construction as required 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.
6. A 10 foot wide public snow storage easement is required along the frontage of the lot with Ontario Avenue and shall be shown on the plat.

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

PASSED AND ADOPTED this ____day of October, 2013.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

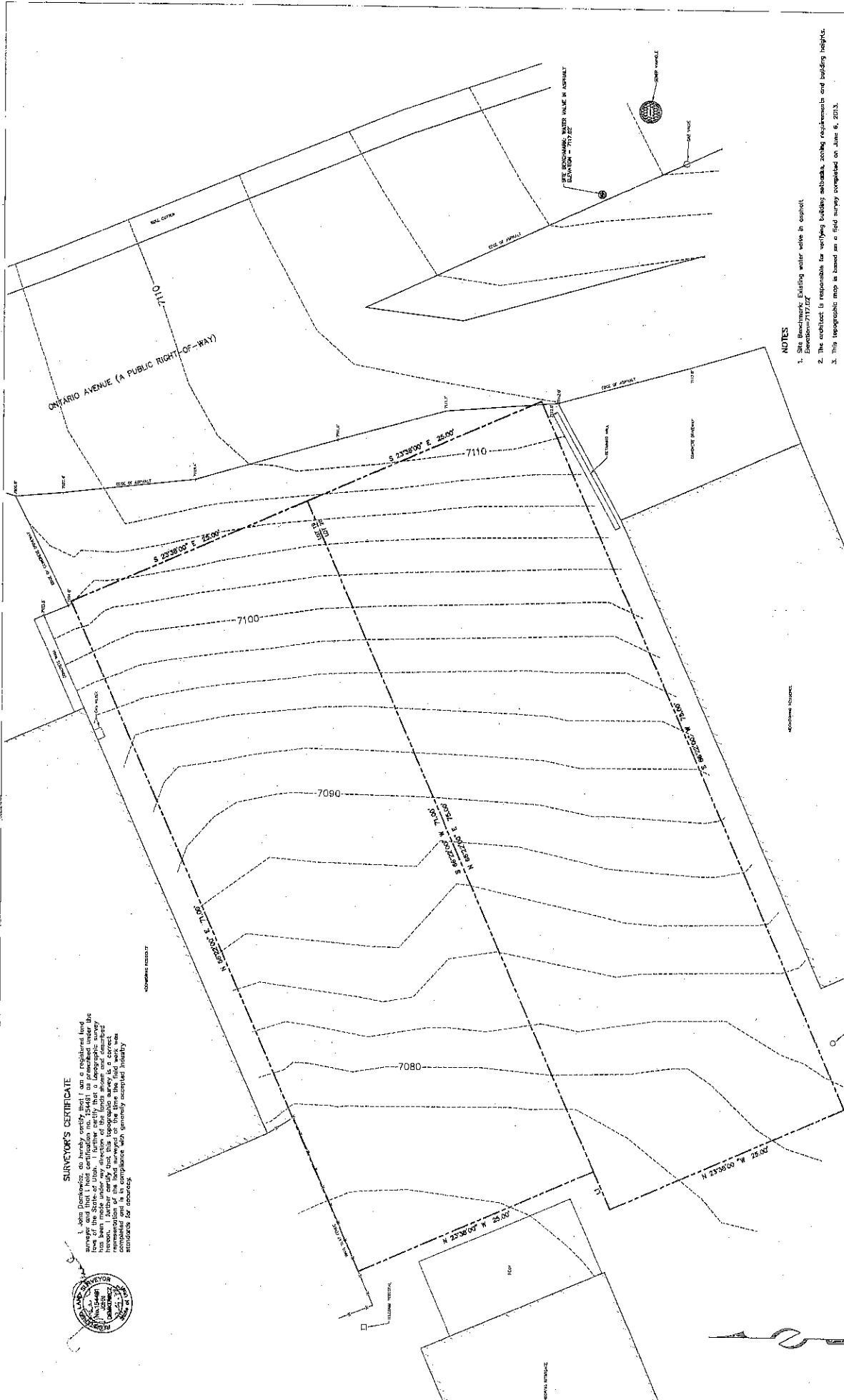
City Recorder's Office

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A

EXHIBIT B



SURVEYOR'S CERTIFICATE

I, John Dombrowski, do hereby certify that I am a registered land surveyor and that I hold certification no. 134481 as pronounced under the provisions of the Survey Act, R.S.O. 1990, c. 429, and that the survey shown on this plan was made by me or under my direct supervision and that the same is in compliance with generally accepted industry standards for accuracy.



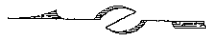
- NOTES**
1. Site Benchmarks Existing water table in asphalt.
 2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
 3. This topographic map is based on a field survey completed on June 6, 2013.
 4. All property corners were found.

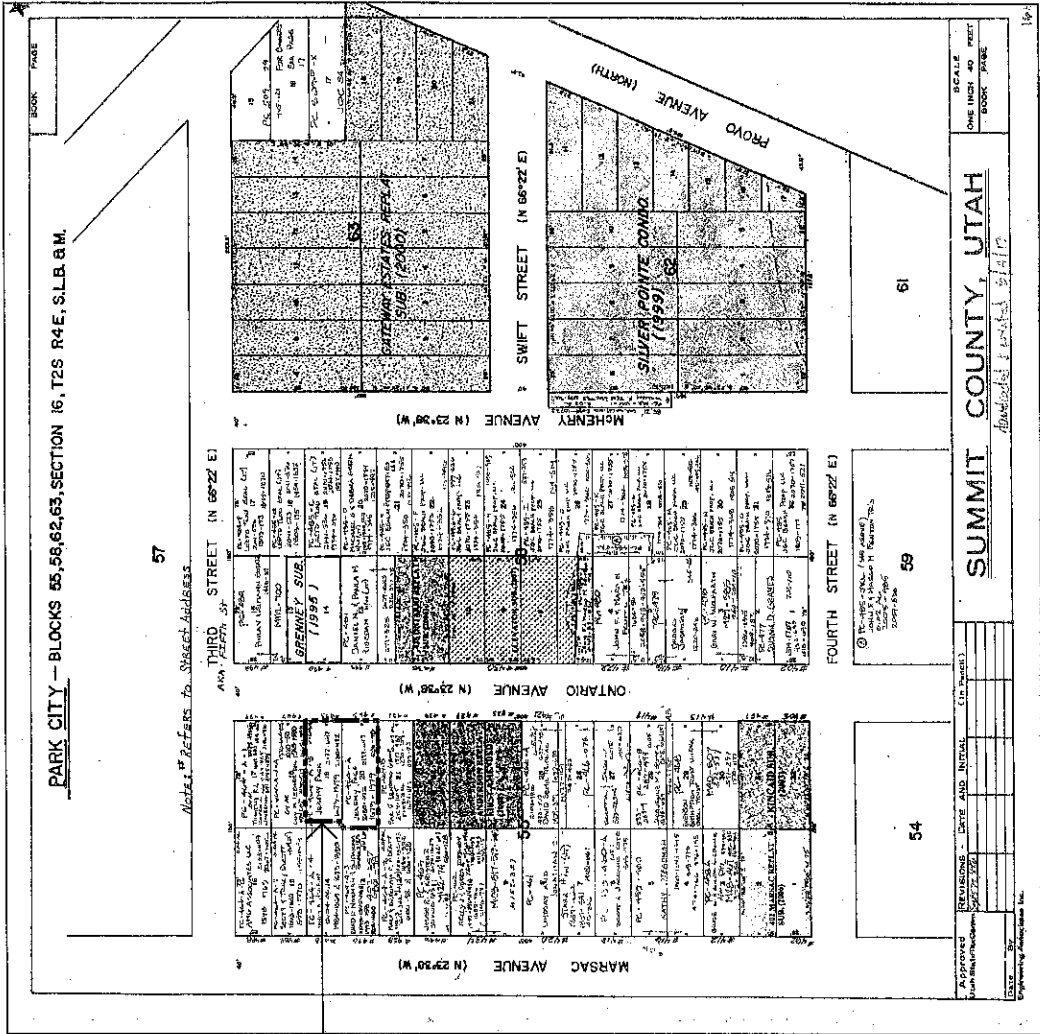
EXISTING CONDITIONS AND TOPOGRAPHIC MAP
 475 & 463 ONTARIO AVENUE
 LOTS 19&20, BLOCK 55, PARK CITY SURVEY
 JOB NO.: 3-4-13
 FILE: S:\Projects\Survey\map\map2013\050913.dwg

STAFF: [REDACTED]
 DATE: 8/5/13

CONSULTING ENGINEER AND PLANNING SURVEYOR
 22 Main Street 4th Floor Toronto, Ont. M5E 1B5
 (416) 462-8877

DATE	FILE	PROJECT
08/05/13	S_08042013_N_100	





PARK CITY — BLOCKS 55, 58, 62, 63, SECTION 16, T2S R4E, S1, L.B. & M.

57

INDEX # REFERS TO STREET ADDRESS

SUBJECT PROPERTY

SUMMIT COUNTY, UTAH

SCALE
ONE INCH = 40 FEET
BOOK PAGE

1
OF
1

FORNERSHIP PLAT
475 & 463 ONTARIO AVE.
PARK CITY SURVEY

JEREMY PACK
008913

DATE: 7/23/13

STAFF:
MURRAY KING
STEVE SCHULTE

Maptek
CONSULTING ENGINEERS
222 Main Street, 10th Floor, Park City, Utah 84302-3600
www.maptek.com

EXHIBIT C



500 FOOT EXHIBIT
 100' 0 100' 200'



10 SCALE ORTHO-PHOTO
 10' 0 10' 20'

475 & 463 ONTARIO AVE.

LOCATED IN SECTION 16
 SOUTH 4750' OF T12N
 EAST 100' OF R1E
 PARK CITY, SUMMIT COUNTY, UTAH



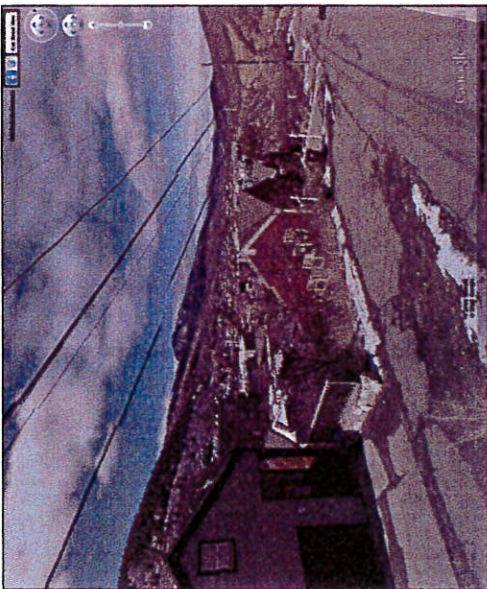
STAFF: JILL KING
 STEVE SCHUELLER

ORTHO-PHOTOS
 475 & 463 ONTARIO AVE.
 PARK CITY SURVEY
 FOR: JEREMY PACE
 JOB NO.: 3-6-13
 FILE: X:\ParkCitySurvey\Ortho\475\475013.00013.013

DATE: 7/23/13

SHEET
 1
 OF
 1

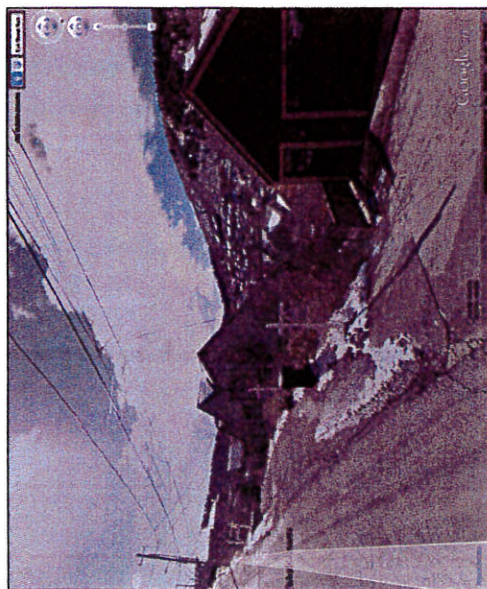
EXHIBIT D



LOOKING NORTH FROM ONTARIO AVE.



LOOKING WEST FROM ONTARIO AVE.



LOOKING SOUTH FROM ONTARIO AVE.

NOTE:
 VISUAL IMAGES OF SUBJECTS ARE PRELIMINARY
 BASED ON THE BEST PROPERTY LINK



(403) 444-4447
 CONSULTING ENGINEERS AND ARCHITECTS
 1000 WEST 10TH STREET, SUITE 100, CALGARY, ALBERTA T2P 0K1

STAFF: JANE
 STREETScape

FOR: HERBY PAUL
 JOB NO: 13-04-13
 FILE: C:\projects\herby\13-04-13\13-04-13.dwg

STREETSCAPE IMAGES
 475 & 463 ONTARIO AVE.
 PARK CITY SURVEY

SHEET
 1
 OF
 1

Planning Commission Staff Report



Subject: Second Amended 2519 Lucky John Drive Plat Replat
Author: Mathew Evans, Senior Planner
Kirsten Whetstone, MS, AICP
Date: September 25, 2013
Type of Item: Administrative – Plat Amendment
Project Number: PL-13-01980

Summary Recommendations

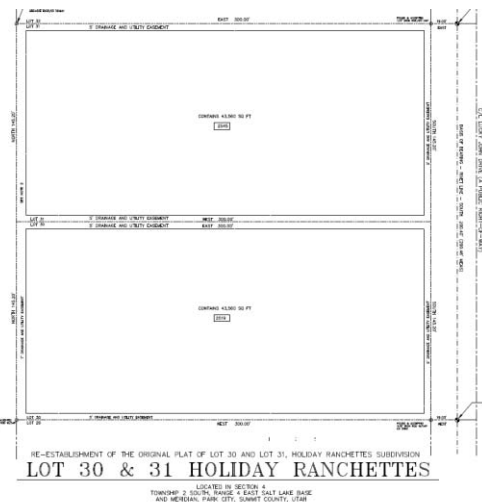
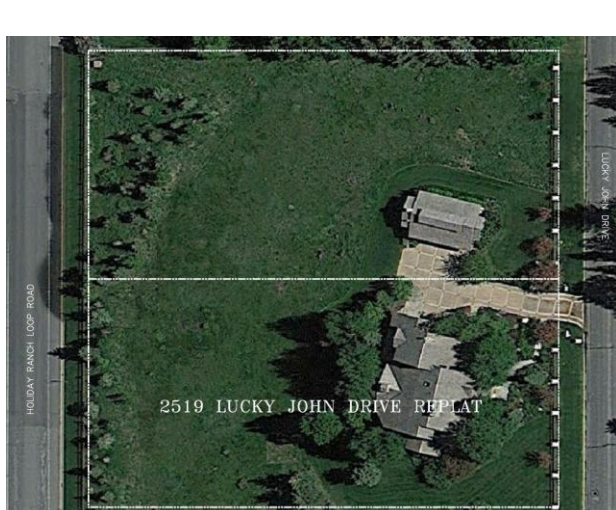
Staff recommends that the Planning Commission hold a public hearing for the Second Amended 2519 Lucky John Drive Replat and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant: Steven Schueler on behalf of Kristen and David Lanzkowsky
Location: 2519 Lucky John Drive
Zoning: Single Family (SF) Residential District
Adjacent Land Uses: Residential and Open Space
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal:

The applicants are proposing to re-subdivide an existing 87,120 square foot lot back into the two (2) original separate lots as original platted. The proposal re-subdivides a parcel that was once Lots 30 and 31 of the Holiday Ranchettes Subdivision. The proposal amends the 1999 approved administrative lot line adjustment that combined these two lots into one lot. The proposal is a request to re-establish the two (2) one-acre lots as separately developable lots, each with 43,560 square feet each.



Purpose

The purpose of the Residential SF District is to:

- (A) Maintain existing predominately Single Family detached residential neighborhoods,
- (B) Allow for Single Family Development Compatible with existing Developments,
- (C) Maintain the character of mountain resort neighborhoods with Compatible residential design; and
- (D) Require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Background

In 1974, the Holiday Ranchettes Subdivision, a multiple lot development consisting of mostly one-acre sized lots, was recorded and ultimately constructed in the area now known as Park Meadows. In August, 1999, John D. Cumming and Kristi Terzian, owners of Lots 30 and 31 of the Holiday Ranchettes Subdivision, were approved to combine both of the one (1) acre lots into one new parcel containing 87,120 square feet (see Exhibit "C" attached hereto). The 1999 approval was an administrative lot line adjustment approved by the Planning Director. Lot 30 (2545 Lucky John Drive) and Lot 31 (2519 Lucky John Drive) effectively became one new lot.

On July 8, 2013, the applicants (different owners) applied to re-establish the previous lots by applying for a plat amendment, amending the 2519 Lucky John Drive Replat to re- create the two lots. On July 18, 2013, the application was determined by staff to be complete, and on July 23, 2013, the application went before the Development Review Committee for their review of the proposed subdivision.

Analysis

The allowed density within the SF District is three dwelling units per acre. The Holiday Ranchettes Subdivision, as originally recorded in 1974, is a multiple lot development that consists of mostly one-acre lots. The subject property is currently two-acres in size, and has double frontage onto both Holiday Ranch Loop Road and Lucky John Drive. There is an existing home with access from Lucky John Drive located on proposed Lot 31, and an existing detached accessory structure (garage) located on proposed Lot 30 with access across Lot 31.

Staff has reviewed the proposed plat amendment request and found compliance with the following Land Management Code (LMC) requirements for lot size, allowed footprint, setbacks, width, and other factors:

Holiday Ranchettes and SF District Lot Requirements

- Existing Lot Size: 87,120 square feet (2 acres)
- Required Minimum Lot Size: 14,520 (1/3 acre)*
- Proposed (per lot) 43,560 square feet (1 acre)
- Existing Lot Width: 290 feet
- Proposed Widths 145 feet
- Required Setbacks – Front/Rear: 20' Front, 20' foot Rear (2 frontages)

- Required Setbacks – Side: 12'

*No minimum lot size – district allows three dwellings per acre

The existing home meets the setback requirements for the existing and new proposed lot line. The garage building, which will be located on Lot 31, also meets the required front and side yard setbacks. Accessory structures are an allowed use in the SF district so long as they meet the setback requirements. Future owners of Lot 31 can decide to keep or remove the garage building, or modify the access, however if the garage stays and access is not modified, the owners of Lot 30 will have to grant an access easement from their driveway to the new owners of Lot 31, as is currently constructed (see below). This easement shall be memorialized as part of this plat amendment. The plat shall not be recorded unless the driveway encroachment issue is resolved. The owners will also need to relocate utilities that run across the common property line between Lots 30 and 31, prior to the recordation of the plat.

The pattern of development in the neighborhood includes primary access to these double frontage lots from Lucky John Drive and not from Holiday Ranch Loop Road, providing consistent building setback areas along Lucky John Drive and Holiday Ranch Loop. The existing safe route to school pedestrian/bike trail along Holiday Ranch Loop would be compromised if primary access is permitted from Holiday Ranch Loop Road. Staff recommends a condition of approval that primary access be limited to only Lucky John Drive.

Good Cause

Planning Staff believes there is good cause for the application. The proposed subdivision re-establishes the original two-lot configuration. The proposed subdivision causes no nonconformities with respect to setback, lot size, maximum density, or otherwise. The proposed subdivision does not increase the original overall density of the Holiday Ranchettes Subdivision. All original drainage and utility easements shall remain as they were on the original plat.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. The existing home is typical of the existing development in Park Meadows, and the subdivision will allow for another home to be built in the subdivision as originally planned when the Holiday Ranchettes Subdivision was approved. The plat provides for a restriction of primary access to Lucky John Drive and protects the safe routes to school pedestrian and bike path from additional primary access across it.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. Staff wanted to assure that the easements were re-established and that all wet and dry utilities that cross over the proposed lot lines (water, sewer, electricity) be relocated to be on the respective lots

and not cross property lines. Limiting access to Lucky John Drive was also discussed. Both issues are included as conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record in accordance with the requirements of the LMC.

Public Input

September 3, 2013, Staff received a letter from Eric Lee (Exhibit D). Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Second Amended 2519 Lucky John Drive Replat as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Second Amended 2519 Lucky John Drive Replat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Second Amended 2519 Lucky John Drive Replat to a date certain.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the single 2 acre lot would remain.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Second Amended 2519 Lucky John Drive Replat and forward 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

Vicinity Maps

Exhibit A – Plat and Record of Survey

Exhibit B – Photos

Exhibit C – Copy of the 1999 2519 Lucky John Drive Replat

Exhibit D – August 27, 2013 letter from Eric P. Lee

Draft Ordinance

Ordinance No. 13-

AN ORDINANCE APPROVING THE SECOND AMENDED 2519 LUCKY JOHN DRIVE REPLAT LOCATED AT 2519 Lucky John DRIVE, PARK CITY, UTAH.

WHEREAS, the owner of property located at 2519 Lucky John Drive have petitioned the City Council for approval of the Second Amended 2519 Lucky John Drive Replat; and

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

WHEREAS, proper legal notice was sent to property owners within 300 feet; and

WHEREAS, the Planning Commission held a public hearing on September 11, 2013 to receive input on the 2519 Lucky John Drive Plat Amendment; and

WHEREAS, the Planning Commission forwarded a recommendation to City Council on September 25, 2013; and

WHEREAS; the City Council, held a public hearing on October 17, 2013; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amended 2519 Lucky John Drive Replat.

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 Amended 2519 Lucky John Drive Replat 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 2519 Lucky John Drive within the Single-Family (SF) District.
2. The overall property is made up of one existing two-acre lot; the applicants would like to re-establish the existing lot configuration that was a part of the Holiday Ranchettes Subdivision, Lots 30 and 31.
3. Each lot will be one-acre in size.
4. There is no lot size requirement in the SF District; however the maximum density is three (3) dwellings per acre. The proposed density is one (1) dwelling unit per acre as originally proposed in the Holiday Ranchettes Subdivision.
5. The minimum setback requirements are twenty feet (20) front yard, and twelve (12) foot side yards. The rear yard requirement of fifteen feet (15') is not applicable due to the double frontage nature of both lots.

6. There is an existing home on Lot 30 that was built within the required setback areas and is considered a non-conforming structure.
7. There is also an existing barn/accessory structure built within Lot 31. Accessory structures are an allowed use in the SF District so long as they meet the required setbacks. The existing barn meets the minimum front, side and rear yard setbacks established in the SF District.
8. Both Lots 30 and 31 have double frontage onto Lucky John Drive and Holiday Ranch Loop Road.
9. The pattern of development in the neighborhood includes primary access to these double frontage lots from Lucky John Drive and not from Holiday Ranch Loop Road, providing consistent building setback areas along Lucky John Drive and Holiday Ranch Loop. The existing safe route to school pedestrian/bike trail along Holiday Ranch Loop would be compromised if primary access is permitted from Holiday Ranch Loop Road.
10. Future development on Lots 30 and 31 will be required to meet current setback requirements.

Conclusions of Law:

1. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. 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.
4. There is Good Cause to approve the proposed plat amendment as the plat does not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers will be required for new construction as required by the Chief Building Official at the time of review of the building permit.
4. An access agreement issued from Lot 30 to Lot 31 for access to the garage shall be recorded prior to plat recordation and the recording information shall be noted on the plat.
5. All utilities that cross over the common lot line of the proposed lots must be relocated prior to the recordation of the plat, including any electrical and plumbing from the home on Lot 30 that services the garage building.
6. A 10 foot wide public snow storage easement will be provided along the two frontages of both properties.

7. Primary Access for both lots is required to be from Lucky John Drive.

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

PASSED AND ADOPTED this _____ day of October, 2013.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

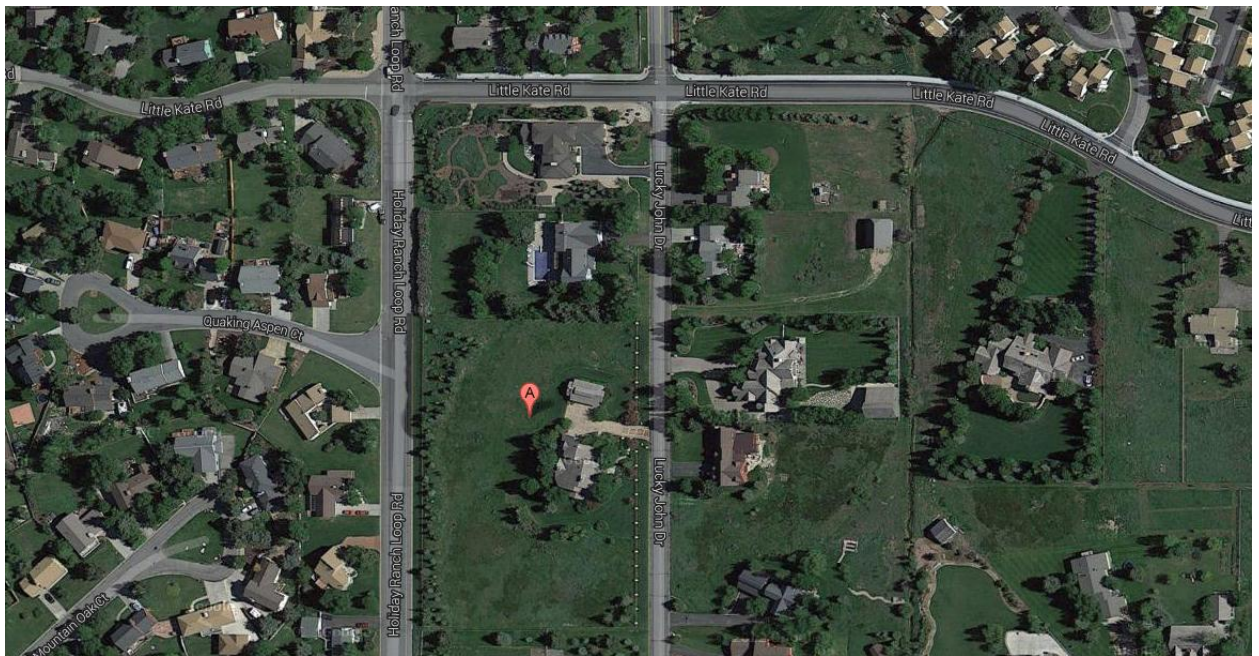
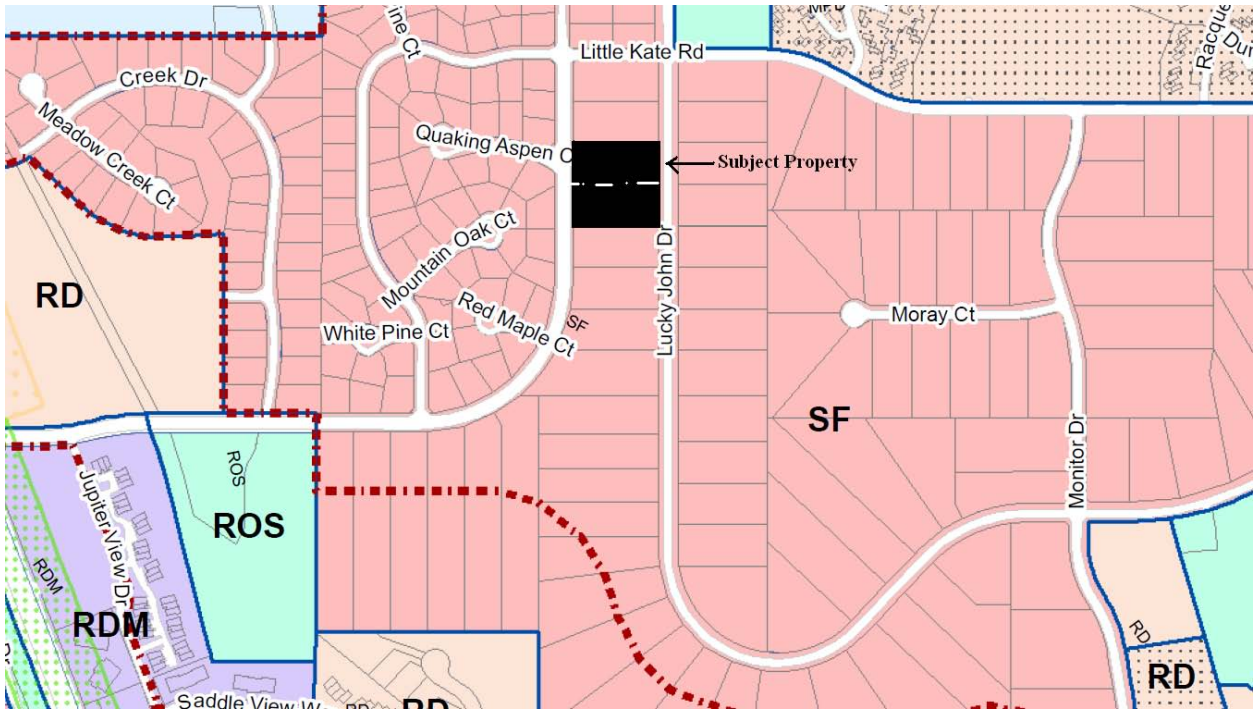
ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

VICINITY MAPS



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the LOTS 30 & 31, HOLIDAY RANCHETTES SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

John Demkowicz Date



BOUNDARY DESCRIPTION

2519 Lucky John Drive replat FKA Lots 30 and 31, Holiday Ranchettes Subdivision, according to the official plat thereof on file and of record in the office of the Summit County Recorder's office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as LOTS 30 AND 31 HOLIDAY RANCHETTES SUBDIVISION, do hereby certify that they have caused this Lot Line Amendment Plat to be prepared, and they, Costa Rican Ventures, LLC, a Nevada limited liability company, hereby consent to the recordation of this Lot Line Amendment Plat.

ALSO, the owners or their representative, hereby irrevocably offer for dedication to the City of Park City of required utilities and easements shown on the plat in accordance with and irrevocable of dedication.

In witness whereof, the undersigned set their hand this ____ day of _____, 2013.

Krzysztof Lonski, Manager
Costa Rican Ventures, LLC

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2013, David Lonski personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, David Lonski acknowledged to me that Costa Rican Ventures LLC is the owner of the herein described tract of land and that he, as President of Costa Rican Ventures LLC, is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

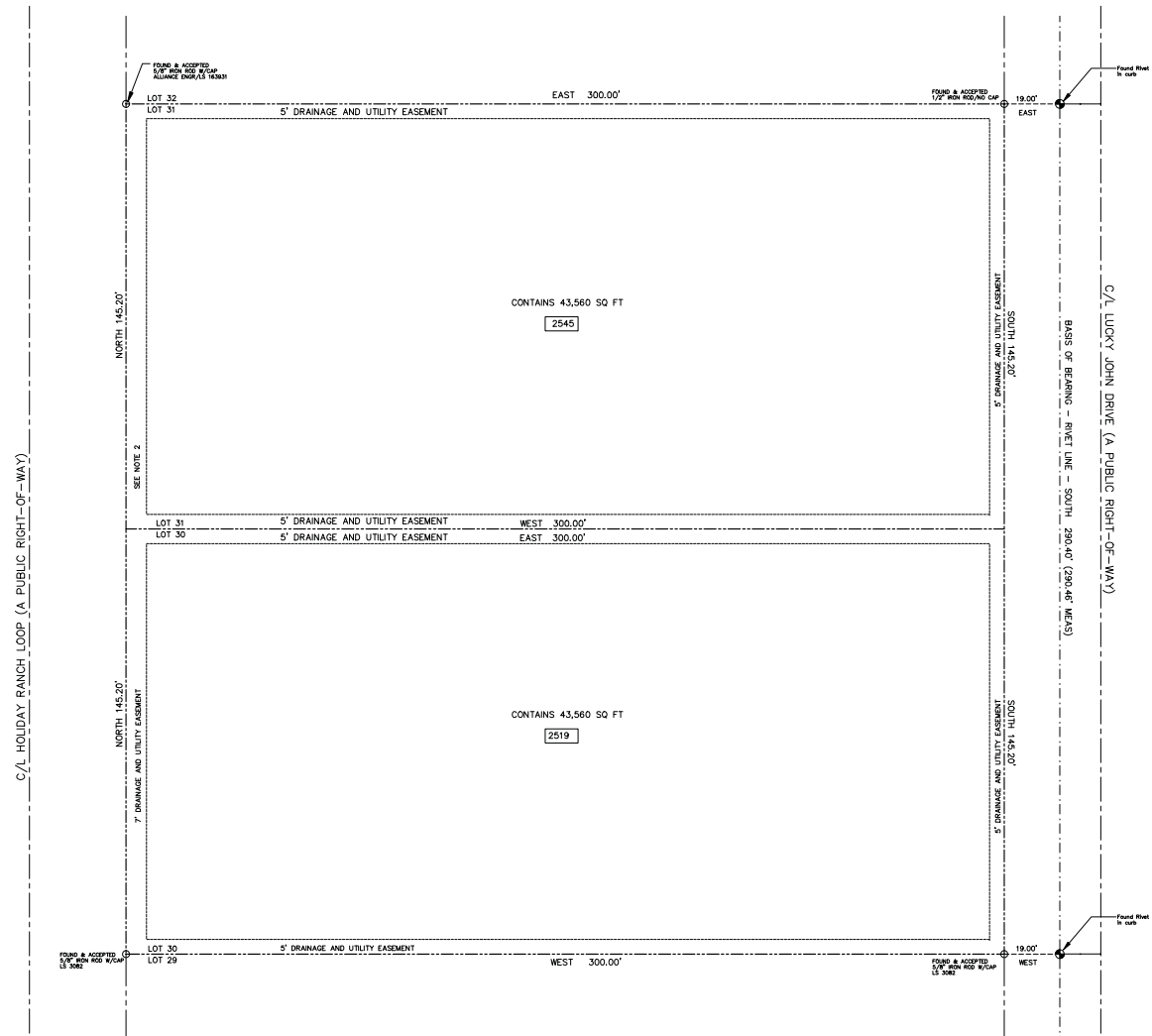
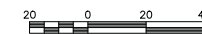
Notary Public
My commission expires: _____

NOTES

- 2519 Street address on Lucky John Drive
- Driveway access is not permitted onto Holiday Ranch Loop.

LEGEND

● Found survey monument



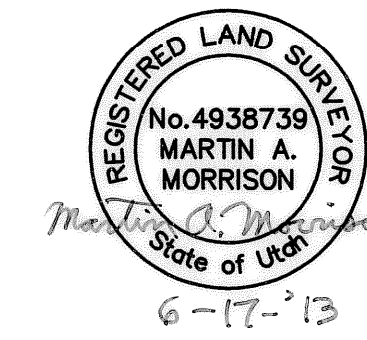
RE-ESTABLISHMENT OF THE ORIGINAL PLAT OF LOT 30 AND LOT 31, HOLIDAY RANCHETTES SUBDIVISION
LOT 30 & 31 HOLIDAY RANCHETTES

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

<p>(435) 649-8487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY _____ CHAIR</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY _____ MAYOR</p>	<p>7/29/13 JOB NO.: 4-5-13 FILE: X:\PM\dwg\env\plat2013\040513.dwg</p> <p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>ENTRY NO. _____ FEE _____ RECORDER _____</p>
	<p>7/29/13</p>						

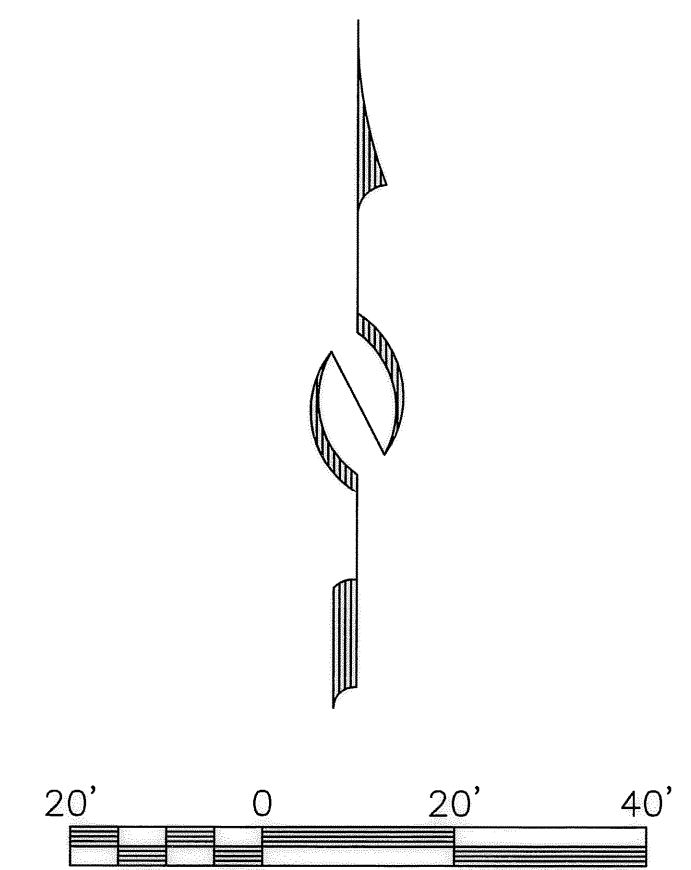
SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.



NOTES

1. Site Benchmark: Sanitary Sewer Manhole
Elevation=6741.36'
2. See record of survey plat for easements and restrictions.
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
4. This topographic map is based on a field survey completed on June 3, 2013.
5. Property corners were not set.



● SITE BENCHMARK:
SANITARY SEWER MANHOLE
ELEVATION = 6741.36'

 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MARSHALL KING BLAKE MYERS HARRISON HOLLEY	TOPOGRAPHIC MAP 2519 LUCKY JOHN DRIVE REPLAT HOLIDAY RANCHETTES SUBDIVISION	SHEET 1 OF 1
	DATE: 6/17/13	FOR: JOB NO.: 4-5-13 FILE: X:\ParkMeadows\dwg\srvt\topo2013\040513.dwg	



LOT 30 PANORAMA FROM LUCKY JOHN DRIVE



LOT 31 PANORAMA FROM LUCKY JOHN DRIVE



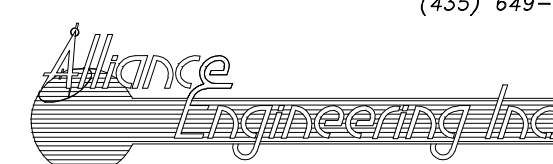
LOOKING SOUTH FROM HOLIDAY RANCH LOOP ROAD



LOOKING NORTH FROM HOLIDAY RANCH LOOP ROAD

LOT 30/31 HOLIDAY RANCHETTES

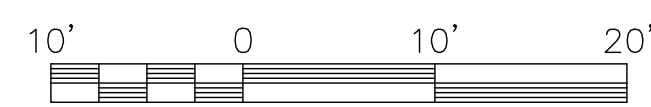
LOCATED IN SECTION 4
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

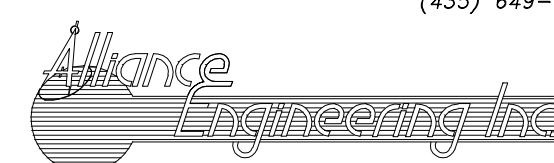
 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small>	<small>(435) 649-9467</small> STAFF: STEVE SCHUELER	PANORAMA IMAGES LOTS 30 & 31 HOLIDAY RANCHETTES	SHEET 1 OF 1
	DATE: 6/25/13	FOR: DAVID LANKOWSKY NO: 4-5-13 FILE: X:\Park Meadows\dwg\sr\plat 2013\040513.dwg	



LOT 30/31 HOLIDAY RANCHETTES

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



 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small>	<small>(435) 649-9467</small> STAFF: STEVE SCHUELER	ORTHO-PHOTO LOTS 30 & 31 HOLIDAY RANCHETTES	SHEET 1 OF 1
	DATE: 6/25/13	FOR: DAVID LANKOWSKY JOB NO: 4-5-13 FILE: X:\Park Meadows\dwg\sr\plat 2013\dwg\040513.dwg	

SURVEYOR'S CERTIFICATE
 I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that this Lot Line Amendment Plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that this plat accurately represents the surveyed property.

John Demkowicz
 Date 8-20-99



BOUNDARY DESCRIPTION

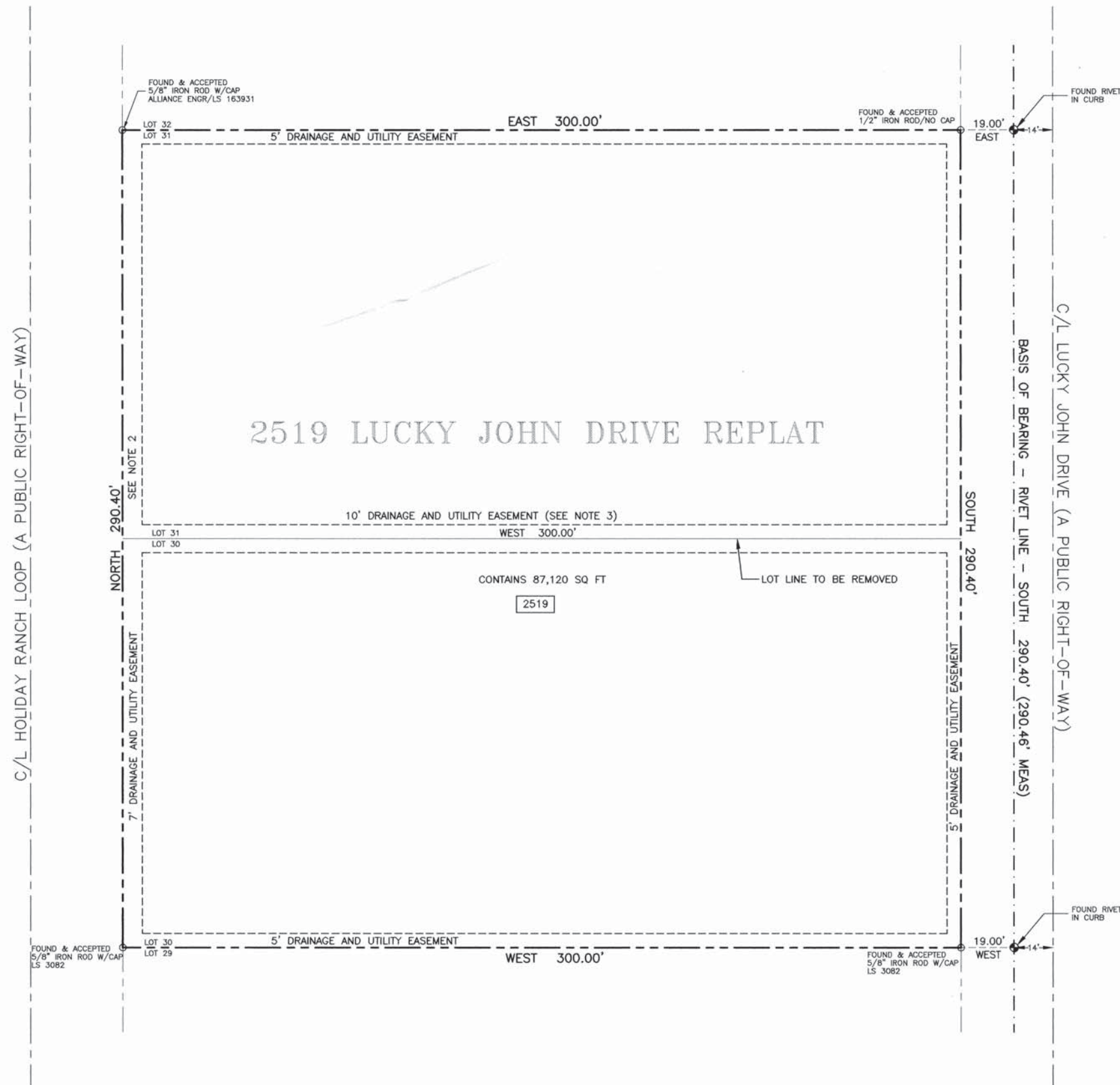
LOTS 30 & 31, HOLIDAY RANCHETTES SUBDIVISION, according to the official plat thereof, recorded May 31, 1974, as Entry No. 123347 of the official records in the office of the Summit County Recorder.

NOTES

1. [2519] Street address on Lucky John Drive
2. Driveway access is not permitted onto Holiday Ranch Loop.
3. Existing drainage and utility easement as shown on the Holiday Ranchettes Subdivision Plat.

LEGEND

- Found survey monument



OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the herein described tract of land, to be known hereafter as the 2519 LUCKY JOHN DRIVE REPLAT, do hereby certify that we have caused this Lot Line Amendment Plat to be prepared, and we, John D. Cumming and Kristi Terzon Cumming, husband and wife as joint tenants, hereby consent to the recordation of this Lot Line Amendment Plat.
 ALSO, the owners or their representative, hereby irrevocably offer 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 and irrevocable of dedication.

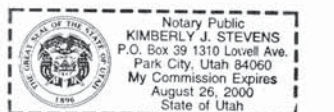
In witness whereof, the undersigned set their hands this 21st day of August, 1999.
John D. Cumming
 John D. Cumming
 Owner
Kristi Terzon Cumming
 Kristi Terzon Cumming
 Owner

ACKNOWLEDGMENT

State of Utah
 County of Summit

On this 21st day of August, 1999, John D. Cumming personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, John D. Cumming, acknowledged to me that he is an owner of the herein described tract of land and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Monique Blaine
 Notary Public
 My commission expires: Aug. 26, 2000

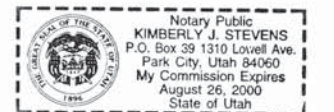


ACKNOWLEDGMENT

State of Utah
 County of Summit

On this 21st day of August, 1999, Kristi Terzon Cumming personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Kristi Terzon Cumming, acknowledged to me that she is an owner of the herein described tract of land and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Monique Blaine
 Notary Public
 My commission expires: Aug. 26, 2000



LOT LINE AMENDMENT PLAT
2519 LUCKY JOHN DRIVE REPLAT

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



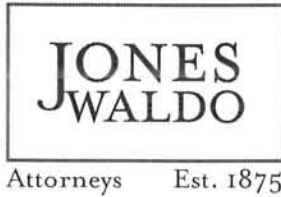
SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 30th DAY OF August, 1999 A.D.
 BY *John W. Dutz*
 S.B.S.I.A.

ENGINEER'S CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 30th DAY OF August, 1999 A.D.
 BY *Chris W. DeHaan PE*
 PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS 2nd DAY OF September, 1999 A.D.
 BY *Mark D. Hargis*
 PARK CITY ATTORNEY

COMMUNITY DEVELOPMENT DIRECTOR
 APPROVED BY ADMINISTRATIVE AUTHORITY OF THE PARK CITY COUNCIL THIS 30th DAY OF August, 1999 A.D.
 BY *Richard P. ...*
 COMMUNITY DEVELOPMENT DIRECTOR

JOB NO.: 2-4-99 FILE: Y:\Hr\dwg\platt\020499p.dwg
RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Hugh Country Title
 DATE 08-22-99 TIME 12:01 PM BOOK --- PAGE ---
 FEE 31.00
 BY *Delores M. ...*
 RECORDER



TEL: 435-200-0085
FAX: 435-200-0084

1441 WEST UTE BLVD, SUITE 330
PARK CITY, UTAH 84098

WWW.JONESWALDO.COM

AFFILIATED FIRM
LEAR & LEAR LLP

August 27, 2013

VIA U.S. MAIL AND E-MAIL

Mr. Thomas Eddington, Director
Park City Planning Department
thomas.eddington@parkcity.org
P.O. Box 1480
Park City, Utah 84060

Re: 2519 Lucky John Drive – Plat Amendment Application

Dear Mr. Eddington:

I represent the Holiday Ranch Homeowners Association. The property at 2519 Lucky John Drive (the "Property") is a parcel comprised of two lots in the Holiday Ranch subdivision, Lots 30 and 31. These lots were combined by a lot line adjustment and plat amendment in August 1999.

We have not yet seen all of the documents pertaining to the Application, but our understanding is that the owner of the Property, a Nevada limited liability company known as Costa Rican Ventures, LLC (the "Owner"), is requesting permission to resubdivide the Property. The Association opposes the Application on these grounds:

1. **The Holiday Ranch Declaration prohibits resubdivision of lots.** Section 5.5 of the "Declaration of Protective Covenants for Holiday Ranchettes" (the "Declaration") bars resubdivision of Holiday Ranch lots. Declaration Section 4.3 authorizes the Association's Architectural Committee to grant a variance from the resubdivision ban but the Owner has not requested such a variance. In fact, the Owner has made no effort to communicate with the Association regarding the proposed resubdivision. We recognize that the City does not enforce subdivision covenants but we ask that the City take this resubdivision ban into consideration as it considers the Application.

2. **The Owner has not communicated with the Association regarding alterations to existing improvements and landscaping that will be made necessary by any resubdivision.**
Section 4.2 of the Declaration precludes altering any improvements or landscaping without prior written approval from the Architectural Committee. Implementing the proposed resubdivision will necessarily require altering existing improvements and landscaping, including trees and shrubs, a fence, driveway and, presumably, the separate garage building. If the Application is approved and the property is resubdivided, the Owner will be in a position to argue that it has no option but to alter these existing improvements. In other words, approving the Application will effectively create a hardship argument that the Owner currently does not have. At a minimum, the Association requests that the City defer consideration of the Application until after the Owner receives approval from the Architectural Committee to make the alterations that the Owner believes will be required after resubdivision.

3. **The owner should not be able to take advantage of raised grade created when the lots were combined.** After the lots were combined in 1999, existing grade on Lot 31 was raised substantially to facilitate construction of a barn/garage on the lot and a common driveway with Lot 30. See attached "Existing Conditions" and "New Conditions" Site Plans. Any resubdivision of the lots should be conditioned on restoring the artificially elevated grade to its original level to ensure that the residential structure that will presumably be built on Lot 31 does not enjoy a *de facto* increase in the height limit imposed by both the Declaration and the Park City Land Management Code.

If we can provide any other information in support of your review of the Application, please let us know. We appreciate your attention to this matter.

Yours truly,

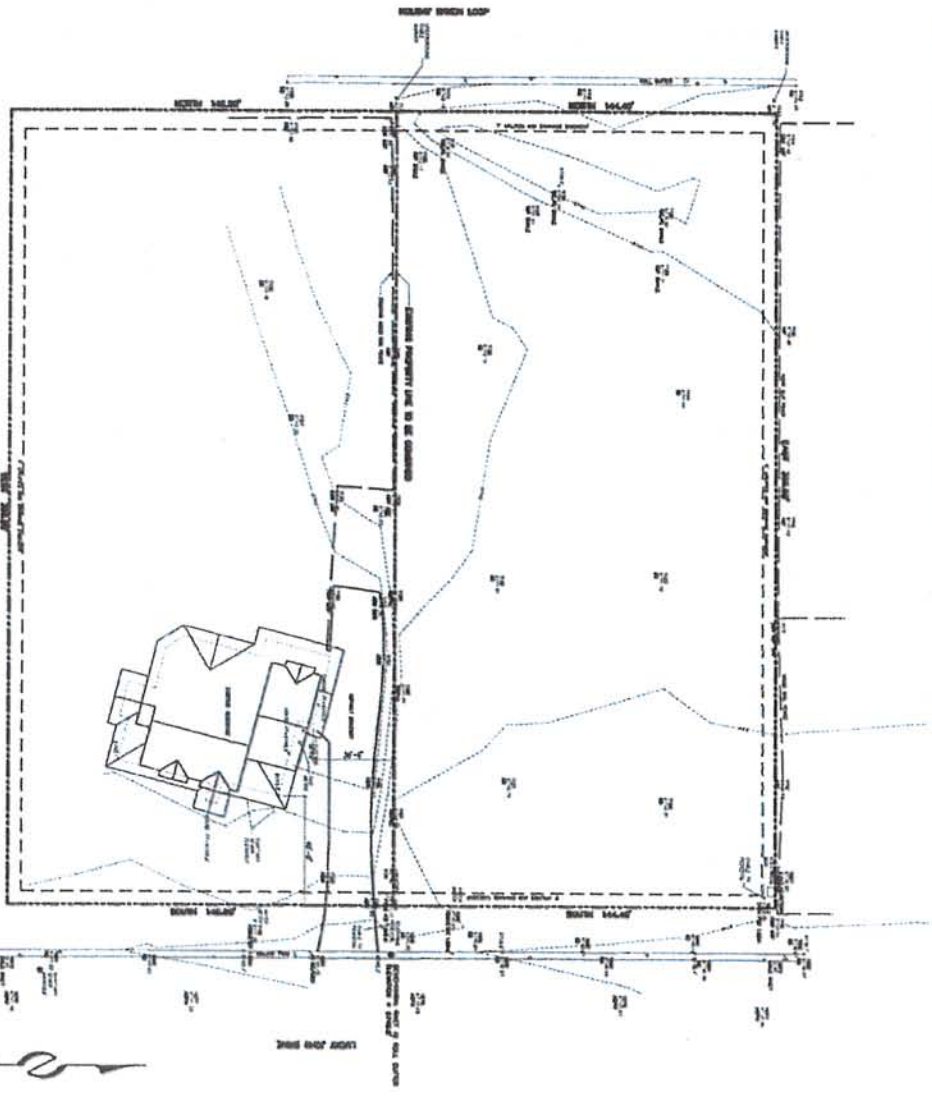
Jones, Waldo, Holbrook & McDonough, PC



Eric P. Lee

EPL/nar
Enclosures
cc: Holiday Ranch Homeowners Association

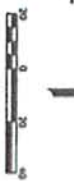
- NOTES:**
1. EXISTING BUILDING FOOTPRINT IN SOLID OUTLINE
 2. THE DOTTED LINE INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 3. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 4. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 5. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 6. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 7. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 8. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 9. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98
 10. THE SHADING OF SOLID AND DOTTED LINES INDICATES THE PROPOSED NEW GARAGE FOOTPRINT AND WAS APPROVED BY THE CITY PLANNING DEPARTMENT ON 4/27/98



SITE PLAN INFORMATION PROVIDED BY:

	DATE: 4/27/98	PROJECT: 1	EXISTING CONDITIONS: LOTS #30 & #31 HOLIDAY BANCHETTES
ARCHITECT: [Name]	DATE: 4/27/98	PROJECT: 1	EXISTING CONDITIONS: LOTS #30 & #31 HOLIDAY BANCHETTES
ENGINEER: [Name]	DATE: 4/27/98	PROJECT: 1	EXISTING CONDITIONS: LOTS #30 & #31 HOLIDAY BANCHETTES
PLANNING: [Name]	DATE: 4/27/98	PROJECT: 1	EXISTING CONDITIONS: LOTS #30 & #31 HOLIDAY BANCHETTES

BY: [Signature]
DATE: 4/27/98



RECEIVED
JUL 19 1999
PARK CITY
PLANNING DEPT.



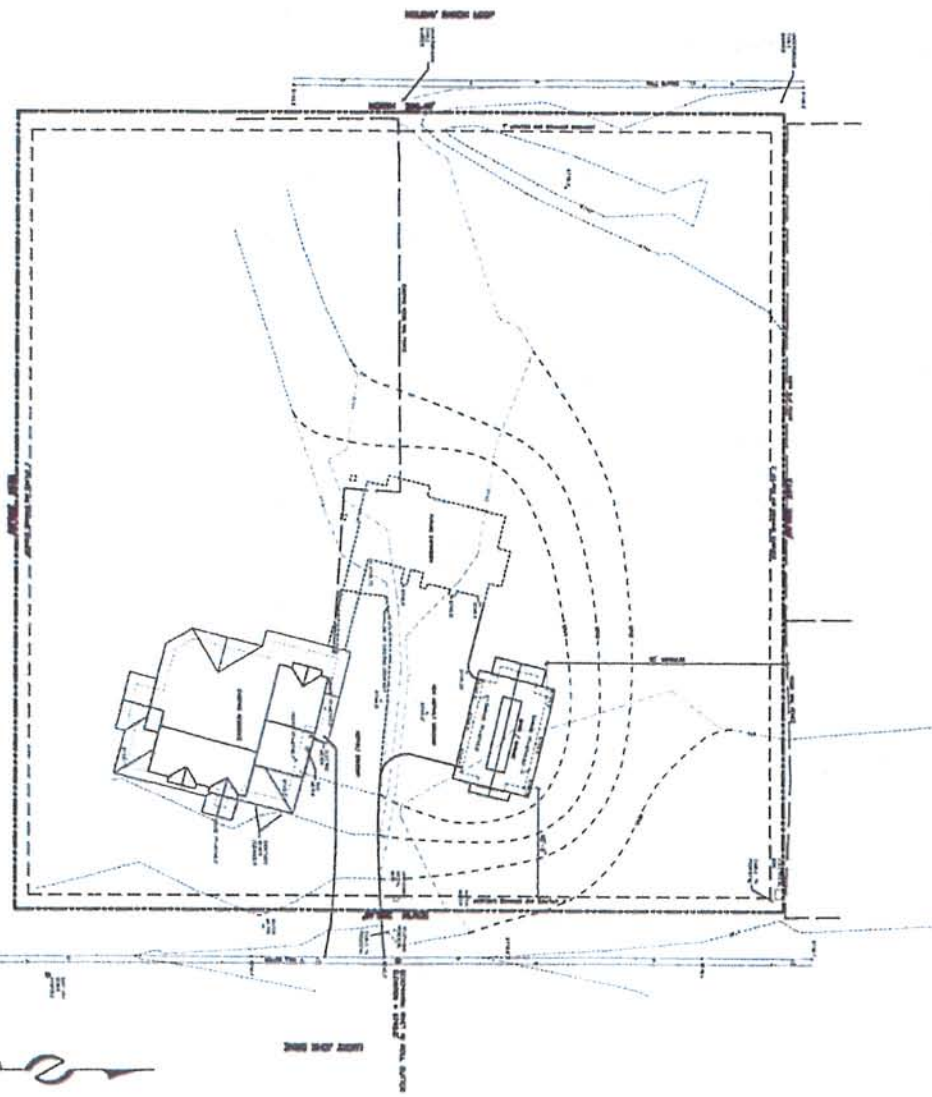
SITE PLAN
EXISTING CONDITIONS
SCALE: 1" = 20'

MJSA

CUMMING RESIDENCE NEW GARAGE
LOTS #30 & #31 LUCKY JOHN DRIVE, PARK CITY, UTAH

DATE: 4/27/98
PROJECT: 1
EXISTING CONDITIONS: LOTS #30 & #31 HOLIDAY BANCHETTES

- NOTES:**
1. PROJECT ARCHITECTURE, SEE IT AND DATE.
 2. THE ARCHITECT HAS REVIEWED AND THE APPROVALS.
 3. THE RECORD OF SURVEY FOR THE LOTS AND SETBACKS.
 4. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.
 5. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.
 6. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.
 7. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.
 8. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.
 9. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.
 10. THE ARCHITECT HAS REVIEWED THE SETBACKS AND SETBACKS.



11 SITE PLAN
SCALE 1/8" = 1'-0"



RECEIVED
JUL 19 2013
PARK CITY
PLANNING DEPT.

MEYER ENGINEERS
1001 W. 200 N. SUITE 200
PARK CITY, UT 84302
PHONE: 435.633.1111
FAX: 435.633.1112
WWW.MEYERENGINEERS.COM

PROJECT: NEW GARAGE
DATE: 4/21/13
SCALE: 1/8" = 1'-0"

NEW CONDITIONS:
LOTS #30 & 31
HOLIDAY HANDBIKES
FROM MEYER ENGINEERS
PARK CITY, UT 84302

LEGEND

---	EXISTING CENTER LINE OF HIGHWAY
---	NEW CENTER LINE OF HIGHWAY
---	EXISTING SIDEWALK
---	NEW SIDEWALK
---	EXISTING DRIVE
---	NEW DRIVE
---	EXISTING LOT
---	NEW LOT
---	EXISTING SETBACK
---	NEW SETBACK
---	EXISTING GARAGE
---	NEW GARAGE
---	EXISTING DRIVE
---	NEW DRIVE
---	EXISTING SIDEWALK
---	NEW SIDEWALK
---	EXISTING CENTER LINE OF HIGHWAY
---	NEW CENTER LINE OF HIGHWAY

SITE PLAN
NEW CONDITIONS
SCALE 1/8" = 1'-0"

MJSA

CUMMING RESIDENCE NEW GARAGE
LOTS #30 & 31 LUCKY JOHN DRIVE, PARK CITY, UTAH

MEYER ENGINEERS
1001 W. 200 N. SUITE 200
PARK CITY, UT 84302
PHONE: 435.633.1111
FAX: 435.633.1112
WWW.MEYERENGINEERS.COM



**Department of Community Development
Engineering • Building Inspection • Planning**

ACTION LETTER AND NOTICE OF APPROVAL

August 17, 1999

John D. Cumming
2519 Lucky John Drive
Park City, UT 84060

Dear Mr Cumming:

On August 17, 1999, the Park City Community Development Director reviewed and approved your lot line adjustment application. This letter acts as an official notice of approval and outlines the findings of fact, conclusions of law and conditions of approval that apply to your application.

Findings of Fact:

1. The property is in the Single Family Zone.
2. The lot line adjustment will not create an adverse impact on adjacent property owners.
3. Letters of consent have been received from adjacent property owners.
5. Utility easements are essential for providing utilities/service to Park City residents.
6. The proposed barn/garage is compatible in scale and setback with the neighborhood.

Conclusions of Law:

1. The project complies with Section 15.1.5. (c) (1) (I-vii) in that: No new development lot or units result from the lot line adjustment;
2. All owners of property contiguous to the adjusted lots, or lots owned by the applicant which are contiguous to the lots, consent to the lot line adjustment;
3. The lot line adjustment does not result in remnant land;
4. The lot line adjustment, and resulting lots comply with the LMC Section 15.4 and are compatible with existing sizes in the immediate neighborhood;

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (435) 615-5055 • Engineering (435) 615-5055 • Building (435) 615-5100
Planning (435) 615-5060 • FAX (435) 615-4906

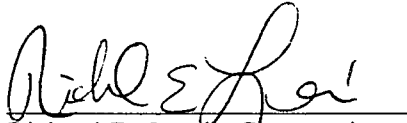
5. The lot line does not result in violation of applicable zoning requirements;
6. Neither of the original lots was previously adjusted;
7. Written notice was mailed to all owners of property within 300 feet and neither any person nor the public will be materially harmed by the adjustment;
8. Utility easements exist and will remain as originally platted.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the lot line adjustment for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. This approval shall expire one year from the date of Community Development Director approval, unless this lot line adjustment is recorded prior to that date.
3. The utility easements that were originally platted remain in their originally platted location.

APPROVED

This lot line adjustment for lots 30 and 31 Holiday Ranchettes Subdivision was approved by the Community Development Director on August 17, 1999.



Richard E. Lewis, Community
Development Director



Thomas Barlow, Assistant Planner



ADMINISTRATIVE STAFF REPORT

Date: August 17, 1999
Department: Planning Department
Title: 2519 Lucky John Drive - Lot Line Adjustment
Type of Item: Administrative

Summary Recommendations: Staff recommends that the Community Development Director approve the proposed lot line adjustment on lot 30 and lot 31 of Holiday Ranchettes Subdivision.

A. Topic:

Project Statistics:

Project Name: 2519 Lucky John Drive - Lot Line Adjustment
Owners: John D. Cumming
Location: 2519 Lucky John Drive
Zoning: Single Family (SF)
Project Planner: Thomas E. Barlow
Adjacent Land Uses: Residential

B. Background:

The applicants have submitted a request to remove a lot line that separates lot 30 and 31. The Cummings own both lot 30 and 31, their home is on lot 30 and they are proposing to build a barn/garage on lot 31 with a common driveway. Initially the applicants were applying to remove the drainage/utility easement also however at this time Staff is recommending to remove the lot line only. The removal of the drainage/utility easement will require a consent letter from all franchised utilities in Park City, which represents a burden on the City and the utilities.

C. Analysis:

The lot line adjustment will amend the original plat for lot 30 and 31 of Holiday Ranchettes. The lots are rectangular and are relatively flat. The lot line adjustment will allow the potential of constructing a larger addition to their home that currently does not exist, but due to a Utility Easement running east and west along their property line, any future addition would be restricted in size due to the location of the Utility Easement. Holiday Ranchettes

Subdivision does not have any restrictions on floor area. Maximum house size must be approved by the Community Development Director based upon neighborhood compatibility. Staff has found the proposed development, the barn/garage, is compatible with the neighborhood.

After reviewing the request the Community Development Department has found the parcel meets the Land Management Code, and supports the adjustment. All the adjacent property owners have signed the consent letters as part of the Administrative Lot Line Adjustment requirements.

D. Department Review:

The Community Development Department and the City Attorney's Office have reviewed this application for compliance with the Land Management Code and Utah State law.

Alternatives:

- A. Approve the lot line adjustment as conditioned.
- B. Deny the proposed lot line adjustment.
- C. Continue the item for further discussion and/or request additional information from Staff.

Significant Impacts:

The proposed lot line adjustment has no significant impacts associated with the property.

Recommendation:

Staff recommends that the Community Development Director conduct an administrative public hearing and consider Staff's recommendation to approve the lot line adjustment on lot 30 and lot 31 of Holiday Ranchettes Subdivision based on the following:

Findings of Fact:

1. The property is in the Single Family Zone.
2. The lot line adjustment will not create an adverse impact on adjacent property owners.
3. Letters of consent have been received from adjacent property owners.
5. Utility easements are essential for providing utilities/service to Park City residents.
6. The proposed barn/garage is compatible in scale and setback with the neighborhood.

Conclusions of Law:

1. The project complies with Section 15.1.5. (c) (1) (I-vii) in that: No new development lot or units result from the lot line adjustment;
2. All owners of property contiguous to the adjusted lots, or lots owned by the applicant which are contiguous to the lots, consent to the lot line adjustment;
3. The lot line adjustment does not result in remnant land;
4. The lot line adjustment, and resulting lots comply with the LMC Section 15.4 and are compatible with existing sizes in the immediate neighborhood;
5. The lot line does not result in violation of applicable zoning requirements;
6. Neither of the original lots was previously adjusted;
7. Written notice was mailed to all owners of property within 300 feet and neither any person nor the public will be materially harmed by the adjustment;
8. Utility easements exist and will remain as originally platted.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the lot line adjustment for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. This approval shall expire one year from the date of Community Development Director approval, unless this lot line adjustment is recorded prior to that date.
3. The utility easements that were originally platted remain in their originally platted location.

Exhibits:

- Exhibit A - Proposed Lot Line Adjustment
- Exhibit B - Existing and Proposed site plans.

M:\CDD\TEB\2519 Lucky J.wpd

DATE: 08/11/99
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 PROJECT NO.: 99-001

CUMMING RESIDENCE NEW GARAGE
 LOTS #30 & 31 LUCKY JOHN DRIVE, PARK CITY, UTAH

M.J.S.A.
 METRO JACOBS SITE ANALYSIS ARCHITECTURE

SCALE: 1" = 20'

DATE: 08/11/99
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 PROJECT NO.: 99-001

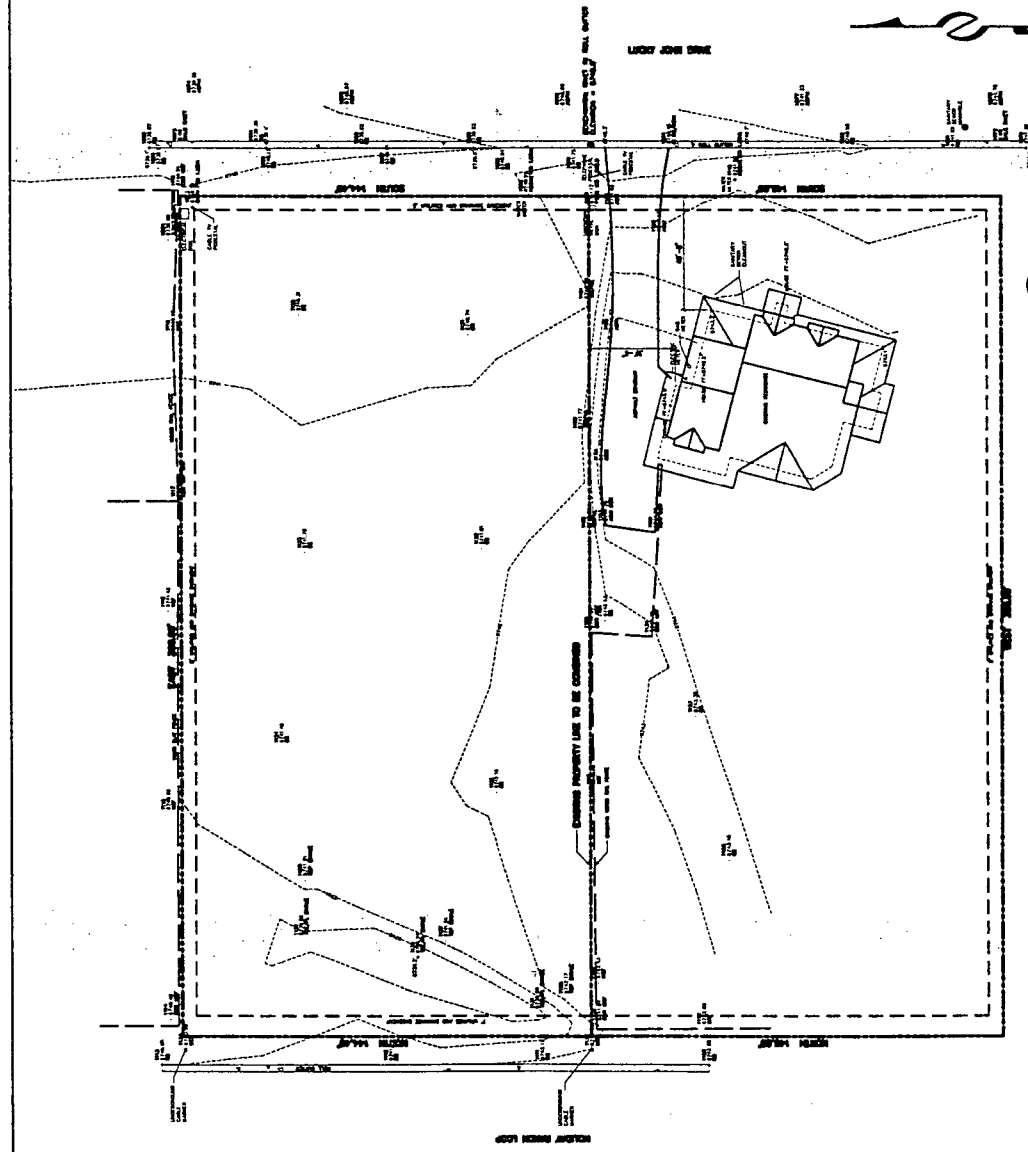
RECEIVED
 JUL 19 1999
 PARK CITY
 PLANNING DEPT.



EXISTING CONDITIONS
 LOTS 30 & 31
 HOLIDAY RANCHETTES
 FROM: RUCS SUBDIVISION
 JOB NO.: 8-1-98
 FILE: 99-001

DATE: 4/11/99

SCALE: 1" = 20'



- NOTES:**
1. PROJECT RECORDS: SHOWN IN BOLD, OUTLINE
 2. EXISTING - SHOWN IN DASHED, OUTLINE AND THE INTERPOLATED FROM A SURVEY ACCORDING TO THE
 3. SEE RECORDS OF SURVEY PLAN FOR DIMENSIONS AND RESTRICTIONS.
 4. THE PROJECT IS NOT TO BE CONSIDERED AS A FIELD SURVEY. THE PROJECT IS BASED ON A FIELD SURVEY PERFORMED ON 4/11/99.
 5. PROPERTY CORNER MARKS, ETC.

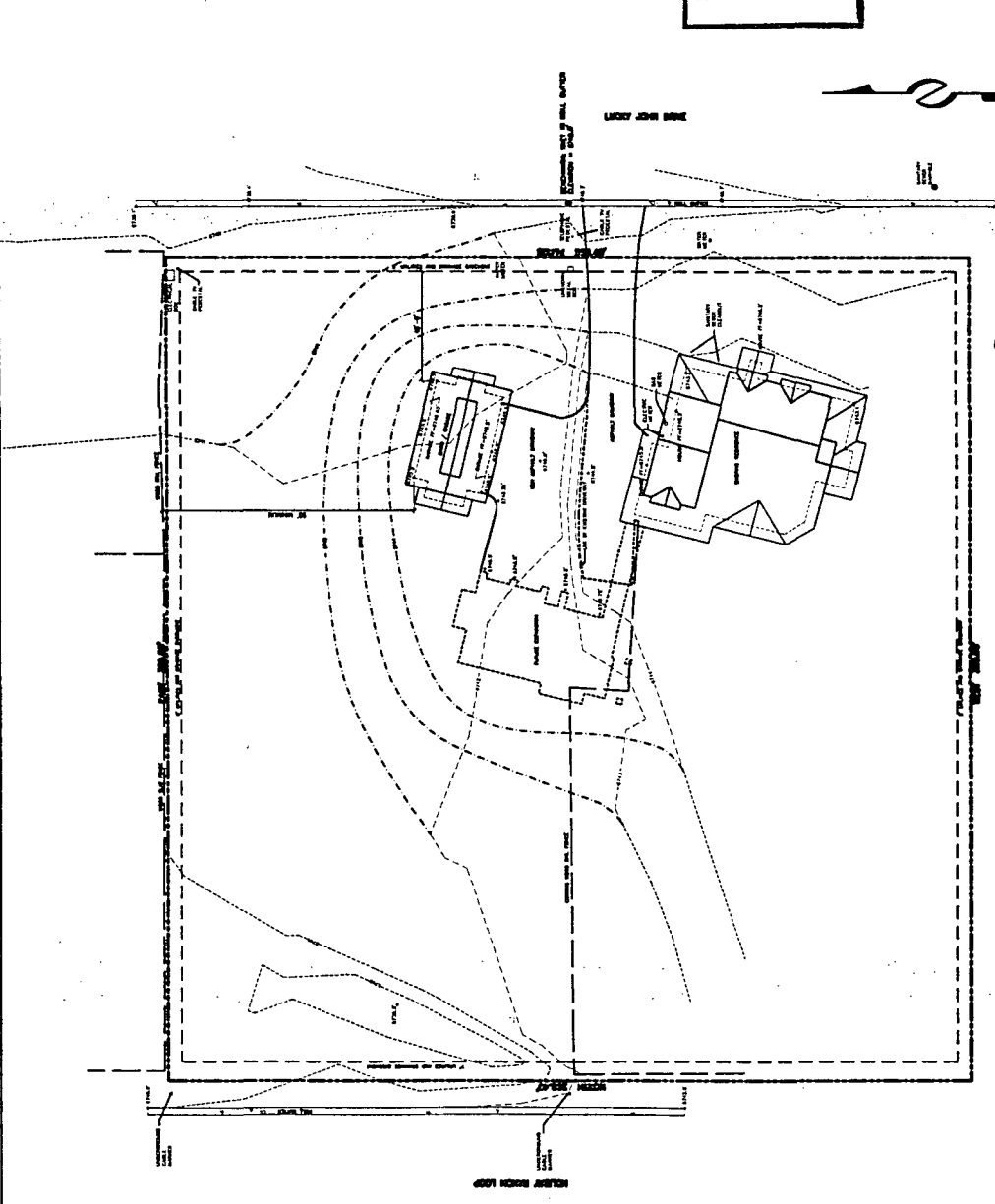
RECEIVED
 JUL 19 2007
 PARK CITY
 PLANNING DEPT.



LEGEND

- EXISTING CONCRETE LINE IN EXISTING
- EXISTING CONCRETE LINE
- EXISTING CONCRETE LINE
- EXISTING CONCRETE LINE

SITE PLAN
 NEW CONDITIONS
 SCALE 1" = 20'-0"



(11) SITE PLAN
 (2) SCALE 1" = 20'-0"

NEW CONDITIONS
 LOTS 30 & 31
 HOLIDAY RANCHETTES
 FROM: RICHIE BUSSELSON
 JOB NO. 2-07-09
 FILED: 11/14/07

STAFF
 PROJECT MANAGER: MICHAEL J. SMITH
 ARCHITECT: MICHAEL J. SMITH
 DATE: 4/21/09

REVISIONS
 REVISION NO. 1
 DATE 4/21/09
 DESCRIPTION: REVISIONS TO MECHANICAL PLAN

DATE: 4/21/09

NOTES

1. PROJECT BOUNDARIES SHOWN IN BOLD DOTTED LINE.
2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
3. THIS SITE PLAN IS BASED ON A FIELD SURVEY PERFORMED ON 4/20/09.
4. PROPERTY CORNER MARK SET.

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 70 Chambers Avenue
Project #: PL-13-01939
Author: Kirsten Whetstone, MS, AICP
Date: September 25, 2013
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 70 Chambers Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Applicant/Owner: Darren Rosenstein, Owner
Architect: Tim Furner, Highland Group, Architect
Location: 70 Chambers Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential, Mine Road (SR 224), Open Space
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit for a new single family home containing 2,989 square feet (sf) (excluding the 336 sf single car garage) on a vacant 4,125 sf lot located at 70 Chambers Avenue. The total floor area exceeds 1,000 sf and the construction is proposed on a slope of 30% or greater.

Background

On June 5, 2013, the City received an application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 70 Chamber Avenue. The application was deemed complete on June 14, 2013. The property is located in the Historic Residential (HR-1) District.

This application is a request for a Conditional Use Permit for construction of a new single family dwelling on a platted lot of record. The property is described as Lot 1 of Qualls 2 Lot Subdivision. The Subdivision was approved by City Council on October 14, 2004 and was recorded at Summit County on December 15, 2004 (Exhibit A). Lot 1 contains 4,125 sf of lot area.

Because the total proposed structure is greater than 1,000 sf, and construction is proposed on an area of the lot that has a thirty percent (30%) or greater slope, the applicant is required to file a Conditional Use Permit (CUP) application. The CUP is

required to be reviewed by the Planning Commission, pursuant to LMC § 15-2.2-6, prior to issuance of a building permit.

The lot is a vacant, platted lot with existing grasses and shrubs, including chokecherry, sage, and oak. There are some old boards on the property that are evidence of a small (approximately 6' by 6') coop structure. There are no foundations or encroachments onto the property. An historic house is located to the north on Lot 2 of the same subdivision. Access to the lot is from Chamber's Avenue which intersects with the Mine Road (SR 224/Marsac Avenue) within forty feet of the northeast property corner (Exhibit B).

Utility services are in the vicinity of this lot, with the exception of electric power which is located nearby but not immediately adjacent to the site and will need to be brought to the site. Extension of these utilities is subject to a final utility plan to be approved by the City Engineer and applicable utility providers. Easements for electric power lines are being negotiated with adjoining lot owners. The only note on the Qualls subdivision plat states that "the owner of Lot 1 will need to extend utility services to the new lot at considerable expense at the time of a building permit".

A Historic District Design Review (HDDR) application was reviewed concurrently with this application and found to be in compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. Staff reviewed several iterations of the design. The final design is included as Exhibit C.

Purpose

The purpose of the Historic Residential (HR-I) 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 proposed house contains a total of 2,989 sf of floor area, excluding the 336 sf single car garage proposed on the lowest level. The proposed building footprint is 1,608 square feet. The 4,125 sf lot size allows a building footprint of 1,636 sf. The house complies with all setbacks, building footprint, and building height requirements of the HR-1 zone. The third story includes horizontal stepping of ten feet (10') as required by the Land Management Code. The lower floor contains 620 sf (excluding the 336 sf garage, but including approximately 192 sf of basement area). The main floor contains 1,424 sf of floor area and the upper floor contains 1,137 sf of floor area. With the stepped foundation the total volume of the structure is decreased because the entire

footprint is not excavated on each floor. The foundation steps, not to increase the volume but to decrease the amount of excavation and to minimize the exterior wall heights from final grade. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	4,125 sf, <u>complies.</u>
Building Footprint	1,636 square feet (based on lot area) <u>maximum</u>	1,608 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (20 feet total)	20 feet (front), <u>complies.</u> 10 feet (rear), <u>complies.</u>
Side Yard	5 feet minimum (14 feet combined total)	9'4" on each side (18'8" combined) which is greater than required, <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u>	Various heights at or less than 27 feet, <u>complies.</u>
Number of stories	A structure may have a maximum of three (3) stories.	3 stories, <u>complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	Maximum difference is 48" (4 feet) with much of it at 36" or less, <u>complies.</u>
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required for the third story	The upper floor contains a ten (10') foot horizontal step back from the lower two levels, <u>complies.</u>
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	7:12 for primary roofs with a 4:12 pitch for the non-primary roof elements, <u>complies.</u>
Parking	Two (2) off-street parking spaces required	One (1) space within a single car garage and one uncovered space on the driveway, within the lot area, compliant with required dimensions. <u>complies.</u>

LMC § 15-2.2-6 requires a Conditional Use permit for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sf) of floor area, including the garage, and stipulates that the Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of the construction on the steep slope can be mitigated:

Criteria 1: Location of Development.

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

The proposed single family house is located on a platted lot of record in a manner that reduces the visual and environmental impacts of the Structure. The foundation is stepped with the grade and the amount of excavation is reduced. The proposed footprint is less than that allowed for the lot area, setbacks are increased, and height is decreased.

Criteria 2: Visual Analysis.

The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.**

The applicant submitted a photographic visual analysis, including a “cross canyon view”, to show the proposed streetscape and how the proposed house would fit within the context of the slope, neighboring structures, and existing vegetation (Exhibit B). There are few structures in this area, which is across the Mine Road from the historic mill walls.

The proposed structure cannot be seen from any of the key vantage points indicated in the LMC Section 15-15-1.283, with the exception of a limited cross canyon view. Because of the narrow canyon at this location, the cross canyon view is best seen from the hillside directly across the Highway. The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the neighborhood and impacts are mitigated. Potential impacts of the design are mitigated with architectural stepping, stepped retaining walls, and minimizing excavation. The design takes advantage of a natural bench in the rear yard, with some existing vegetation that can be maintained, to provide a walkout outdoor patio space with low retaining walls and vegetation used for screening. Minimal retaining walls are necessary for slope stabilization. Existing vegetation consists of shrubs and grasses. Areas of natural vegetation can be maintained in the rear yard to provide screening of the patio area.

Criteria 3: Access.

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

The proposed design incorporates a relatively level driveway from Chambers Avenue to the single car garage. Grading is minimized for both the driveway and the stepped foundation. Due to the 30% slope of the lot towards the center of the lot a side access garage would not minimize grading and would require a massive retaining wall. The proposed driveway has a slope of less than 5%. The driveway is designed to minimize Grading of the natural topography and to reduce overall Building scale. Because of the

proximity to the intersection of Marsac and Chambers the drive must be located in a manner to not encroach on the intersection site triangles.

Criteria 4: Terracing.

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

The lot has a steeper grade at the central portion of the lot becoming relatively gentle at the rear. The foundation is terraced to regain Natural Grade without exceeding the allowed four (4') foot of difference between final and existing grade. Stepped retaining walls are proposed on the sides at the front portion of the lot to regain Natural Grade and to create the driveway, front porch, and rear patio area. New retaining walls will not exceed six feet (6') in height, with the majority of the walls less than four feet (4').

Criteria 5: Building Location.

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

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The site design and building footprint provide an increased front and side setback area providing for greater separation between the proposed house and the adjacent historic structure and providing variation in the front yard setbacks. The driveway area is minimized (12' by 20') to the greatest extent possible to accomplish the required legal parking space on the driveway entirely on the property while connecting the driveway to the paved street. A front yard area adjacent to the driveway is proposed to be properly landscaped with drought tolerant plants that will blend in with the existing natural vegetation on the site.

Criteria 6: Building Form and Scale.

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

The house steps with the grade and is broken into a series of smaller components that are compatible with the District and surrounding structures. The garage is subordinate in design in that it is recessed beneath a second story roof element and third story deck. This both decreases the visibility of the garage and decreases the perceived bulk of the house. Horizontal stepping, as required by the LMC, also decreases the perceived bulk as viewed from the street. Vertical articulation of the front porch and entry area on the north side of the front façade also decreases the perceived bulk and creates a smaller scale component that is compatible with historic structures in the District.

Criteria 7: Setbacks.

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

Front setbacks are increased as the garage portion of the house is setback 20' to accommodate the code required parking space. Side setbacks are increased from total of 14' to total of 18'8". The front setback is also staggered. No wall effect along the Street front or Rear Lot line is created with the proposed design; this is in part due to the open space area to the south, which is not platted for houses, and the separation to the house to the north.

Criteria 8: Dwelling Volume.

The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed house is both horizontally and vertically articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of existing structures. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and existing historic structures. The building volume is not maxed out in terms of footprint or potential floor area.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height. The tallest portion of the house (27') is midway back from the front on the north side where the grade of the lot drops more steeply. The main ridge on the south side is 20' from existing grade and above the central portion of the lot the main ridge measures 25.6' from existing grade. Overall the proposed height is less than that allowed.

Process

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

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that have been addressed by revisions and/or conditions of approval, including provision of utilities to the site.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record in accordance with requirements of the LMC.

Public Input

Staff received a call from an adjacent property owner with questions about the proposal. The property owner stopped by the Planning Department, reviewed the plans, and asked where the power lines would most like be extended from and whether they could be undergrounded. The applicant has indicated that power will most likely be extended from Prospect provided that easements can be acquired along adjacent lot lines, in exchange for doing the work to bring power from the west side of Prospect to the east side to benefit these adjacent vacant lots. Staff recommends that a building permit not be issued for construction of a house at 70 Chambers Avenue until power has been extended to the lot.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for 70 Chambers Avenue as conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date certain (October 9th).

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is an existing platted residential lot that contains native grasses and shrubs. A storm water management plan will be required to handle storm water run-off at historic release rates.

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur and the applicant would have to revise the plans.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 70 Chambers Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The property is located at 70 Chambers Avenue.

2. The property is within the Historic Residential (HR-1) District and is subject to all requirements of the Land Management Code and the 2009 Design Guidelines for Historic Districts and Sites.
3. The property is described as Lot 1 of the Qualls 2 Lot Subdivision, recorded at Summit County on December 15, 2004. The lot is undeveloped and contains 4,125 square feet of lot area.
4. The site is not listed as a historically significant site as defined in the Park City Historic Sites Inventory.
5. A Historic District Design Review (HDDR) application was reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. On August 16, 2013, the design was found to comply with the Design Guidelines and the second notice was sent to adjacent property owners.
6. The lot is an undeveloped lot containing grasses and shrubs, including chokecherry, sage, and clusters of oak the property. There are no encroachments onto the Lot and there are no structures or wall on the Lot that encroach onto neighboring Lots. There is evidence of a small wooden coop structure from old wooden boards. There are no foundations.
7. There is an existing significant historic structure on the adjacent Lot 2. Lot 2 is also 4,125 square feet in size.
8. Minimum lot size for a single family lot in the HR-1 zone is 1,875 square feet. Minimum lot size for a duplex in the HR-1 zone is 3,750 square feet.
9. The proposed design is for a three story, single family dwelling consisting of 2,989 square feet of living area (excludes 336 sf single car garage). A second code required parking space is proposed on the driveway in front of the garage on the property. The driveway is proposed to be a maximum of 12' in width and a minimum length of 20' to accommodate one code required space. The garage door complies with the maximum width of nine (9') feet.
10. The maximum allowed footprint for a 4,125 sf lot is 1,636 square feet and the proposed design includes a footprint of 1,608 square feet. By comparison, an overall building footprint of 844 square feet is allowed for a standard 1,875 square foot lot.
11. The proposed home includes three (3) stories. The third story steps back from the lower stories by a minimum of ten feet (10'). The first floor is not excavated fully beneath the upper floor.
12. The applicant submitted a visual analysis/ perspective, cross canyon view from the east, and a streetscape showing a contextual analysis of visual impacts on adjacent streetscape. There are no houses or platted lots located to the south of this lot.
13. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at 4' (four) feet or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.
14. The site design, stepping of the building mass, increased horizontal articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% slope areas.
15. The design includes setback variations, increased setbacks, decreased maximum building footprint, and lower building heights for portions of the structure.
16. The stepped foundation decreases the total volume of the structure because the entire footprint is not excavated on each floor. The foundation steps, not to increase

the volume but to decrease the amount of excavation and to minimize the exterior wall heights as measured from final grade. The proposed massing and architectural design components are compatible with the massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.

17. The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than twenty-seven feet (27') in height.
18. This property owner will need to extend power to the site subject to a final utility plan to be approved by the City Engineer and applicable utility providers prior to issuance of a building permit for the house.
19. The findings in the Analysis section of this report are incorporated herein.
20. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house to the north from damage.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit. No building permits shall be issued until all utilities are proven that they can be extended to the site.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. Because of the proximity to the intersection of Marsac and Chambers the driveway must be located in a manner to not encroach on the intersection site triangles.
6. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation. Lawn area shall be limited in area.
7. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the 2009 Design Guidelines for Historic Districts and Historic Sites.
8. If required by the Chief Building official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a

detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure to the north.

9. Soil shall be tested and if required, a soil remediation shall be complete prior to issuance of a building permit for the house.
10. This approval will expire on September 25, 2014, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
11. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
12. All retaining walls within any of the setback areas shall not exceed more than six feet in height measured from final grade, except that retaining walls in the front yard shall not exceed four (4') feet in height, unless an exception is granted by the City Engineer per the LMC, Chapter 4.
13. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
14. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited.

Exhibits

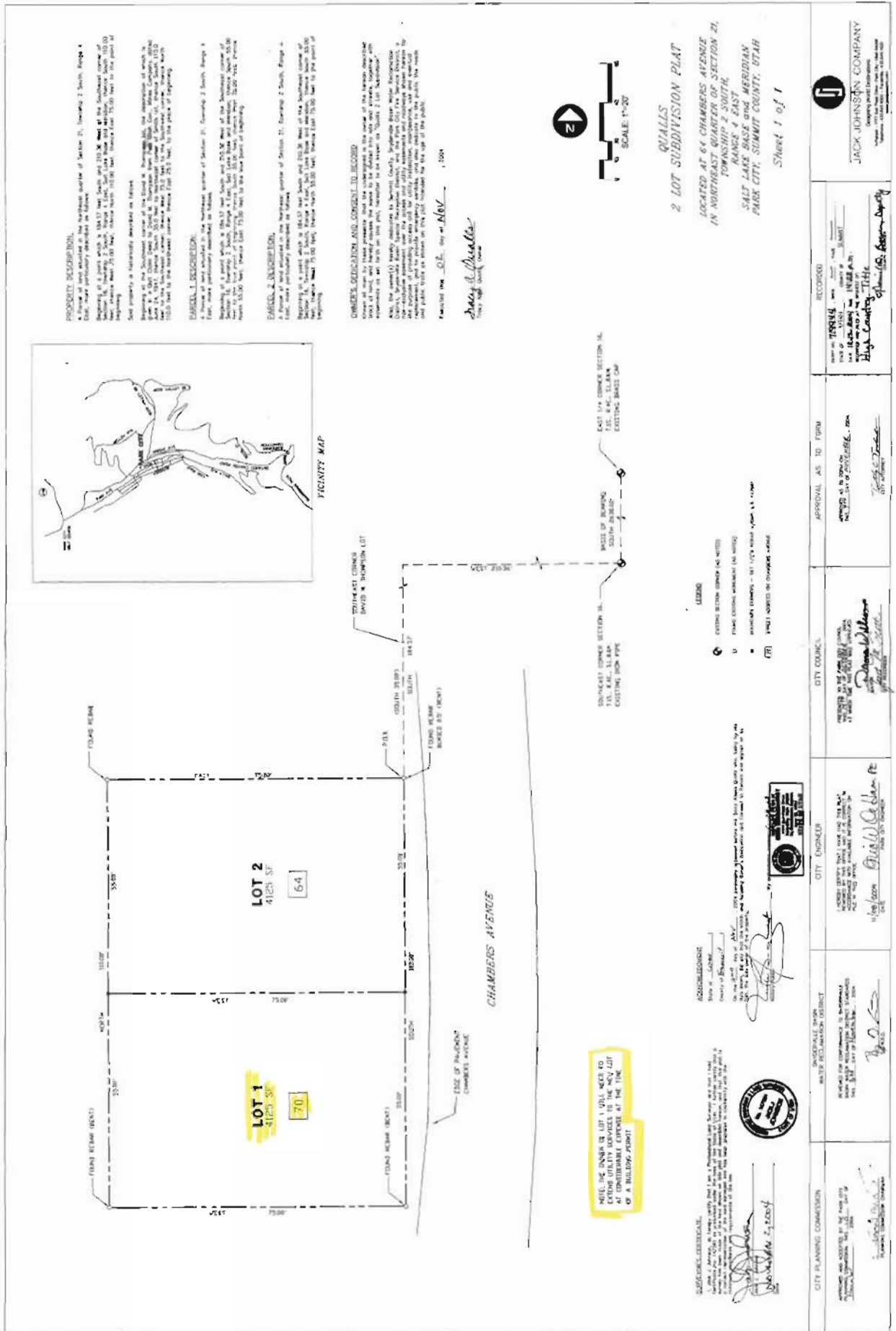
Exhibit A- Subdivision plat

Exhibit B- Existing Conditions

Exhibit C- Plans (existing conditions, site plan, elevations, floor plans)

Exhibit D- Visual Analysis/Streetscape

Exhibit E- Photographs



PROPERTY DESCRIPTION.
A parcel of land situated in the northeast quarter of Section 21, Township 2 South, Range 4 East, near particular description as follows:
Beginning at the southeast corner of the lot 100 feet wide and 100 feet deep, thence South 10.00 degrees East 75.00 feet, thence North 10.00 degrees East 75.00 feet to the point of beginning.

PARCEL 1 DESCRIPTION.
A parcel of land situated in the northeast quarter of Section 21, Township 2 South, Range 4 East, near particular description as follows:
Beginning at a point which is 64.57 feet South and 213.30 West of the southeast corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, thence South 55.56 degrees East 55.56 feet, thence East 75.00 feet to the southeast corner of the lot 100 feet wide and 100 feet deep, thence North 10.00 degrees East 75.00 feet to the point of beginning.

PARCEL 2 DESCRIPTION.
A parcel of land situated in the northeast quarter of Section 21, Township 2 South, Range 4 East, near particular description as follows:
Beginning at a point which is 64.57 feet South and 213.30 West of the southeast corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, thence South 55.56 degrees East 55.56 feet, thence East 75.00 feet to the southeast corner of the lot 100 feet wide and 100 feet deep, thence North 10.00 degrees East 75.00 feet to the point of beginning.

OWNER'S DECLARATION AND CONSENT TO RECORD.
I, the undersigned, being the owner of the above described parcel of land, do hereby declare that the above described parcel of land is being subdivided into two (2) lots, to-wit: Lot 1 and Lot 2, for the purpose of residential use, and that the subdivision is being made in accordance with the provisions of the Utah Subdivision Map Act, Chapter 2, Title 2, Utah Code Annotated, and that the subdivision is being made for the benefit of the public.

DATE: Nov 02, 2014
BY: Tracy J. Decker
FOR: High Country Title

NOTE: THE OWNER OF LOT 1 WILL NEED TO EXTEND UTILITY SERVICES TO THE NEW LOT AT CONSIDERABLE EXPENSE AT THE TIME OF A BULLDOZE FRONT

QUALLS
2 LOT SUBDIVISION PLAT
LOCATED AT 64 CHAMBERS AVENUE
IN NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
Sheet 1 of 1

RECORDED
DATE: 11/03/14
BY: HIGH COUNTRY TITLE
BOOK: 11888 P. 8
PAGE: 1

APPROVAL AS TO FORM
APPROVED BY: [Signature]
DATE: 11/03/14

CITY COUNCIL
APPROVED BY: [Signature]
DATE: 11/03/14

CITY ENGINEER
APPROVED BY: [Signature]
DATE: 11/03/14

MULTI-JURISDICTIONAL DISTRICT
APPROVED BY: [Signature]
DATE: 11/03/14

CITY PLANNING COMMISSION
APPROVED BY: [Signature]
DATE: 11/03/14

JACK JOHNSON COMPANY
1100 South Main Street, Suite 100
Salt Lake City, Utah 84143
Phone: 313.333.3333
Fax: 313.333.3333

High Country Title
1100 South Main Street, Suite 100
Salt Lake City, Utah 84143
Phone: 313.333.3333
Fax: 313.333.3333

EXHIBIT B

SURVEYORS CERTIFICATE

I, LYBON J. CURTIS, COUNTY REGISTERED LAND SURVEYOR AND THE LIEUTENANT OF THE SALT LAKE COUNTY REGISTERED LAND SURVEYORS ASSOCIATION, HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE GROUNDS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN.



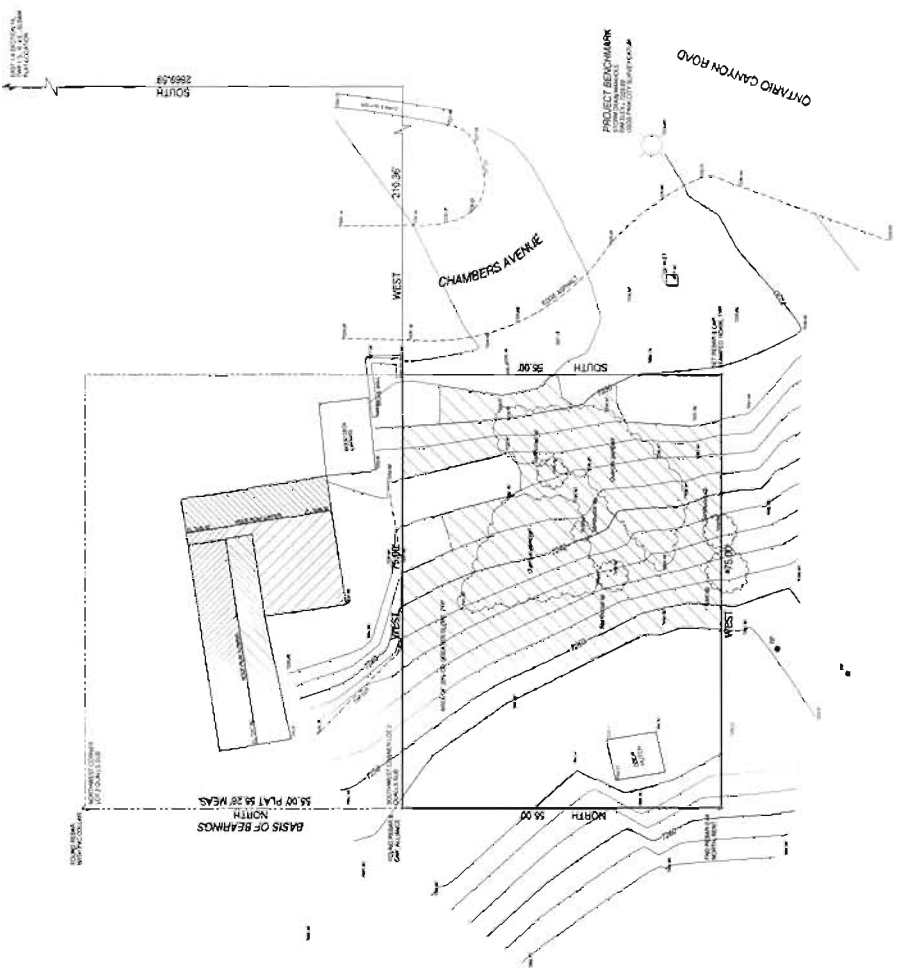
SIGNATURE _____ DATE _____

NARRATIVE

PROPERTY SURVEYED AT THE REQUEST OF THE CLIENT FOR THE PURPOSE OF APPROVING THE SUBDIVISION OF THE GROUNDS INTO LOTS AND ALLEYS. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE SALT LAKE COUNTY REGISTERED LAND SURVEYORS ASSOCIATION AND THE UTAH SURVEYING ACT.

LEGAL DESCRIPTION

THE PROPERTY DESCRIBED IS LOCATED IN THE CITY OF PARK CITY, IN THE COUNTY OF SALT LAKE, STATE OF UTAH. THE TRACT DESCRIBED CONTAINS 429 SQUARE FEET, OR 0.0096 ACRES, MORE OR LESS.



LEGEND

- SECTION QUARTER SECTION STREET OR OTHER SURVEY MONUMENT
- PROPERTY CORNER, NOT SET
- BOUNDARY OR NEIGHBORLY LINE, WITH CORNER, FOUND OR SET
- POINT OF ADJ. PROP.
- CENTRELINE
- FENCE LINE
- UTILITY LINE, TYPICAL
- SEWER, STORM DRAIN OR OTHER UTILITY MANHOLE
- SPOT ELEVATION
- WALL OR ELEVATION CONTROL
- WATER ELEVATION CONTROL
- EDGE OF PAVEMENT, ASPHALT OR GRAVEL
- TREE OR BRUSHLINE
- AREA OF 3% OR GREATER SLOPE

CURTIS & ASSOCIATES	
LAND SURVEYOR	UTAH LICENSE NO. 12345
BOUNDARY AND TOPOGRAPHIC SURVEY	
DARRIN ROSENSTEIN	
10 CHAMBERS AVENUE PARK CITY, UTAH	
LOT 1, DUALIS SUBDIVISION	
LOCATED IN THE NORTHWEST CORNER OF SECTION 21 TWP 2 S. R. 4 E. S. 04M	
DATE	APRIL 12, 2013
SCALE	1" = 20'
FILE NO.	10000000000000000000

PL-13-01868

70 CHAMBERS

FINAL
ADD'G SET.

70 Chambers Avenue
GOVERNING CODE Park City, Utah
PROJ. NO.

DESIGNER: Highland Group Building Design Inc. (801) 277-4433
STRUCTURAL: Michael Sotuyo Design & Engineering (801) 649-6357
SURVEYOR: Curtis & Associates (801) 733-9979

TABLE OF REQUIRED INSPECTIONS

1. All work shall be inspected and approved by the local building department prior to the start of construction.
2. All work shall be inspected and approved by the local building department prior to the start of construction.
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INDEX OF DRAWINGS

SHEET NO.	DESCRIPTION
1	COVER SHEET
1A	GENERAL NOTES
1B	FOUNDATION PLAN
1C	FOUNDATION DETAIL
2	FOUNDATION PLAN
3	FOUNDATION DETAIL
4	FOUNDATION DETAIL
5	FOUNDATION DETAIL
6	FOUNDATION DETAIL
7	FOUNDATION DETAIL
8	FOUNDATION DETAIL
9	FOUNDATION DETAIL
10	FOUNDATION DETAIL
11	FOUNDATION DETAIL
12	FOUNDATION DETAIL
13	FOUNDATION DETAIL
14	FOUNDATION DETAIL
15	FOUNDATION DETAIL
16	FOUNDATION DETAIL
17	FOUNDATION DETAIL
18	FOUNDATION DETAIL
19	FOUNDATION DETAIL
20	FOUNDATION DETAIL
21	FOUNDATION DETAIL
22	FOUNDATION DETAIL

INSULATION AND PENETRATION REQUIREMENTS BY COMPONENT

COMPONENT	INSULATION TYPE	MINIMUM R-VALUE	MAXIMUM PENETRATION TYPE	MINIMUM R-VALUE	MAXIMUM PENETRATION TYPE
1	0.05	5	0.05	5	0.05
2	0.05	5	0.05	5	0.05
3	0.05	5	0.05	5	0.05
4	0.05	5	0.05	5	0.05
5	0.05	5	0.05	5	0.05
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16	0.05	5	0.05	5	0.05
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26	0.05	5	0.05	5	0.05
27	0.05	5	0.05	5	0.05
28	0.05	5	0.05	5	0.05
29	0.05	5	0.05	5	0.05
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PARK CITY PLANNING DEPT.

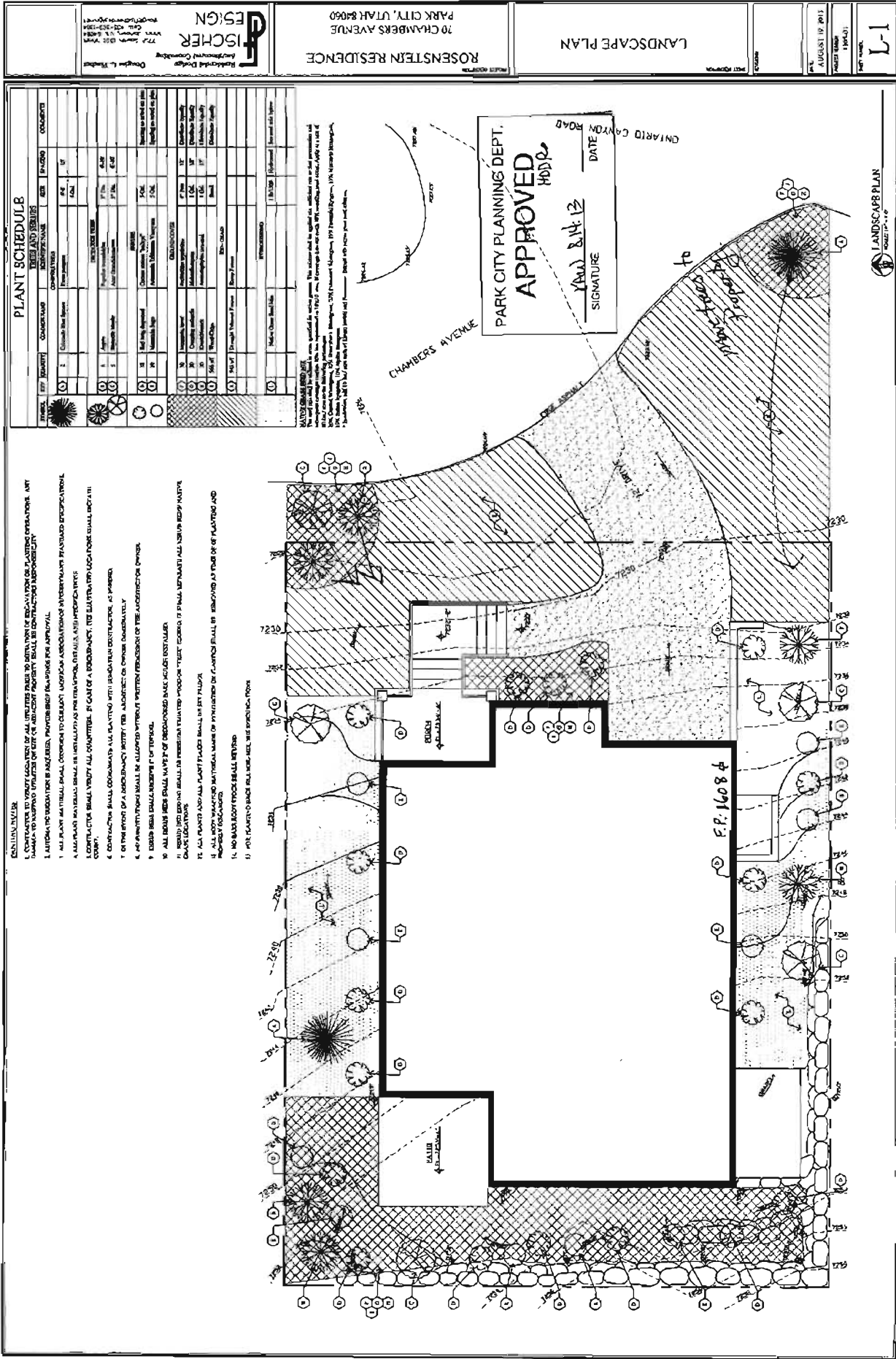
APPROVED
#002 Approval
Yad 8.14.13

SIGNATURE _____ DATE _____

DEFERRED SUBMITTAL

1	RADIANT HEAT SUBMITTAL
2	GAS PIPING SCHEMATIC
3	FACTORY-BUILT FLOOR JOIST INFORMATION
4	
5	
6	

THE SEAL, COMPLETE DETAILS, AND CONTRACT AGREEMENT ARE NOT VALID UNLESS THE SEALING ENGINEER HAS REVIEWED THE PROJECT FOR THE PROTECTION OF PUBLIC HEALTH AND SAFETY.



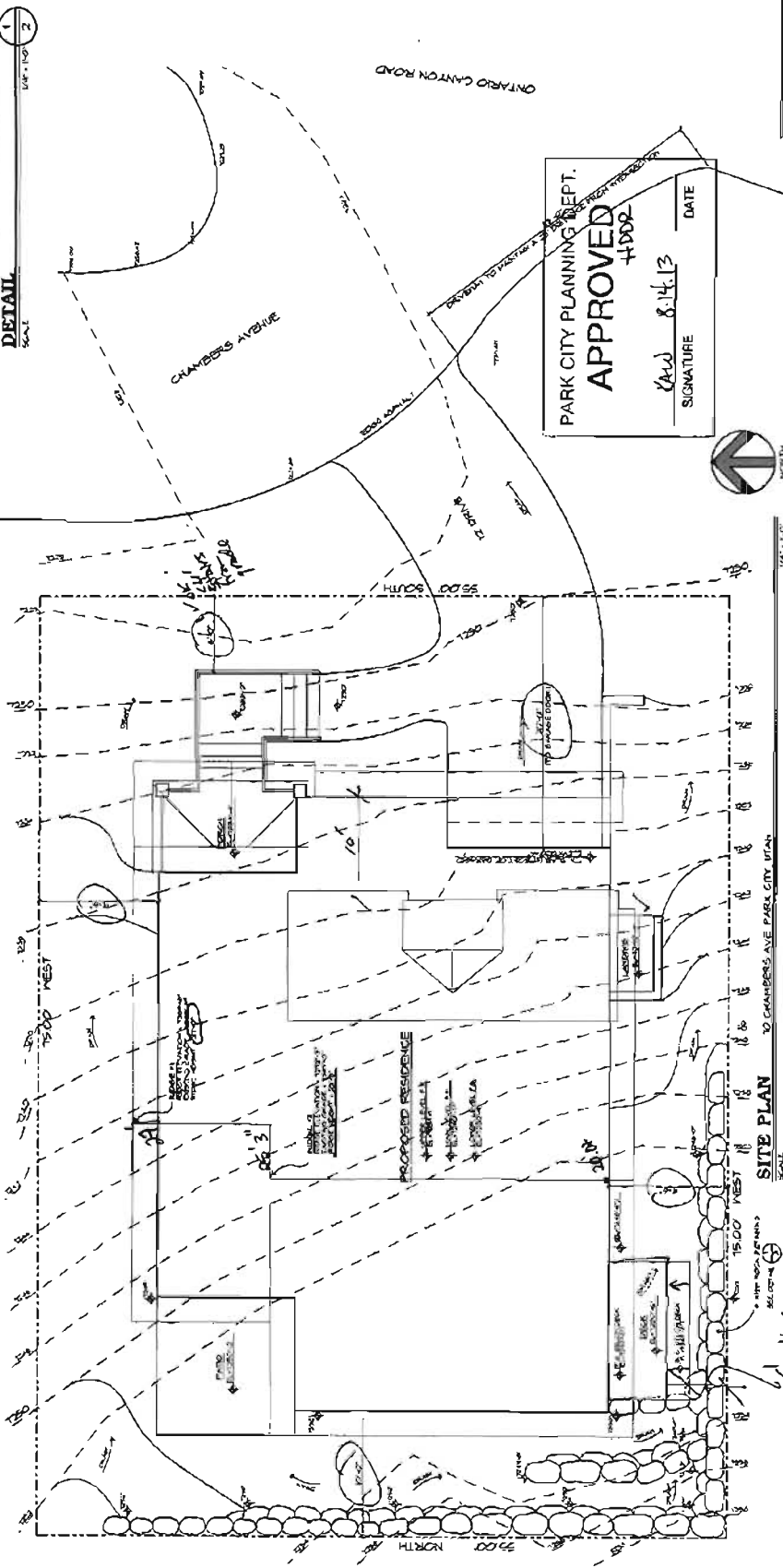
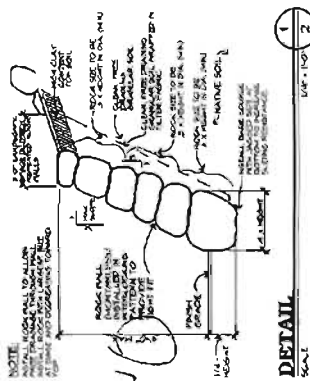
PLANT SCHEDULE

SYMBOL	PLANT	QUANTITY	COMMENTS
(1)	Small Tree (Spec)	1	Plant in front of porch
(2)	Small Tree (Spec)	1	Plant in front of porch
(3)	Small Tree (Spec)	1	Plant in front of porch
(4)	Small Tree (Spec)	1	Plant in front of porch
(5)	Small Tree (Spec)	1	Plant in front of porch
(6)	Small Tree (Spec)	1	Plant in front of porch
(7)	Small Tree (Spec)	1	Plant in front of porch
(8)	Small Tree (Spec)	1	Plant in front of porch
(9)	Small Tree (Spec)	1	Plant in front of porch
(10)	Small Tree (Spec)	1	Plant in front of porch
(11)	Small Tree (Spec)	1	Plant in front of porch
(12)	Small Tree (Spec)	1	Plant in front of porch
(13)	Small Tree (Spec)	1	Plant in front of porch
(14)	Small Tree (Spec)	1	Plant in front of porch
(15)	Small Tree (Spec)	1	Plant in front of porch
(16)	Small Tree (Spec)	1	Plant in front of porch
(17)	Small Tree (Spec)	1	Plant in front of porch
(18)	Small Tree (Spec)	1	Plant in front of porch
(19)	Small Tree (Spec)	1	Plant in front of porch
(20)	Small Tree (Spec)	1	Plant in front of porch
(21)	Small Tree (Spec)	1	Plant in front of porch
(22)	Small Tree (Spec)	1	Plant in front of porch
(23)	Small Tree (Spec)	1	Plant in front of porch
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(30)	Small Tree (Spec)	1	Plant in front of porch
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(37)	Small Tree (Spec)	1	Plant in front of porch
(38)	Small Tree (Spec)	1	Plant in front of porch
(39)	Small Tree (Spec)	1	Plant in front of porch
(40)	Small Tree (Spec)	1	Plant in front of porch

PARK CITY PLANNING DEPT. APPROVED
 HODD
 SIGNATURE: Brad B. H. B. DATE: 8/14/13

MATERIALS LIST
 1. Concrete
 2. Brick
 3. Stone
 4. Gravel
 5. Sand
 6. Topsoil
 7. Mulch
 8. Fertilizer
 9. Water
 10. Electricity

1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PARK CITY PLANNING DEPARTMENT'S PLANNING OPERATIONS AND MAINTENANCE MANUAL, SECTION 10.0, AND THE CITY OF PARK CITY PLANNING DEPARTMENT'S PLANNING OPERATIONS AND MAINTENANCE MANUAL, SECTION 10.1.
2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PARK CITY PLANNING DEPARTMENT'S PLANNING OPERATIONS AND MAINTENANCE MANUAL, SECTION 10.2.
3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PARK CITY PLANNING DEPARTMENT'S PLANNING OPERATIONS AND MAINTENANCE MANUAL, SECTION 10.3.
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20. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PARK CITY PLANNING DEPARTMENT'S PLANNING OPERATIONS AND MAINTENANCE MANUAL, SECTION 10.20.

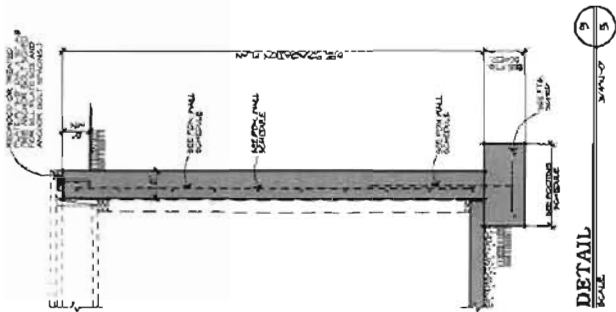
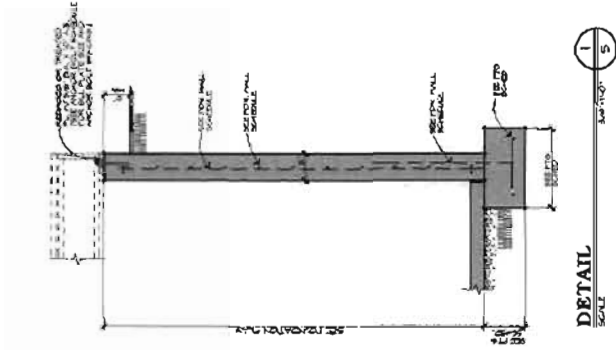
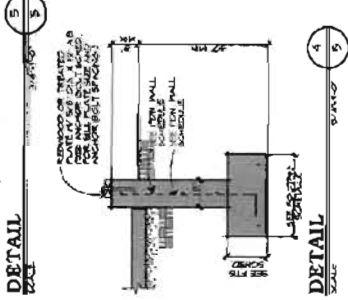
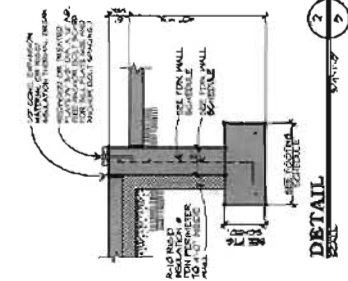
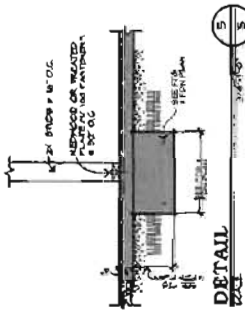


PARK CITY PLANNING DEPT.
APPROVED
 + HDOR
 DATE 8.14.13
 SIGNATURE [Signature]
 DATE

THE SEAL, CONCEPTS, DESIGN, FLOOR PLANS AND CALCULATIONS ARE THE EXCLUSIVE PROPERTY OF THE HIGHLAND GROUP. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



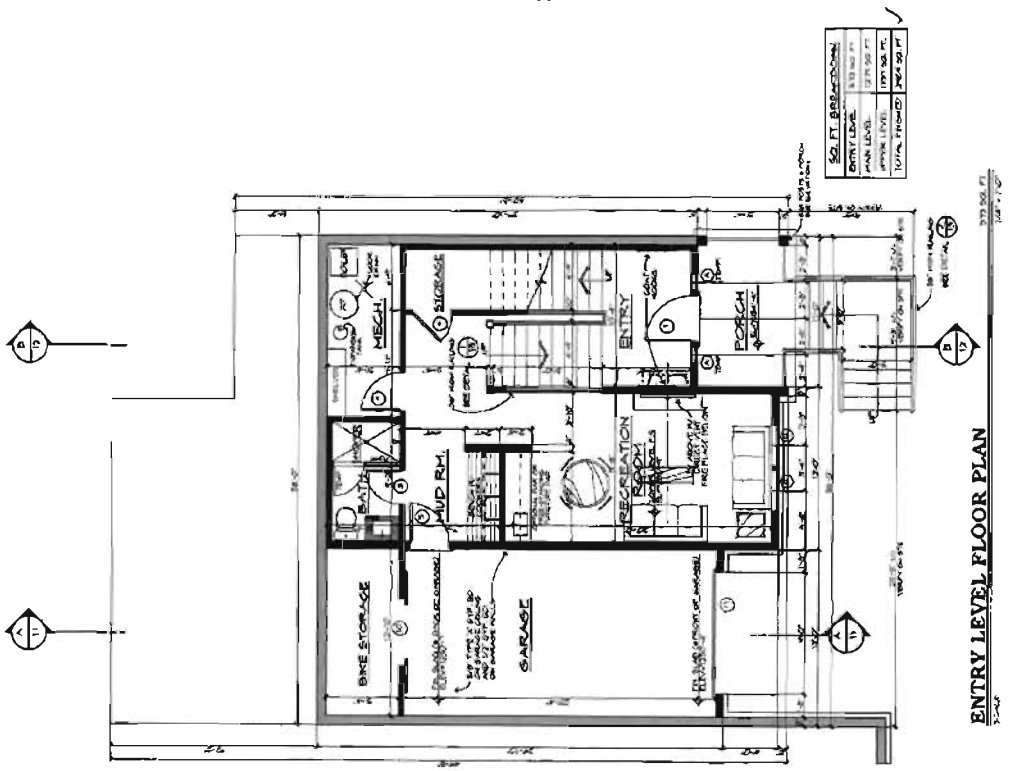
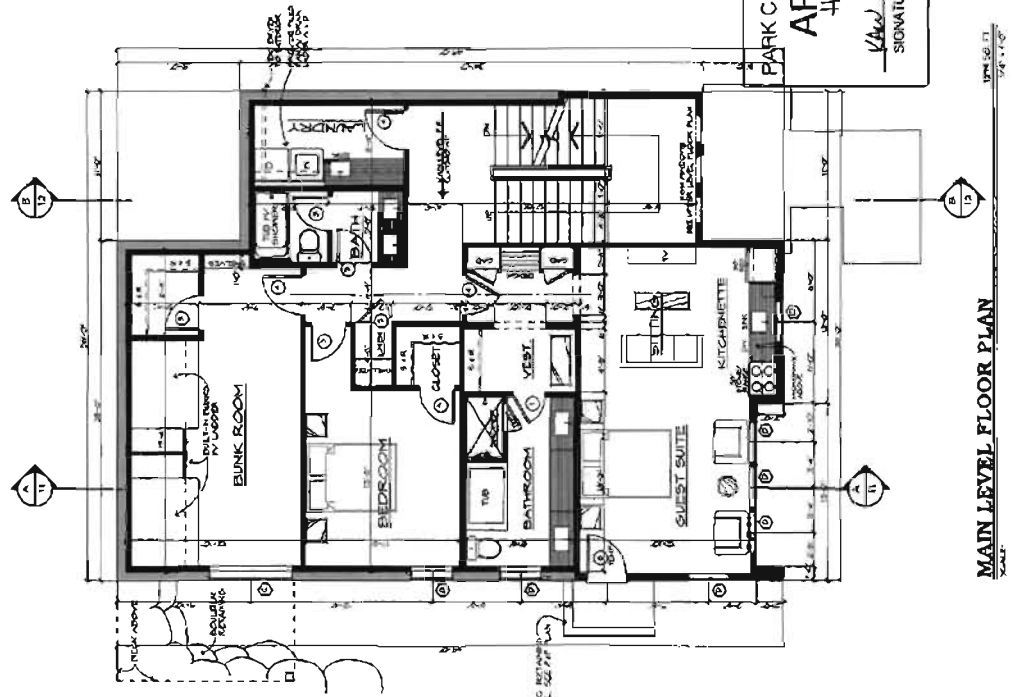
Handwritten notes:
 5' PARKING STRIP
 15' x 25' x 20' FORM GRABBLE



SHEET

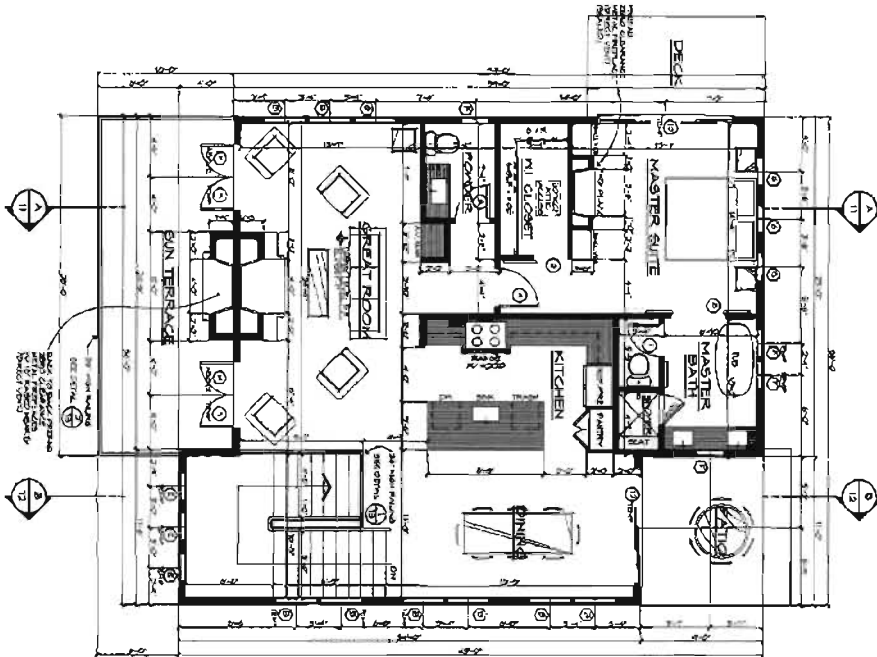
PARK CITY PLANNING DEPT.
APPROVED
 4/10/12
 DATE: 8.14.13
 SIGNATURE: [Signature]
 DATE: [Blank]

THE LEGAL CONCEPTS, DETAILS, APPROVAL AND ILLUSTRATION ARE THE EXCLUSIVE PROPERTY OF HIGHLAND GROUP, INC. ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF HIGHLAND GROUP, INC.



SO. FT. ELEVATIONS	
ENTRY LEVEL	1373.00 FT.
MAIN LEVEL	1371.00 FT.
APPROX. LEVEL	1370.00 FT.
TOTAL FINISHED	1368.00 FT.

- PLUMBING NOTES**
1. REFER TO ALL NOTES ON ALL SHEETS FOR THE PROJECT.
 2. REFER TO ALL NOTES ON ALL SHEETS FOR THE PROJECT.
 3. REFER TO ALL NOTES ON ALL SHEETS FOR THE PROJECT.
 4. REFER TO ALL NOTES ON ALL SHEETS FOR THE PROJECT.
 5. REFER TO ALL NOTES ON ALL SHEETS FOR THE PROJECT.
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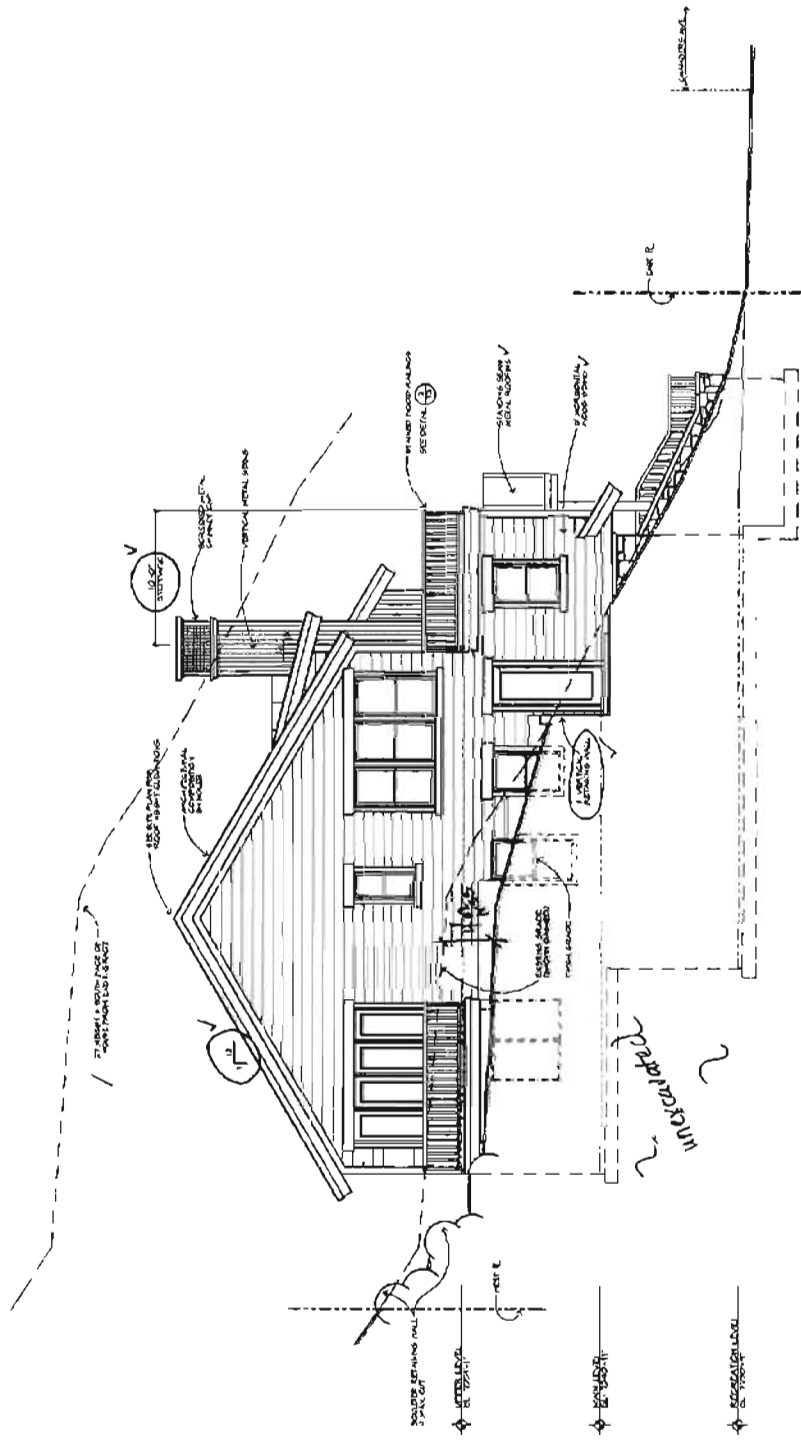
UPPER LEVEL FLOOR PLAN

120' x 110' x 110'

90' FT BREAKDOWN	
FINISH LEVEL	575' 00" FT
FINISH LEVEL	177' 00" FT
FINISH LEVEL	107' 00" FT
GRID PREFIXED	2000 00' FT

THESE NOTES ARE THE PROPERTY OF THE ARCHITECT AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

THIS IS AN EXHIBIT TO THE ORIGINAL PERMITS AND IS SUBJECT TO THE EXISTING PERMITS. HIGHLAND GROUP ASSUMES NO LIABILITY FOR THE ACCURACY OF THIS EXHIBIT. THE CITY OF PARK CITY IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS EXHIBIT.

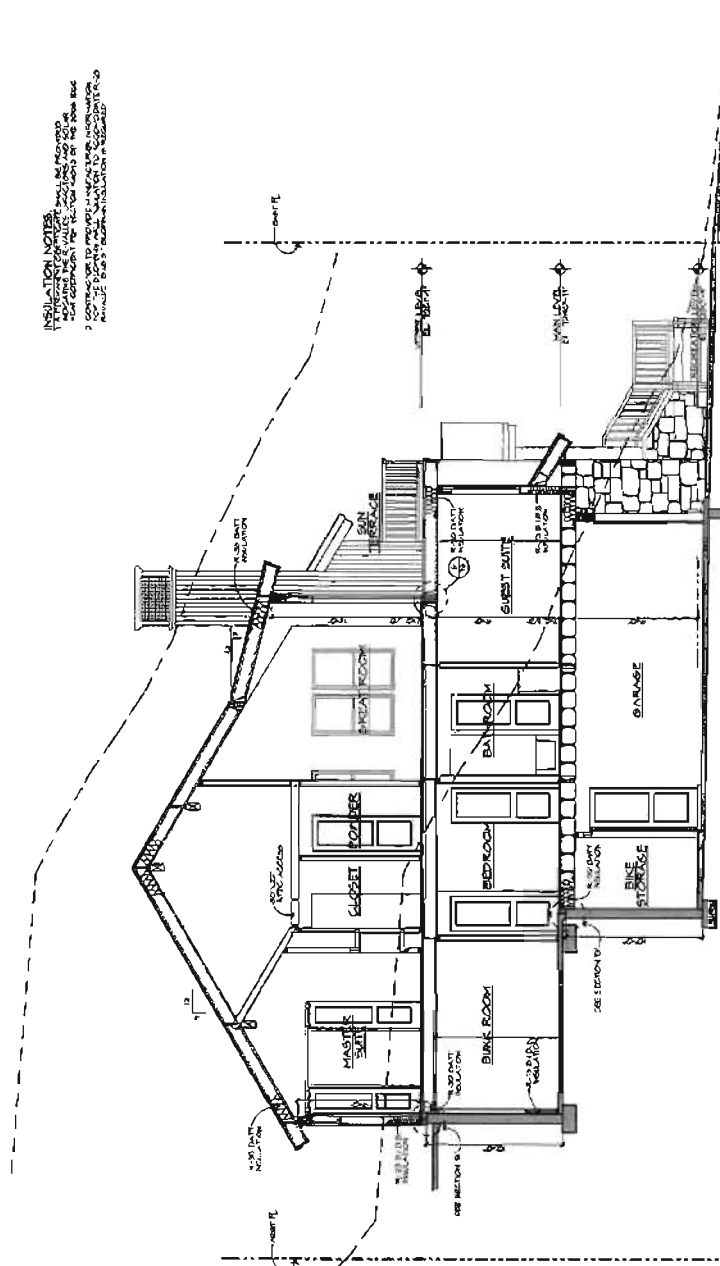


PARK CITY PLANNING DEPT.
APPROVED
 HADDE
 KAW 8.14.13
 SIGNATURE DATE

LEFT SIDE (SOUTH) ELEVATION
 SCALE: 1/8" = 1'-0"

THESE CONCEPTS, DETAILS, ROOM PLANS AND ELEVATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT AGREES TO HOLD THE ARCHITECT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST OR INCURRED BY THE ARCHITECT IN CONNECTION WITH THE PREPARED DOCUMENTS.

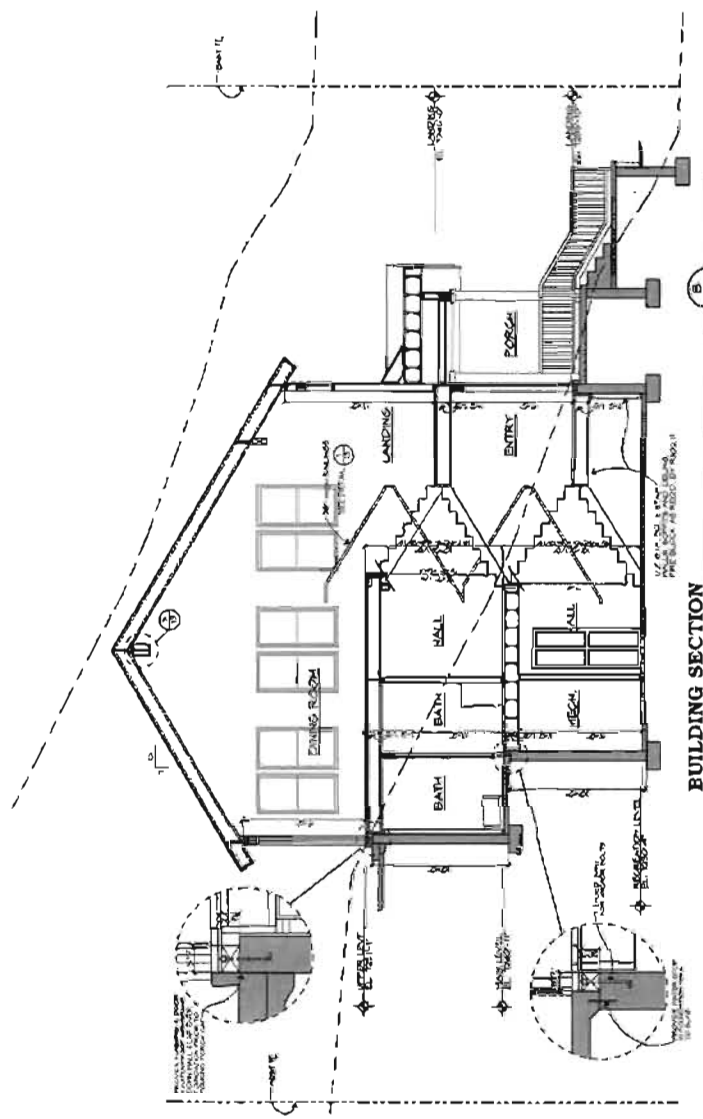
INSULATION NOTES:
 1. ALL ROOFING SHALL BE INSULATED WITH 2" POLYISOCYANURATE (PIR) INSULATION.
 2. ALL EXTERIOR WALLS SHALL BE INSULATED WITH 2" POLYISOCYANURATE (PIR) INSULATION.
 3. ALL INTERIOR WALLS SHALL BE INSULATED WITH 2" POLYISOCYANURATE (PIR) INSULATION.



PARK CITY PLANNING DEPT.
APPROVED
 HDR
 DATE 8.14.13
 SIGNATURE

BUILDING SECTION
 SCALE 1/8" = 1'-0"

THE OWNER ACCEPTS THE DESIGNER'S RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE DESIGNER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AS SHOWN ON THESE PLANS. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN OF THE BUILDING AS SHOWN ON THESE PLANS.



BUILDING SECTION
 SCALE: 1/8" = 1'-0"

PARK CITY PLANNING DEPT.
APPROVED
 Floor
 KAW B 11/13
 SIGNATURE
 DATE

GENERAL FRAMING NOTES

1. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
2. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
3. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
4. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
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7. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
8. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
9. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
10. ALL FRAMING MEMBERS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.

GENERAL FRAMING NOTES

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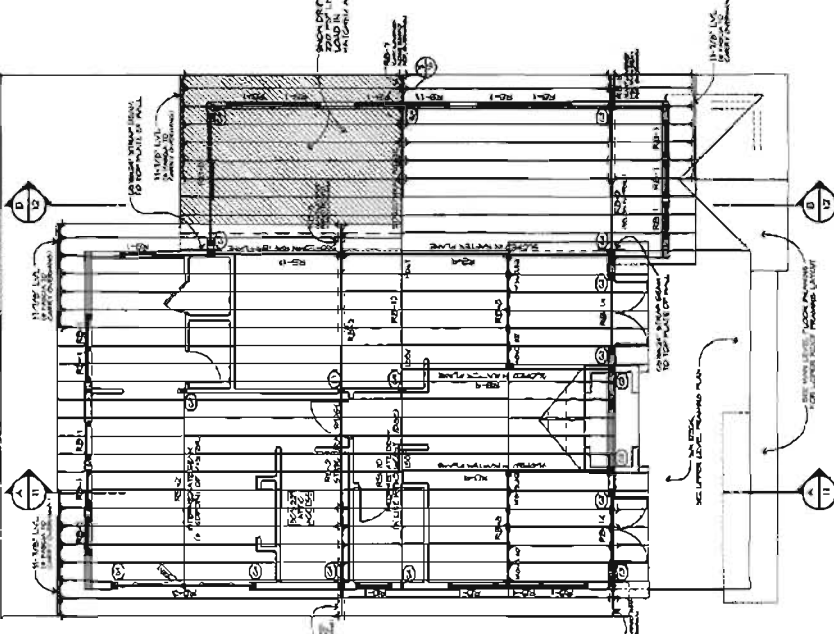
COLUMN SCHEDULE

NO.	SECTION	TYPE	SECTION	TYPE
1	11-12	11-12	11-12	11-12
2	11-13	11-13	11-13	11-13
3	11-14	11-14	11-14	11-14
4	11-15	11-15	11-15	11-15
5	11-16	11-16	11-16	11-16
6	11-17	11-17	11-17	11-17
7	11-18	11-18	11-18	11-18
8	11-19	11-19	11-19	11-19
9	11-20	11-20	11-20	11-20
10	11-21	11-21	11-21	11-21

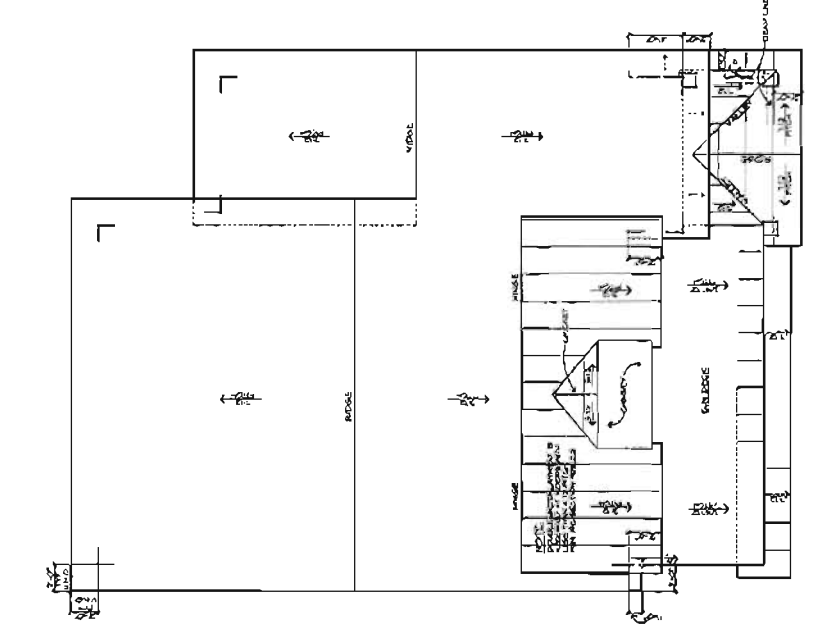
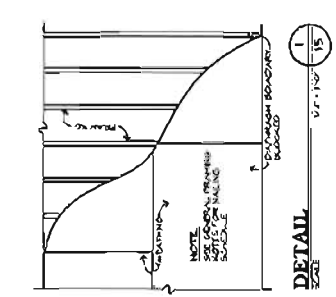
ROOF BEAM SCHEDULE

BEAM	SECTION	TYPE	SECTION	TYPE
RB-1	11-12	11-12	11-12	11-12
RB-2	11-13	11-13	11-13	11-13
RB-3	11-14	11-14	11-14	11-14
RB-4	11-15	11-15	11-15	11-15
RB-5	11-16	11-16	11-16	11-16
RB-6	11-17	11-17	11-17	11-17
RB-7	11-18	11-18	11-18	11-18
RB-8	11-19	11-19	11-19	11-19
RB-9	11-20	11-20	11-20	11-20
RB-10	11-21	11-21	11-21	11-21

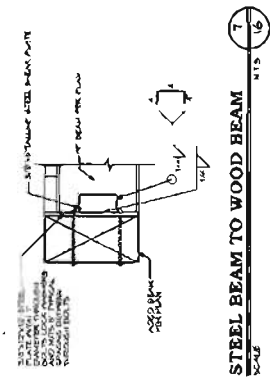
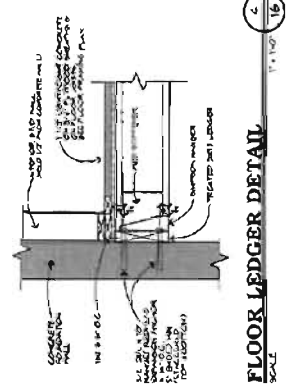
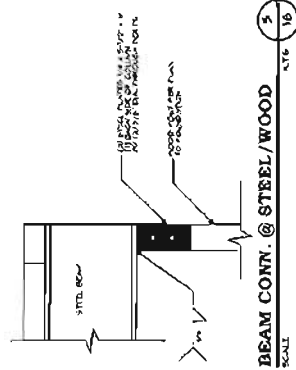
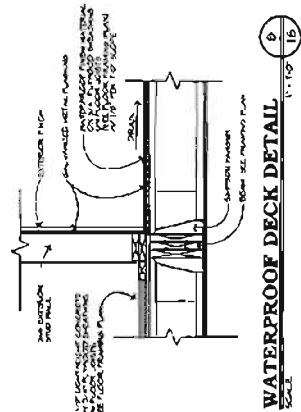
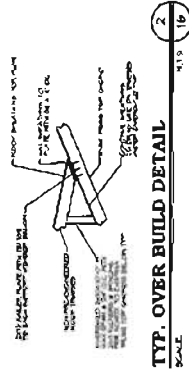
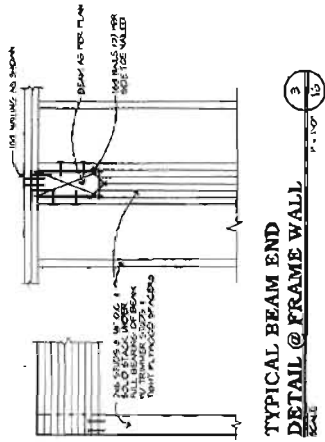
NOTE:
 ALL BEAMS SHALL BE 30 MINUTES MINIMUM RATED FOR THE DESIGN FIRE RESISTANCE OF THE STRUCTURE.
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ROOF FRAMING PLAN
 SCALE



ROOF PLAN
 SCALE



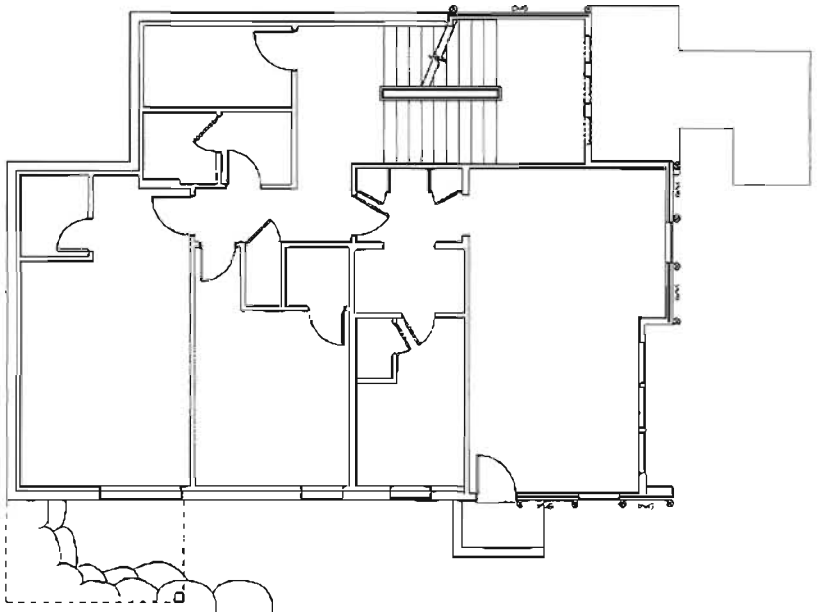
NOT USED
 SCALE: 1/4" = 1'-0"

NOT USED
 SCALE: 1/4" = 1'-0"

NOT USED
 SCALE: 1/4" = 1'-0"

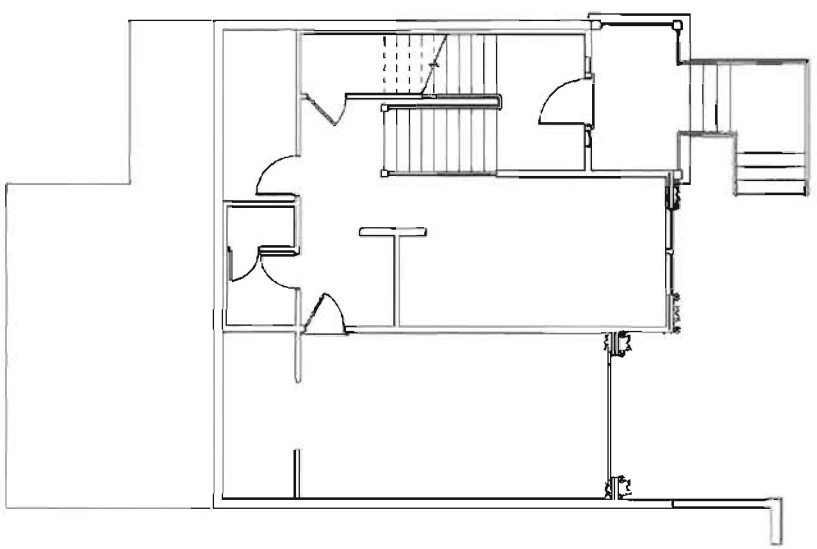
- REVISIONS SHOWN AND THE JOINT OR SECTIONS WITH JOINT NOTATION SHALL BE REVISIONS TO THE ORIGINAL TO PREVENT CONFLICTS.
- REVISIONS NOT SHOWN SHALL BE INDICATED BY A NUMBER TO THE ORIGINAL TO PREVENT CONFLICTS.
- REVISIONS NOT SHOWN SHALL BE INDICATED BY A NUMBER TO THE ORIGINAL TO PREVENT CONFLICTS.

SHEAR WALL SCHEDULE	
NO.	DESCRIPTION
1	WALL TYPE 1 18" CMU WITH 1" REINFORCING BARS 18" CMU WITH 1" REINFORCING BARS
2	WALL TYPE 2 18" CMU WITH 1" REINFORCING BARS 18" CMU WITH 1" REINFORCING BARS
3	WALL TYPE 3 18" CMU WITH 1" REINFORCING BARS 18" CMU WITH 1" REINFORCING BARS
4	WALL TYPE 4 18" CMU WITH 1" REINFORCING BARS 18" CMU WITH 1" REINFORCING BARS



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MAIN LEVEL LATERAL REINFORCEMENT PLAN
 SCALE: 1/4" = 1'-0"

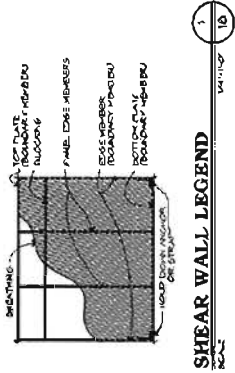
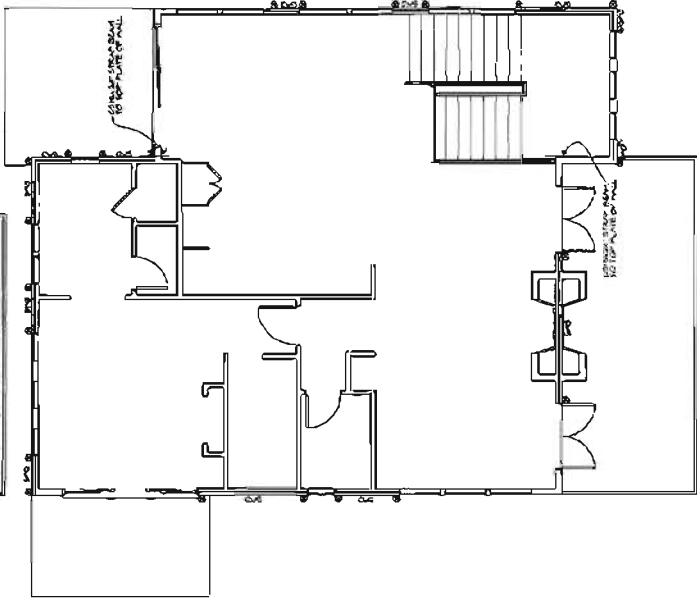


LOWER LEVEL LATERAL REINFORCEMENT PLAN
 SCALE: 1/4" = 1'-0"

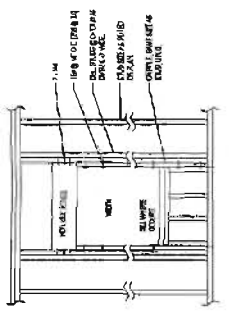
THE THESE CONCEPTS, DETAILS, ARE CONCEPTS AND ARE NOT TO BE CONSIDERED AS FINAL. THE HIGHLAND GROUP HAS MADE EMPLOYERS AND SHALL CONTROL THE PROJECT. THE HIGHLAND GROUP IS RESPONSIBLE FOR THE DESIGN.

- REVISIONS WHICH ARE NOT INDICATED BY A CIRCLE OR SQUARE ARE FOR THE ARCHITECT'S INFORMATION ONLY. REVISIONS WHICH ARE INDICATED BY A CIRCLE OR SQUARE ARE FOR THE ARCHITECT'S INFORMATION ONLY.
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SHEAR WALL SCHEDULE		
MARK	DESCRIPTION	REMARKS
SW1	WALL SECTION 1 P. 1000 OF CON.	4# 8 @ 16" O.C. TOP 4# 8 @ 16" O.C. BOT.
SW2	WALL SECTION 2 P. 1000 OF CON.	4# 8 @ 16" O.C. TOP 4# 8 @ 16" O.C. BOT.
SW3	WALL SECTION 3 P. 1000 OF CON.	4# 8 @ 16" O.C. TOP 4# 8 @ 16" O.C. BOT.
SW4	WALL SECTION 4 P. 1000 OF CON.	4# 8 @ 16" O.C. TOP 4# 8 @ 16" O.C. BOT.



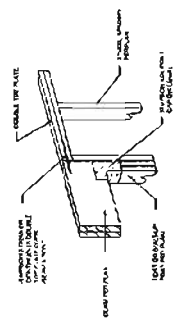
UPPER LEVEL LATERAL REINFORCEMENT PLAN
 SCALE: 1/4" = 1'-0"



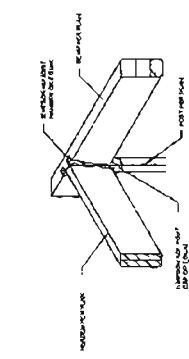
HEADER SCHEDULE

SECTION	1	2	3	4	5	6	7	8
DEPTH	1 1/2"	2 1/4"	3 1/4"	4 1/4"	5 1/4"	6 1/4"	7 1/4"	8 1/4"
HEIGHT	1 1/2"	2 1/4"	3 1/4"	4 1/4"	5 1/4"	6 1/4"	7 1/4"	8 1/4"
WEIGHT	0.15	0.25	0.35	0.45	0.55	0.65	0.75	0.85

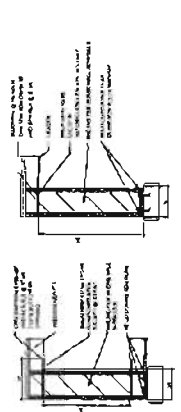
FRAMING @ WALL OPENINGS
 4



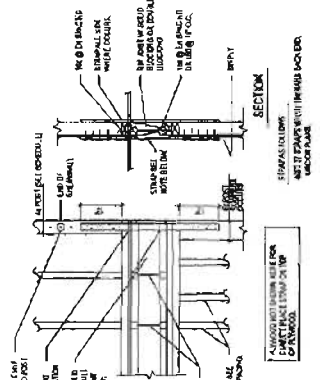
BEAM TO POST @ WALL END DETAIL
 3



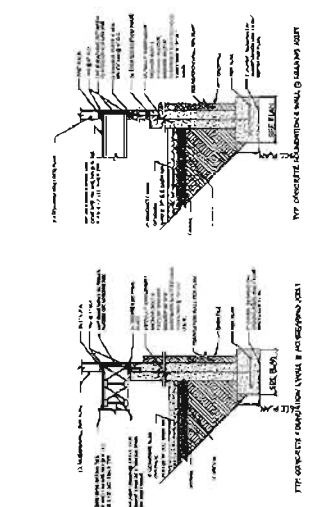
HEADER TO BEAM @ BEAM TO POST DOWN DET
 2



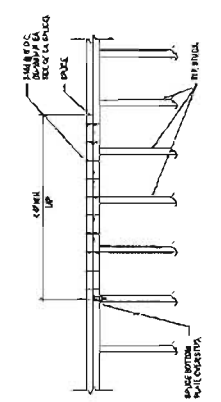
SHEAR WALL PIER DETAIL
 1



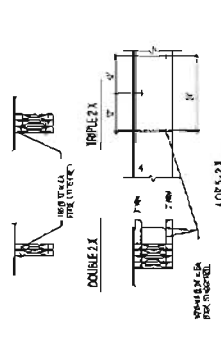
TYP. HOLD-DOWN AT FLOORS
 6



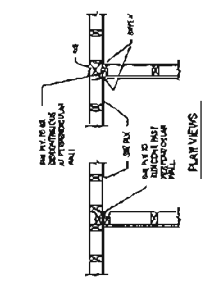
TYP. CONCRETE FOUNDATION WALL @ MASONRY JOIST
 5



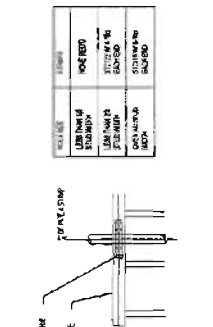
TYP. TOP PLATE SPLICE - PERIMETER & INTERIOR SHEAR WALL
 8



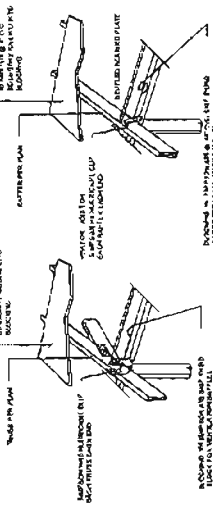
BUILT-UP BEAMS
 7



TOP PLATE SPLICE @ PIPE
 10



TYPICAL ROOF BLOCKING DETAIL
 9



TYPICAL ROOF BLOCKING DETAIL
 9

LINTEL SCHEDULE

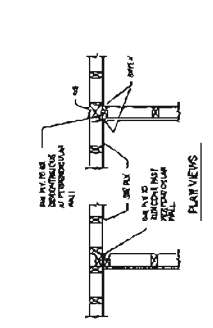
SECTION	1	2	3	4	5	6	7	8
DEPTH	1 1/2"	2 1/4"	3 1/4"	4 1/4"	5 1/4"	6 1/4"	7 1/4"	8 1/4"
HEIGHT	1 1/2"	2 1/4"	3 1/4"	4 1/4"	5 1/4"	6 1/4"	7 1/4"	8 1/4"
WEIGHT	0.15	0.25	0.35	0.45	0.55	0.65	0.75	0.85

NOTES:
 1. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.
 2. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.
 3. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.
 4. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.
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 8. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.
 9. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.
 10. ALL LINELS SHALL BE WELDED TO SUPPORT COLL.

HANGER SCHEDULE

SECTION	1	2	3	4	5	6	7	8
DEPTH	1 1/2"	2 1/4"	3 1/4"	4 1/4"	5 1/4"	6 1/4"	7 1/4"	8 1/4"
HEIGHT	1 1/2"	2 1/4"	3 1/4"	4 1/4"	5 1/4"	6 1/4"	7 1/4"	8 1/4"
WEIGHT	0.15	0.25	0.35	0.45	0.55	0.65	0.75	0.85

HANGER SCHEDULE
 12

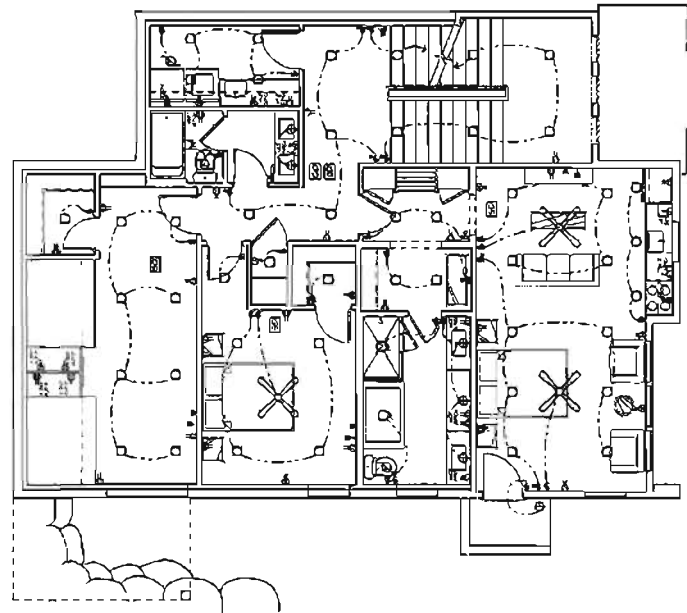


DETAIL (OPTION)
 11

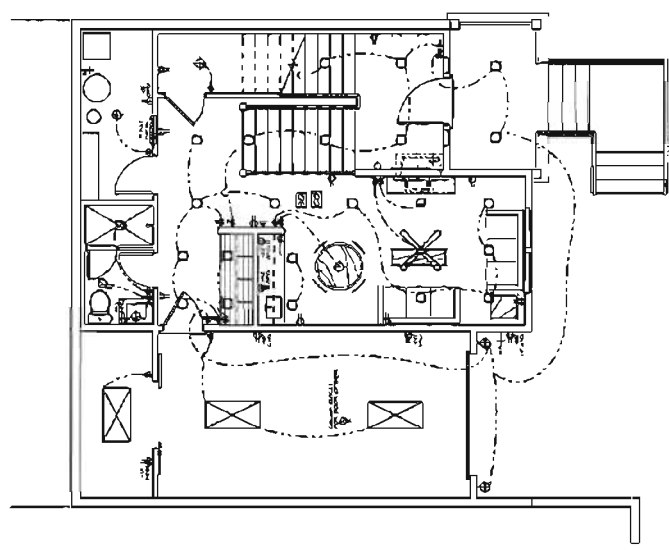
SYMBOL LEGEND	
1	TOilet
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100	TOilet

NOTE: ALL EXTERIOR LIGHTING TO BE RECESSED WITH CONCEALED WIRING TO MATCH EXISTING LIGHTING. PARKING LMC.

NOTE: ALL ELECTRICAL WOOD WORK SHALL BE FINISHED WITH AN OIL-BASED POLYURETHANE FINISH. ALL OTHER WOOD SHALL BE FINISHED WITH AN OIL-BASED POLYURETHANE FINISH. ALL METAL SURFACES SHALL BE FINISHED WITH AN OIL-BASED POLYURETHANE FINISH. ALL GLASS SHALL BE FINISHED WITH AN OIL-BASED POLYURETHANE FINISH. ALL FABRIC SHALL BE FINISHED WITH AN OIL-BASED POLYURETHANE FINISH. ALL PAINT SHALL BE FINISHED WITH AN OIL-BASED POLYURETHANE FINISH. ALL SURFACES THAT ARE NOT HISTORICALLY PAINTED.



MAIN LEVEL ELECTRICAL & UTILITY PLAN
SCALE



LOWER LEVEL ELECTRICAL & UTILITY PLAN
SCALE

- ELECTRICAL NOTES**
1. USE 120V AC TO SERVE THE LOADS.
 2. ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL AND STATE CODES.
 3. ALL ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL AND STATE CODES.
 4. ALL ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL AND STATE CODES.
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 20. ALL ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL AND STATE CODES.

- MECHANICAL NOTES**
1. MECHANICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL MECHANICAL CODE (NMC) AND ALL APPLICABLE LOCAL AND STATE CODES.
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THE IDEAL COMPLETE DETAILS...
DECLINE PROPERTY OF...
WE TAKE OUR DESIGN AND CONSTRUCTION...
TO PROTECT THE INTERESTS OF OUR...
CLIENTS.

PARK CITY PLANNING DEPT.
APPROVED
H-PDR
KAM 9.14.13
SIGNATURE DATE



EXHIBIT D

Google earth

Imagery Date: 6/17/2010 40°38'19.39" N 111°29'34.95" W elev. 7247 ft eye alt. 7825 ft

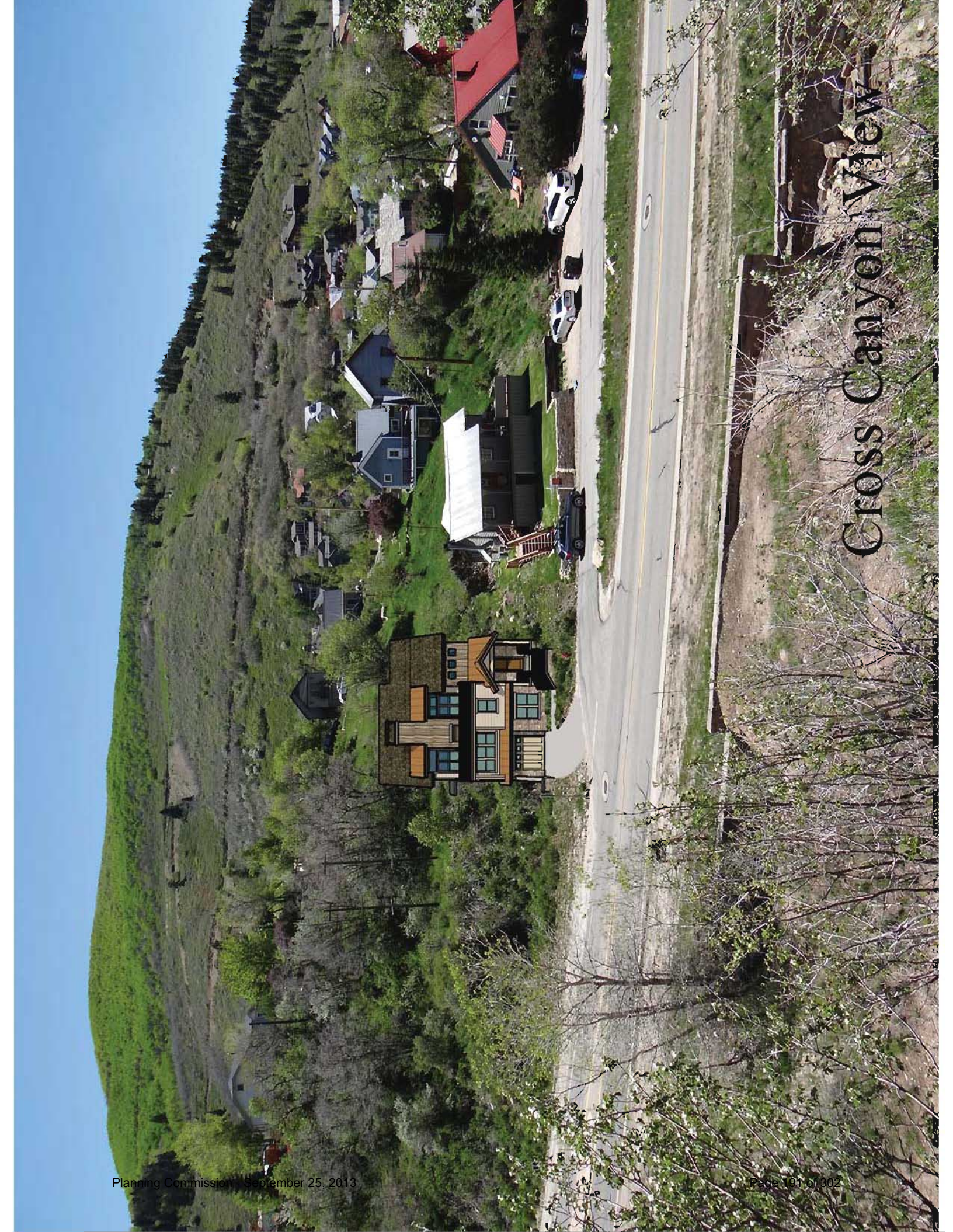
Subject Property

Aerial View



Streetscape Elevation

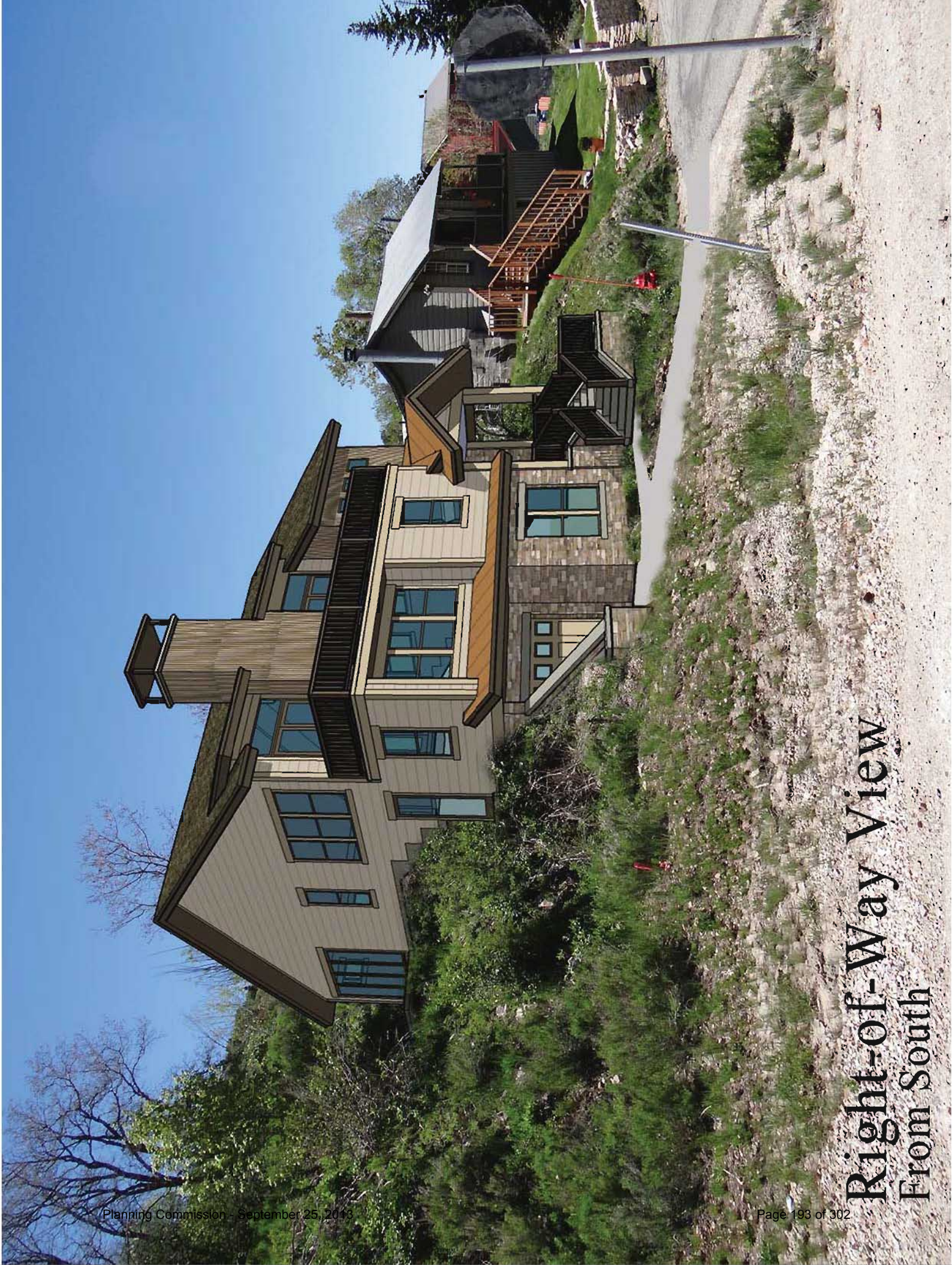




Cross Canyon View



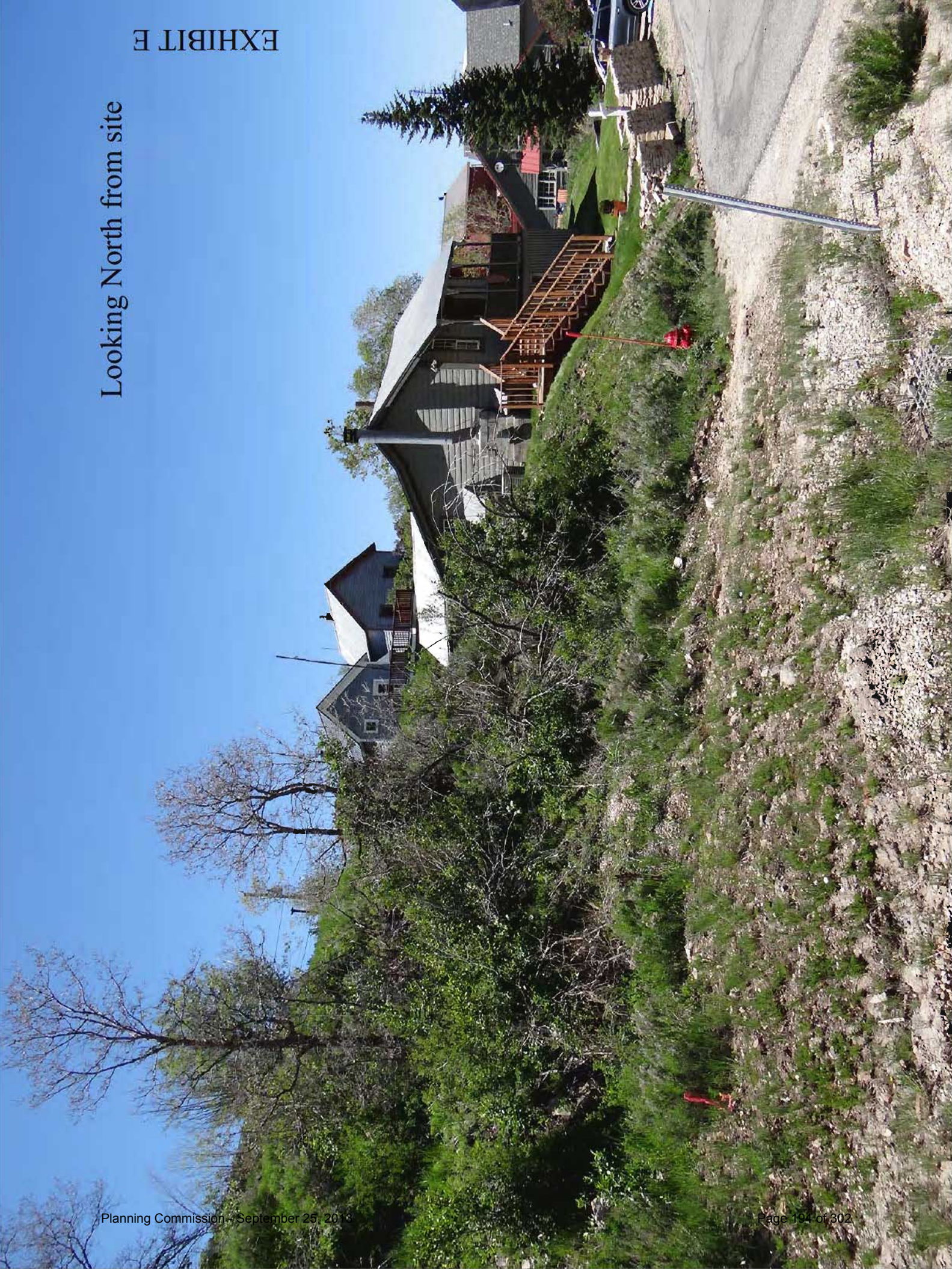
Right-of-Way View
From North



Right-of-Way View
From South

Looking North from site

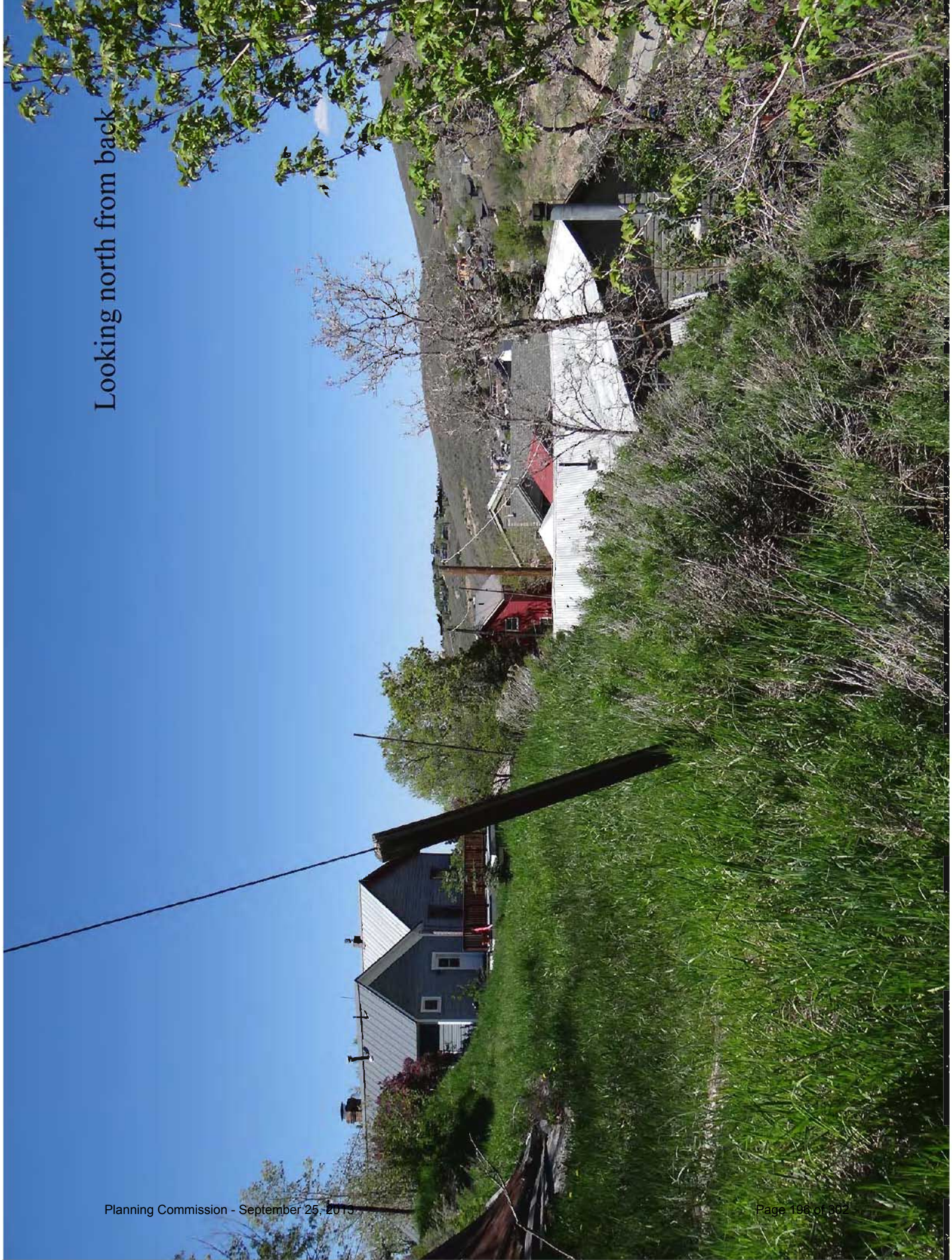
EXHIBIT E



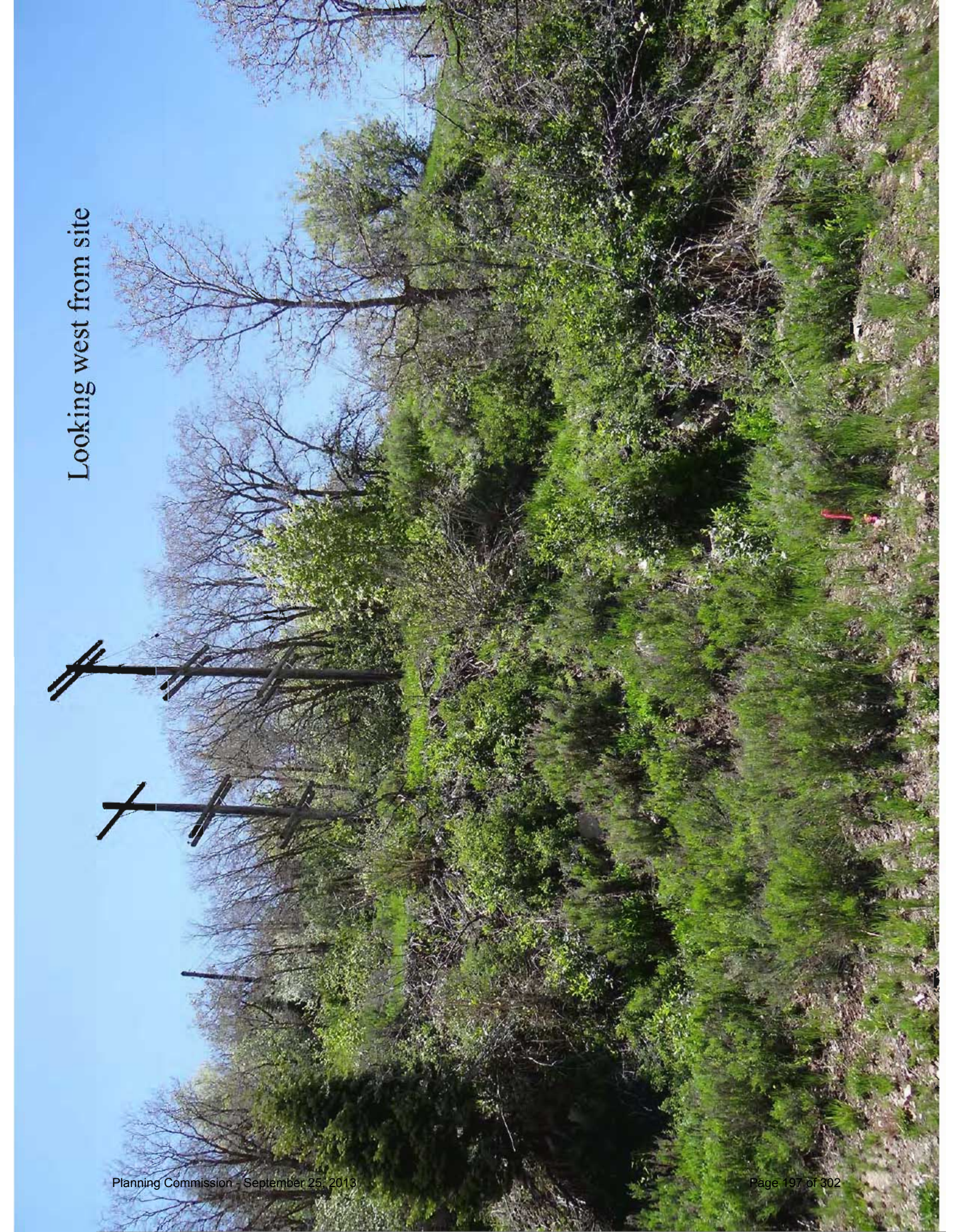
Looking north from site



Looking north from back



Looking west from site



Looking south from site



Looking east from site



Looking south from Chambers



Houses to the north



Planning Commission Staff Report



Application No: PI-13-02070
Subject: LMC Amendment
Author: Francisco Astorga, Planner
Date: September 25, 2013
Type of Item: Legislative – LMC Amendments HRM District

Summary Recommendation

Staff recommends that the Planning Commission review the proposed amendments to the Land Management Code (LMC) for Chapter 2.4 – Historic Residential-Medium Density (HRM) District as described in this report, open the public hearing, and forward a recommendation to the City Council to adopt the ordinance as presented in Exhibit A.

Description

Project Name: LMC Amendments to Chapter 2.4 HRM District
Applicant: Planning Department
Approximate Location: Both side of Park Avenue from 15th Street to 13th Street and from 13th Street to 10th Street on the east side of Park Ave.
Proposal: Amendments to the Land Management Code require Planning Commission review and recommendation and approval by the City Council.

Background

The HRM District is bifurcated by the Park Avenue street corridor and consists of a diverse mix of residential housing, ranging from historic single family dwellings to multi-unit condominiums.

In order to encourage the rehabilitation of existing historic structures, provide for affordable housing, and create new development along an important corridor that is compatible with historic structures in the surrounding area, as well as being consistent with the rest of the LMC, staff recommends that the Planning Commission forward a recommendation to the City Council regarding the adoption of the proposed LMC amendments in the HRM District.

On July 31, 2013 the Planning Commission had a work session discussion related to these proposed changes. During this meeting two (2) adjacent property owners shared negative public comments related to the proposed amendments. The Planning Commission discussed the proposed changes and the majority did not support the proposed amendments. The Commission showed interest in bringing back one (1) of the three (3) proposed amendments for further consideration. See Exhibit B.

On September 11, 2013 the Planning Commission reviewed this request and held a public hearing. The Planning Commission showed concerns related to the affected

properties and how much of open space can be accommodated on the required setback areas. The Planning Commission moved to continue the item to the September 25, 2013 meeting, with direction to Staff to identify all the properties that be affected by the proposed changes on a two-dimensional diagram. See draft minutes attached to the September 25, 2013 Planning Commission packet.

General Plan

Park City Direction

Goal 7: Encourage a diversity of housing opportunities (pg. 7):

- The City should plan future land use to provide opportunities for a variety of housing types.
- The City should encourage and require private sector participation in providing a portion of housing for employees.

Community Character Element

Historic Core Policies (pg. 13):

The designated historic district, which is subject to special design and preservation regulations, best defines the historic core of the City. Citizens feel strongly that the core must continue to provide a range of services for residents, while also functioning as an attraction for tourists. The goal for the historic district is to maintain it as the center of the community, not just as a stage set for tourism. The following policies will help accomplish this goal:

- Keep City and other government offices and services in the downtown, to maintain the function of the historic core as a gathering place. Similarly, concentrate in the historic area certain commercial uses that attract and encourage interaction among local residents (e.g., bookstores, card shops, coffee shops, and post office).
- To maintain commercial viability, promote year-round demand by residents and workers for services, restaurants, entertainment, and similar uses in the core.
- Maintain the historic character of buildings.
- Support programs that make the downtown attractive to potential businesses.
- Promote the continuation and augmentation of a pedestrian-friendly environment in the downtown.
- Work to ensure the continued livability of residential areas around the historic commercial core.

Historic Core [Actions] (pg. 15-16):

[...]

- Allow expansion of existing residential structures, if such expansion can be made compatible with the integrity of historic structures and the surrounding neighborhood. Similarly, allow the addition of garages to historic structures if the addition can be done in a compatible fashion.

[...]

- Encourage residential development that will provide affordable housing opportunities for residents, consistent with the community's housing, transportation, and historic preservation objectives.

Analysis

As part of this staff report, staff has included Exhibit D – HRM District Diagram. This diagram includes a map of the entire district. It recognizes which sites are historic per Park City Historic Sites Inventory (HSI) as well as recognizes which sites are eligible to have a multi-unit building. The minimum lot area for a multi-unit building consisting of four or more units is 5,625 square feet (0.13 acres). The LMC indicates that for each additional unit the site shall have an additional 1,000 square feet.

The summary on the map reflects the following information:

Sites within the district: 73

Historic sites within the district: 27

Vacant sites within the district: 4

Sites with current access to Sullivan Rd: 19

Sites with current access to Sullivan Rd + historic: 2

Sites eligible for Multi-Unit (MU) buildings: 35

Sites eligible for MU bldgs + historic: 7

Sites eligible for MU bldgs + historic + possible access to Sullivan Rd: 3

Sites eligible for MU bldgs + vacant: 1

Open Space

LMC § 15-2.4-5(D) indicates that an applicant must provide open space equal to at least sixty percent (60%) of the total site for all triplex and multi-unit dwellings. For Master Planned Developments (MPDs), the LMC requires a minimum of sixty percent (60%) open space and a minimum of thirty percent (30%) open space for redevelopment.

In order to be consistent with the MPD language, Staff recommends amending the LMC to reflect the following language for triplex/multi-unit dwellings within redevelopment areas:

15-2.4-5. SPECIAL REQUIREMENTS FOR MULTI-UNIT DWELLINGS.

(A) **FRONT YARD.** *The Front Yard for any Triplex, or Multi-Unit Dwelling is twenty (20') feet. All new Front-Facing Garages shall be a minimum of twenty-five feet (25') from the Front Property Line. All Yards fronting on any Street are considered Front Yards for the purposes of determining required Setbacks. See Section 15-2.4-4(D), Front Yard Exceptions.*

(B) **REAR YARD.** *The Rear yard for a Triplex or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(F), Rear Yard Exceptions.*

(C) **SIDE YARD.** *The Side Yard for any Triplex, or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(H), Side Yard Exceptions.*

(D) **OPEN SPACE.** *The Applicant must provide Open Space equal to at least sixty percent (60%) of the total Site for all Triplex and Multi-Unit Dwellings. If reviewed as a Master Planned Development, then the Open Space requirements of Section 15-6-5 (D) shall apply. Parking is prohibited within the Open Space. See Section 15-15 Open Space. **In cases of redevelopment of existing sites, the minimum open space requirement shall be thirty percent (30%).***

(Amended by Ord. No. 09-10; 12-37, 13-XX)

In terms of sites affected by this proposed amendment, it would include thirty five (35) sites, of which only one (1) is currently vacant. Seven (7) of these thirty five (35) sites have a historic designation. Most of these sites as indicated on the diagram/map have recorded condominiums with multiple ownership. Staff finds that it would be unlikely for these structures to be torn down due to the multiple non-compliances ranging from setbacks, issues, density, open space, Sullivan Road criteria, design guidelines, etc.

In terms of open space requirements that can be accommodated within the setback areas, staff is prepared to show some scenarios related to this correlation. The setback requirements for multi-unit buildings are not affected by the size of the lot, however, the open space requirement is a percentage of the lot area. The bigger the lot, the more open space that can be incorporated into the setback area.

Existing Historic Structures

LMC 15-2.4-6(A) indicates that in order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the building setback for additions to historic buildings upon approval of a Conditional Use Permit (CUP), when the scale of the addition is compatible with the historic structure, and when the addition complies with all other provisions of the HRM District, and applicable Building Codes.

Staff finds that there are some instances that this same exception should apply to new construction within this district, specifically when the project encourages the rehabilitation of existing historic structures and new development that is compatible with historic structures in the surrounding area. Staff is exploring the possibility of having the

Planning Commission reduce the minimum setbacks of new construction upon issuance of a CUP alike to the reduction of setbacks for additions to historic structures. Staff recommends amending the LMC to reflect the following language to new construction within historic sites only:

15-2.4-6. EXISTING HISTORIC STRUCTURES.

Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

(A) **EXCEPTION.** *In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings and new construction on sites listed on the Historic Sites Inventory:*

- (1) *Upon approval of a Conditional Use permit,*
- (2) *When the scale of the addition or driveway is Compatible with the Historic Structure,*
- (3) *When the addition complies with all other provisions of this Chapter, and*
- (4) *When the addition complies with the International Building and Fire Codes.*

(Amended by Ord. No. 06-69, 13-XX)

The CUP review criteria includes the following items:

1. Size and location of the Site;
2. Traffic considerations including capacity of the existing Streets in the Area;
3. Utility capacity, including Storm Water run-off;
4. Emergency vehicle Access;
5. Location and amount of off-Street parking;
6. Internal vehicular and pedestrian circulation system;
7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;
9. Usable Open Space;
10. Signs and lighting;

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;
12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;
13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas;
14. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities; and
15. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site.

Staff finds that the proposed separation of new construction within a historic site should be mitigated during the CUP review process by the Planning Commission, specifically, when reviewing the building mass, bulk, and orientation, and the location of buildings on the site. Staff does not recommend adding a prescriptive separation as each lot contains deviating factors related to setbacks and overall siting within a site. The HRM District allows for multiple buildings within the same lots based on specific standards. By allowing some flexibility in terms of setbacks, greater separation can be achieved when proposing separate buildings adjacent to historic structures.

In terms of sites affected by this proposed amendment, it would include twenty seven (27) sites. Of these historic sites only seven (7) are eligible for multiple buildings due to the size of these lots which includes multi-unit buildings as a conditional use within the district. These seven (7) historic sites have been recognized as a community value and are not eligible to be removed from the site.

Affordable Housing

In order to incentivize affordable housing in the HRM District, Staff recommends amending the LMC to removing the Sullivan Road Access requirements found in LMC § 15-2.4-9 **if** the development contains 50% or more deed restricted affordable housing units per the Affordable Housing Resolution as shown below:

15-2.4-9. SULLIVAN ROAD ACCESS.

The Planning Commission may issue a Conditional Use permit (CUP) for Limited Access on Sullivan Road (“Driveway”). “Limited Access” allowed includes, but shall not be limited to: An additional curb cut for an adjoining residential or commercial project; paving or otherwise improving existing Access; increased vehicular connections from Sullivan Road to Park Avenue; and any other City action that otherwise increases vehicular traffic on the designated Area.

(A) CRITERIA FOR CONDITIONAL USE REVIEW FOR LIMITED ACCESS.
Limited Access is allowed only when an Applicant proves the project has positive elements furthering reasonable planning objectives, such as increased

Transferred Development Right (TDR) Open Space or Historic preservation in excess of that required in the zone.

(B) **NEIGHBORHOOD MANDATORY ELEMENTS CRITERIA**. The Planning Commission shall review and evaluate the following criteria for all projects along Sullivan Road and Eastern Avenue:

(1) **UTILITY CONSIDERATIONS.** Utility extensions from Park Avenue are preferred, which provide the least disturbance to the City Park and the public as a whole.

(2) **ENHANCED SITE PLAN CONSIDERATIONS.** These review criteria apply to both Sullivan Road and Park Avenue Street fronts:

(a) Variation in Front Yard and Building Setbacks to orient porches and windows onto Street fronts.

(b) Increased Front Yard Setbacks.

(c) Increased snow storage.

(d) Increased Transferred Development Right (TDR) Open Space, and/or preservation of significant landscape elements.

(e) Elimination of Multi-Unit or Triplex Dwellings.

(f) Minimized Access to Sullivan Road.

(g) Decreased Density.

(3) **DESIGN REVIEW UNDER THE HISTORIC DISTRICT GUIDELINES.** Use of the Historic District design review process will strengthen the character, continuity and integration of Single-Family, Duplex, and Multi-Unit Dwellings along Park Avenue, Sullivan Road, and Eastern Avenue.

(4) **INCORPORATION OF PEDESTRIAN AND LANDSCAPE IMPROVEMENTS ALONG PARK AVENUE, SULLIVAN ROAD, AND EASTERN AVENUE.** Plans must save, preserve, or enhance pedestrian connections and landscape elements along the Streetscape, within the Development Site, and between Park Avenue and Sullivan Road.

(5) **PARKING MITIGATION.** Plans that keep the Front Yard Setbacks clear of parking and minimize parking impacts near intensive Uses on Sullivan Road are positive elements of any Site plan.

(6) **PRESERVATION OF HISTORIC STRUCTURES AND LANDSCAPE FEATURES.** *This Area consists of many Historic homes. The Owner's maintenance, preservation and rehabilitation of any Historic Structure and its corresponding landscaped Streetscape elements will be considered as positive elements of any Site plan.*

(C) **AFFORDABLE HOUSING APPLICABILITY.** *When the Development consists of fifty percent (50%) or more deed restricted Affordable Housing Units, per the City's most current Affordable Housing Resolution, Section 15-2.4-9 (B) above does not apply.*

(Amended by Ord. No. 06-69, 13-XX)

In terms of sites affected by this proposed amendment, it would include nineteen (19) sites with current access to Sullivan Road. Four (4) of these sites are owned by the City and are currently developed as part of the City Park/skate park and a parking lot. There are no vacant sites with access to Sullivan Road. The uses of these other developed sites includes multi-unit buildings, duplexes, single family dwellings, an office building, and a convenience store. Staff identifies three sites with possible access to Sullivan Road.

Community Ideals

Staff finds that the proposed changes do not detract from the four (4) community ideals: Sense of Community, Natural Setting, Small Town, and Historic Character; but rather enhance historic preservation and affordable housing, both of which are supported by the City's principles. Staff finds that the proposed LMC amendments are essential to the City Council vision of this neighborhood.

Green Park Cohousing

These changes will affect the current filed Conditional Use Permit (CUP) application at 1450 /1460 Park Avenue, Green Park Cohousing development, in a positive manner. These possible LMC changes came from various Planning Commission work session deliberations as well as internal discussions within the Park City Planning Department and the City Council.

Process

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

Notice

Legal notice of a public hearing was posted in the required public spaces and published in the Park Record.

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of Land Management Code amendments. The public hearing for these amendments were properly and legally noticed as required by the Land Management Code.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council; or
- The Planning Commission may continue the discussion.

Significant Impacts

The proposed LMC amendments encourage the rehabilitation of existing historic structures, provide for affordable housing, and create new development along Park Avenue, an important corridor, to be compatible with historic structures in the surrounding area. The proposed amendments also provide consistency in terms of open space requirements.

Summary Recommendation

Staff recommends that the Planning Commission review the proposed amendments to the Land Management Code (LMC) for Chapter 2.4 – Historic Residential-Medium Density (HRM) District as described in this report, open the public hearing, and forward a recommendation to the City Council to adopt the ordinance as presented in Exhibit A.

Exhibits

Exhibit A – Proposed Ordinance

Exhibit B – July 31, 2013 Planning Commission Minutes

Exhibit C – HRM District Diagram

Exhibit A – Proposed Ordinance

Draft Ordinance 13-XX

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, REVISING CHAPTER 2.4 – HISTORIC RESIDENTIAL-MEDIUM DENSITY (HRM) SECTION 15-2.4-5 SPECIAL REQUIREMENTS FOR MULTI-UNIT DWELLINGS, SECTION 15-2.4-6 EXISTING HISTORIC STRUCTURES, AND SECTION 15-2.4-9 SULLIVAN ROAD ACCESS.

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

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

WHEREAS, the City reviews the Land Management Code on a regular basis and identifies necessary amendments to address planning and zoning issues that have come up, and to address specific LMC issues raised by Staff, Planning Commission, and City Council, to address applicable changes to the State Code, and to align the Code with the Council's goals; and

WHEREAS, the City's goals include encouraging the rehabilitation of existing historic structures, providing affordable housing, and creating new development along an important corridor that is compatible with historic structures in the surrounding area; and

WHEREAS, Chapters 2.4 Historic Residential-Medium Density District (HRM), provides a description of requirements, provisions and procedures specific to this zoning district that the City desires to update and revise. These revisions concern special requirements for multi-unit dwellings, existing historic structures and Sullivan Road access; and

WHEREAS, the Planning Commission held work session discussion on July 31, 2013 and provided input and direction; and

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at the regularly scheduled meeting on September 11, 2013, and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on _____, 2013; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents, preserve and protect the residential neighborhoods, preserve historic structures, promote economic development within the Park City Historic Main Street business area, and preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2- Sections 15-2.4.5, 15-2.4.6, and 15-2.4.9. The recitals above are incorporated herein as findings of fact. Chapter 15-2.4 of the Land Management Code of Park City are hereby amended as redlined (see Attachment 1).

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

PASSED AND ADOPTED this ____ day of _____, 2013

PARK CITY MUNICIPAL CORPORATION

Dana Williams, Mayor

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney

PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE

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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.4 - HISTORIC RESIDENTIAL - MEDIUM DENSITY
(HRM) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.4-1. PURPOSE.

The purpose of the Historic Residential Medium Density (HRM) District is to:

- (A) allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- (B) encourage new Development along an important corridor that is Compatible with Historic Structures in the surrounding Area,
- (C) encourage the rehabilitation of existing Historic Structures,
- (D) encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- (E) encourage Affordable Housing,
- (F) encourage Development which minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas, and

- (G) establish specific criteria for the review of Neighborhood Commercial Uses in Historic Structures along Park Avenue.

15-2.4-2. USES.

Uses in the HRM District are limited to the following:

(A) **ALLOWED USES.**

- (1) Single Family Dwelling
- (2) Duplex Dwelling
- (3) Secondary Living Quarters
- (4) Lockout Unit¹
- (5) Accessory Apartment²
- (6) Nightly Rental³
- (7) Home Occupation

¹Nightly rental of Lockout Units requires a Conditional Use permit.

²See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments.

³Nightly Rentals do not include the Use of dwellings for Commercial Uses.

- (8) Child Care, In-Home Babysitting
- (9) Child Care, Family⁴
- (10) Child Care, Family Group⁴
- (11) Accessory Building and Use
- (12) Conservation Activity
- (13) Agriculture
- (14) Parking Area or Structure with four (4) or fewer spaces

(B) CONDITIONAL USES.

- (1) Triplex Dwelling
- (2) Multi-Unit Dwelling
- (3) Group Care Facility
- (4) Child Care Center⁴
- (5) Public and Quasi-Public Institution, Church, and School
- (6) Essential Municipal Public Utility Use, Facility Service, and Structure
- (7) Telecommunication Antenna⁵
- (8) Satellite Dish, greater than thirty-nine inches (39") in diameter⁶
- (9) Bed and Breakfast Inn⁷
- (10) Boarding House, Hostel⁷
- (11) Hotel, Minor⁷
- (12) Office, General⁸

⁴ See LMC Chapter 15-4-9 for Child Care Regulations

⁵ See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

⁶ See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁷ Allowed only in Historic Structures or historically Compatible Structures

- (13) Retail and Service Commercial, Minor⁸
- (14) Retail and Service Commercial, personal improvement⁸
- (15) Neighborhood Market, without gasoline sales⁸
- (16) Cafe, Deli⁸
- (17) Café, Outdoor Dining⁹
- (18) Parking Area or Structure with five (5) or more spaces
- (19) Temporary Improvement¹⁰
- (20) Recreation Facility, Public
- (21) Recreation Facility, Private
- (22) Outdoor Events¹⁰
- (23) Fences greater than six feet (6') in height from Final Grade¹⁰

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

(Amended by Ord. Nos. 06-69; 09-10)

15-2.4-3. CONDITIONAL USE PERMIT REVIEW.

The Planning Director shall review any Conditional Use permit (CUP) Application in the HRM District and shall forward a recommendation to the Planning Commission regarding compliance with the

⁸ Allowed only in Historic Structures

⁹ Requires an Administrative Conditional Use permit. Allowed in association with a Café or Deli

¹⁰ Requires an Administrative or Administrative Conditional Use permit, see Section 15-4

Design Guidelines for Park City’s Historic Districts and Historic Sites. The Planning Commission shall review the Application according to Conditional Use permit criteria set forth in Section 15-1-10, as well as the following:

- (A) Consistent with the Design Guidelines for Park City’s Historic Districts and Historic Sites.
- (B) The Applicant may not alter the Historic Structure to minimize the residential character of the Building.
- (C) Dedication of a Facade Preservation Easement to assure preservation of the Structure is required.
- (D) New Buildings and additions must be in scale and Compatible with existing Historic Buildings in the neighborhood. Larger Building masses should be located to rear of the Structure to minimize the perceived mass from the Street.
- (E) Parking requirements of Section 15-3 shall be met. The Planning Commission may waive parking requirements for Historic Structures. The Planning Commission may allow on-Street parallel parking adjacent to the Front Yard to count as parking for Historic Structures, if the Applicant can document that the on-Street Parking will not impact adjacent Uses or create traffic circulation hazards. A traffic study, prepared by a registered Engineer, may be required.

Minimum Lot Area for all other Uses shall be determined by the Planning Commission during the Conditional Use review.

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

(G) Required Fencing and Screening between commercial and Residential Uses is required along common Property Lines.

(H) All utility equipment and service Areas must be fully Screened to prevent visual and noise impacts on adjacent Properties and on pedestrians.

(Amended by Ord. No. 06-69; 12-37)

15-2.4-4. LOT AND SITE REQUIREMENTS.

Except as may otherwise be provided in this Code, no Building permit shall be issued for a Lot unless such Lot has Area, width, and depth as required, and Frontage on a private or Public Street shown on the Streets Master Plan or on a private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(A) **LOT SIZE.** Minimum Lot Areas for Residential Uses are as follows:

Single Family Dwelling	1,875 sq. ft.
Duplex Dwelling	3,750 sq. ft.
Triplex Dwelling	4,687 sq. ft.
Four-plex Dwelling	5,625 sq. ft.

Developments consisting of more than four (4) Dwelling Units require a Lot Area at

least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units. All Setback, height, parking, Open Space, and architectural requirements must be met. See Section 15-2.4-3, Conditional Use Permit Review.

(B) **LOT WIDTH.** The minimum width of a Lot is 37.50 feet, measured fifteen feet (15') from the Front Lot Line. Existing platted Lots of record, with a minimum width of at least twenty five feet (25'), are considered legal Lots in terms of Lot Width. In the case of unusual Lot configurations, Lot Width measures shall be determined by the Planning Director.

(C) **FRONT YARD.**

(1) The minimum Front Yard for Single-Family, Duplex Dwellings, and Accessory Buildings is fifteen feet (15'). If the Lot depth is seventy five feet (75') or less, then the minimum Front Yard is ten feet (10').

(2) New Front Facing Garages for Single Family and Duplex Dwellings must be at least twenty feet (20') from the Front Lot Line.

(3) See Section 15-2.4-5 for special requirements for Triplexes and Multi-Unit Dwellings.

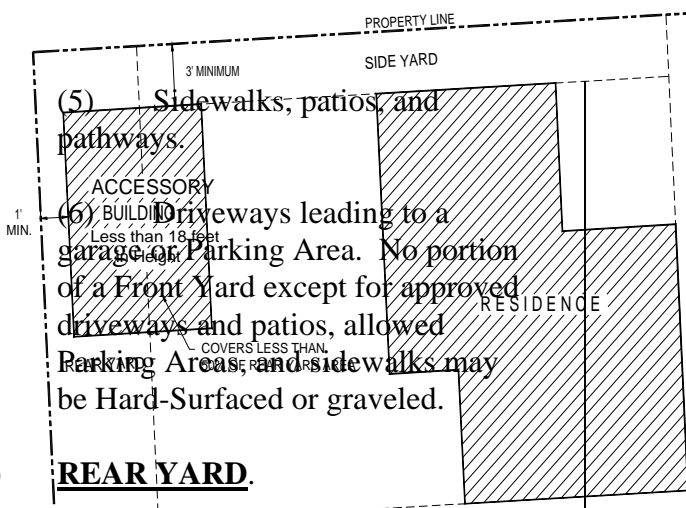
(D) **FRONT YARD EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

(1) Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.

(2) Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.

(3) Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.

(4) Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front Yard.



(E)

REAR YARD.

(1) The minimum Rear Yard is ten feet (10') for all Main Buildings, and one foot (1') for detached Accessory Buildings.

(2) See Section 15-2.4-5, Special Requirements for Multi-Unit Dwellings.

(F) **REAR YARD EXCEPTIONS.**

(1) Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

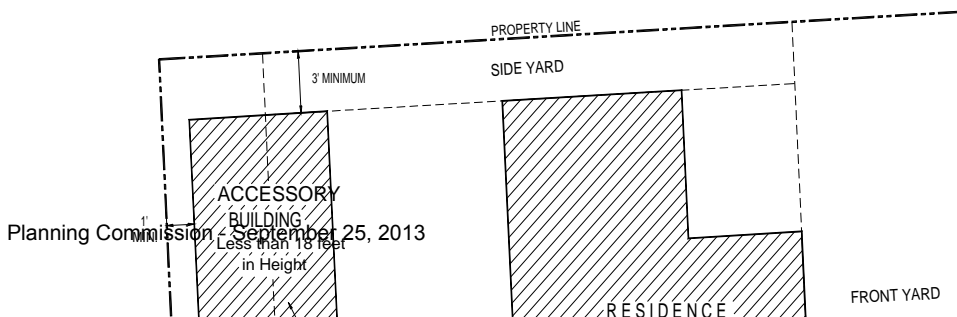
(2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(3) Window wells and light wells projecting not more than four feet (4') into the Rear Yard.

(4) Roof overhangs and eaves projecting not more than three feet (3') into the Rear Yard.

(5) Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which they are attached.

(6) A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front façade of the Main Building, and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following illustration:



(7) A Hard-Surfaced Parking Area subject to the same location requirements as a detached Accessory Building.

(8) Screened mechanical equipment, hot tubs, or similar Structures located at least five feet (5') from the Rear Lot Line.

(9) Fences, walls, and retaining walls not over six feet (6') in height, or as permitted in Section 15-4-2.

(10) Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

(G) **SIDE YARD.**

(1) The minimum Side Yard for any Single Family, Duplex Dwelling or Accessory Building is five feet (5').

(2) The minimum Side Yard for Lots twenty-five feet (25') wide or less is three feet (3').

(3) A Side Yard between connected Structures is not required where the Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a Building joined at the Property Line may not exceed one hundred feet (100').

(4) The minimum Side Yard for a detached Accessory Building, not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building, is three feet (3').

(5) On Corner Lots, the minimum Side Yard that faces a Street is ten feet (10') for both Main and Accessory Buildings.

(6) See Section 15-2.4-5 special requirements for Multi-Unit Dwellings.

(H) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(1) Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side Yard.¹¹

(2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.¹²

(3) Window well and light wells projecting not more than four feet (4') into the Side Yard.¹²

(4) Roof overhangs and eaves projecting not more than two feet (2') into the Side Yard.¹²

(5) Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which they are attached.

(6) Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade.

(7) Fences, walls and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.

(8) Driveways leading to a garage or approved Parking Area.

(9) Pathways and steps connecting to a City staircase or pathway.

(10) Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

(I) **SNOW RELEASE.** Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

(J) **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

(Amended by Ord. Nos. 06-69; 09-10)

15-2.4-5. SPECIAL REQUIREMENTS FOR MULTI-UNIT DWELLINGS.

(A) **FRONT YARD.** The Front Yard for any Triplex, or Multi-Unit Dwelling is twenty (20') feet. All new Front-Facing

¹¹ Applies only to Lots with a minimum Side Yard of five feet (5').

Garages shall be a minimum of twenty-five feet (25') from the Front Property Line. All Yards fronting on any Street are considered Front Yards for the purposes of determining required Setbacks. See Section 15-2.4-4(D), Front Yard Exceptions.

(B) **REAR YARD**. The Rear yard for a Triplex or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(F), Rear Yard Exceptions.

(C) **SIDE YARD**. The Side Yard for any Triplex, or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(H), Side Yard Exceptions.

(D) **OPEN SPACE**. The Applicant must provide Open Space equal to at least sixty percent (60%) of the total Site for all Triplex and Multi-Unit Dwellings. If reviewed as a Master Planned Development, then the Open Space requirements of Section 15-6-5 (D) shall apply. Parking is prohibited within the Open Space. See Section 15-15 Open Space. In cases of redevelopment of existing sites, the minimum open space requirement shall be thirty percent (30%).

(Amended by Ord. No. 09-10; 12-37)

15-2.4-6. EXISTING HISTORIC STRUCTURES.

Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must

comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

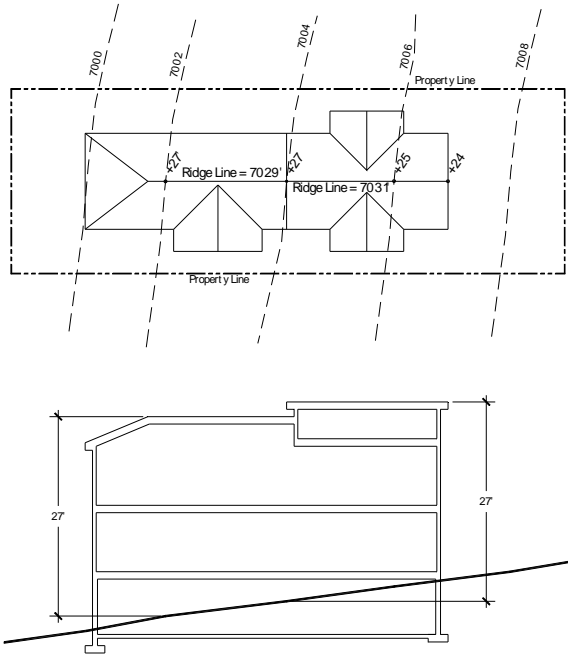
(A) **EXCEPTION**. In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings and new construction on sites listed on the Historic Sites Inventory:

- (1) Upon approval of a Conditional Use permit,
- (2) When the scale of the addition or driveway is Compatible with the Historic Structure,
- (3) When the addition complies with all other provisions of this Chapter, and
- (4) When the addition complies with the International Building and Fire Codes.

(Amended by Ord. No. 06-69)

15-2.4-7. BUILDING HEIGHT.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height.



(A) BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

- (1) Antennas, chimney, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
- (2) Mechanical equipment and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- (3) Church spires, bell towers, and like architectural features as allowed under the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone

Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.

(4) To accommodate a roof form consistent with the Historic District Design Guidelines, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the Zone Height requirements and the plans comply with height exception criteria in Section 15-2.1-6(10)(a-j).

(5) Elevator Penthouses may extend up to eight feet (8') above the Zone Height.

(Amended by Ord. Nos. 06-69; 09-10)

15-2.4-8. PARKING REGULATIONS.

- (A) Tandem Parking is allowed in the Historic District.
- (B) Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
- (C) Common Parking Structures are allowed as a Conditional Use permit where it facilities:
 - (1) the Development of individual Buildings that more closely conform to the scale of

Historic Structures in the District;
and

(2) the reduction, mitigation or elimination of garage doors at the Street edge.

(D) A common Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use permit are subject to a Conditional Use review, Section 15-1-10.

(E) Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved Areas, provided the driveway leads to an approved Garage or Parking Area.

(F) Turning radii are subject to review by the City Engineer as to function and design.

(G) See Section 15-3 Off Street Parking for additional parking requirements.

(Amended by Ord. Nos. 06-69; 09-10)

15-2.4-9. SULLIVAN ROAD ACCESS.

The Planning Commission may issue a Conditional Use permit (CUP) for Limited Access on Sullivan Road (“Driveway”). “Limited Access” allowed includes, but shall not be limited to: An additional curb cut for an adjoining residential or commercial project; paving or otherwise improving existing Access; increased

vehicular connections from Sullivan Road to Park Avenue; and any other City action that otherwise increases vehicular traffic on the designated Area.

(A) CRITERIA FOR CONDITIONAL USE REVIEW FOR LIMITED ACCESS.

Limited Access is allowed only when an Applicant proves the project has positive elements furthering reasonable planning objectives, such as increased Transferred Development Right (TDR) Open Space or Historic preservation in excess of that required in the zone.

(B) NEIGHBORHOOD MANDATORY ELEMENTS CRITERIA.

The Planning Commission shall review and evaluate the following criteria for all projects along Sullivan Road and Eastern Avenue:

(1) **UTILITY CONSIDERATIONS.** Utility extensions from Park Avenue are preferred, which provide the least disturbance to the City Park and the public as a whole.

(2) **ENHANCED SITE PLAN CONSIDERATIONS.** These review criteria apply to both Sullivan Road and Park Avenue Street fronts:

(a) Variation in Front Yard and Building Setbacks to orient porches and windows onto Street fronts.

(b) Increased Front Yard Setbacks.

- (c) Increased snow storage.
- (d) Increased Transferred Development Right (TDR) Open Space, and/or preservation of significant landscape elements.
- (e) Elimination of Multi-Unit or Triplex Dwellings.
- (f) Minimized Access to Sullivan Road.
- (g) Decreased Density.

(3) DESIGN REVIEW UNDER THE HISTORIC DISTRICT GUIDELINES. Use of the Historic District design review process will strengthen the character, continuity and integration of Single-Family, Duplex, and Multi-Unit Dwellings along Park Avenue, Sullivan Road, and Eastern Avenue.

(4) INCORPORATION OF PEDESTRIAN AND LANDSCAPE IMPROVEMENTS ALONG PARK AVENUE, SULLIVAN ROAD, AND EASTERN AVENUE. Plans must save, preserve, or enhance pedestrian connections and landscape elements along the Streetscape, within the Development Site, and between Park Avenue and Sullivan Road.

(5) PARKING MITIGATION. Plans that keep the Front Yard

Setbacks clear of parking and minimize parking impacts near intensive Uses on Sullivan Road are positive elements of any Site plan.

(6) PRESERVATION OF HISTORIC STRUCTURES AND LANDSCAPE FEATURES. This Area consists of many Historic homes. The Owner's maintenance, preservation and rehabilitation of any Historic Structure and its corresponding landscaped Streetscape elements will be considered as positive elements of any Site plan.

(C) AFFORDABLE HOUSING APPLICABILITY. When the Development consists of fifty percent (50%) or more deed restricted Affordable Housing Units, per the City's most current Affordable Housing Resolution, Section 15-2.4-9(B) above does not apply.

(Amended by Ord. No. 06-69)

15-2.4-10. ARCHITECTURAL REVIEW.

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC

Chapter 15-11, and LMC Chapter 5-5 are heard by the Historic Preservation Board as outlined in Section 15-1-18 of the Code.

(Amended by Ord. Nos. 06-69; 09-23)

15-2.4-11. CRITERIA FOR BED AND BREAKFAST INNS.

A Bed and Breakfast Inn is a Conditional Use subject to an Administrative Conditional Use permit. No Conditional Use permit may be issued unless the following criteria are met:

- (A) The Use is in a Historic Structure, addition thereto, or a historically Compatible Structure.
- (B) The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- (C) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
- (D) In a Historic Structure, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- (E) The rooms are available for Nightly Rental only.
- (F) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.
- (G) Food service is for the benefit of overnight guests only.

(H) No Kitchen is permitted within rental room(s).

(I) Parking on-Site is required at a rate of one (1) space per rentable room. If no on-Site parking is possible, the Applicant must provide parking in close proximity to the Bed and Breakfast Inn. The Planning Director may waive the parking requirement for Historic Structures if the Applicant proves that:

- (1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation and all alternatives for proximate parking have been explored and exhausted; and
- (2) the Structure is not economically feasible to restore or maintain without the adaptive Use.

(J) The Use complies with Section 15-1-10, Conditional Use review.

(Amended by Ord. No. 06-69)

15-2.4-12. OUTDOOR EVENTS AND MUSIC.

Outdoor events and music require an Administrative Conditional Use permit. The Use must comply with Section 15-1-10, Conditional Use Review. The Applicant must submit a Site plan and written description of the event, addressing the following:

- (A) Notification of adjacent Property

Owners.

(B) No violation of the City Noise Ordinance, Title 6.

(C) Impacts on adjacent Residential Uses.

(D) Proposed plans for music, lighting, Structures, electrical, signs, etc.

(E) Parking demand and impacts on neighboring Properties.

(F) Duration and hours of operation.

(G) Impacts on emergency Access and circulation.

15-2.4-13. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6”) in diameter or greater measured four and one-half feet (4 ½’) above the ground, groves of small trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20’) of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3

and Title 14.

(Amended by Ord. No. 06-69)

15-2.4-14. SIGNS.

Signs are allowed in the HRM District as provided in the Park City Sign Code, Title 12.

15-2.4-15. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-5-13.
- Telecommunication Facility. LMC Chapter 15-5-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3.3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3.3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
JULY 31, 2013**

PRESENT: Nann Worel, Brooke Hontz, Stewart Gross, Adam Strachan, Mick Savage, Charlie Wintzer, Kayla Sintz, Francisco Astorga, Polly Samuels-McLean

Commissioners Thomas was excused.

City Manager Diane Foster introduced Matt Diaz, the new Assistant City Manager, and provided a brief history of his experience.

Mr. Diaz stated that he previous lived and worked in Park City he was very familiar with the City. He felt fortunate to be back in Park City and looked forward to meeting the Commissioners.

WORK SESSION ITEMS

LMC Amendments to the HRM District

Planner Astorga remarked that this work session item related to the LMC amendments in the HRM District. He referred to Exhibits B and C in the Staff report and noted that the Staff chose to put the District on two maps because it was too difficult to read on one map.

Planner Astorga stated that the HRM District is basically Park Avenue from 15th Street down to 12th Street on both sides. On the east side it goes down to 10th Street. Planner Astorga noted that page 3 and 4 of the Staff report contained information related to applicable compliance and general terms related to the General Plan. He explained that the primary changes begin on page 4. The first one addresses open space, where through an MPD the open space requirement is 60%. The proposed change for consideration suggests a reduction in open space.

Planner Astorga remarked that consistency was the main driver. The HRM District indicates that under special requirements for triplexes and multi-unit buildings, the open space requirement is 60%. Everywhere else in the Code mentions 60%, but it also indicates an exception that if the site can qualify as re-development, the open space requirements drops down to 30%. He noted that the first LMC amendment was proposed for the purpose of being consistent with the language included in the MPD requirement criteria for review or approval.

Planner Astorga stated that the second proposed change was to the language for existing historic structures, that the Planning Commission has the ability to reduce setbacks for additions to historic sites. Instead of going through a variance it is a conditional use permit through applicable compliance in terms of compatibility and form, mass, volume, and scale. The Planning Commission has that ability and they have exercised that right through specific requests. Planner Astorga explained that the Staff was proposing to add language indicating that it would apply to additions, but also new construction. In the HRM District multiple buildings are allowed on the site for whatever reason. The Staff asked if the Planning Commission was willing to entertain the concept of allowing the exception of reduced setback for new construction similar to the conditional use permit for additions to historic sites. Planner Astorga clarified that the exception would only apply to a historic sites listed on the Historic Sites Inventory.

Planner Astorga remarked that the last proposed change related to affordable housing. In an effort

to incentivize Affordable Housing in the HRM District, the Staff was proposing to deviate from some of the LMC requirements for the HRM District, specifically the one for compliance with access to Sullivan Road.

Planner Astorga noted that the Staff had drafted proposed language as shown on Exhibit A in the Staff report, the HRM District, Chapter 2.4. The potential changes were highlighted in red beginning on page 14 with the two amendments regarding open space and setback exceptions. The proposed amendment for Affordable Housing was outlined on page 17.

Planner Astorga disclosed that the proposed changes would affect the current application filed within the Planning Department for a conditional use permit for a multi-unit building, co-housing project at 1450/1460 Park Avenue. The amendments would change the requirements related to parking spaces of five or more and access off of Sullivan road. Planner Astorga stated that if the City decided to move forward with the proposed changes, it would positively affect that site.

Planner Astorga noted that this was a work session and a public hearing was not scheduled. However, members of the public were in attendance and he recommended that the Planning Commission take public input.

Assistant City Attorney remarked that even though the proposed amendments would affect issues that arose with a specific application, she felt it was important to recognize that it would be a legislative change and not specific only to the Green Housing project. Ms. McLean recommended that the Planning Commission focus on the policy decisions regarding the LMC amendments rather than on one project.

Commissioner Wintzer asked if an application would have to be resubmitted if it was originally submitted under the existing Code and the Code is changed. Ms. McLean replied that the applicants would have the benefit of the Code change without resubmitting the application. Commissioner Wintzer understood that if it was turned around they would not get that benefit. Ms. McLean replied that he was correct.

Planner Astorga believed it would depend on whether the Code was changed to be more restrictive or less restrictive. Ms. McLean stated that an application is vested under the current Code; however, the applicant could choose to take advantage of the changes and move forward with the revised Code.

Commissioner Hontz referred to page 4, the last bullet point under Historic Core Policies and noted that some of the words were missing to complete the sentence. She noted that words were missing from the second bullet point under Historic Core Actions and asked for clarification. Planner Astorga apologized for the error and offered to find the exact language from the General Plan.

Planner Astorga stated that he looked at the vicinity map to contemplate what the change might allow in terms of the properties in the zone. He was concerned about setting a precedent and creating a future problem. Planner Astorga stated that it was impossible to predict future problems because everything depends on what currently exists and what the property owner wants to do with his land. However, as indicated on the HRM maps on page 20 and 21, the second amendment proposed would only apply to the historic sites identified as significant or landmark on the Historic

Sites Inventory, and those were indicated on the map with yellow dots or orange triangles.

Commissioner Hontz clarified that for MPDs or anything else, any applicant could come in at any time and use the benefit of the Code changes. The benefit of the Code changes would affect every person in the HRM District. Commissioner Hontz commented on City-owned property in the HRM District, some of which was identified in blue on the map. She pointed out that the City would be one of the property owners affected, as well as private property owners.

Chair Worel opened the public hearing.

Planner Astorga handed out a letter that Clark Baron had emailed earlier in the day.

Clark Baron, an owner in the Struggler Condominiums located at 1470 Park Avenue adjacent to the project stated that he had made comments at the last two public hearings and the Planning Commission was given a written copy of comments. Mr. Baron stated that during the last two meetings the owners of the Struggler Condominiums have made it clear that the concept of co-housing is a good concept; however, putting ten units on a property of this size in the Historic District does not meet Code. They have tried to indicate that it is a good project but on the wrong property.

Mr. Clark stated that he and other Struggler owners were opposed to the changes in the LMC. Making public policy changes to benefit a specific private development looks bad for the City. The project is too large for the property and he encouraged the Planning Commission to consider the density. Mr. Clark stated that one of the changes in 15-2.4-9 attempts to exempt the project from all requirements related to Sullivan Road. He felt it was inappropriate to negate a full section of the building code based on the fact that a percentage of the project is affordable housing. The goal of the City is to maintain the historic nature of the area and also to do affordable housing. He believed they could both, but not with this project on that property. It is too big and does not match the surrounding development. Mr. Clark asked the Planning Commission not to support the proposed changes to the LMC.

Dan Moss, a Struggler Condominium owner, stated that there is very little developable land left in the historic district and this was not the time to compromise the standards they have all worked so hard to craft through the years. He felt it was important to hold fast to the values and not snub the efforts of the City forefathers who gave their all to ensure a future Park City that holds true to its beliefs. Mr. Moss stated that the wording that defines the City Code was well-thought out by those who had the foresight to know how best to proceed. He did not think those valiant efforts should be compromised. Mr. Moss remarked that the Historic District of Park City was the last place where they should ease the requirements to promote affordable housing. If the proposed project cannot be built on this parcel without the aid of compromise and the easing of standards, then it should be built on a different parcel of land that could better facilitate the proposal.

Chair Worel closed the public hearing.

Planner Astorga read the language from the General Plan to complete the incomplete sentences that Commissioner Hontz had pointed out earlier. The first was the last bullet point under Historic Core Policies. "Work to ensure the continued livability of residential areas around the historic commercial core." The second was the second bullet point under Historic Core Actions, "Encourage

residential development that will provide affordable housing opportunities for residents, consistent with the community's housing, transportation and historic preservation objectives.”

Commissioner Hontz noted that pages 3 and 4 of the Staff report highlighted some of the sections of the General Plan that the Staff had chosen to support the potential Code changes. However, when she reads the language it does not support the changes. Commissioner Hontz stated that both of the bullets highlighted under Goal 7 do not relate to the changes proposed. She remarked that livability was a key element in the historic preservation objectives. She intended to focus on both issues in her comments.

Commissioner Hontz summarized her comments in six points as follows:

1) Open Space – In her opinion none of the proposed changes were acceptable and none of them would make for a better District or zone that would benefit the entire community and building district. Commissioner Hontz referred to the first bullet point in the consistency question regarding open space, and stated that if she had been aware that the unintended consequences of allowing MPDs in Old Town would mean reduced open space and not specifying no roof tops and no side yards, she would have never allowed MPDs in Old Town. Commissioner Hontz stated that the reason for having an open space requirement in MPDs and for larger units was due to the context of the neighborhood and the relationship with the historic structures. She believed the open space needed to be maintained, especially in Old Town, where a few feet is precious space. Commissioner Hontz remarked that open space is a mandatory requirement for larger density in order to fit into that part of Town. In her mind it was not a consistency issue.

2) Relationship – Commissioner Hontz felt like the City was shifting from the number one goal in the Historic District, the word “historic”, to pushing another goal for affordable housing. She recognizes that affordable housing is important and she supports it, but it should not compromise the “historic”. Commissioner Hontz noted that the current General Plan has supported existing affordable projects, and they can be done under the existing Code. She was not willing to further degrade the historic district and run the risk of making it less valuable and livable by allowing the proposed change outlined under Existing Historic Structures. Commissioner Hontz thought the situation would be worsened by making the conditions fit the historic structures instead of new construction.

Commissioner Hontz stated that a relationship has been established between the historic structures, other structures and the street, and she believed those needed to be maintained. She felt the proposed change was the wrong direction to go in Old Town.

3) Affordable Housing and the Sullivan Road Access – Commissioner Hontz stated that she has lived in Park City for 19 years, and she has learned over time that the Planning Commission exists for a good reason. She found it interesting that they would consider exasperating the problem in this area rather than to enforce the rules that were put in place to stop this type of situation from occurring. In looking at the corridor along Sullivan Road, the proposed change would undo the important regulations intended to stop the type of development in the parking lot and the facades that were occurring along the Park. Commissioner Hontz did not believe it fits the neighborhood and it was not a good direction to consider.

4) Commissioner Hontz believed the points she outlined shows that the proposed changes do not

support any of the community ideals and it would erode what they have worked hard to put into place.

5) Keeping her focus on the legislative action, Commission Hontz could see this policy change causing problems for the City in terms of how the process was initiated and moved forward.

6) Commissioner Hontz believed her points against making the Code changes were strong enough to convince them not to move forward in any aspect.

Commissioner Wintzer concurred with all of Commissioner Hontz's comments. However, he would put more emphasis on the comment that the process is flawed. If this is a big issue, the Planning Commission should be looking at it in comparison with the General Plan and looking at the bigger picture rather than just one isolated area. Commissioner Wintzer agreed that Sullivan Road needs to be maintained as a special area. It was abused when it was first put in and the proposed changes would weaken it even more.

Commissioner Strachan agreed with the comments. He believed the trend throughout the community is to increase the amount of open space. People have voted for million dollar bonds to gain more open space, and the idea of changing the Code to decrease the amount of open space is not in concert with the community trend. Commissioner Strachan stated that in Old Town where the houses are so close together, open space is an important element. There needs to be room between structures for storage of bikes, etc., but particularly for children. If they want to encourage families to move back into Old Town they need to have yards for their children. He remarked that yards are still important for projects along Sullivan Road, because even though the Park is on the other side of the road, people cannot send their children to play in the Park without having a parent with them. Families need to have open space next to their homes where the children can play and the parents can supervise.

Commissioner Strachan needed more time to think about the changes proposed to the Historic District section. This was the first time he had seen the changes and he needed to look at the map and physically walk by the historic structures to figure out what the Code change would mean for each of those homes.

In terms of process, Commissioner Strachan felt this was similar to when the Kimball Arts Center requested a Code change to accommodate their project. At that time the Planning Commission viewed it as being reactive planning instead of progressive planning. He thought they should be planning for the projects they want to see as opposed to reacting to projects that come before them.

Commissioner Strachan recognized that the change may be good overall, but putting it in front of the Planning Commission as an effort to approve what they all agree is a good project may have unintended consequences. Knowing the trends that occurred in the past when patchwork changes were done to the LMC, he would anticipate abuse of the Code.

Commissioner Savage stated that he had given the matter considerable thought and he spent a lot of time driving the area. He took exception to the earlier comments, not because of the unintended consequences, but rather trying to do something that supports intended consequences. He disagreed with Commissioner Hontz's comment that the proposed changes do not support any of the community ideals, since one of the primary community ideals is affordability and integrating

people of various economic means into the community as broadly as possible. The idea of bring families back into the historic area without providing a mechanism to achieve it was frustrating. Commissioner Savage believed this was an opportunity in this area to contemplate a range of possible projects that could help achieve some of the intended objectives. He remarked that in talking about open space in the area around Sullivan Road, he could not think of many places in all of Park City that offer a more direct access to significant open space for children and families and recreation in terms of having a Park all along the back of the homes. In relations to the yellow dots on the map, he felt the achievement of open space and the desirability of functional open space was well achieved in that area. If they could find a way to encourage development that would create that as an asset, it would attract the families they want to see in Old Town.

Commissioner Savage stated that when he looks at the purposes in this part of the General Plan and the Land Management Code, he finds it very supportive for what they were trying to achieve. Commissioner Savage supported the proposed changes because it makes sense for Park City. Commissioner Savage agreed that the desire to maintain historic compatibility was of paramount importance and they need to be good stewards of that, but not to the exclusion of flexibility as it relates to allowing the higher population of family units.

Commissioner Savage referred to the City properties in the area and he believed those properties were ripe for development in terms of higher density and affordability for families, particularly due to the proximity to the Park and transportation corridors.

Commissioner Gross believed that Lower Park Avenue would be a very important aspect of the City and some of the things being planned in the redevelopment areas. He thought the Code changes would help take it in the direction of additional density in the right places, walkability, transportation, etc. Commissioner Gross stated that in looking at the area identified in the Staff report, it appeared that the Struggler lots to the north only had five units on one lot equaling the same size of property as the two lots to the south with ten proposed units. Commissioner Gross was unsure if density was the real issue. He thought affordable housing was critical and there has been heard good feedback with regards to projects along Park Avenue. Without talking about the Green Co-housing project specifically, Commissioner Gross thought the Planning Commission needed to pay attention to the importance of setbacks and open space. He suggested that 60% open space may be too aggressive; but he would not want green roofs or patios being considered as part of the 30% open space.

Chair Worel stated that from her perspective open space was a key factor and she had an issue with potentially cutting the open space requirement in half. Chair Worel agreed that they need to protect the historic structures and carefully consider what they put next to historic structures in terms of additions, etc. Any additions or construction should be compatible with historic structures and with the streetscape. Chair Worel liked Commissioner Strachan's comment about planning rather than reacting. She was concerned about setting a precedent for changing the Code every time a project comes along that they all like and believe in. Chair Worel was opposed to setting the precedent by changing the Code.

Commissioner Savage stated that for the years he has been on the Planning Commission he could count on two fingers the number of times there has been a change in the LMC that has come to the Planning Commission as a consequence of a specific application. He was not particularly

concerned about the issue of precedence. However, he was concerned about the issue of higher purpose in terms of their intentions. He noted that the Planning Commission has had extensive discussions in relation to the development of the new General Plan having to do with the concept of gives and gets. Commissioner Savage stated that there was no perfect way. Any time they are faced with making a decision that supports the vision they want for the community in the future, there will have to be compromises. Commissioner Savage did not argue the fact that there were compromises associated with the proposed changes; but when he looks at the implication it could have relative to the integration of affordable housing in a very high-quality location in the community, he felt strongly that this was a good opportunity to act in a constructive way.

Commissioner Hontz stated that the City has four community ideals; historic character, small town, natural setting and community. She would argue that the historic core is what distinguishes Park City the most as a unique ski town that is both livable and interesting to visitors. In order to accept any of the proposed changes they would have to buy into the fact that it would benefit the four community ideals. Commissioner Hontz remarked that she has looked at this area for various projects and as a Planner she understands that the existing regulations work quite well. She was not convinced that the proposed changes would help someone succeed. She believed that accepting them would be reacting in a negative way.

Commissioner Hontz stated that a 50% reduction sounds significant, but on a plan with significant density, that could mean four feet on one side yard, which is important in Old Town. She realized that it was hard to understand what 30% means, but she does understand it and making it smaller would not work. Going back to the historic character, she was not willing to erode what they have any further.

Commissioner Wintzer stated that he had calculated the setbacks on a 50' x 150' lot and they equaled 36% open space. The proposed change would essentially mean that the Planning Commission was willing to accept only the setbacks as open space. Commissioner Wintzer remarked that he personally was not willing to accept setbacks as the only open space.

Planning Manager Sintz pointed out that MPDs are now allowed in the HRM zone. Under the current Code, reductions of open space from 60% to 30% can be granted when there is affordable housing or rehabilitation of historic structures. She liked the discussion regarding open space and whether it was enough in setbacks. Planning Manager Sintz noted that the variation of setbacks can be a bonus for historic structures if an applicant is not actually attaching an addition to, but is instead doing new construction. It allows a greater separation from two buildings. She was unsure if that had been contemplated as a mechanism.

Planning Manager Sintz asked if there was consensus among the Commissioners to bring back the proposed changes for further consideration. If the consensus was no, she asked if there were specific items or sections that the Staff should bring back for further discussion.

Commissioner Savage reiterated his support for implementing the changes as proposed.

Commissioner Strachan wanted to know the catalyst for proposing changes to the Historic District setbacks for new construction. Planning Manager Sintz replied that greater separation allows for more space between a historic structure and new construction on the same site or an addition to a

historic site. Planner Astorga stated that unlike the HR-1 or other districts, the HRM District allows multiple buildings within a lot. If new construction that is not necessarily attached to the building it could be shifted towards the back, it would achieve greater separation between the historic structure, but the setbacks would still be reduced.

Commissioner Hontz wanted to know what would keep the new construction from creeping closer to the historic structure but still be allowed a reduced setback. Planning Manager Sintz stated that it would be part of the Planning Commission review process. Commissioner Hontz remarked that it would not end up being a benefit unless the Code specified that in order to receive the reduced setback, the structure would have to be set back for further separation.

Planner Astorga clarified that the Staff chose not to specify the separation because compatibility is addressed in the conditional use permit criteria. Each site is different and it is better to address it on a case by case basis.

Chair Worel asked if the Planning Commission was interested in further discussing the proposed change regarding open space. Commissioners Hontz, Wintzer, Strachan and Worel were not interested in discussing it further. Commissioner Gross was interested. Commissioner Savage had already made his position clear for supporting the proposed change.

Chair Worel asked if the Commissioners were interested in further discussing the proposed changes regarding Existing Historic Structures. Commissioner Strachan wanted to see additional analysis. He had walked around Rossi Hill and went up the Shorty steps. Some of the homes are close together and he found it to be quaint and interesting because it had the feel of an old mining town. Commissioner Strachan stated that if the proposed change allows the ability to shrink the setbacks to achieve that feeling, he would be willing to look at it. He understood that it was only for new construction and he recognized the issues related to a new structure abutting a historic structure. However, he was interested in seeing the Staff analysis and how that could be mitigated. If compatibility is the only regulator to address that problem, he would not support it.

Commissioner Hontz noted that all the pieces of the Code were entwined. If the other Commissioners concurred with Commissioner Strachan, she would want strong language in terms of what instances it would make sense, and she would also want to mandate more open space.

Commissioner Wintzer referred to Commissioner Strachan's comment about the quaint neighborhood up the Shorty Stairs. He explained that it is a unique neighborhood because there is no road and no cars. There is no chance for a mega-building in that area because it cannot be accessed by car. He pointed out that decreasing the amount of open space essentially increases the size of a structure. At this point, Commissioner Wintzer was not interested in pursuing it further. He believed the only way to draw families and children back into Old Town is to create more open space.

Commissioner Savage stated that in the category of gives and gets, having the ability to encourage people to build affordable housing in a location proximate to City Park and the park at the Library, was very consistent with the desire to encourage families to move back into Old Town. He believed they were putting so much emphasis on the open space issue that it becomes the defining constraint without looking at the benefits from developments that include a significant percentage of

affordable housing. Commissioner Savage thought the Planning Commission was being inconsistent. They talk about affordable housing but they are unwilling to do what is necessary to achieve it.

Commissioner Hontz reiterated that the point she made that was not resonating is that the amount of open space is three or four feet, which is not enough space to do anything or store anything. She emphasized that 30% open space is only the setbacks, which is not usable open space. Commissioner Hontz noted that there are still no yards in Old Town at 60% open space. Families are already forced to go to the Park. She believed that 60% open space was a necessity.

In response to the question of whether the Planning Commission wanted the Staff to come back with more analysis on existing historic structures, Commissioner Strachan answered yes. Commissioners Gross, Savage and Worel concurred. Commissioners Wintzer and Hontz were not interested in further analysis.

Chair Worel asked if the Commissioners were interested in further analysis regarding the proposed change to explore the concept of removing the Sullivan Road access requirements if the development contains 50% or more deed restricted affordable housing units. Commissioners Hontz, Wintzer, Strachan and Worel were not interested in pursuing this change. Commissioner Gross and Savage were interested in more analysis. Commissioner Gross clarified that he would like to see more analysis because he still struggled with why they were calling it a parking lot and access road. He thought it needed further analysis so they could call it what it is. If they do not want housing and people they should put in another parking lot for the Park.

The Work Session was adjourned.

Historic Residential-Medium Density (HRM) District Diagram Map

HRM District Summary:

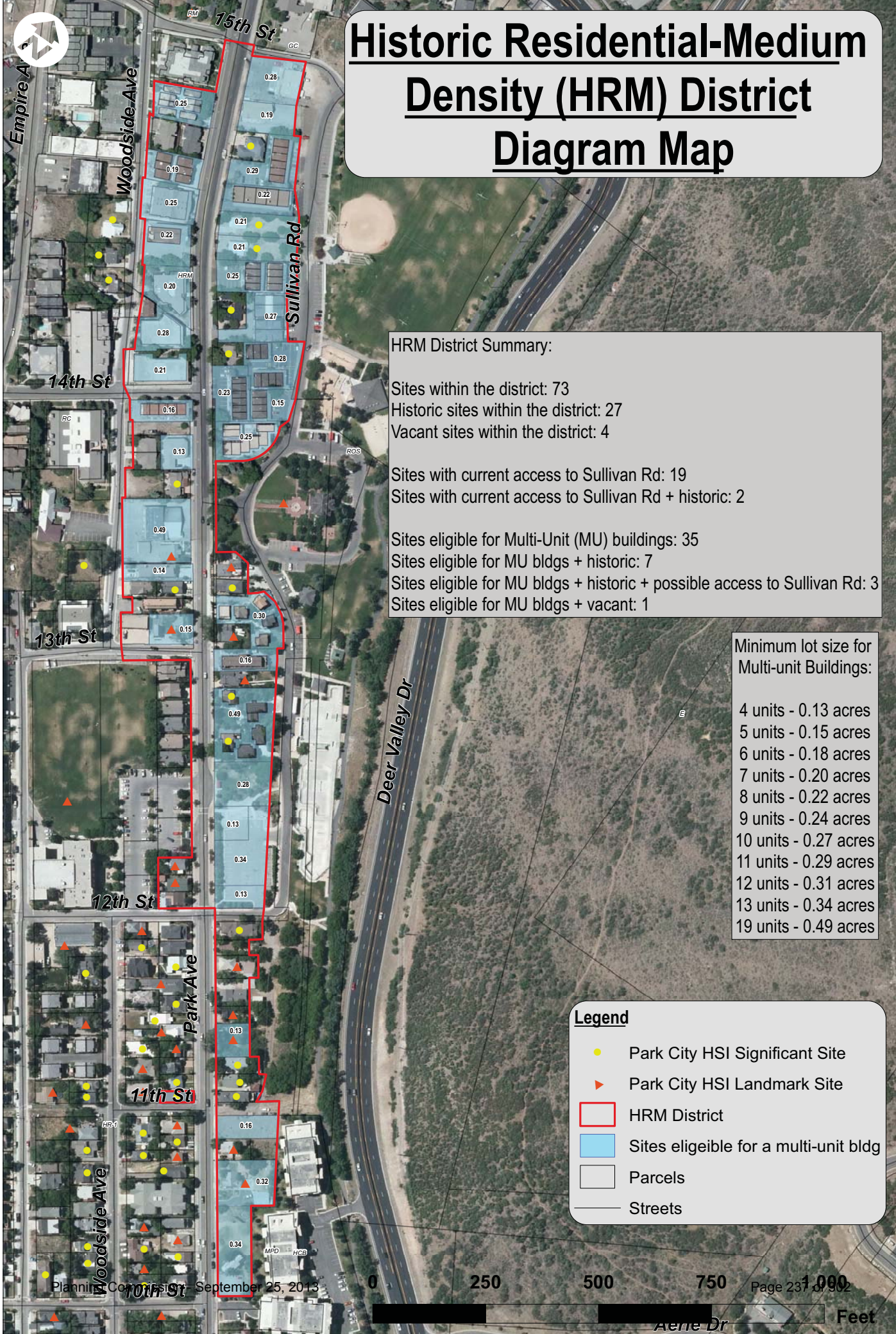
- Sites within the district: 73
- Historic sites within the district: 27
- Vacant sites within the district: 4
- Sites with current access to Sullivan Rd: 19
- Sites with current access to Sullivan Rd + historic: 2
- Sites eligible for Multi-Unit (MU) buildings: 35
- Sites eligible for MU bldgs + historic: 7
- Sites eligible for MU bldgs + historic + possible access to Sullivan Rd: 3
- Sites eligible for MU bldgs + vacant: 1

Minimum lot size for Multi-unit Buildings:

- 4 units - 0.13 acres
- 5 units - 0.15 acres
- 6 units - 0.18 acres
- 7 units - 0.20 acres
- 8 units - 0.22 acres
- 9 units - 0.24 acres
- 10 units - 0.27 acres
- 11 units - 0.29 acres
- 12 units - 0.31 acres
- 13 units - 0.34 acres
- 19 units - 0.49 acres

Legend

- Park City HSI Significant Site
- ▲ Park City HSI Landmark Site
- HRM District
- Sites eligible for a multi-unit bldg
- Parcels
- Streets



Planning Commission Staff Report



Subject: General Plan
Author: Thomas Eddington, Planning Director
Kayla Sintz, Current Planning Manager
Date: September 25, 2013
Type of Item: Legislative Discussion

Background

Items discussed at the September 11, 2013 Planning Commission meeting:

❖ **Task Force:**

The Commissioners agreed to appoint a bipartisan Coordinator to be involved on a bi-weekly basis as needed. The Planning Commission GP Coordinator will continue discussions with Planning Director/Staff, City Attorney and City Council member bi-weekly (or weekly if required). As the schedule will be strictly adhered to, the Coordinating Committee will be able to complete additional discussion/consensus and make recommendations in-between meeting dates. The proposed Commissioner schedule is as follows:

<u>Item</u>	<u>@ at PC</u>	<u>Commissioner to cover</u>
Small Town	9/11/2013	Stewart Gross
Sense of Community	9/25/2013	Nann Worel - <i>confirm</i>
Natural Setting	10/9/2013	Adam Strachan - <i>confirm</i>
Historic Character	10/23/2013	Charlie Wintzer
Neighborhoods	11/6/2013	Jack Thomas & Brooke Hontz

❖ **Executive Summary**

Planning staff does not recommend a standalone Executive Summary be prepared until the end of the process, once final content and format is established. The Executive Summary should contain the following:

- An introduction outlining the Plan
- A simplified list of Goals and Strategies
- An overview of the neighborhoods

The Planning Commission agreed with staff **not** to prepare a standalone Executive Summary and agreed to the contents above.

Analysis

The draft version of the General Plan was completed on March 27, 2013 and distributed to the Planning Commission and City Council for review and comments. Prior to its completion, two Planning Commission meetings were dedicated to the Sense of

Community – Goals and Strategies section: the November 27, 2012 and December 11, 2012 meetings.

The draft document presented for discussion incorporates the input received from each of the task force meetings. Individual comments provided independently and without consensus from the task force group have not been incorporated.

Discussion

Sense of Community

The Planning Commission should review the following pages of the attached redline (Exhibit B), Goals, pages 131–164 and Strategies, pages 237-288.

Task Force – Policy Issues List

Requested direction: discuss as appropriate and agree/reject/modify:

Goal 7 – Create a diversity of housing opportunities to accommodate the changing needs of residents.

- 22. Increase diversity of housing stock within primary residential neighborhoods to maintain majority of occupancy by fulltime residents.
(Existing CCR conflicts if eliminate minimum house sizes)
- 23. Adjust nightly rental restrictions – eliminate or expand?
- 24. Should the City/RDA have a role in incentivizing/subsidizing retrofits of existing residential housing?

Goal 8 – Increase affordable housing opportunities for the workforce of Park City.

- 25. Is focus on “workforce” or primary residents/children? Seasonal vs. year-round.
(Reference existing plan and inventories)
- 26. Can some opportunities in counties be win/win regarding their economic development and not just PC pushing problem on them?
- 27. Different standards/fees for affordable housing? If on-site?
- 28. Allow/expand capability of land dedication in lieu of construction of units?

Goal 9 – Parks and Recreation: Park City shall continue to provide unparalleled parks and recreation opportunities for residents and visitors.

- 29. Transit a priority/practical? Qualify with per person cost? Or affirmatively subsidize or effectively prioritize over other core services?
- 30. Address lighting issues?
- 31. Inherent conflict between residential use and visitor addressed?

Goal 10 – World-class, multi-seasonal resort community: Park City shall provide world-class recreation and public infrastructure to host local, regional, national and international events thus furthering our role as a multi-seasonal destination resort community.

- 32. Is this Goal or Goal 9 a higher priority?
- 33. Is percentage in Quinn's plan working? Need adjustment? Work for all facilities?
- 34. Do we want more events all year long?

Goal 11 – Tourism and Community: Support the continued success of the tourism economy while preserving the community character that adds to the visitor experience.

- 35. Are we promoting Main Street separate from Historic Park City?

Goal 12 – Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.

- 36. Discourage national commercial retail chains.
- 37. Does residential in existing commercial limit future commercial in the area in which it was originally intended?

Goal 13 – Park City will continue to grow as an arts and culture hub encouraging creative expression.

- 38. How to define live street performances and how to regulate without impacting parking and brick and mortar? Impacts on solicitation?
- 39. Consider food trucks and carts?

Goal 14 – Living within limits: The future of the City includes limits (ecological, qualitative and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

- 40. Does goal capture need to balance protections and sustainability with need for flexibility and adaptability to also remain sustainable?
- 41. Commitment to traffic standard?

Exhibits

Exhibit A - Draft, with markups - *Sense of Community : Goals and Strategies*

Exhibit B – Schedule for General Plan Completion

Proposed General Plan Schedule

Joint PC/CC Meeting	Policy Issues	9/4/2013	
PC Public Hearing	Kick Off - Exec Summary & Small Town	9/11/2013	
PC Public Hearing	Sense of Community	9/25/2013	
PC Public Hearing	Natural Setting	10/9/2013	
PC Public Hearing	Historic Character	10/23/2013	
PC Public Hearing	Neighborhoods & Recommendation to CC	11/6/2013	
CC Work session	Introduction - Executive Summary	11/14/2013	
CC Public Hearing	Values, Goals, Strategies	11/21/2013	
CC Public Hearing	Final Draft Distribution	12/5/2013	
CC Public Hearing	Action - Vote on GP	12/12/2013	

Dated 8/26/13

SENSE OF COMMUNITY

The third of the four core values identified by residents during the 2009 Community Visioning is *Sense of Community*. *Sense of Community* is what unites Parkites - a common ground - despite diverse social, economic, and cultural backgrounds. Park City is a community of involved citizens from many walks of life. While our natural setting and recreational opportunities brought many people to Park City, it is the strong *Sense of Community* that keeps people here. This sentiment was echoed frequently throughout the 2009 community visioning process. It is essential to residents that the *Sense of Community* they know remains intact and retains its funkiness, diversity, and playfulness. In the community interview conducted during the 2009 Visioning, nearly 1 in two responses said the community and its people are what keep them here.

Sense of Community is experienced through the people that choose to live and/or work in Park City. Not only is it common to run into acquaintances at the grocery store, in the lift lines,

and on the trails, it is desirable. There are a number of events, from the 4th of July and Miners Day parades, to the many organized athletic competitions, and free events such as Wednesday night concerts at Deer Valley, that many Parkites attend and enjoy. When residents were asked what made them proud of Park City, second to the Olympics, the community answered "When we rise to a challenge and do the right thing for the community and its people." Community involvement is strong in Park City, evidenced through the eighty-five (85) non-profits in existence in 2012.¹

Despite our strengths, we still face our fair share of challenges. Nearly one in two respondents to the community interviews felt that our community was splitting apart along class boundaries, with the workforce being pushed out in favor of the wealthy. Nearly 15 percent felt that there is now a social separation between long-time Park City residents and newcomers. Housing affordability, social equity, and economic opportunities are three

of the main challenges Parkites must confront in the coming years. If we do not, we will jeopardize our strong *Sense of Community*.

Median home prices in Park City are very high compared to the median workforce wage. The workforce and many community members find themselves in a sort of community limbo. They feel they are a part of the Park City community, but cannot actually live here because they cannot afford to buy or rent a place to call home. As affordable housing becomes ever more challenging, many residents are wondering, "For whom are we preserving Park City?" In the last decade, the number of homes occupied by full time residents decreased from 41% of all housing units in 2000 to 30% in 2010. The number of second homes increased by 66% during that same period, while primary homes grew by only 7%.² Although these numbers may seem threatening to the core value *Sense of Community*, they are simultaneously responsible for many of the unparalleled community assets that are the lure of the small town.

Currently our residents enjoy a quality of life that is unprecedented

Replace with Savor the Summit photo

for a town of 7,500 persons. The quality of education, recreation, and infrastructure services is due mostly in part to our tourism economy and second home owners. Tourists, attracted to the skiing and natural setting, bring substantial visitor and tax dollars into our town every year. Continued support of the tourism economy is essential to maintain the lifestyle and economic benefits that Parkites enjoy. Balance between *Sense of Community* and the function of national and international host must continue to be a focus as the City evolves.

It is essential that Park City does not lose its character in order to remain competitive in the tourism industry. It is also essential that the resorts evolve with the tourism industry. Thoughtful planning can lead to balance between the two, ensuring a place desirable for locals and tourists alike, resulting in friendly service from locals, inclusivity from the resorts, and elevated *Sense of Community*.

Our *Sense of Community* is supported also through creating a variety of local business and job opportunities for residents. The largest employment



sector in Park City during 2010 was the leisure and hospitality industry, which includes jobs in the arts, entertainment, recreation, accommodation, and food services sectors. Around ~~5,682~~ 5,700 people had jobs in this industry, accounting for nearly 45 percent of all employment in Park City. In addition to being the largest employment industry in Park City, workers in the leisure and hospitality sectors are also the lowest paid, receiving an average income of \$2,063 per month. Supporting policies

to attract a mix of businesses can result in greater opportunities for Park City residents to work locally. Diversifying our economy can also provide the opportunity for higher wage jobs and overall greater stability. In theory, if higher paying jobs were created that increase the median workforce wage, there would be an increase in the number of employees that could afford to live within Park City. This would strengthen the *Sense of Community*.

Missing: Mention of the small event spaces



GOAL 7

Lifelong Housing: Create a diversity of housing opportunities to accommodate the changing needs of residents.

“Life-cycle” housing is housing stock that meets the needs of residents throughout their life providing opportunities to age in place rather than move between towns during the different stages of life to meet their needs at the time. By creating a mix of housing stock at varying price ranges, size, and design, residents will have local options whether they are seasonal workers, young professionals, families, empty nesters, or retirees. Having options on all rungs of the housing ladder ensures opportunities within the community throughout residents’ entire lives. This translates directly into neighborhood, community, and regional stability. A community that can rely upon access to adequate housing choices near employment centers and services spends less time commuting and has the opportunity for greater involvement and participation within their community. Life-cycle housing is essential to preserving the core value *Sense of Community*.



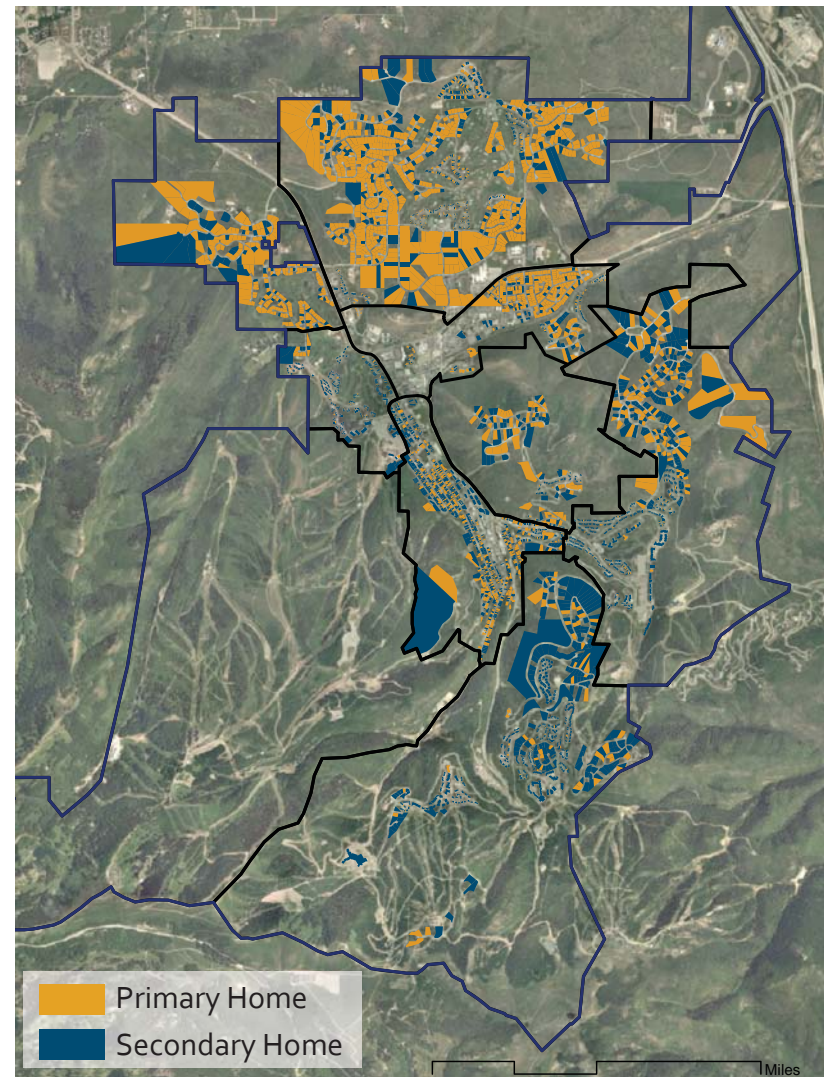
Principles

7A Increase diversity of housing stock to fill voids within housing inventory (including price, type, and size) to create a variety of context sensitive appropriate housing opportunities within all neighborhoods.

Policy Discussion: Articulate steps to allow the opportunities

7B Focus efforts for diversity of housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents within these neighborhoods.

7C Prioritise the development a workforce housing plan.



Park Meadows, Bonanza Park and Prospector, and Thaynes Canyon are the three Park City neighborhoods dominated by Primary Homes. In these neighborhoods diversity in housing stock should be encouraged within the LMC in order to maintain these neighborhoods for locals.

Community Planning Strategies

7.1 Identify sites within primary residential neighborhoods in which one or more of the following could be accommodated and/or encouraged:

7.1.1 Decreased minimum and maximum lot size requirements.

7.1.2 Increased density.

7.1.3 Smaller residential units to create market rate attainable housing in Park City and/or "move down" housing options for seniors in the community.

Policy Discussion

7.2 Revise zoning codes to permit a wider variety of compatible housing types within each Park City neighborhood.

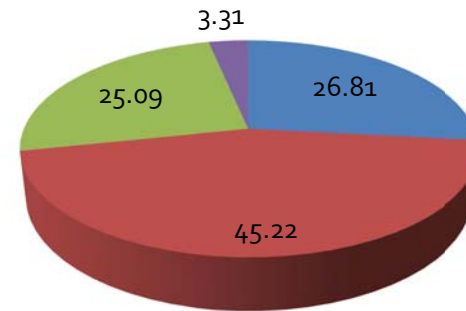
7.3 Explore new and emerging trends for non-traditional housing developments, such as co-housing, congregate housing or limited equity co-ops, within primary residential neighborhoods. Create **of** specific review standards to ensure compatibility and mitigation of impacts **is as** necessary.

7.4 Focus nightly rental within resort neighborhoods.

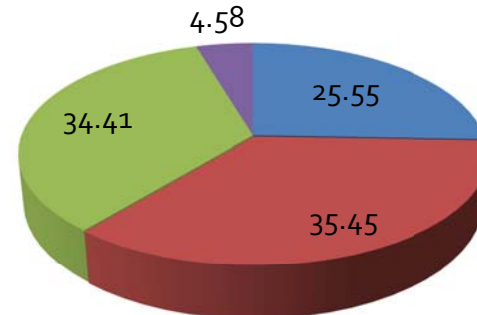
7.5 Support start-up of a scattered site land trust to facilitate affordable housing acquisition.

Percent of Park City Population per Age Category

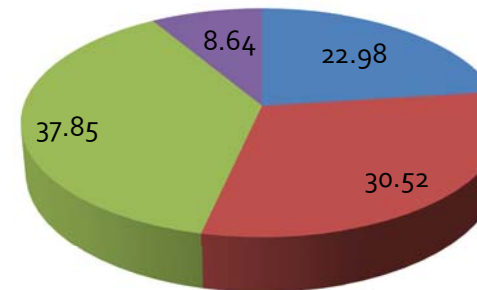
0 - 19 20 - 39 40 - 64 65 +



1990



2000



2010

Park City is growing older. The age groups that have grown the most in the past two decades are 40-64 years old and 65+.

Add terms to Glossary:

- limited equity co-ops
- scattered site land trust

Tie in definition of Moderate Income Housing with affordable housing

City Implementation Strategies

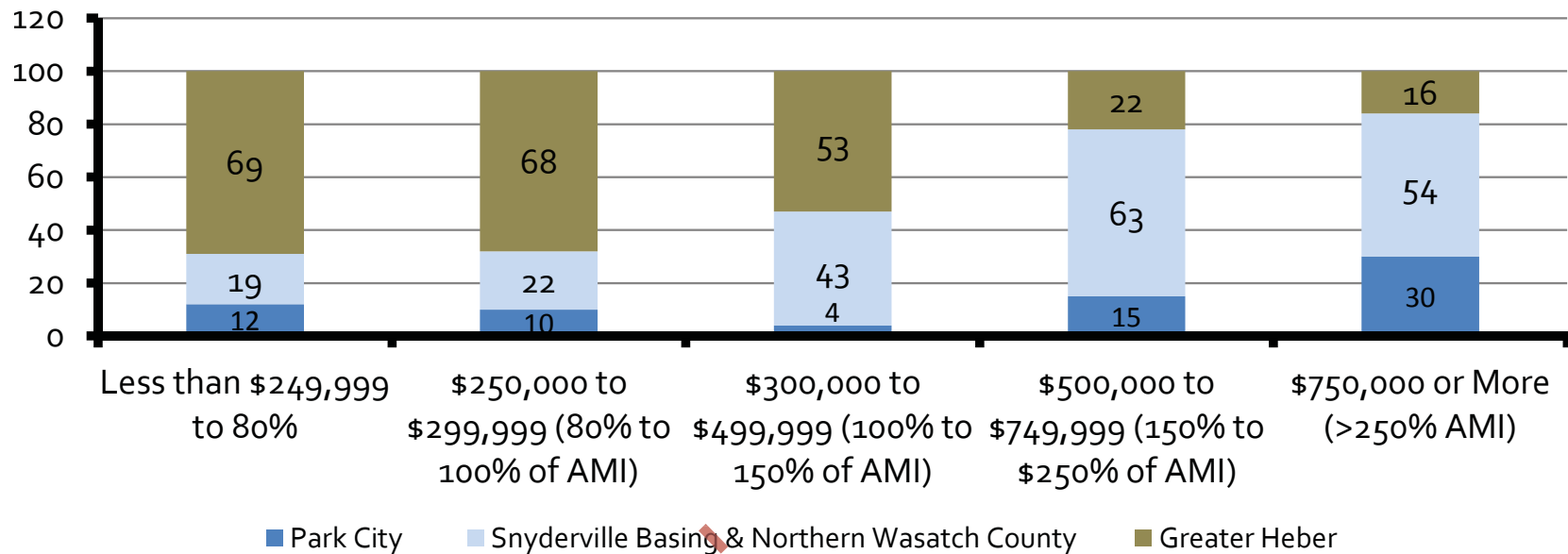
7.6 Update residential housing inventory analysis every 5-2 years with analysis of on-for purchase and rental price, type, and size of units. Subsequently, update affordable housing policy and general plan to guide new strategies to be implemented within the Land Management Code.

7.7 Utilize RDA funding for new housing opportunities and to retrofit existing, aging residential housing stock.

7.8 Leverage the state required 20 percent of RDA funds for affordable housing to secure greater resources for housing needs city-wide.

- Show map for defining areas of Region
- Find better placement for map

% of Region's Owner Units at Different Income Levels in Each Place, 2010



Resident's needs change during their lifetime, creating demand for various housing types and prices. In Park City, many residents are forced to move into the Snyderville Basin, Northern Wasatch County, and the Greater Heber Area due to the lack of housing options for residents making up to 150% of area median income.



GOAL 8

Workforce Housing: Increase ~~Provide~~ affordable housing opportunities for the residents and work force of Park City.

There is a broad spectrum of affordable housing needs in Park City due to the desirability and high cost of living within a resort community. The gap between housing prices and area median income has continued to grow with the median home price rising dramatically and household income increasing only marginally. The 2010 median real estate value to median income ratio was 12:14. This means that the median home price is 12.14 times the median household income. Typically, housing is within reach for purchase if it is priced at three (3) times the household income. In the past decade, there were very few opportunities for ownership for moderate-income household (80% of AMI) - zero opportunity for single-family homes and only 16.8% of condos within their buying power. This results in few housing opportunities for future residents.

The lack of housing opportunities has a negative impact upon our *Sense of Community*. In the 2011 National Citizens Survey, availability of

Principles

- 8A Provide increased housing opportunities that are affordable to a wide range of income levels within all Park City neighborhoods.
- 8B Increase rental housing opportunities for seasonal workers in close proximity to resorts and mixed use centers.
- 8C Increase housing ownership opportunities for ~~work force local residents~~ within primary residential neighborhoods.

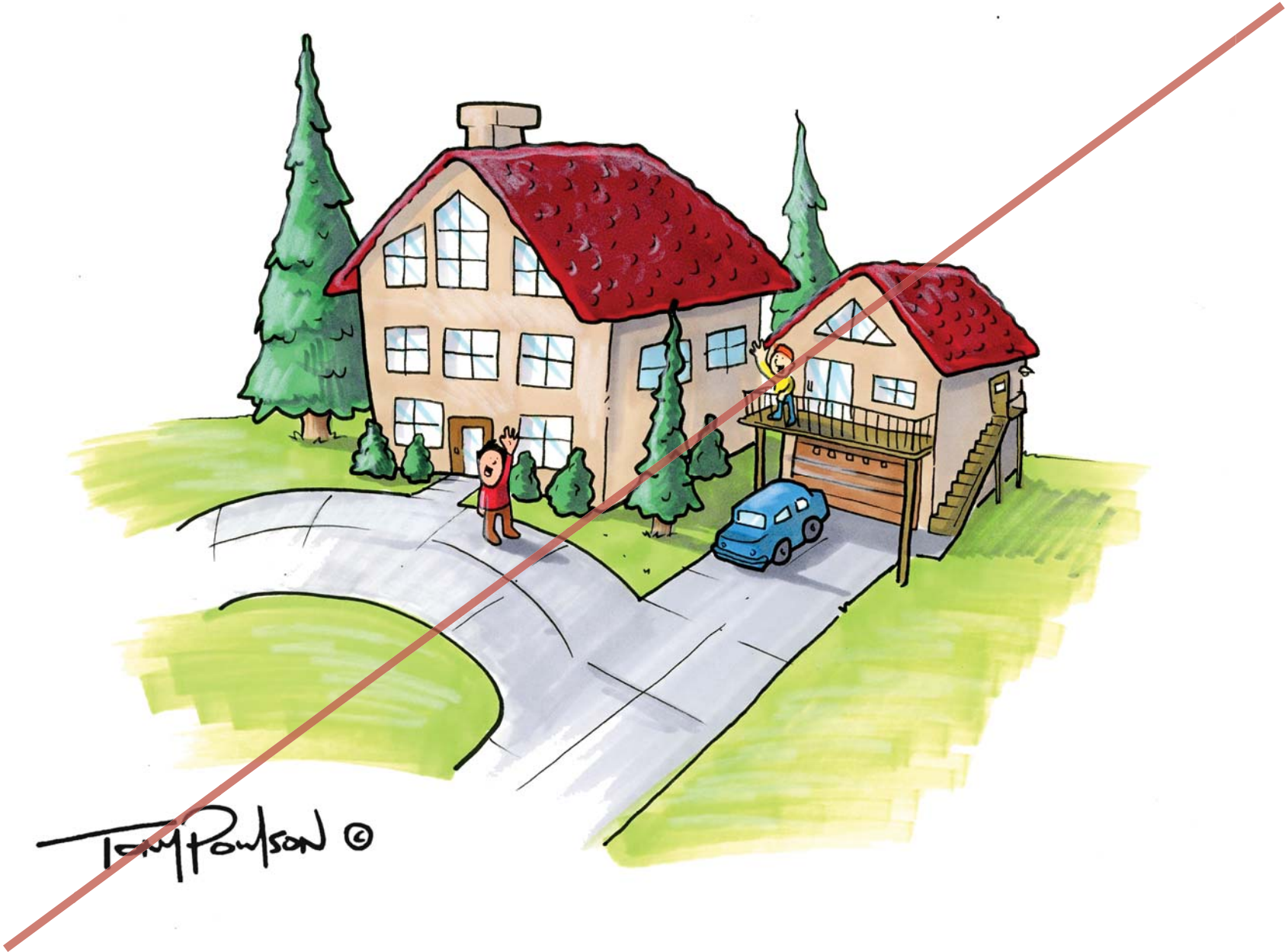
affordable quality housing and variety of housing options were ranked “much worse” in Park City in comparison to 237 other jurisdiction through-out the United States. When a community no longer has housing options for its core workforce – ~~which in Park City’s case is everyone from such as~~ police officers, teachers, electricians, laborers, restaurant workers and beyond, the vibrancy and diversity of a community are threatened.

Protecting *Sense of Community* requires government officials to make difficult policy decisions. The costs associated with preserving the core values of

Natural Setting, Historic Character, and Small Town, are often placed on the developer and/or the residents. As these three core values are protected, living in Park City becomes more desirable and less affordable, threatening *Sense of Community*. *This unintended consequence must be countered through difficult policy decisions regarding negative impacts of success.* Reinvestment in workforce and affordable housing is essential to protect *Sense of Community*.

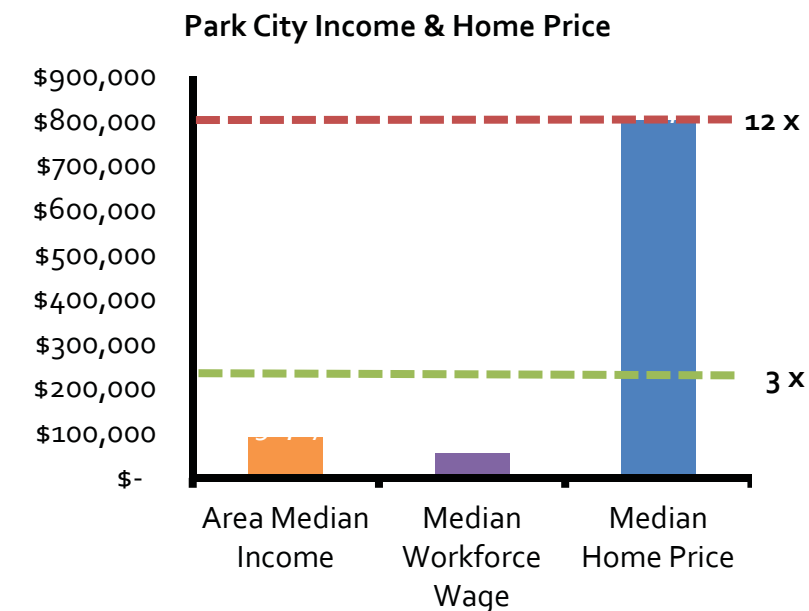
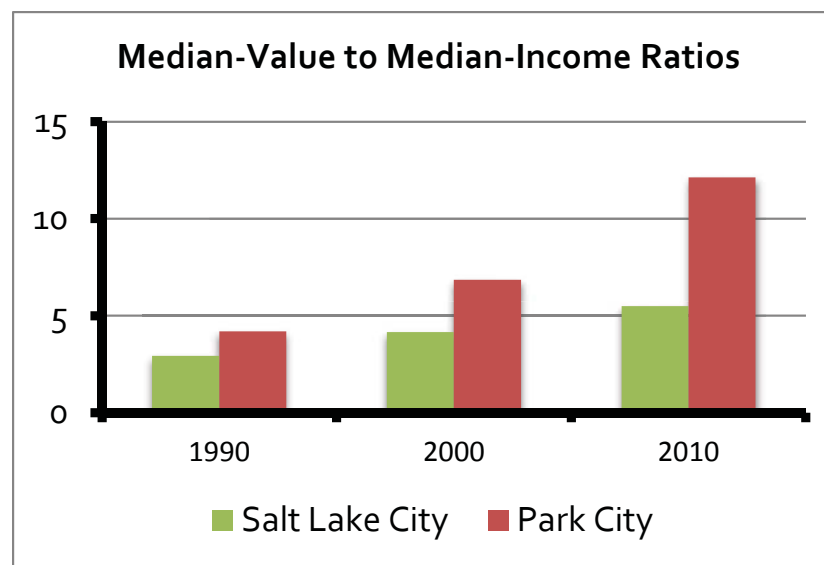
Reword

Replace with picture of small gathering space



Community Planning Strategies

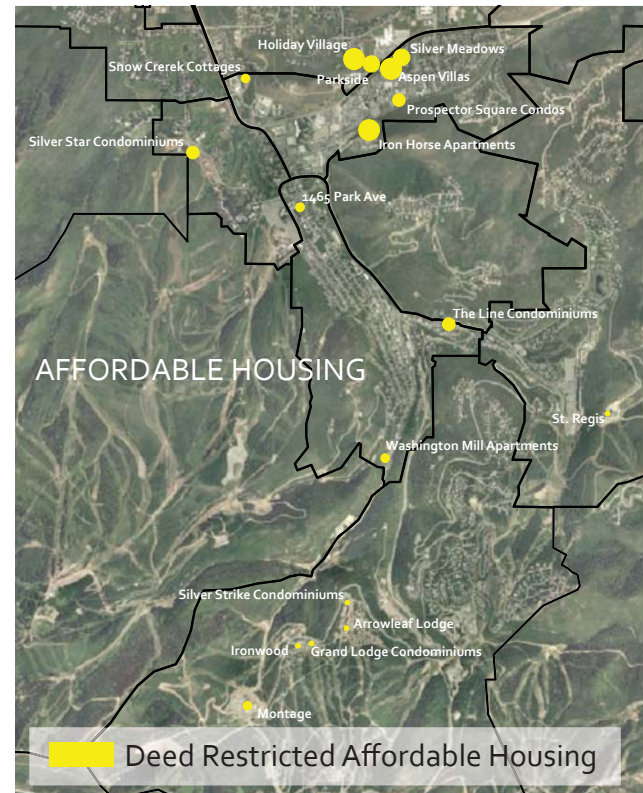
- 8.1 Increased affordable housing opportunities through implementation of strategies within the housing toolbox. (Page 243)
- 8.2 Broaden income qualifications for housing programs (% of AMI) to reflect wide-range of housing needs.
- 8.3 Actively monitor the type, condition, and tenure of affordable housing options in Park City.
- 8.4 Update incentives for density bonuses for affordable housing developments to include moderate and mixed income housing.
- 8.5 Adopt streamlined review processes for projects that contain a high percentage of are at least 80 percent affordable housing projects.
- 8.6 Evaluate the Land Management Code to remove unnecessary barriers to affordable housing.
- 8.7 Review fee In Lieu fee to consider value of land of proposed development within fee.
- 8.8 Economic Review of Affordable Housing Master Planned Developments and to amend according to existing economics. This review should be completed in conjunction with the housing needs assessment during the regular five two year review.
- 8.9 Implement a regional housing approach identifying



City Implementation Strategies

- 8.9 Identify opportunities to collaborate with Summit and Wasatch County to address the region’s housing challenges.
- 8.10 Update the Park City housing resolution every ~~five~~ ~~two~~ years at a minimum to comply with State and Federal regulations and continue to meet housing needs in Park City.
- 8.11 Dedicate funding stream from ~~sources recognized~~ ~~influences~~ on housing affordability, such as RDA funds, ~~property second homeowner taxes~~ and/ or resort ~~city~~ sales tax, into an affordable housing fund. Utilize fund to implement strategies within the affordable housing tool box.
- 8.12 Prevent loss of existing affordable housing through retrofitting existing stock with necessary repairs, energy efficiency upgrades, and extending deed restrictions.
- 8.13 Support cost savings policies for affordable housing including fee waivers, rebates, and grants for low-income and mixed-income developments.
- 8.14 Provide best practices for employer-assisted housing to encourage large employers to provide housing assistance for employees.
- 8.15 Identify and acquire property for the future development of affordable housing.

- 8.16 ~~Continue to a~~ Act as a community resource, providing information and education of available diversity of innovative housing structures and lending options.
- 8.17 Prioritize housing acquisitions that support multiple City goals, such as historic preservation and/or carbon reduction.
- 8.18 New Goal regarding assessing total cost for affordable housing - including HOA fees and etc.



In 2012, 465 deed restricted affordable housing units existed within 34 locations. The locations are labeled within the map.

GOAL 9

Parks & Recreation: Park City shall continue to provide unparalleled parks and recreation opportunities for residents and visitors.

Add inclusionary text that welcomes all residents and visitors to use the facilities, regardless of population.

Park City is a lifestyle community and a community of choice. Year round residents that relocated to Park City, most likely did so to fulfill a lifestyle choice. Parkites were asked “what brought you here?” in the 2009 Visioning. The most common response (31%) was skiing and the snow. When asked “what keeps you here?” respondents expressed the community and people (55%) as the foremost appeal, followed by mountain lifestyle and quality of life (53%), and recreation was the fifth most popular response (24%)., although One can assume that recreation is also included in mountain lifestyle (e.g. skiing, mountain biking, hiking). The results are telling—Parkites love to recreate.

Park City has done an exceptional job at providing unparalleled parks and recreation opportunities for residents and visitors. In its 2011 National Citizen Survey, residents responded with overwhelming satisfaction for the recreational opportunities in Park City. Out of 239 national communities



that have been surveyed, Parkites were the most satisfied (Ranked #1) out of all the communities with the recreational opportunities available.

The City received a 2012 Voice of the People Award from the International City/County Management Association in recognition of this rating.

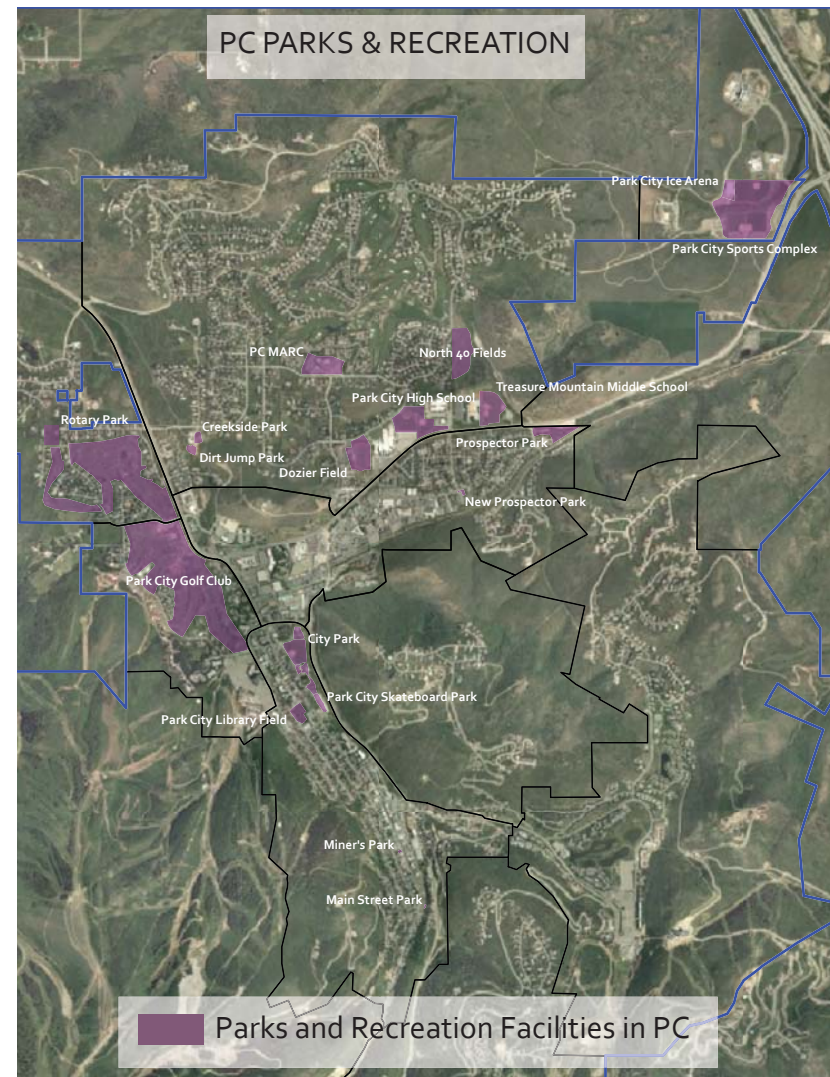
Add text that prioritizes and highlights the trail systems.

Principles

- 9A Maintain local recreation opportunities with high quality of service, exceptional facilities, and variety of options.
- 9B Locate recreation options within close vicinity to existing neighborhoods and transit for accessibility and to decrease vehicle miles traveled. Grouping facilities within recreational campuses is desired to decrease trips.
- 9C Optimize interconnectivity by utilizing bus / transportation services to recreation facilities.



Hard to read - create consistent map layout - maybe create a supplement that is a map book



The majority of Park City's recreation facilities are located in close proximity to residential neighborhoods. This adds to sense of community through the shared public realm and decreases ~~VMT~~ vehicle miles traveled.

Community Planning Strategies

- 9.1 Adopt design standards for sports facilities that require complimentary architectural design, local materials, **lighting standards**, and natural screening within existing neighborhoods.
- 9.2 **Prioritize the identification of** ~~When identifying future~~ locations for recreation the following should be prioritizes:
 - 9.2.1 Accessibility by public transportation, trail system, and/or walkability.
 - 9.2.2 **Prioritize the p**~~Proximity of the to~~-end user and neighborhood needs **so that each neighborhood should have a local park area.**
 - 9.2.3 Providing facilities for under served areas within primary residential neighborhoods.
 - 9.2.4 **Assess the impact**~~Impact assessment~~ (light, noise, parking) of facilities on neighborhoods quality of life.
- 9.3 Continue long-range planning efforts to anticipate recreation needs of future generation.

Update photo to show new artwork



Above: The PC MARC is central to the Park Meadows neighborhood. This central location within a residential neighborhood has become a community gathering spot. The design compliments the existing neighborhood. Below: The bike jump park is located at the entry to Park Meadows neighborhood and along the popular Silver Creek trail. Trail connectivity and proximity to local neighborhoods provide safe access for children.

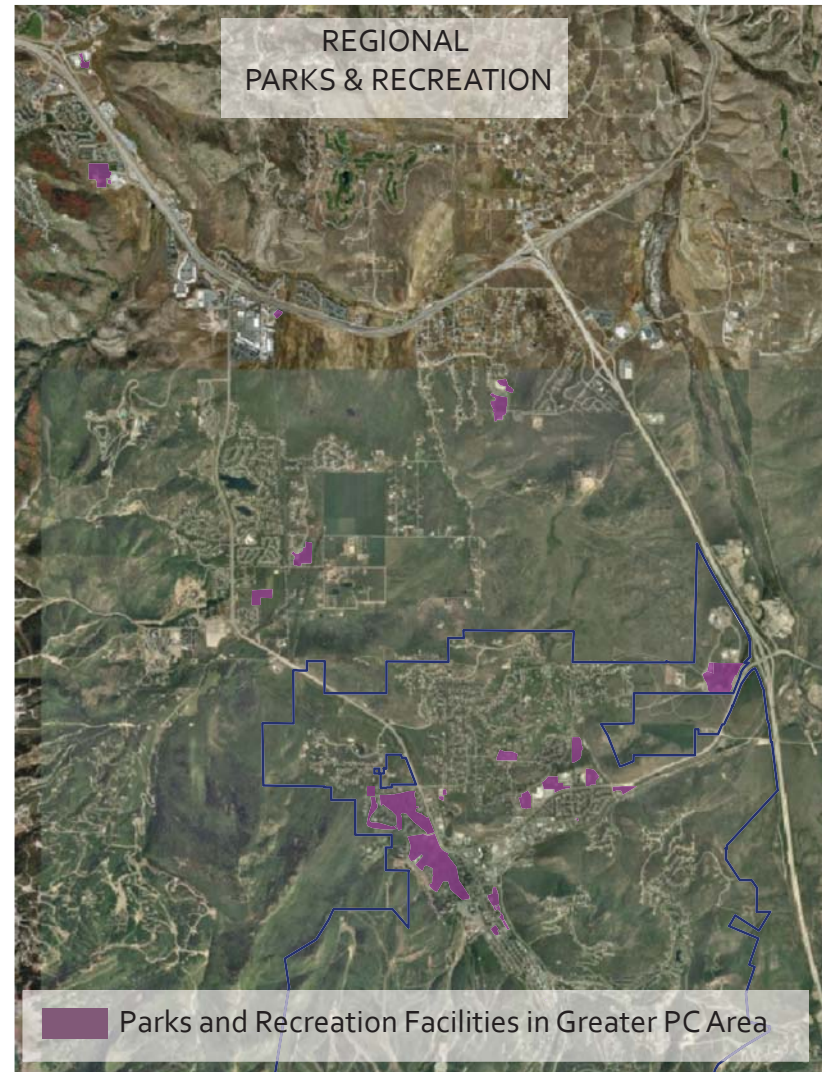


City Implementation Strategies

- 9.4 Create Custom Level Of Service (LOS) based on **unique** user feedback. Park City will monitor the needs of the community through demand surveys and citizen satisfaction surveys and adapt facilities and service levels **in the most cost effective ways accordingly**.
- 9.5 Continue to work collaboratively with Snyderville Basin Special Recreation District (SBSRD) and the Park City School District (PCSD) to manage and plan facilities on a regional scale.
- 9.6 Update recreation master plan to reflect regional management and long range planning effort to maintain high level of service.



Hard to read



Park City, Snyderville Basin Special Recreation District, and the Park City School District have collaborated to provide residents with unparalleled Parks and Recreation services that double as facilities for visitor use during tournaments and competitions.

GOAL

10

Park City shall provide world-class recreation and public infrastructure to host local, regional, national, and international events thus furthering Park City's role as a world-class, multi-seasonal destination resort community.

Park City's economy is dependent on recreation tourism. The City should continue to improve recreational infrastructure as an economic development tool to remain competitive as a world-class multi-seasonal destination resort community. Professional fields, ice rinks, and recreation courts enable Park City to host large professional level events. Implementing current industry standards permits the Park City facilities can be utilized for regional, national, and international competitions. This can improve the economic health of the City year-round and especially during the shoulder session by populating hotels, restaurants, and shops. The larger events also help to subsidize local recreation programs. As Park City continues to prioritize recreation tourism with infrastructure improvements, hosting another winter Olympics may become a reality.



TOM POWLSON ©

Principles

- 10A** Maintain competitive as a world-class, multi-season, destination resort community by increasing year round recreation events and demand on resort support services, such as hotels and restaurants.
- 10B** Balance increased tourism attractions with preservation of small town character and quality of life. Locate larger tourist attractions close to resorts and/or existing facilities. Locate community facilities close to primary residential areas.
- 10C** Public infrastructure improvements and programming should consider the visitor experience to Park City during large events and master festivals.



SENSE OF
COMMUNITY



Community Planning Strategies

- 10.1** Adopt City policy to include consideration of current industry standards for new recreation facilities and remodels to enable hosting world class events while benefiting the local's quality of life.
- 10.2** Support opportunities for high altitude training centers. Allow short term housing opportunities for visiting teams and athletes.
- 10.3** Research opportunities for the location of a high altitude training center.
- 10.4** Allow cutting edge, green technology in appropriate areas to visually represent Park City's commitment to sustainable tourism.

“Park City needs to be a year round attraction with more events and activities.”

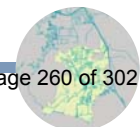
Comment from resident during 2009 Community Visioning



In 2009, the USSA Center of Excellence opened in Quinns Junction. Future Olympians utilize the facility to train year round. Lower Image by Paul Richer

City Implementation Strategies

- 10.5** Maintain policies within each public recreation facility to manage local use and non-resident use.
- 10.6** Collaborate with local hosts to attract additional national and international sporting events year round.
- 10.7** Fund a study to research benefits and impacts of a connected regional ski lift system.
- 10.8** Support future efforts to host a second Winter Olympics.
- 10.9** Public infrastructure policy should provide visitors with the Park City experience, including cutting edge technology which exhibits Park City's commitment to the visitor experience and the environment.



GOAL

11

Support the continued success of the tourism economy while preserving the community character that adds to the visitor experience.

The resort economy is the primary economic engine for Park City and Summit County. Park City's resorts captured an average of 40 percent of total Utah skier days between 1996 and 2010. Since 1995, total taxable sales in Park City have more than doubled, rising from \$289,806,859 to \$605,997,311 in 2010.¹ Many business owners have chosen to invest within Park City due to the high demand by visiting tourists for retail, accommodations, and resort support. As Park City continues to grow and redevelop, it is essential that the City provides support to its resort economy and assist in the effort toward a year-round resort community.

Another key component to economic success is maintaining a distinct *Park City Experience*. The strategy of "Keep Park City, Park City" goes beyond the necessity to protect the core values identified in the community vision. It is a strong marketing tool in an age when many resort towns have become overrun by national chains



and have lost their unique identity and visitor experience. Achieving balance between resort-oriented development

and a strong sense of place is an essential strategy to protect the *Park City Experience*.

Principles

- 11A** The vibrancy of Park City's resorts is essential to the success of resort support businesses. The City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City.
- 11B** Preservation of our community core values of *Small Town, Natural Setting, Sense of Community, and Historic Character* is essential to maintaining the unique *Park City Experience* for visitors and residents. Regulate design of new development to compliment the Community's core values and protect the *Park City Experience*.



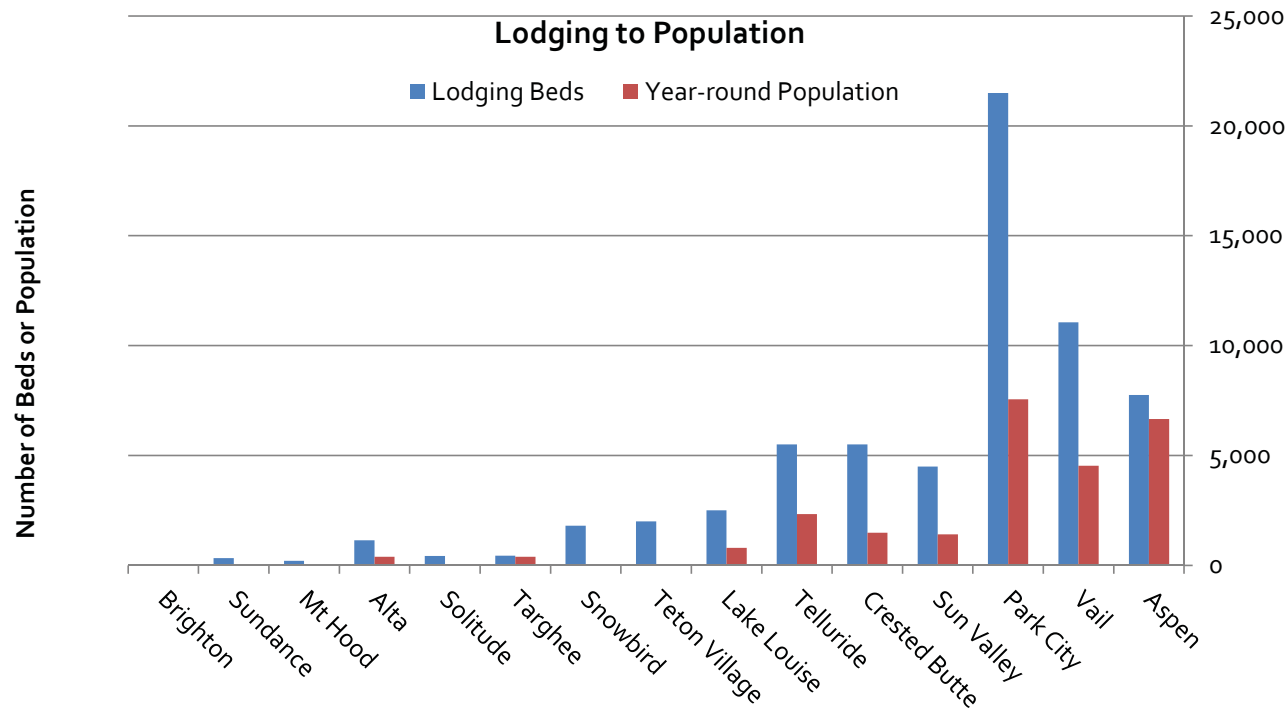
Tony Paulson ©

“In an era when consistency is the drumbeat of national businesses, franchises, and production builders, communities that preserve references to their past emphasize their uniqueness. Distinctive community character can be an important factor in attracting businesses and residents, and can build civic pride. Conserving buildings is thus an important strategy for promoting sustainability. Even in the absence of historic architecture, community character can be strengthened through the creation of a generous public realm, respect for topography and natural features, and the development of new residential and commercial areas that encourage social contact.”

Community Planning Strategies

- 11.1** Provide flexibility to the two primary resorts in town within Master Planned Development amendments to allow the primary resorts to evolve with the tourism industry and increase occupancy rates year round.
- 11.2** Protect the attributes of the City that make Park City unique.

- 11.3** Facilitate the establishment of more year-round visitor attractions within the resort neighborhoods and commercial districts.
- 11.4** Limit visitor-oriented development and nightly rental to existing resort neighborhoods. Restrict nightly rental from primary residential neighborhoods.
- 11.5** Adopt city-wide design standards to maintain the aesthetic experience of Park City.



The leisure and hospitality industry has grown tremendously over the past decade. The number of hotel/nightly rental beds supersedes the inventory of nearby competition. To support existing business and ensure that the market does not become over saturated, Park City should conduct a lodging supply and demand study. The findings of this study should be utilized to make land use decisions for future hotel development.

City Implementation Strategies

- 11.6** Implement redevelopment projects within the Lower Park Avenue RDA to allow the tourism industry to evolve while contributing positively to the residents' quality of life.
- 11.7** Acquire open space recognizing that protection of the *Natural Setting* is essential to the distinct *Park City Experience* for tourism.
- 11.8** Promote Main Street as a primary attraction within the City.
- 11.9** Support local-owned, independent businesses that reflect the core values of Park City and add to the Park City experience.
- 11.10** Research creative adaptation strategies for the ski industry to attract customers year-round, thus increasing demand on local resort support industries.
- 11.11** Promote the Olympics as a living legacy through the continued adaptation of Olympic Facilities for training, hosting world class events, and as a visitor attraction.
- 11.12** Conduct a lodging study to determine the amount of hotel, condo, and other nightly rental accommodations to meet visitors' needs, prevent over saturation of the market, support existing investments in local lodging, and increase occupancy rates.

11.13 Encourage more frequent visitation by second homeowners.

11.14 Improve and standardize Park City's way finding and signage system.



Camp Woodward in Tahoe, CA has brought balance to the seasonal ski resort with year-round vibrance.



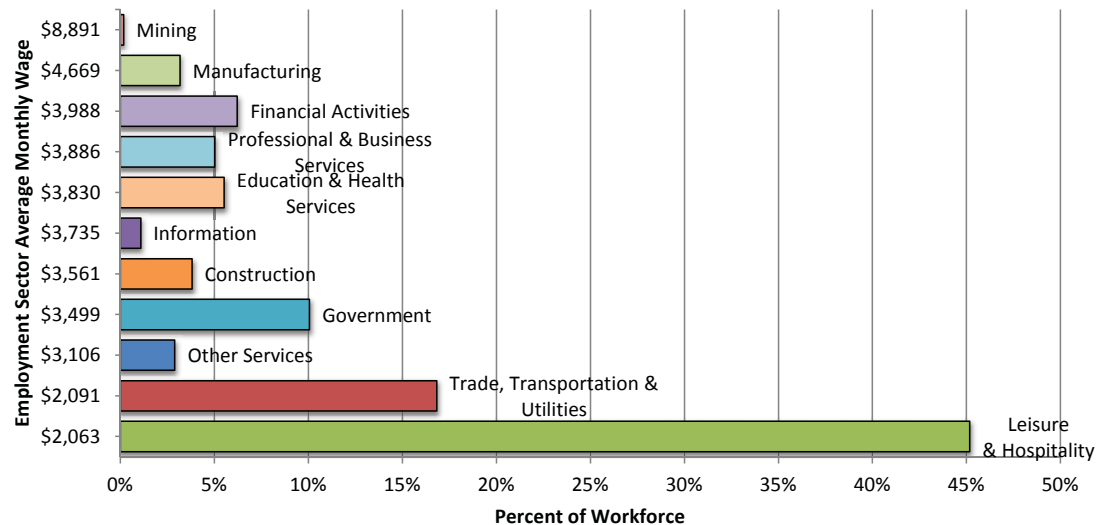
GOAL

12

Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.

The largest employment sector in Park City during 2010 was the leisure and hospitality industry, which includes jobs in the arts, entertainment, recreation, accommodation, and food services sectors. Around 5,682 people had jobs in this industry, accounting for nearly 45 percent of all employment in Park City. In addition to being the largest employment industry in Park City, workers in the leisure and hospitality sectors are also the lowest paid, receiving an average income of \$2,063 per month. Over the past decade, wages in this industry have remained roughly the same, increasing only 1%, in real terms.¹ Park City's high real-estate costs combined with low paying jobs results in spatial mismatch (separating where people live from where they work), for both residents of Park City and employees within the City limits. By diversifying the local job market, more opportunities will be created for residents of Park City to make a living locally.

Park City Distribution of Workforce Wages, 2010



Principles

- 12A** Retain and expand existing Park City businesses.
- 12B** Improve the balance of jobs to housing ratio in Park City through efforts to attract higher paying jobs and workforce housing strategies.
- 12C** Support local owned, independent businesses that reflect the core values of Park City and add to the Park City experience.
- 12D** Discourage national commercial retail chains on Main Street and the negative impacts of big box and nation chains on the unique *Park City experience*.



Tammy Paulson ©

Community Planning Strategies

- 12.1** Maintain commercial and light industrial uses within the City limits to meet the needs of residents and visitors. Develop and monitor an inventory of commercial and industrial space to support local businesses, prevent economic leakage, and decrease vehicle miles travelled.
- 12.2** Foster live-work opportunities in commercial area.
- 12.3** Establish a neighborhood economic development tool for the Bonanza Park District to recycle increased tax revenues into the redevelopment area, thus creating a funding source for infrastructure, public/private partnerships, and improvement to the public realm.



City Implementation Strategies

12.4 Support and attract businesses through implementation of the economic development toolbox.

12.5 Utilize economic development tools to support start-up opportunities for local businesses that augment the *Unique Park City Experience*. Public investment in a Park City business incubator center should be considered.

12.6 Attract businesses focused on High Altitude training, goods, and/or services that complement Park City's sustainability initiative to relocate to Park City.

12.7 Provide competitive, cutting-edge technology infrastructure in areas targeting business growth.

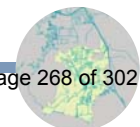
12.8 Continue regional coordination with economic development partners to develop programs and support services to attract new business to the region. Inform businesses of current opportunities and advantages of the region such as site location savings, labor force, infrastructure, cost of business, portfolio of available properties, quality of life, and economic development incentives.

12.9 Research possibility of creating a revolving loan fund to provide gap financing for new and expanding local businesses. Criteria should be created to ensure funding only be considered for businesses that complement the community vision and goals of the City.

12.10 Promote Park City's exceptional quality of life to attract workforce of virtual workforce businesses.

12.11 Support educational opportunities for the workforce of targeted employment sectors

12.12 Identify and implement opportunities for public-private partnership opportunities to diversify employment opportunities in Park City and increase workforce wages.



GOAL 13 **Arts & Culture:** Park City will continue to grow as an arts and culture hub encouraging creative expression.

Park City has evolved into a regional center for arts and culture. In 1976, the Kimball Arts Center was created by local arts enthusiast Bill Kimball. The non-profit community center for the visual arts hosts the annual Kimball Arts Festival, Utah's first and longest running visual arts festival. Artists from across the nation display their artwork along Main Street for the three day festival. The Kimball Arts Center has acted as an incubator for local arts over the past three decades offering residents classes, forums for discussion, and a gallery. The annual Sundance Film Festival put Park City on the international map, recognizing the work of independent artists from around the world since 1981. Park City is filled throughout the ten day festival with film enthusiasts from all corners of the globe. The combined influence of the Kimball Arts Center and the Sundance Film Festival has advanced Park City's Main Street into an arts and culture district with performing arts venues and galleries lining the street.



For Parkites, the presence of arts and culture adds to our quality of life through the abundance of diverse local opportunities to enjoy and/or explore the arts through many mediums. The emerging music scene, local film and music series, and local festivals reflect the vitality and appreciation of cultural arts in Park City and contribute to our overall Sense of Community. The smaller scale special events, such as mountain town stages summer concerts, are possible in part to the large tax base generated during large

master festivals. To retain the local arts community arts, the City and business owners must continue to support the larger festivals and events through ongoing reinvestment into local venues and infrastructure to provide the levels of service necessary to host the international and national events. A balance must be maintained to host larger festivals to keep our Main Street healthy, maintain our tourism economy, and continue to express our unique *Sense of Community* through the arts.

Mention the Museum for culture - too much emphasis on Kimball and Sundance.

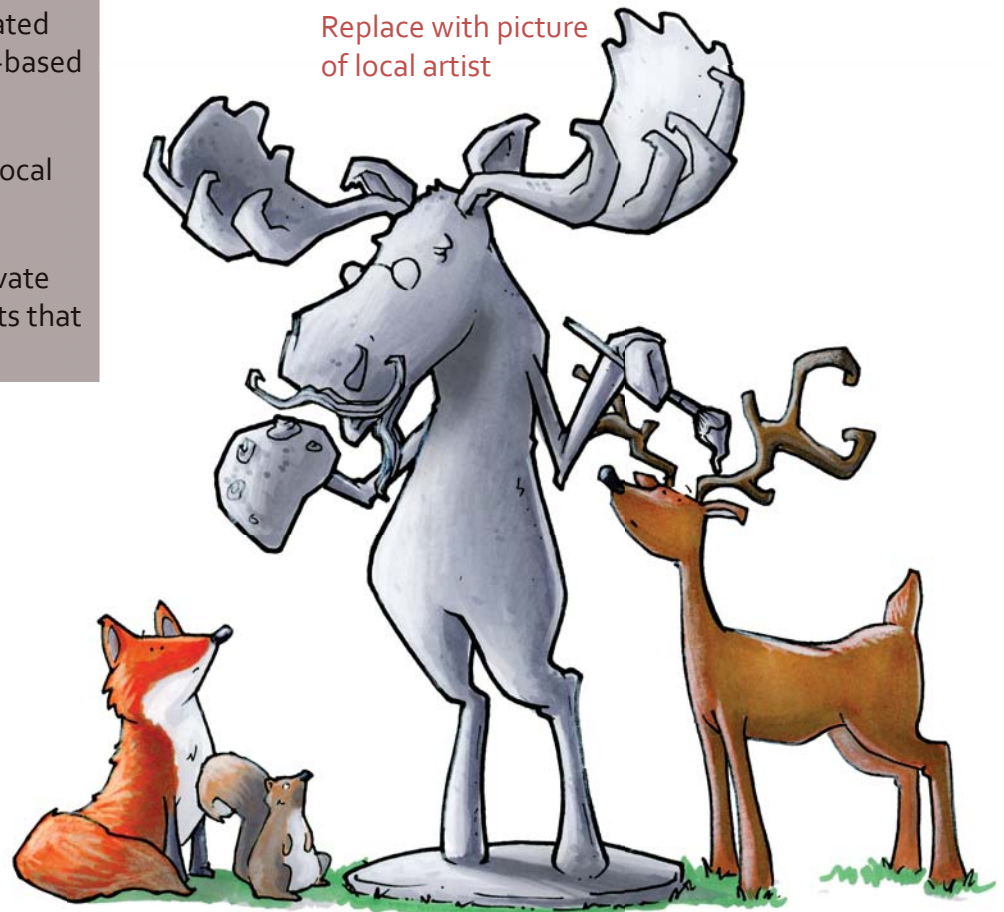
Principles

- 13A** Increase cultural, arts, and entertainment-related events that diversify and support our tourism-based economy.
- 13B** Foster and enhance the vitality of Park City's local arts and cultural sectors.
- 13C** Encourage the installation of public art on private property, public space, parks, trails, and streets that represent Park City's core values.

“I wish we were better known as a cultural destination, not just a winter sports destination.”

Comment from resident during 2009 Community Visioning

Replace with picture of local artist



Community Planning Strategies

- 13.1 Review, revise, and coordinate regulations in the Park City Municipal Code to foster live street performance along Main Street.
- 13.2 Amend the LMC to encourage the installation of art within the built environment, including private property and the public realm.
- 13.3 Within Master Planned Developments, develop review criteria to suggest inclusion of arts spaces in the public realm.

During the 2012 Festival, 5,700 of the more than 46,000 visitors were international visitors. Park City, Salt Lake City, Sundance Resort, and Ogden all act as host for film venues. Approximately 93% of out-of-state festival attendees plan to see the majority of their films in Park City. In addition, 30 percent of nonresident attendees said they intended to ski or snowboard during their visit (8,828 people) with Park City Mountain Resort and Deer Valley being the most desired resorts. Approximately seventy-three percent (73%) of out of town guest choose to stay in the Park City limits.¹

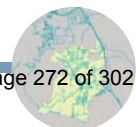


City Implementation Strategies

- 13.4** Support events and programming that foster community involvement and promote arts and culture.
- 13.5** Promote the local music scene by encouraging the creation of music festivals and live music downtown during peak weekend shopping hours during the summer.
- 13.6** Showcase the work and achievements of local and regional artists and craftsmen through public art projects, festivals, and events.
- 13.7** Encourage the development and preservation of citizen groups, non-profits, and local businesses that promote arts and culture through events and educational programming.
- 13.8** Sponsor an artist-in-residence program, allowing the public to observe and interact with the artist as he/she creates public art pieces.
- 13.9** Increase funding opportunities for arts and cultural programming and events through innovative funding programs financed by the proceeds of art events and grants.
- 13.10** Support partnerships between nonprofits and businesses to fund educational programming, events, and festivals.



- 13.11** Support partnerships between the resorts and the arts communities to program seasonal workforce housing with visiting artist housing during the offseason.
- 13.12** Create opportunities for changing art exhibits by local artists within city-owned properties as well as privately-owned businesses.



GOAL 14 **Living within Limits:** The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

Park City is a dynamic system that continues to evolve and be defined by its community values, natural resources, existing topography, property rights, public and private investment, politics, history and external pressures. The system is flexible; able to adjust to fluctuations and external pressures. As Park City continues to mature, the system should strengthen by adopting policies

that protect the community vision and core values. A healthy system requires limits to run efficiently and not overwhelm the interconnected parts. This is true of Park City. As the City has grown outward through annexations, the system reacted with expansion of infrastructure (e.g. roads, public utilities, public transportation) and increased demand on existing resources (e.g. water, air **quality**, public

facilities, fire and rescue, schools, etc.), creating ongoing costs to residents and tax payers and pressure on limited natural resources. Adopting policies to grow within set limits is imperative to maintaining the economic, environmental, and social equity balance of the City and strengthen the City's existing neighborhoods.



Let the inversion be uglier

Principles

- 14A Provide reliable public resources to ensure the health, welfare, and safety ~~for~~of residents and visitors.
- 14B Manage growth to protect the quality of life and preserve the unique *Park City Experience* by recognizing limits to growth and adopting responsible policies that are consistent with those limits.
- 14C Provide safe drinking water to residents and visitors. Set limits to future demand based on available sources and expense of available source.
- 14D Prevent degradation of air quality through implementation of best practices for land use, clean energy, regional transportation, and growth management.

“We need to grow carefully without taxing our environment.”

Comment from resident during 2009 Community Visioning



Community Planning Strategies

- 14.1** Identify, monitor and plan for growth based on availability of natural resources (e.g. water availability, air quality) while enhancing ecosystem health.
- 14.2** Quantify the impacts of different land uses on consumption of natural resources and energy. Dominant land-uses specific to Park City should be considered including single-family homes, multi-family residential, hotel, nightly rental, and commercial. Implement land use policy that utilizes best practices to minimize negative impacts on natural resources.
- 14.3** ~~During Planning Commission review of annexations, an assessment of~~ Assess the impacts of additional development during the review of annexations on public services should be required, including: emergency response (e.g. fire, police, and ambulance), transportation, educational facilities, and parks and recreation.
- 14.4** Require developers to bear the costs of adding their development to Park City's infrastructure within future development consistent with Utah impact fee statutes.

Policy Discussion - do we address redevelopment separately from new development

- 14.5** Locate future schools, libraries and other community facilities within, or in close proximity to, primary residential neighborhoods.
- 14.6** Research the creation of growth boundaries or other growth management tools to prevent excessive development that would stress the natural system and require unsustainable infrastructure investments.
- 14.7** Approve development only when adequate public services and facilities are available, or will be available when needed to serve the project.

TEE to reword



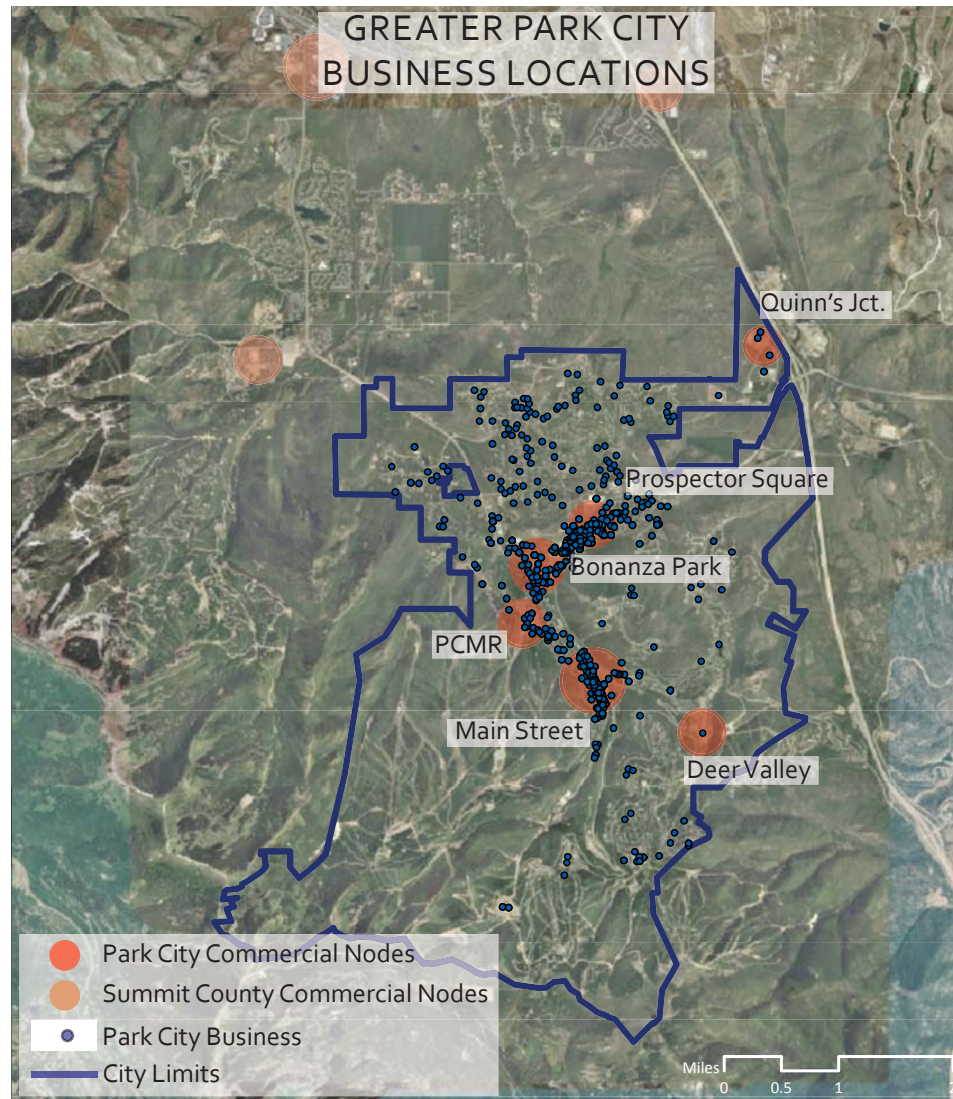
City Implementation Strategies

- 14.7** ~~Establish~~**Estimate** carrying capacity limits (qualitative and quantitative) to preserve the *Park City Experience* and preservation of the core values.
- 14.8** Work with the Park City School District to guarantee the ability to expand educational services and facilities within the School District as needed.
- 14.9** Coordinate with Summit County ~~and~~ **Wasatch County** to avoid unnecessary duplication of services and to eliminate redundancies.
- 14.10** Coordinate with communities in the region to implement transportation, growth management, and clean energy policy in an effort to maintain the clean air ~~of~~ **in** the Wasatch Back.
- 14.11** Work with public utility companies to create projects consistent with the goals and objectives of the General Plan and the Community Vision.



STRATEGY: Commercial Nodes in Park City

In 2011, there were roughly 1,800 businesses registered with the State of Utah in the 84060, 84068, or 84098 zip codes. The locations of these businesses varied from residents' homes to established commercial areas. Using geographic information systems (GIS), it is possible to view the "density" of businesses in the Park City area, revealing where different types of businesses tended to cluster. While businesses in the Basin were clustered at Kimball Junction and Quarry Village, as well as some smaller clusters along SR 224, not all types of businesses are represented equally in these locations as each business industry tends to locate in specific areas. Moreover, the majority of businesses within Park City clustered within Main Street, Lower Park Avenue (LoPA), Bonanza Park, Prospector, and Deer Valley. The City commissioned Design Workshop, Inc. in 2011 to conduct a retail market study of these retail districts in an effort to gain a better understanding of these retail areas in order to better influence future planning efforts.



STRATEGY: Commercial Nodes in Park City (continued)

Lower Park Avenue (LoPA)

The LoPA retail district presently favors day-skiers at Park City Mountain Resort (PCMR) with some retail opportunities, such as the Seven Eleven, at the north end of the district. The majority of this retail is service-based, such as lift tickets and training programs, and is located at PCMR. The district as a whole is predominantly single-story and follows a suburban pattern, with retail being clustered around central gathering spaces at PCMR. Though access to this district is greater than Main Street, the region overall lacks a distinct identity.

The Park City Retail Study recommends the following improvements for LoPA:

- Public and private sector should work together soon to define the central gathering places and main “spine” that may serve PCMR.
- Complete specific projects identified in RDA process in order to encourage private development.
- Public and private sector work together to identify tenants and



development concepts.

Bonanza Park (BoPa)

As the largest retail district in the City, Bonanza Park is a full-service community for full-time Park City residents. The lower density, suburban land uses with 1960s through 1980s architectural styles support the everyday needs of residents by housing a grocery store, pharmacy, and other day-to-day retail and service businesses. Its central location promotes proximity to Park City and Summit County, is both a benefit as well as a

disadvantage in that Bonanza Park's retail must compete with that of Kimball Junction in serving residents and tourists.

The Park City Retail Study recommends the following improvements to BoPa:

- Potential mixed-use neighborhood including affordable housing, civic and cultural amenities, open space.
- Plan for a true neighborhood.
- Improve pedestrian, bicycle, and automobile connections.

STRATEGY : Commercial Nodes in Park City (continued)

Potential Industry Growth

A location quotient/employment growth analysis of industries located throughout Park City reveals that the education and health services as well as the manufacturing industries have the potential to become an important part of Park City's economy. Both industries have seen large amounts of population growth even though there are relatively few people employed in them compared to the statewide distribution of employment. Education businesses are largely comprised the Park City School District, the majority of which are clustered along Kearns Blvd between the District Office and the Park City High School. Even though IHC is the largest employer of health workers in Park City, most medical offices are located in Prospector, and to a lesser extent, Redstone.

Manufacturing businesses are more dispersed throughout the area. Manufacturing, as classified by the North American Industry Classification System (NAICS), contain a number of businesses that traditionally are not

considered to be manufacturing. These businesses include bakeries, printing companies, breweries and chocolate makers. Therefore, businesses such as Windy Ridge, Shades of Pale, and Rocky Mountain Chocolate are included in the manufacturing industry; however, there are still a number of more traditional manufacturing businesses in Park City. These are located in Bonanza Park and the Silver Creek Business Park. Notable manufacturing businesses include Skullcandy, Triumph Gear Systems and Geneva Rock.

As these industries continue to grow and expand, Main Street, Bonanza Park, and Prospector districts are the three most common places for businesses to locate. As the 2011 retail study has shown, this does not necessarily imply that the districts will compete for customers as they will appeal to locals and visitors with different needs. Greater diversity of businesses, as recommended by the study, will help support mixed use development, greater range of housing types, and income levels served thus allowing

these districts to serve the needs of a variety of customers. Moreover, growth in these regions will help areas such as LoPa and Deer Valley emerge with distinctive identities and qualities that aid in improving name recognition and achieving higher shopper traffic volumes.

STRATEGY: Housing Toolbox



No two communities have the same housing challenges. The many influences causing housing challenges are specific for each community and therefore it is essential that each community creates a flexible, multifaceted housing strategy that can provide different solutions for different influences.

The housing toolbox has been created primarily as a concise summary of Urban Land Institute’s 2007 publication “Developing Housing for the Workforce: A Toolkit.” TULI’s document goes into much more detail about each strategy and provides a wealth of information from case studies and examples.

This summarized toolbox has been created to provide Park City with options for addressing different housing

challenges as they arise. Successful housing strategies must be able to provide solutions for unique issues facing a community, and flexible enough to adapt to a variety of situations. In 2007, Park City adopted an inclusionary housing ordinance requiring developers to provide affordable housing based on a percentage of the total units proposed. While this is an effective strategy for creating affordable housing, it is only effective during times of development production. Other strategies are necessary to protect existing affordable housing stock, to create housing in times when no development is taking place, and to ensure affordability into the future. This toolbox includes implementations tools appropriate for Park City’s unique housing market.

Inventories & Assessments

The first step in a successful strategy is to have an accurate inventory of housing and an accurate assessment the community’s needs.

Housing Inventory. The City’s housing inventory should be update at least every 5-2 years. A housing inventory should include:

- Rental to for-sale housing ratio.
- The variety of housing types in the community.
- Current median, lowest, and highest rents.
- New/pending rental products.
- Condition of existing rental stock.
- Current median, lowest, and highest home values.
- New/pending development ownership products.
- Condition of existing ownership stock.
- Existing affordable-housing stock.
- Condition of existing affordable-housing stock.
- Existing affordable housing stock that is “at risk” of redevelopment or conversion to higher-end housing.

Assess Workforce Housing Needs.

To accurately assess workforce housing needs in an area, a regional employment study is necessary to project housing demand of the workforce.

Housing Toolbox

Planning & Regulatory Approach

An effective way to encourage the development of affordable and workforce housing is through government incentives within planning regulations. The State of Utah requires cities to “estimate the needs for the development of additional moderate income housing” and “plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing”. The State lists a variety of planning and regulatory tools cities can adopt to encourage needed housing, including rezoning, infrastructure improvements, and rehabilitation. The following are housing strategies that could be implemented in Park City through planning regulations.

Inclusionary Zoning

Inclusionary Zoning requires that developers create affordable housing (usually a percentage) based on the amount of market-rate development within a project. Park City uses inclusionary zoning for all master

LOCATION TARGETS²The following planning tools may be utilized to target preferred locations for affordable housing:

- Specific Plans
- Area Plans
- Overlay Zones
- Floating Zones
- Housing Enterprise Zones
- Transit-oriented zones
- **Planned Unit Development**

planned development proposals. The inclusionary zoning regulations combined with the City’s housing policy, regulate the amount, type and location of affordable housing. Inclusionary zoning in Park City applies to residential projects with more than 10 units; hotel projects with more than 15 residential units, or commercial projects greater than 10,000 square feet. Inclusionary zoning can provide incentives to developers such as density bonuses, decreased parking requirements,

ZONING AND REGULATORY INCENTIVES FOR HOUSING DIVERSITY THRESHOLDS

- **Housing Diversity**
- Decreased Parking Requirements
- Density Bonus
- Transfer of Development Rights (TDR)
- Revised Building Rehabilitation Codes
- Waiver or Reimbursement of Development Fees
- Property tax abatement
- Increased Height
- Increased Floor/Area Ratio
- Fast-track permitting

and fee reductions for affordable and workforce housing. A Master Plan Development results in a binding development agreement, in which the community and developer are bound to vesting, site improvements, and construction performance.

State Appeals Boards

Utah offers a state appeal board to ensure that Cities do not exclude proposed housing development with affordability components.

Add term to glossary:

- MPD
- Housing Enterprise Zone

Check State Appeals Boards existence/ requirements

Housing Toolbox



Garage Apartment



Attached Accessory Dwelling



Detached Accessory Dwelling



Row Housing



Apartments



Attached Accessory Dwelling

Park City can revise zoning regulations to allow a wider variety of housing types that are compatible within existing neighborhoods, including: attached and detached accessory dwellings, cluster housing (row housing), co-housing, mixed-income housing, shared residences, and single room occupancy developments (dorm).

"Another creative way in which to increase density is to allow duplexes in typically single family neighborhoods with design restrictions to maintain the single family aesthetic. In Portland, Oregon, duplexes are allowed on corner lots, as long as they are compatible with the surrounding homes and street pattern. A second strategy implemented in Portland allows higher density development in transition areas, such as row homes along the edge of a single family neighborhood."³



Improve Development Permitting Process

The permitting process often increases the overall cost of development due to the amounts of review required by a municipality. The Urban Land Use Institute ⁴ suggests the following techniques to streamline the entitlement process:

- Create a one-stop shop for development permits;
- For each project, assign a project coordinator/expediter within the local government staff;
- Clarify procedures;
- Hold pre-application conference or reviews to give developers early feedback;
- Create multiagency review committees
- Allow concurrent processing of permit applications;
- **Use best efforts to reduce ~~Limit~~** the number of public hearings;
- Establish by-right zoning for developers that meet zoning requirements and permit more by-right uses;
- Prepare master environmental impact reviews for areas where the local government would like to encourage housing development;
- Establish clear design guidelines;
- Use computers and other technological innovations;
- Cross-train staff to promote consistency and efficiency;
- Build flexibility into the review process;
- Use benchmarking and customer feedback to evaluate performance.

Housing Toolbox

Maintaining Long-term Affordability

Flexible financing qualifications or terms
To ensure that the affordable and workforce housing

that has been financed and produced remains affordable, a community may utilize the following long-term tools:

Mortgage Controls

Mortgage instruments provide home buyers with financial assistance at the time of purchase in the form of a mortgage subsidy. The subsidy typically covers closing costs and the down payment and places a zero-interest or low-interest second mortgage on the property for the amount of the subsidy, known as a "soft mortgage". Within the mortgage instrument, the agreement requires that the subsidy be repaid to the entity which provided financial assistance for the original purchase during the time of sale. The funding agency can then utilize the recaptured funds to assist another prospective buyer in need of financial assistance.

Deed Restrictions

Deed restrictions are utilized to place restrictions on the resale of a unit. The restrictions run with the property and therefor are a very effective tool in maintaining long-term affordability. A deed restriction can limit the appreciation of the unit, require right of first refusal to a sponsor, or require that the unit is only sold to income-qualified buyers.

Limited-Equity Housing Cooperatives

Limited-equity Housing Cooperatives (LEHC) are a shared ownership arrangement within a multifamily housing development. Owners become shareholders within the cooperative and may buy/sell according to the bylaws and individual occupancy agreements.

Community Lands Trusts

Community Land Trusts (CLT) assist in maintaining affordable housing options within a community by managing the price of land. Land is purchased and owned by the CLT in perpetuity, eliminating continued inflationary costs associated with land. The CLT participates with traditional home buyers to lower the cost of purchasing a home by retaining ownership of the

land upon which a home sits and making it available to residents through a long-term lease. The residents have secure use rights of the land and are free to control and build their community as allowed within the lease. Since CLTs are nonprofit organizations and hold the land for a long period of time, they ensure that the house will remain affordable for many future home buyers. The subsidies are permanently tied to the property rather than to the recipient household, as found in first-time homeowner and down payment assistance programs. The benefit is passed on to future homeowners as a lower acquisition cost.

Rent Control

Rent controlled affordable housing associated with HUD-subsidized housing usually has a time limit associated with the affordable rental rates, typically between 15 – 40 years. HUD-subsidized apartments must follow federal standards for rental rates. Another type of rent control is rent stabilization. Rent stabilization requires that privately owned rental housing limit rent increases during the entire time of occupancy by a tenant. Once a tenant leaves, the rent may be market rate.

STRATEGY: Access to Recreational Facilities

Access to Recreational Facilities

Park City offers its residents and visitors access to a number of recreational parks and facilities. These range from small pocket parks, to a skateboard park, to a health and fitness facility. All of these facilities are wildly popular among Park City's residents, and demand for recreational opportunities continues to grow. As it does, it will be necessary to ensure residents can easily access these facilities by foot, bike, bus and car. To accomplish this goal, facilities will need to be located throughout the City, in varying sizes and with differing amenities.



The majority of recreational facilities are located along State Route 224, State Route 248, and Park Avenue. While this does allow all residents easy access to most facilities, it means that the majority of users have to travel by car to get there. As the City continues to grow and redevelop, it would be ideal to have various parks and recreational facilities spread throughout each of Park City's neighborhoods, allowing easy and quick access for all residents to a space where

they can recreate and socialize.

A study completed by the US Centers for Disease Control and Prevention (CDC) found that the number of people exercising three days or more increased

by 25.6 percent when those people had easy access to spaces for physical activities. In addition, property values of houses located near parks or green space tend to be much higher than the value of those located further

NATIONAL RECREATION AND PARKS ASSOCIATION (NRPA) PARK STANDARDS		
TYPE	SIZE	SERVICE AREA
Mini Park (pocket park)	2,500 sq ft - 1 acre	1/4 mile
Neighborhood Park	5 - 10 acres	1/4 mile - 1/2 mile
Community Park	30 - 50 acres	1/2 mile - 3 miles

*Add Strategy page/section regarding Trails - address right-of-way acquisition for trail useage

STRATEGY: Access to Recreational Facilities (continued)

Neighborhood parks, at 5 acres and 10 acres, are larger than mini parks and serve residents living ¼ to ½ mile from the park. These parks provide both passive and active recreational opportunities and usually contain a few playing fields, playgrounds or outdoor sport courts. These parks are used primarily by the residents of the neighborhoods in which they are located. City Park and Creekside Park are good examples of local neighborhood parks. **Ideally, each primary residential neighborhood should have access to a neighborhood park. The City should partner with established neighborhoods to provide park space.**

Community parks are used by all members of the community for a variety of different recreational activities. The NRPA recommends that these parks be between 30 and 50 acres and serve the area within ½ to 3 miles away. In Park City, these parks are host to many different types of sport at many different levels of competition and are used by residents of both Park City and

the Snyderville Basin. Thanks to their proximity to major roadways, it is easy for residents to access these community parks. As the region's population increases and demand for field space and time increases, more community parks will need to be built. However, since they service the entire Park City/ Snyderville Basin community, some parks can be built in the Snyderville Basin, where there is much more space to accommodate large fields.

It is neither feasible nor desirable for every neighborhood to be within ¼ mile of every type of recreational facility. Specialized recreational facilities, like the PC MARC and the Ice Arena are designed to serve the greater Park City/ Snyderville Basin area, not individual neighborhoods. However, giving residents access to parks and very basic recreational opportunities is an appropriate and reasonable goal. In the future, the City should strive to ensure that all residential neighborhoods have access to at least two types of parks, a community park and either a neighborhood or mini park, providing

a variety of recreational opportunities. This goal has been achieved in the Thaynes and Old Town neighborhoods. ~~Bonanza Park & Prospector is halfway towards reaching this goal, while Park Meadows, Park City Mountain Resort, Quinn's Junction and the Aerie are quite a ways off.~~

Generally, parks in Park City are well serviced by Park City Transit and Park City's trail system. There are bus stops located near every park with the exception of the Sports Complex at Quinn's Junction and Rotary Park. However, the need for bus service is greatest at the Sports Complex, since it is a community park and services the entire region

Most parks are located along a trail that connects to the wider network of Park City trails. The Rail Trail and Poison Creek trail link most of the parks, starting with City Park and ending with the Sports Complex at Quinns. ~~Yet, there are some~~ All residential neighborhoods ~~that lack~~ should have connective trail access to Parks and Recreation facilities.

Out of place - move to transit Strategies



Connectivity between the ski resorts will be an ever engaging topic in the next decade. Participating within regional conversations to prioritize environmental best practices, decrease regional vehicle miles travelled, ensure connectivity between resorts and commercial nodes, and preserving the back country ski experience will lead to the best outcome for all parties involved. A gondola from Main Street to Deer Valley has been discussed and a conceptual layout is depicted above with a landing at the top of Main Street.

STRATEGY: High Elevation Training Center

One unique attribute of being located on the Wasatch back is the 3500 feet of elevation change from Salt Lake City to Park City, ideal for high altitude training. High altitude training is utilized by many elite endurance athletes for the purpose of taking advantage of the effects of oxygen depletion on athletic performance. When a person goes from a lower altitude to a higher one, his or her cardiovascular system cannot deliver an adequate supply of oxygen from the lungs to the rest of the body. To compensate for the oxygen depletion at high elevation, the body produces more red blood cells, its main vehicle for oxygen delivery. When the individual returns to lower altitudes, he or she retains his or her increased level of red blood cells for a short period of time, which allows him or her to use and deliver oxygen more efficiently than a person who never went to the higher altitude.

In endurance sports, high altitude training is a huge advantage because, generally, the more oxygen you can take in and break down, the more energy you

Fiscal Year	Number of Events	Number of Event Days	# of Main St. Closures (Full and Partial)
2006	60	170	7
2007	71	234	18
2008	82	294	31

can produce. Athletes living at around 8,000 feet above sea level have seen the most benefits from this training. Prior to both the 2002 and 2006 Winter Olympics, the US speed skating team lived in Deer Valley, at approximately 8,200 feet, and trained at the Olympic Oval in Kearns, at an elevation of around 4,700 feet.

Park City is a successful resort town because it offers an authentic visitor experience (culture) as well as activities (recreation). There is a delicate balance between increasing tourism attractions and maintaining small town character and quality of life to ensure continued success. As the City continues to further develop recreational tourism year-round, the City's sustainability team must continue to study the impacts of



large special events on the Park City experience of small town and continue to mitigate the impacts of large events.

Recipe for: Quality Visitor Experience

from: Park City Planning Dept.

Serves: 30,000

Ingredients

Mountain Vistas, Large Historic Barn surrounded by open space, Historic Homes,
colorful Main Street with Local Stores and Restaurants, Happy Locals,
Miles of Ski, Bike, and Hike Trails, Light Powdery Snowfall, Free Public Transit,
Sidewalks, Eye Candy, and a bench to sit on and take it all in.

Directions

1st Protect all Historic Resources. These features are very special and once
they are gone, they are impossible to replace.

2nd Support local Stores that represent the town.

3rd It is very important to take care of the natural setting. Set aside land for
wildlife. Nature is their home. Safeguard the mountain vistas, the entryways,
and the wide open spaces. Nature relaxes visitors.

Remember: Throughout the process, create places for visitors to sit and enjoy the charm.
A bench here, a shade tree there... Don't forget the Public Art. Enjoy!

STRATEGY: Year-Round Economic Generators

For locals, one of the best times of year to get out and enjoy town are during the fall and spring shoulder seasons. There are no tourists in town, there is less traffic, and there are great deals to be found at normally pricy restaurants. From an economic standpoint, these are hard times for Park City's businesses. These periods of slow sales and low visitor nights highlight the need for diversification of the local economy. Diversification would create a much healthier, robust economy - one not as dependent on tourism and affected by the shoulder seasons it creates. As the economy spreads into other sectors, there will be more variety in the job market, which is currently dominated by resort-related services sector jobs. Nearly forty-five percent (45%) of all employment in Park City is in the hospitality, food services, arts, entertainment and recreations industries.

The 2011 "Park City Year-Round Economic Generator Study" by Design Workshop, a nationwide planning firm, examined the possibility of creating

a more diverse local economy. The purpose of the study was to identify types of businesses that could promote growth without diverting resources or amenities (like roads and nightly accommodations) from their current use by the tourism industry. To this end, the study analyzed the potential for ten different business types, including: innovation districts, business incubator centers, higher education institutions, film campuses/centers, convention centers, museums, culinary institutes, location neutral businesses, creative class opportunities.

Innovation Districts: Innovation districts are areas in a city or town dedicated to introducing new types of businesses or industries to the local market. They come in a variety of forms and sizes. Technology centers and technology corridors are examples of innovations districts. Silicon Valley is the preeminent example of an innovation district. An innovation district would be difficult to create in Park City (although there is a similar type of development occurring at the Summit County

Research Center), as it requires low rents, which is extremely challenging in Park City. Also, competition with Salt Lake City, with its proximity to the University of Utah, would be strong.

Business Incubator Center: Business incubator centers provide support to new businesses from a variety of different sectors, by providing them with space and services, like consulting and workshops. Their goal is to help entrepreneurs turn their ideas into thriving local businesses. Many will require funding from public sources or private investments. A business incubator center could be possible in Park City as many of the components necessary for a successful incubator exist, such as advisors, potential investors and an educated workforce.

Higher Education Institution: In the context of Park City, a higher education institution would most likely be a satellite campus from one of the larger institutions located in the state. Such a facility in Park City would need to be a commuter facility or provide its own housing, since students would find it difficult to find affordable housing. Filling affordable housing with students

STRATEGY: Redevelopment Authority

A Redevelopment Authority (RDA) is a tax increment financing tool used for the public purpose of community and economic redevelopment in areas that might otherwise suffer from localized economic stagnation and blight. At least twenty-three (23) different RDA's have been successfully utilized throughout the state of Utah for this very purpose.

RDA's also serve the dual role as an investment tool for public entities. When taxing entities participate in an RDA, they essentially reinvest the tax increment generated from improvements in the RDA for a period of time. At the end of that period, they receive an enhanced property tax revenue stream as a result of that investment.

What is tax increment financing?

When an RDA is created, the total assessed value of all the land and improvements within the project area at that point in time becomes the base valuation of the RDA. In subsequent years, all taxing entities (city, county, school district, etc.) collect taxes only on

the base valuation of these properties. The RDA is then able to pledge any additional or incremental property taxes above the base value towards bonding for infrastructure construction, tax rebates, grants, or other tools used for community and economic redevelopment.

As the RDA effectuates improvements in the project area, assessed values increase resulting in incremental property tax dollars above the baseline valuation coming to the RDA. These dollars are used to pay down bonds or other obligations, and any excess funding can be used for further improvements.

History of Park City RDAs

Park City created the state's first RDA in 1977. Initially, an area encompassing most of the city was designated as the "project area", effectively capping any growth in the city's taxable value for all other taxing entities.

In 1983, the State Legislature amended the RDA statute requiring RDA's to

designate 100 acres from which tax increment may be taken and limiting the term of an RDA to twenty-five (25) years. At that time, Park City designated 100 acres around Main Street and Swede Alley as a project area now known as the Main Street RDA.

The Main Street RDA was set to expire in 2007 but was extended fifteen (15) years by resolution of the Taxing Entity Committee (TEC) in order to pay for the expansion of the Swede Alley Parking Structure. Also at this time, the TEC voted to cap the net tax increment the Main Street RDA could receive at \$920,000 – the amount needed for debt payments on the parking structure.

In 1990, the RDA created a second project area known as the Lower Park Avenue RDA. This project area is subject to the same School District mitigation payments as the Main Street RDA, but there is no cap on the increment. The Lower Park RDA has collected over \$23 million in net tax increment since 1991, which has been reinvested in the area in order to generate \$443 million in new assessed value. The Lower Park project area was extended through 2030.

STRATEGY: Redevelopment Authority (continued)

The Future of the Park City Redevelopment Authority

All tax increment collected by the Main Street RDA is currently employed retiring debt on the Swede Alley Parking Structure. Park City currently has several significant projects in the early planning stages for downtown enhancement. These are likely to be primarily funded with sales tax dollars rather than tax increment financing.

The city does not currently anticipate extending the Main Street RDA, but this subject will certainly be revisited by the TEC closer to 2021, when the project area is set to expire. Depending on project opportunities at that time and the economic momentum of the area, the TEC may choose to continue tax increment reinvestment or to simply let the project area expire.

Assuming the TEC extends the expiration date of the Lower Park Ave project area this year, there are many projects on the horizon in this district. In 2010, the RDA Board developed updated the redevelopment plan and



project list for the Lower Park RDA. The Board unanimously supported seeking partnership opportunities to support the affordable housing and resort based economy goals.

The overriding themes identified were:

- Parking Lot Redevelopment at the Resort Base
- Transit, Traffic, Circulation & Walkability
- Community & Neighborhood Redevelopment and Improvement

New Goal / New Strategy Defining Economic Development and eco development vs community development - prioritize which is the greater goal.

Policy Discussion - do we want the creative class to live in Park City or do their business here?

STRATEGY: Attracting and Retaining the Creative Class

The dominant class in the U.S. today with over 38 million US workers, the Creative Class has emerged as a subculture of young professionals that selectively choose their careers and residency based on the cultural attributes of municipalities.¹ Regardless of the economic climate, these artists and urban pioneers seek to settle cities that offer them live-work opportunities. Many relocate and contribute to vibrant, metropolitan areas not because of employment opportunities, but because of unparalleled amenities such as night life, educational and cultural institutions, as well as the authenticity of place. Cities that are able to attract and retain the creative class share the three (3) Ts of economic development: Talent, Technology, and Tolerance.

Cities with the strongest creative class density understand what it takes to attract and retain these young trendsetters. Housing affordability and attainability is vital not only in maintaining and revitalizing downtowns, but also in providing desirable housing opportunities such as rehabilitated lofts

More appropriate photo to PC (Ontario mine bench)



and bungalows that appeal to these young, creative professionals. Though these urban pioneers are often the first to enter dilapidated neighborhoods, it is also necessary for local governments to balance revitalization efforts and prevent gentrification. Gentrification forces out certain segments of the population, reducing the diversity and tolerance that initially attract the creative class. Public transportation, such as trendy new light rail lines, is also

essential in revitalizing neighborhoods, promoting sustainability, and fostering the high-tech atmosphere.

A recent study by the Martin Prosperity Institute demonstrated that place-based factors were more important to the creative class than economic conditions.² The physical appeal and unique identity of the place are heightened by historic preservation efforts, city branding, and the display

STRATEGY: Economic Development Toolbox

Brownfield

A Brownfields site means real property. The expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant, controlled substance or petroleum product. A Brownfields site may also be mine scarred land.

Tax Incentives for Brownfield Site Clean-up: Initially enacted in 1997 and extended through to the end of each calendar year, the Brownfields Tax Incentive encourages the cleanup and reuse of brownfields. The Brownfields Tax Incentive provides the following advantages to taxpaying stakeholders conducting environmental cleanup at brownfields sites:

- Allows environmental cleanup costs at eligible properties to be fully deductible in the year incurred, rather than capitalized and spread over a period of years.
- Improvements in 2006 expanded the types of properties eligible for



the incentive to include those with petroleum contamination.

- Previously filed tax returns can be amended to include deductions for past cleanup expenditures

How: The Utah Department of Environmental Quality (DEQ) is able to assist local governments or other qualified parties with application for Federal Brownfields Grants. The DEQ conducts Targeted Brownfields Assessments (TBA) for qualified communities, local governments, or non-profit groups. TBA's are conducted at no charge to the applicant and the assessments can provide useful information for decision-making and redevelopment planning (such as the

need for No Further Action, additional assessment and/or cleanup). A TBA may establish the groundwork for a potential voluntary cleanup, if necessary.

State grants are available to address sites contaminated by petroleum and hazardous substances, pollutants, or contaminants (including hazardous substances co-mingled with petroleum). Opportunities for funding are as follows: Brownfields Assessment Grants (each funded up to \$200,000 over three years; coalitions are funded up to \$1,000,000 over three years), Brownfields Revolving Loan Fund (RLF) Grants (each funded up to \$1,000,000 over five years) and Brownfields Cleanup Grants (each funded up to \$200,000 over three years).

For additional information contact the Utah Department of Environmental Quality by going to their website at: <http://www.superfund.utah.gov/vcpbrownfields.htm>

Business Improvement Districts (BIDs)

What is it: A Business Improvement District (BID) is a geographically defined area in which property and business owners make a collective contribution to the maintenance, development, and marketing/promotion of their

Strategy: Economic Development Toolbox

Community Development Block Grants (CDBG)

What is it: The Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs. The State of Utah Community Development Block Grant program as administered through the Utah Division of Housing and Community Development provides grants to cities and towns of fewer than 50,000 in population and counties of fewer than 200,000 people. The purpose of the Small Cities program is "to assist in developing viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate incomes." Federal funding is allocated to the State of Utah through the U.S. Department of Housing and Urban Development.

The Small Cities CDBG program is administered by the State of Utah and is unique compared to other states which



utilize a more centralized funds-distribution process. In Utah, the program is based on public input through local governments which establish priorities for local projects consistent with state and federal guidelines.

How: The State requires that communities interested in the CDBG program attend a workshop which detail the application requirements for funding, which are generally held once a year. The UDHC website contains more information: http://housing.utah.gov/about_us/contact_us.html.

Economic Clusters

What is it: Utah's Economic Cluster Initiative is designed around proven economic principles where collaboration among organizations offers sustainable advantages to local economies. Based on successful economic models, Utah is capitalizing on its core strengths and facilitating the development of clustered business environments where these strengths will result in a thriving economy and an increased standard of living.

Economic clusters are groups of related businesses and organizations within industry sectors whose collective excellence and collaboration provide a sustainable competitive advantage. Strong economic clusters translate directly into tangible benefits for Utah's businesses, citizens, and educational institutions. Businesses have instant access to information, new technology, and a network of related companies. Universities can tap into new research funds and a larger pool of potential students as well as flexibility to respond to the market. Citizens benefit from arising opportunities and an increase in new businesses.

How: The Governor's Office of Economic Development serves as a catalyst to

STRATEGY: Economic Development Toolbox

Enterprise Zones

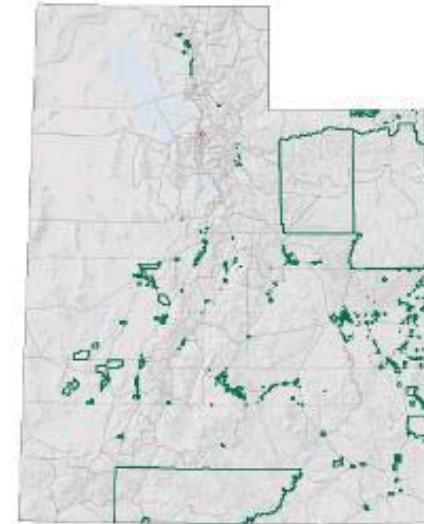
What is it: An “Enterprise Zone” is comprised of an area that would be identified by Park City and Economic Development Officials and designated by the State of Utah Governor’s Office of Economic Development. Under the program, certain types of businesses locating to, or expanding in a designated zone may claim state income tax credits provided in the law.

Destination – Enterprise Zones are allowed by the state of Utah for all cities with a population of less than 10,000, located within a county with a population of less than 50,000. Park City meets the population threshold based on its current population of 7,558 and Summit County’s current population of 36,324 based on the 2010 census figures. Applications for Enterprise Zones are to be reviewed and approved on the basis of economic development need, its quality, and other considerations based on a variety of economic distress factors. Some of these may include:

- Pervasiveness of poverty, unem-

ployment, and general distress in the proposed zone. See Utah's 12 Economic Distress Factors.

- Extent of chronic abandonment, deterioration, or reduction in value of commercial property in the proposed zone.
- Potential for new investment and economic development in the proposed zone.
- Applicant's proposed use of other state and federal development funds or programs to increase probability of new investment and development occurring in proposed zone.
- Extent projected development in the zone will provide employment to residents in the zone, and particularly, individuals who are unemployed or economically disadvantaged.
- The degree to which the zone applicant's application promotes innovative solutions to economic develop-



Enterprise Zones in Utah

ment problems and demonstrates local initiative.

- Other relevant factors which the Governor's Office of Economic Development specifies.

How: For additional information, contact the Utah Governor’s Office of Economic Development by visiting their Resource Information Center at http://business.utah.gov/programs/rural-development/rd_grant/goed_grants_utah/rdevgrant/.

STRATEGY: Economic Development Toolbox

Mezzanine Finance

What is it: A mezzanine investment can easily be tailored to a company's particular financial situation and concerns. Mezzanine financing balances the interests of the investor and the company. Issues that are negotiable and that are interrelated include: amortization schedule; percent of equity dilution; current interest rate; collateral; future value of the company; and puts and calls, to name a few.

Mezzanine financing is less expensive than the traditional equity investment. The primary expense is the equity dilution, which varies per transaction, but is often less than half of what an equity placement would require. Other cost benefits include the low transaction costs relative to a public offering, which are often over 10% of funds raised. In addition, interest is a tax-deductible expense, as opposed to dividends, which are not tax-deductible.

Typically, mezzanine financing is structured as unsecured long-term debt with an "equity kicker" in the form of war-



rants to purchase equity, or conversion rights into common stock. The debt will amortize over 5 to 7 years, earn a current interest rate of 13% to 15%, and contain terms and conditions, some of which resemble bank covenants, and some equity conditions. A put, the right the investor has to be paid in full, typically is made at the end of Years 5 to 7.

The major investors in the mezzanine

market financing are:

- Mezzanine funds
- Venture capital funds
- Insurance companies
- Small business investment companies
- Commercial banks

Motion Picture Incentive Fund

What is it: A post-performance rebate

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student loan.

Exempt Facility Account

Volume Cap Amount: \$2,778,200

Percent of Total Volume Cap: 1%

Users: Water Facilities, Sewage, Pollution and Solid Waste Control Projects.

How: More information at the Governor's Office of Economic Development by going to the following link: <http://business.utah.gov/relocate/PAB/pab-program/>.

Recycle Tax Credits

What is it: Recycling Tax Credits or "RTC's" are allowed for in areas known as "Recycling Zones." They are the product of State legislation that allows agencies to incentivize businesses to use recycled materials in their manufacturing processes and create new products for sale. It also benefits businesses that collect process and distribute recycled materials. More than twenty Utah communities have been designated by the State of Utah as Recycling



Market Development Zones.

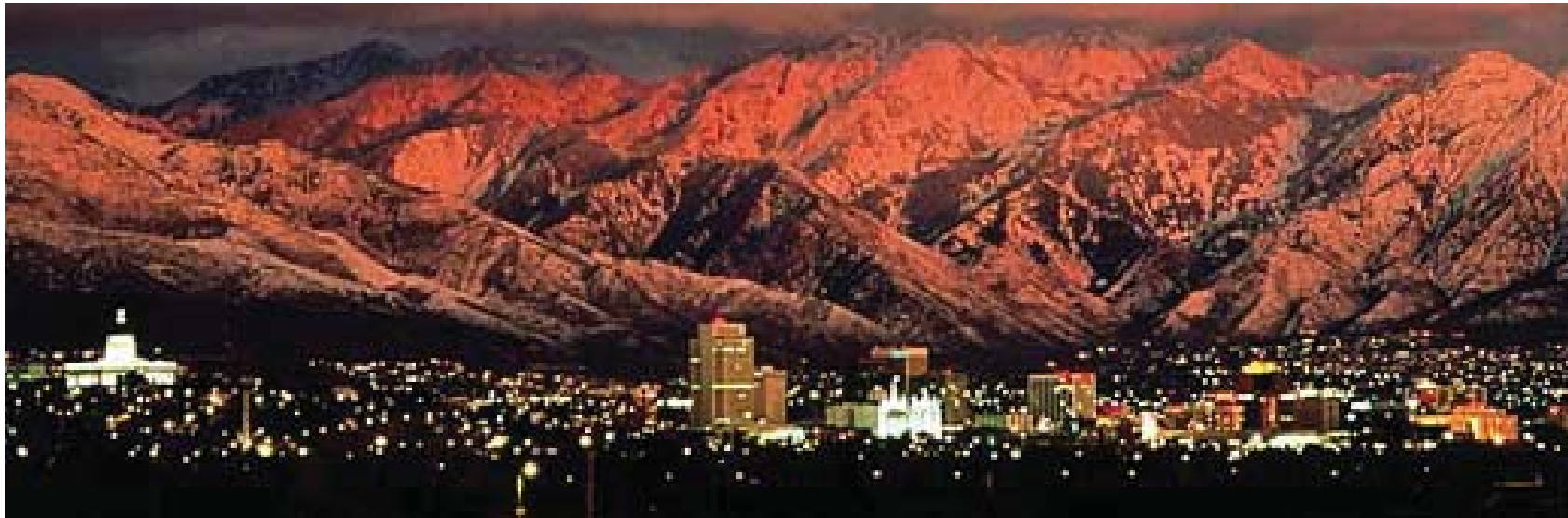
- Eligible recycling businesses that are located in designated Recycling Market Development Zones qualify for:
- 5% Utah state income tax credit on the cost of machinery and equipment
- 20% Utah state income tax credit (up to \$2,000) on eligible operating expenses
- Technical assistance from state recycling economic development professionals
- Various local incentives

How: Recycling Tax Credits and Recycling Zones are applied for through the State of Utah Department of Economic Development, for additional information please visit the Utah Governor's Office of Economic Development at: http://goed.utah.gov/relocate/incentives/incentives-recycling_zones/

Revolving Loan Fund

The purpose of Revolving Loan Funds (RLF's) is to create permanent, long-term jobs within the "Mountainland Association of Governments" region of Utah by providing "gap" and start-up financing to qualified businesses for eligible activities. The RLF program should work as a catalyst to stimulate the investment of private sector dollars. The borrower should make every effort to obtain private sector funding. Loans made through the Revolving Loan Fund are intended to help bridge the gap created by shortfalls in commercial financing. Funds are repaid into the program and recycled to other businesses, thus allowing an ongoing job creation pro-

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Special Improvement Districts

What is it: The primary purpose of most special districts is to provide water, wastewater, drainage, and streets to large-scale, master planned developments. Special Improvement Districts are limited-purpose, quasi-governmental entities, which have the authority to issue bonds to fund infrastructure. User fees and property assessments are then imposed to pay off the bonds.

Tax Exempt Bonds – Exempt Facilities Bonds

What is it: A bond is a certificate representing a promise to pay a specified sum of money (face value or principal amount) at a specified date in the future (maturity dates), together with periodic interest at a specified rate. The Tax Reform Act of 1986 distinguishes between two types of municipal bonds; Governmental Bonds and Private Activity Bonds (PABs).

Governmental Bonds are used for public purposes (e.g., highways, schools, sewers, government equipment and buildings, jails, parks, bridges, etc.) and benefit the general public. The interest on Governmental or Municipal Bonds is exempt from federal income taxes and in many cases, state and possibly local income taxation if the bonds are issued by the State, its Agencies and/or Political Subdivisions. Because of this feature, the interest rates on municipal bonds are lower than interest rates on

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constructs a new building, for example, its property tax increment is the result of the assessed value of the building multiplied by the property tax rate. In an EDA or URA, the City and all other public entities (special assessment districts, school district Summit County, et al) that are entitled to property tax must agree to rebate their increment back to the new development for a specified period of time to incentivize development within the area to occur. A CDA is project driven and project specific. In a CDA, the City and all other public entities must "opt-in" on a property tax rebate if they see fit. Incentives are awarded as a percentage of the tax increment created by the development.

How: Businesses interested in Tax Increment Finance will ultimately be entering into a partnership with the City and the State of Utah. Additional information is available through the Utah Governor's Office of Economic Development website at: <http://goed.utah.gov/start/>.



Utah Industrial Assistance Fund

What is it: The Utah Industrial Assistance Fund is a post-performance grant for the creation of high-paying jobs in the state. Businesses willing to create jobs with a pay range that is equal to at

least 100% of the average wage within a rural County qualify.

How:

- Park City agrees to provide local incentives within Bonanza Park Specific Plan area.
- Business agrees to enter into an incentive agreement with the Governor's Office of Economic Development which specifies performance milestones.
- Business agrees to create new high-paying jobs equal to at least 100% of the Summit County average wage.
- Demonstrate company stability and profitability
- Demonstrate competition with other locations

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ing for companies to train their employees. Custom Fit training is administered through the Utah College of Applied Technology centers and state colleges and universities. Training may be conducted at one of the State or Community College campuses that offer such, Applied Technology Centers, or a business location. This incentive subsidizes \$20,000.00 total for professional training and requires a company match.

Employee Recruiting / Screening / Training Assistance- The Utah Department of Workforce Services (DWS) provides employment and support services to help improve the economic opportunities in the state. The DWS Electronic Job Board is a qualified worker's database that allows employers to filter applicants for those that have specific abilities, trades, educational attainment and other such criteria.

The Electronic Job Board is connected to the American Job Bank, which enables open positions to be posted and viewed nationwide. DWS will also set-up in-house recruitment efforts at

the business location and provide office space at various locations for conducting interviews. For additional information please visit the following link:

How: For business owners interested in Workforce Training and Custom Fit Training please visit the Utah Department of Workforce Services website at: <http://www.ucat.edu/business/industry#customfit>. For business owners interested in Employee Recruiting and training assistance, please visit <http://jobs.utah.gov/employer/dwsdefault.asp>

Collaborations and other Economic Tools and Incentives

The Utah Science Technology and Research initiative (USTAR)

What is it: USTAR is a long-term, state-funded investment to strengthen Utah's "knowledge economy." This revolutionary initiative invests in world-class innovation teams and research facilities at the University of Utah (U of U) and Utah State University (USU), to create novel technologies that are subsequently



commercialized through new business ventures.

Over the past 20 years more than 180 companies in Utah have been founded on university technologies, and over 120 of those are currently prospering. Companies such as Myriad Genetics, HyClone Laboratories, Sorenson Communications, NPS Pharmaceuticals, Watson Laboratories, and Evans and Sutherland are among those estab-

Strategy: Live Within Natural Limits

As natural resources become more limited, we must all be mindful of how precious water resources, air quality, and our natural environment truly are. Currently, the wealthiest ten percent (10%) of the world's population consume the greatest amount of resources.¹ Furthermore, experts predict by that global demands for water will increase thirty percent (30%) and food and energy demands will increase by fifty percent (50%).² Many of the activities that contribute to the decline of our natural environment at the local level consequently impact global conditions.

In higher elevations, it is our responsibility to safeguard and conserve our natural resources to ensure their availability for lower elevations. We can minimize damage to our natural environment through sustainable development and open space conservation, reducing our individual and community carbon footprints, and protecting biodiversity. Moreover, we must be ever mindful of living within our natural boundaries in

order to lessen our global contribution to environmental degradation.

There are a number of ways we can reduce our carbon footprint and help safeguard our natural environment.

Air Quality

Community Level

- Provide greater transit connectivity and accessibility of public transportation
- Set emission levels on industries

Individual Level

- Reduce reliance on personal automobiles! Carpool, ride your bike, or take the bus to work and school.
- Combine errands by car to reduce unnecessary trips.
- Grow your own garden or buy local products to reduce trips to the grocery store and the transit required to transport produce.

Water Conservation & Quality

Community Level

- Ensure that water extraction levels are within sustainable yields of the water cycle.
- Maintain and improve waterway health.
- Encourage drought-tolerant landscape plans or those that use minimal irrigation.

Individual Level

- Fix your leaks! According to the EPA, an average of 10,000 gallons of water are wasted annually due to running toilets, dripping faucets, and household leaks. (EPA)
- Only run your dishwasher when it is full! Plug the sink or use a wash basin when washing dishes by hand.
- Prevent running water wastefully! Keep a pitcher of water in your refrigerator, rather than waiting for tap water to cool. Thaw frozen food in the refrigerator overnight rather than running under hot tap water.
- Wash only full loads of laundry, or use appropriate load size