



AGENDA

MEETING CALLED TO ORDER – 5:30 PM		<i>Pg</i>
ROLL CALL		
WORK SESSION – Discussion items only, no action taken		
1315 Lowell Avenue, Park City Mountain Resort – Amendment to Master Planned Development and Conditional Use Permit	PL-13-02135 PL-13-02136	3
<i>Discussion item</i>	<i>Planner Astorga</i>	
ADOPTION OF MINUTES OF DECEMBER 11, 2013		81
PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda		
STAFF AND BOARD COMMUNICATIONS/DISCLOSURES		
CONTINUATIONS - Public hearing and possible action		
115 Sampson Avenue Subdivision – Plat Amendment	PL-13-02035	
<i>Public hearing and continuation to a date uncertain</i>	<i>Planner Grahn</i>	
1450/1460 Park Avenue – Conditional Use Permit for setback reduction on a multi-unit historic dwelling	PL-13-01831	
<i>Public hearing and continuation to January 29, 2014</i>	<i>Planner Astorga</i>	
The Retreat at the Park First Amended Plat, located at 1450 & 1460 Park Avenue – Plat Amendment	PL-13-01830	
<i>Public hearing and continuation to January 29, 2014</i>	<i>Planner Astorga</i>	
REGULAR AGENDA - Public hearing and possible action		
The Fifth Supplemental Plat for Constructed Units at the Belles at Empire Pass Condominiums amending Units 10 & 11, located at 20 & 26 Silver Strike Trail – Amendment to Record of Survey	PL-13-02096	125
<i>Public hearing and possible recommendation to City Council</i>	<i>Planner Astorga</i>	
543 Woodside Avenue – Steep Slope Conditional Use Permit	PL-13-01904	143
<i>Public hearing and possible action</i>	<i>Planner Whetstone</i>	
530 Main Street, River Horse – Conditional Use Permit for a seasonal tent	PL-13-02066	199
<i>Public hearing and possible action</i>	<i>Planner Grahn</i>	
820 Park Avenue – Conditional Use Permit for mixed-use commercial development	PL-13-01956	215
<i>Public hearing and possible action</i>	<i>Planner Grahn</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.

Planning Commission Staff Report



Application #: PL-13-02135 & PL-13-02136
Subject: PCMR Base Area MPD
Author: Francisco Astorga, Planner
Date: January 8, 2013
Type of Item: Administrative – MPD Amendment & CUP Work Session Discussion

Summary Recommendations

Staff recommends that the Planning Commission review the proposed scope of modifications to the approved Master Planned Development (MPD) and Conditional Use Permit (CUP) for Park City Mountain Resort (PCMR) and provide input/direction to the applicant. Specifically, staff recommends that the Planning Commission confirm their willingness to consider density reallocations between the parcels to enable Woodward project review to move forward and provide direction to proceed with the amended site plan as proposed for substantive review in accordance with applicable LMC regulations.

Description

Applicant: Park City Mountain Resort represented by Jenni Smith & Tom Pettigrew and Michael Barille
Location: 1310 Lowell Avenue
Zoning District: Recreation Commercial (RC) District
Adjacent Land Uses: Ski base area, residential and recreation commercial
Reason for Review: Introduction to the proposed MPD Amendment and CUP for their proposed next phase

Background

On June 25, 1997 the Park City Planning Commission approved the Park City Mountain Resort Large Scale Master Plan. See Exhibit A – 09.02.1997 Action Letter. The Development Agreement was recorded with the County on July 21, 1998. See Exhibit B – Development Agreement. The maximum density permitted was limited to 492 Unit Equivalents. The approved Master Plan includes construction of new buildings on all of the current surface parking lots, addition of skier parking in underground structures, construction of a new plaza oriented primarily toward the day skier, installation of skiing improvements, etc. The Master Plan consisted of 5 parcels, A - E. Parcel A has already been developed, Marriott's Mountainside. The remaining parcels have not as they currently serve as parking lots:



The following table and notes below shows the allocation of density per each parcel:

Parcel	Gross Residential SF	Residential Support Commercial & Accessory Use @ 10%	Accessory Use to Resort Operation	Retail/ Commercial	Total (2)
A	287,000	28,700	35,000	(1)	350,810
B	294,000	29,400		(1)	323,519
C	159,000	15,900	18,000	(1)	192,963
D	93,000	9,300		(1)	102,338
E	141,000	14,100	32,000	(1)	187,157
Total	974,000	97,400	85,00		1,156,787

- (1) If there are retail/commercial uses other than Support Commercial or Accessory Uses they will require a proportionate reduction in the square footage that is allocated for the other uses in this table.
- (2) Building square footage does not include Resort Accessory uses, mechanical, maintenance or storage space that may be located below grade or parking as shown in the Concept Master Plan.
- (3) Underground public convention and meeting space is allowed in addition to the total Parcel square footage allowance.

The existing MPD covers the base area owned by PCMR. In 2007, as a result of the amendment to the Flagstaff Annexation for the Montage Hotel in which all remaining density in the PCMR lease area (most of the ski terrain) was transferred to the Montage site, the lease area was annexed into the City. The lease area has zero density, is zoned open space, and is limited to ski area uses by deed restriction and conservation easement. The City confirmed at the time of annexation that the annexation would not affect PCMR's rights under the existing MPD.

During the joint CC / PC Joint Meeting on December 8, 2011, PCMR (John Cumming and other PCMR/Powdr Corp officials) provided a long term vision on how they see a partnership with the City and their future in the community. Feedback from PC and CC at that time was that there was broad support for moving forward with partnering with PCMR due to improved transportation, integrated transit, housing opportunities, etc. See Minutes attached as Exhibit F. The City Council approved a Letter of Intent on August 9, 2012 regarding collaboration between the Lower Park Redevelopment Authority and PCMR to pursue a construction agreement for a joint transit and parking facility at the resort base. See Exhibit G – 08.09.2012 City Council Letter of Intent between PCMR and LPA RDA.

The Planning Commission reviewed this same staff report and exhibits during their work session discussion on November 20, 2013. Due to conflicts two commissioners were recused from the work session. Now three new commissioners have been appointed to serve on the Planning Commission. The purpose of this work session discussion is to re-introduce the project given the new membership. The Planning Commission comments from the November 2013 meeting have been included as Exhibit H.

Proposal

Consistent with their presentation at the CC / PC Joint Meeting, the applicant is moving forward with formal applications to implement their revised vision for the resort. The applicant requests to amend the approved MPD to move forward with their current plans as their development plans have changed over these last 16 years. The applicant also submitted a CUP for development on Parcel C consisting of their Woodward facility described in their project description. See Exhibit C – Woodward Project Description. The Woodward project would be approximately 80,000 square feet in size and it would have, in some parts, up to four (4) stories. See Exhibit D – Woodward Preliminary Concept.

Discussion

This work session discussion is intended to answer general questions pertaining to their current proposal, specifically, their Woodward Facility; to discuss the possible amendments to the MPD; and to introduce an updated preliminary conceptual site plan. See Exhibit E – Preliminary Conceptual Site Plan

The MPD Development Agreement indicates that the agreement may be amended from time to time by mutual consent of the Parties, i.e., City and Property Owner.

However, the Development Agreement indicates that there is no transfer of density between Parcels. The applicant would like to discuss with the Planning Commission the possibility of reallocating density between the existing parcels. This work session discussion is not intended to represent exactly what can be done with the entire project but rather serve as a first step to make sure that the Planning Commission, the City, and the applicant are both on the same page and to start the process going forward.

Would the Planning Commission be inclined to amend the MPD to allow the transfer of allocated density from one parcel to another? The Planning Department recommends that we open this dialogue to understand their reasons to justify the transfer of density from one site of the development to another. Staff finds based upon a high level initial review, there are good reasons to consider the relocation which may result in a better site plan in accordance with LMC § 15-6-5 and no change/possible reduction in overall density.

Provided the Planning Commission confirms the staff recommendation to proceed with the application, staff would initiate formal review of the proposal and applicable public process under Chapter 6 of the LMC, Master Planned Developments.

Summary Recommendations

Staff recommends that the Planning Commission review the proposed scope of modifications to the approved Master Planned Development (MPD) and Conditional Use Permit (CUP) for Park City Mountain Resort and provide input/direction to the applicant and staff as requested above.

Exhibits

Exhibit A – 09.02.1997 Action Letter

Exhibit B – Development Agreement

Exhibit C – Woodward Project Description

Exhibit D – Woodward Preliminary Concept

Exhibit E – Preliminary Conceptual Site Plan

Exhibit F – 12.08.2011 City Council / Planning Commission Joint Work Session Minutes

Exhibit G – 08.09.2012 City Council Letter of Intent between PCMR and LPA RDA

Exhibit H – November 20, 2013 Work Session Planning Commission Minutes



Department of Community Development
Engineering • Building Inspection • Planning

September 2, 1997

Doug Clyde
Powdr Corp
P O Box 39
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Name: Park City Mountain Resort

Project Description: Large Scale Master Plan

Date of Meeting: June 25, 1997

Action Taken By Planning Commission: Approved the Park City Mountain Resort Large Scale Master Plan with the following findings of fact, conclusions of law, and conditions of approval:

Master Planned Development Findings:

1. There are 31.19 acres of Recreation Commercial Zoning at the Park City Mountain Resort Base. The existing development occupies 6.27 acres of that total. There are, therefore, 24.92 acres of property zoned Recreation Commercial (RC) under consideration in this application. The permitted density in the RC zone for Master Planned Developments is 1 unit equivalent for each 2,000 square feet of land area on the site (Section 10.16 of the Park City LMC).

A portion of the area zoned RC is within the Sensitive Lands Overlay Zone. Based upon the total area of the site, and taking into consideration the Sensitive Area Overlay Zone, the maximum density permitted would be 491.78 Unit Equivalents.

2. The Park City Mountain Resort Large Scale Master Plan includes:
 - demolition and replacement of the Gondola Building with a hotel/timeshare stepping up the hill
 - construction of new buildings on all of the current surface parking lots
 - addition of skier parking in underground structures
 - construction of a new plaza oriented primarily toward the day skier
 - improvement of the existing plaza to better serve skiers staying on site
 - installation of skiing improvements

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- construction of employee housing
- realignment of Lowell Avenue and modifications to Empire Avenue

The Master Plan consists of 5 parcels which are fully described in a booklet entitled Concept Master Plan dated June 10, 1997. That document is referenced as a part of this approval.

Density

The densities and square footages proposed are as follows:

<u>Parcel Square Footage Allowance Table</u>					
Parcel	Gross Residential Sq. Ft.	Residential Support Commercial & Accessory Use @ 10%	Accessory Use to Resort Operation	Retail/ Commercial	Total (2)
A	287000	28700	35000	(1)	350810
B	294000	29400		(1)	323519
C	159000	15900	18000	(1)	192963
D	93000	9300		(1)	102338
<u>E</u>	<u>141000</u>	<u>14100</u>	<u>32000</u>	<u>(1)</u>	<u>187157</u>
Total	974000	97400	85000		1156787

- (1) If there are retail/commercial uses other than Support Commercial or Accessory Uses they will require a proportionate reduction in the square footage that is allocated for the other uses in this table.
- (2) Building square footage does not include mechanical or storage space that may be located below grade.

The residential development is intended to occur in the form of condominiums, hotels and timeshares and is intended to serve the visitor.

The square footage numbers that are shown in the Parcel Square Footage Allowance Table are the maximums that can be built within each category. Three separate factors control the size of the individual buildings, and in each case the most restrictive of these factors will

control the size of the building. The size and configuration of each building is limited by the gross square footage listed in the Parcel Square Footage Table, and the overall building envelope as set out in the Volumetrics, neither of which can be exceeded. In addition the entire project is limited by the total Unit Equivalents that are available within the MPD. The project is entitled to a total of 492 unit equivalents.

Mechanical space, maintenance and storage space that is located underground is not included in the total building square footage and is allowed in addition to the total Parcel Square Footage Allowance. Public Convention and Meeting Space that is likewise underground would be allowed in addition to the total Parcel Square Footage Allowance.

3. The commercial uses proposed in the Park City Mountain Resort MPD are consistent with the RC zone and support the residential bed base and skiing activity. The commercial uses are defined as follows:

RESORT ACCESSORY USES:

The following uses are accessory uses for the Resort's Winter and Summer operations. These uses meet the definition of "Accessory" by being: (1) clearly incidental to, and customarily found in connection with, the principal building or use, and (2) operated and maintained for the benefit or convenience of the owners, occupants, employees, customers or visitors to the principal use or building. Accessory uses do not require the use of Unit Equivalents. Other uses that are not listed here may also qualify as "Accessory".

Information/Lost and Found
Maintenance Facilities
Mountain Patrol
Mountain Administration
Mountain Patrol Medical Facilities
Base Day Lodge and Food Service
Public Lockers
Public Restrooms
Horseback Riding and Stables
Mountain Bike Rental, Repair, and Sales
Ski/Snowboard (etc.) Repair, Rental and Sales
Ski School/Skiwee/ Kinderschule/Day Care
Ticket Sales
Summer Recreation Facilities
Public Convention Facilities

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RESIDENTIAL ACCESSORY USE AND SUPPORT COMMERCIAL:

Residential accessory uses include those facilities that are for the benefit of the building residents and do not require the use of Unit Equivalents. These uses include, but are not limited to the following:

Health Clubs and Fitness Centers
Pools, Saunas and Hot Tubs
Ski Lockers
Lobbies
Meeting Rooms
Storage
Laundry
Employee Facilities

Residential Support Commercial are those commercial uses that are oriented towards the internal circulation of the development, for the purposes of serving the needs of the residents or users of that development and otherwise meet the definition as found in the Land Management Code. Support Commercial does not require the use of Unit Equivalents.

General Commercial and Retail activities that do not qualify as Support Commercial or Accessory use may be desirable. For example, a full service hotel would require a restaurant that would provide food service to patrons outside of the project. General Commercial or Retail will require the use of Unit Equivalents as per the Land Management Code. No square footage has been allocated to this space; consequently, it would have to come out of one of the other categories that make up the total square footage of the building.

4. In conjunction with the planning for the Village Development, a Mountain Upgrade Plan was prepared by Sno.engineering. This mountain upgrade plan calls for the construction and/or replacement of several lifts with detachable lift systems. Plans for the next 6 years result in a mountain configuration of 7 detachable chairs, and 11 fixed grip lifts. Additionally, the First Time beginner lift may also be a detachable. New lifts will include an expansion into McConkey's Bowl, a detachable that services the Bonanza run, and a new transportation lift from the new plaza and drop off area at Building E to a new restaurant site just below the summit. The new transportation lift may be a gondola or a hybrid detachable chair/gondola. If required, cabin storage will be at the top terminal with a minimal terminal at the base. Both Payday and Motherlode will be replaced with detachables.

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On mountain food service will be improved and expanded. New restaurants include a large upper day lodge in the meadow just above the Assessment ski run, and some smaller restaurants in the Payday and King Con Ski Pods.

The majority of the uphill improvements are not within the City Limits of Park City. Because the improvements may impact traffic, parking, runoff, and views within Park City, the City is requesting review authority of those improvements.

5. The Large Scale MPD proposes over 70% open space in the form of pedestrian plazas and walkways, ski runs, and landscaped areas. Special conditions will be placed on the Master Plan to ensure the long term maintenance and quality of those open space areas and that they remain open to the public, subject to reasonable restrictions.
6. The applicant prepared two parking and traffic studies which were carefully evaluated by the Planning Commission. A parking management plan is proposed to minimize neighborhood impacts and to provide opportunities for creative parking solutions. The applicant is being required to upgrade roads and intersections to meet the increase traffic demand.
7. The site planning for the project takes into consideration separation from existing uses and has been determined to provide adequate setbacks. The setbacks proposed are at, or in excess, of those required in the RC Zone.
8. The Recreation Commercial Zone allows the highest density in the City and is intended to provide transient residential bed base.
9. The site planning criteria set forth in Section 10.9(h) of the Land Management Code were considered in the review of this Large Scale Master Plan. Specific design guidelines, building volumetrics and site planning were required in order to:
 - site building masses in the most appropriate locations, taking into consideration surrounding uses and structures;
 - cluster units in the most developable portions of the project, keeping development off of the hillsides and maintaining significant view corridors;
 - place utilities and roads in areas already disturbed whenever possible;
 - provide for significant pedestrian circulation;
 - improve the efficiency of the road and transit system;
 - provide attractive and functional landscaping and streetscape;
 - minimize the impact of construction on the neighborhood and surrounding open space areas;
 - maximize public access and usability of open space;

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- ensure that the buildings are attractive and compatible with existing structures and architectural styles in Park City;
 - provide adequate facade variation.
10. Because of significant existing vegetation on the site, limits of disturbance and construction staging will be required to manage construction activity.
 11. The adjacent neighborhood is unique in that it includes a variety of land uses and occupancies. In order for the impact of construction on the adjacent neighborhoods to be minimized, a construction mitigation plan is required.
 12. The Park City Mountain Resort Master Plan will result in a significant demand for new employees as detailed in employee generation studies conducted by both the applicant and the City. The City Council has stated that employee generation should be addressed in resort expansion. The Park City Mountain Resort has agreed to provide seasonal housing for 80 employees, which constitutes 10% of the employees generated. In addition, the Park City Mountain Resort provides an employee shuttle from Salt Lake City, Provo and Heber and will commit to continue this service.
 13. Parking requirements for the residential developments will be dependent on the final unit configuration and will conform to the current requirements for parking as set out in Chapter 10 of the Land Management Code. Those requirements are based on unit type, zone and project size. The classification that applies to this project is RC³ (projects having more than 24 development credits) and is as follows:

Unit Type	Unit Square Footage (not to exceed)	Parking Spaces Required
Hotel Room/Suite	650	0.66
Studio Apt.	1,000	0.66
One Bedroom Apt.	1,000	0.66
Two or more Bedroom Apt.	1,500	1
Apt. greater then 1,500 sq. ft.	2,000	1.5
Apt. greater then 2,000 sq. ft.	2,500	2
Apt. in excess of 2,500 sq. ft.	none	2

Total skier parking for the ski area is 1700 stalls, of which 1200 exist in the surface parking lots. These 1200 surface stalls will be replaced by 1800 underground stalls for the exclusive use of the Resort. It is anticipated that all Resort parking will be paid parking.

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Parking for the Resort's Accessory Uses and or Support Commercial to the Resort are included in the 600 additional parking stalls that will be built for the Resort uses. Parking for employees of the new Accessory Uses to the ski area are provided for at the rate of 1 space per 400 sq. ft.. Parking for the replacement of the Commercial in the Gondola building is included in the existing parking for the Resort.

Resort employees are generally parked off site and will be transported by: local busing to proposed employee housing, the continuation of the Employee parking program on the Munchkin Lane site, and the Resort's Employee busing program which services Provo, SLC and the Heber areas.

Commercial uses other than Accessory or Support may require additional parking if these uses generate parking demand that conflicts with the peak Resort parking demand. These parking requirements will be determined when the use of the space is declared at the CUP level.

14. It has been represented by Powdr Corporation that this plan is the complete plan for new development on the undeveloped lands currently owned by Powdr Corp or its subsidiaries, at the base of the resort.
15. The conceptual elements of the basic fire protection and life safety plan for the Master Plan have been set out in correspondence from Rolf Jensen and Associates to Ron Ivie dated December 11, 1996. Several overall life safety requirements will apply project wide with specific fire protection requirements for Building A. Building A requires fire protection systems in excess of the minimums as set forth in the Uniform Fire Code in order to gain approval. The balance of the project will be of standard design based upon the rating of the building. Specific plans for the implementation of the fire protection elements will be a condition precedent to any Conditional Use Approval.

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Findings for Recommending the Requested Height Variation to the City Council:

The applicant has requested a height variation as provided for in the Section 10.9 of the Land Management Code. The heights proposed are described and regulated by the Concept Master Plan Book dated June 10, 1997 and are summarized on pages 10, 10B, 11 and 11B, copies of which are attached to this approval.

In many cases, the Planning Commission required significant changes to the project, or extraordinary conditions based upon review of the criteria outlined in Section 10.9(f) of the Land Management Code.

The Planning Commission has considered the site specific review standards outlined in Section 10.9(f) Variations in Height Requirements and recommends a variation in height based upon the following findings:

- The Planning Commission carefully considered the extent of the RC zone, and has determined that clustering the density around a new skier plaza at the base of the ski runs is preferable to spreading the density up the hill to the extent of the RC zone. The clustering preserves open space, allows for the separation of buildings, and provides opportunities for view corridors.
- The applicant provided extensive visual analysis, including shadow studies, to determine the effect of the proposed height variation on views and solar access. Building layout and massing were modified based upon those studies. The majority of the mass and height of the proposed buildings was placed toward the hill, away from existing residential uses.
- Specific building volumetrics were developed by the applicant to define where building masses should and should not occur. The volumetrics provide massing transitions to the adjacent existing buildings and streets, and maintain important view corridors.
- The clustering of density increases the potential effectiveness of public transportation. The Planning Commission reviewed circulation and transit plans. The project, when built, will result in significant traffic circulation and transit improvements.
- The Planning Commission has determined that the location of the proposed buildings is appropriate for density, bed base and commercial uses contained in the Master Plan.
- A major element of the Planning Commission review included landscaping, streetscape and building design details, which reduce the apparent mass of the structures and to provide some pedestrian scale at sidewalks and plaza areas.
- Because of the clustering of density, over 70% of the site will remain in open space. The Planning Commission requires that the open space be preserved in perpetuity, through easement restrictions, zoning or other means deemed to be appropriate by the applicant and City.

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- The increase in height requested does not result in increased density beyond that which is allowed by the RC zoning.
- The requested height variations are deemed appropriate by the Planning Commission as they provide an opportunity to enhance the appearance of the buildings through significant vertical and horizontal articulation. The articulation is defined in the building volumetrics, which are an integral component of the plan, and are incorporated by reference to this approval.

Conclusions of Law:

1. The proposed Large Scale Master Plan, as conditioned, is consistent with the criteria set forth in Chapter 10 of the Land Management Code.
2. The proposed plan is consistent with the 1985 Comprehensive Plan for Park City and with Phase 1 of the 1996 Park City General Plan.
3. The Planning Commission has considered the criteria for a height variation as specified in Section 10.9(f) and recommends the variation be approved by the City Council.
4. The uses proposed in the Large Scale Master Plan are consistent with the intent of the RC zone. The uses are intended to be nightly rental, operating as hotels, timeshare, or condos available for nightly rental.
5. The nature of the commercial uses has been limited to support the purpose of this area as outlined in the Comprehensive Plan for Park City and the 1996 General Plan.

Conditions of Approval:

1. This approval includes and incorporates the "Concept Master Plan" dated June 10, 1997. The Concept Master Plan details volumetrics, horizontal and vertical articulation, maximum square footage of each building, streetscapes, and architectural and design guidelines, all of which are integral to this plan. This Large Scale Master Plan approval is conceptual in nature. Each parcel and building is subject to conditional use review by the Planning Commission. Site specific proposals must substantially conform to the approved Concept Master Plan. The square footages and unit equivalents are intended to be maximums which the Planning Commission may consider during site specific conditional use review. The maximum square footages and the volumetrics as described in the Concept Master Plan shall be the maximums permitted for each development parcel. The overall project shall not exceed the permitted density of 491.78 Unit Equivalents. If the Planning Commission approves less than the maximum square footages outlined in the Master Plan for any given parcel, that square footage will not be allowed to be transferred to another parcel.

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2. The volumetrics outlined in the Concept Master Plan are intended to communicate to potential developers that building height and facade variation are critical components of this project. The volumetrics represent maximums that can be achieved on any given parcel. The vertical and horizontal articulations that are specified in the volumetrics are minimums that must be met. If the proposed building does not fill the volumetrics, the minimum roof and facade shifts set out in the Design Guidelines and Volumetrics must be present in the reduced structure.
3. Final site planning is required which shall include landscaping, streetscape details and finalization of the design guidelines for the buildings. Lighting standards shall be consistent with the standards in effect at the time of application for building permits. If the architectural design guidelines (such as materials, color and fenestration) for Park City become more restrictive in the future than those for this project, the more restrictive guidelines shall apply, but not to the extent that they negatively effect the structural engineering of the project. The final site planning shall orient delivery, service and trash access away from existing residential uses whenever possible. The bridges shown on the preliminary site plan are conceptual only and are not granted specific approval at this time. Planning Commission may be decide that alternative methods for providing the necessary pedestrian links are more desirable.
4. This Large Scale Master Plan approval is contingent upon City Council approval of the recommended height variation, as required in Section 10.9(f) of the Park City Land Management Code. If the height exception, and therefore the Master Planned Development, is approved by the City Council, the applicant must apply for the necessary change in the zoning map and resubdivision of the property. Planning Commission and City Council shall review and take action on these applications. The approval and construction of the Master Plan can only move forward if and when the height exception, zone modification, and resubdivision are approved by the City Council.
5. The City does not fully own the current Bus Drop Off Area at the Resort Center. As a part of the process for this approval, the City, the Resort Center and the Park City Mountain Resort discussed transit alternatives, which includes the City obtaining control of the Bus Drop Off Area. That area is being required to be improved as a part of this Large Scale Master Plan. The ownership and maintenance issues must be resolved prior to, or concurrent with any plat approval for this Large Scale Master Plan. If this cannot be achieved, the circulation and transit plan will be reevaluated.

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6. The applicant has submitted a draft phasing plan. Prior to, or concurrent with the review of the first CUP, a detailed phasing plan for the entire Large Scale MPD is required. That plan shall include, but not be limited to, the following:
 - timing and phasing of development
 - phasing of parking to ensure adequate skier parking is available during each phase
 - schedule for construction and completion of public improvements including plazas, pedestrian walkways and trails, streets, transit improvements, utilities, landscaping, and lighting.
 - a plan to address the improvements to be completed by the 2002 Olympics
 - timing of construction of the employee units

7. As a part of the draft phasing plan, the applicant has proposed construction management practices. A more comprehensive construction mitigation plan is required and specific construction mitigation plans will be required as a part of each CUP. That plan shall address, at minimum, the following:
 - Days of the week and hours when construction is permissible
 - Routing of construction traffic so that adjacent residential streets are not affected
 - Material stockpiling and staging on site
 - Parking of construction vehicles
 - Maintenance of pedestrian ways and trails during construction
 - Recycling of construction waste, including the minimizing of off-site soil/material transport.

A financial security will be required to ensure compliance with the agreed to Construction Mitigation Plan, consistent with existing practices.

8. A Master Owners Association will be formed for this Large Scale MPD prior to or concurrent with any subdivision or condominium plat approval. The Association shall be responsible for maintenance of all landscaping, streetscape and plaza improvements, pedestrian pathways and trails and other public amenities that are a part of this Master Plan. The Master Association shall coordinate recycling, snow removal and maintenance with the existing associations in the resort center project.

9. The developer shall upgrade utilities as deemed reasonably necessary by the City Engineer. These upgrades shall be consistent with the application of these standards throughout the City.

10. Concurrent with the review of the CUP for each building, the applicant shall satisfy fire protection requirements as specified by the Chief Building Official and the Park City Fire

Service District. If building height or square footage is required to be decreased as a result of meeting the fire protection requirements, that square footage shall not be allowed to be transferred to another parcel.

11. The proposed employee housing will be required to meet the standards guidelines adopted by the City Council (such as rental limitations and sizes) at the time of site specific approval. The specific location, design and restrictions on the housing requires the appropriate review by the Planning Commission.
12. Prior to any construction commencing on this project, or Planning Commission action on any CUP related to this project, the Park City Mountain Resort, Property Owner(s), City and County shall enter into an annexation or interlocal agreement which gives the City review authority over improvements to the Park City Mountain Resort. If an interlocal agreement is executed, the City's review will specifically include:
 - The impact of any improvement on parking, traffic and transportation systems.
 - Environmental or visual impact on Park City consistent with the provisions outlined in the Sensitive Lands Ordinance.
 - Water quality and erosion prevention and revegetation.
 - Lighting
13. Prior to any construction commencing on this project, or Planning Commission final action on any CUP related to this project, the traffic mitigation plan submitted by the applicant shall be finalized, to the satisfaction of the City Engineer, Public Works Director and Police Chief, which shall address, but not be limited to:
 - Traffic control during peak hours of peak ski season.
 - Timing and financial responsibility for required improvements to Empire and Lowell Avenues and for the intersections of Deer Valley Drive and Park Ave and Deer Valley Drive and Bonanza.

In general, Lowell Avenue waterline work shall be constructed between October and May to minimize conflicts with irrigation demands, but not done at times that would impede skier traffic flow through the area.

14. Prior to any construction commencing on this project, or Planning Commission final action on any CUP related to this project, a parking mitigation plan shall be submitted by the applicant, to the satisfaction of the City Engineer. This plan shall include:
 - A plan to prohibit and enforce no parking zones in adjacent neighborhoods and an agreement as to the financial responsibility for that enforcement. The applicant is

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expected to be responsible for parking enforcement costs beyond that which would normally be provided by Park City.

- A parking operations plan, including specifics of the pay for parking system.
- A parking structure design, circulation plan to ensure safe, convenient circulation for vehicles and pedestrians.
- Contingency plans for satellite large vehicle and overflow parking.
- A condition that if adequate parking is not provided to handle peak day parking requirements, the City shall have the authority to require the Resort to limit ticket sales until the parking mitigation plan is revised to address the issues. The intent is that any off-site parking solution include a coordinated and cooperative effort with the City, other ski areas, the Park City School District, Summit County, and the Park City Chamber/Bureau to provide creative solutions for peak day and special event parking.

This plan shall be reviewed and modified, if necessary, as a part of the CUP for each phase to evaluate transit alternatives and demonstrated parking needs.

15. The Staff, applicant and property owners shall prepare documentation (preferably deed restrictions) necessary to ensure that development does not occur in the future in the areas shown as open space in the Park City Mountain Resort Master Plan and that the area is maintained to a mutually acceptable standard.
16. The City and the applicant will concurrently enter into a development agreement which includes language necessary to implement the Findings of Fact, Conclusions of Law and Conditions of Approval of this Large Scale MPD.

Sincerely,



Nora Seltenrich, AICP
Special Projects Manager

NS/rr

00513070 Bx01166 Pg00566

WHEN RECORDED, PLEASE RETURN TO:
PARK CITY MUNICIPAL CORP.
CITY ATTORNEY
P O BOX 1480
PARK CITY UT 84060

Exhibit B

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**

Recorded this ___ day of
_____, 1998 at Book
___ Page # ____.

**DEVELOPMENT AGREEMENT BY AND BETWEEN
PARK CITY MUNICIPAL CORPORATION AND POWDR CORP., POWDR
DEVELOPMENT COMPANY, PARK CITY SKI HOLIDAYS, AND GREATER PARK
CITY COMPANY, RELATING TO THE DEVELOPMENT COMMONLY KNOWN AS
THE PARK CITY MOUNTAIN RESORT**

THIS DEVELOPMENT AGREEMENT (Agreement) is entered into this _____ day of June, 1998, by and between POWDR CORP., a Delaware corporation, POWDR DEVELOPMENT COMPANY, a Utah corporation, GREATER PARK CITY COMPANY, a Utah corporation, Park City Ski Holidays, a Utah corporation, and each of their successors in interest, parent corporations, affiliates, subsidiaries and assigns (collectively, Developer), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah (City). Developer and City are, from time to time, hereinafter referred to individually as a "Party" and collectively as the "Parties".

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7-300w
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1998 JUL 21 12:03 PM FEE \$1.00 BY DM
REQUEST: PARK CITY MUNICIPAL CORP

RECITALS

- A. Developer controls the development rights to, owns, or is purchasing approximately 24.92 acres located in Park City as described in Exhibit A attached hereto (the "1997 Master Planned Area"), and has a legal interest (whether by lease, fee title, or prescription) in certain real property consisting of approximately three thousand five hundred (3500) acres located in unincorporated Summit, Salt Lake, and Wasatch Counties as described in Exhibit B and depicted in Exhibit C attached hereto (the "Park City Alpine Terrain").
- B. Developer intends to develop the 1997 Master Planned Area pursuant to the "Park City Mountain Resort Base Area Master Plan Study" (Exhibit D) and subject to all conditions of approval described in Exhibits E and F attached to this Agreement (respectively, the June 25, 1997 Conditions of Planning Commission Approval and the August 21, 1997

Conditions of City Council approval) (collectively, the “PCMR Concept Master Plan”). City desires to enter into this Agreement to memorialize Developer’s commitment to comply with all conditions of approval and to further clarify and memorialize the relationship of the Parties.

- C. City has taken planning actions relating to the development of the 1997 Master Planned Area and the Park City Alpine Terrain which culminated, after a duly noticed public hearing on June 25, 1997, in a unanimous, conditional approval of the PCMR Concept Master Plan.
- D. Developer will contract in reliance on the PCMR Concept Master Plan approval.
- E. City granted development rights and height variations contained in the PCMR Concept Master Plan in exchange for, *inter alia*, development restrictions on both the Open Space designations within the 1997 Master Planned Area and within the Park City Alpine Terrain.

NOW, THEREFORE, in consideration of the promises, covenants, and provisions set forth herein, the receipt and adequacy of which consideration is hereby acknowledged, the Parties agree as follows:

AGREEMENT

Section 1. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement, including its Exhibits.

- (a) “Community Development Director” shall mean the Director of the City’s Department of Community Development, or his or her designee.
- (b) “Master Owners’ Association” means the Park City Resort Base Area Plaza Association, a Utah non-profit corporation.
- (c) “Parcel” means one of parcels A through E described in the PCMR Concept Master Plan.

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- (d) “Residential Accessory Use” means an approved use for the benefit of Project residents that does not require the use of Unit Equivalents and includes, but is not limited to, the following:

Health Clubs and Fitness Centers

Pools, Saunas and Hot Tubs

Ski Lockers

Lobbies

Meeting Rooms

Storage

Laundry

Employee Facilities

- (e) “Residential Support Commercial Use” means a commercial use that is oriented toward the internal circulation of the development, to serve the needs of the residents or users of that development and otherwise meets the definition of a support commercial use found in the 1997 Land Management Code. Residential Support Commercial Uses do not require the use of Unit Equivalents.

- (f) “Resort Accessory Use” means an approved use for Developer’s winter and summer operations that does not require the use of Unit Equivalents. Resort Accessory Uses include the following, as well as other uses that are not listed below but which qualify as “accessory” because they are clearly incidental to and customarily found in connection with the principal building or use and are operated and maintained for the benefit or convenience of the owners, occupants, employees, customers or visitors to the principal building or use:

Information/Lost and Found

Maintenance Facilities

Mountain Patrol

Mountain Administration

Mountain Patrol Medical Facilities

Base Day Lodge and Food Service

Public Lockers

Public Restrooms

Horseback Riding and Stables

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Mountain Bike Rental, Repair, and Sales
 Ski/Snowboard (etc) Repair, Rental and Sales
 Ski School/Skiwee/Kinderschule/Day Care
 Ticket Sales
 Summer Recreation Facilities
 Public Convention Facilities

(g) "Unit Equivalent"

Unit Equivalent

Configuration	Unit Equivalent
Motel room, not exceeding 500 square feet, including bathroom areas, but not corridors outside of room	.25
Hotel suite, or one bedroom apartment not exceeding 650 square feet, including bathroom areas, but not corridors outside of room	.33
One bedroom or studio hotel room, condominium, or two bedroom hotel suite or condominium, not exceeding 1,000 square feet	.50
Condominium or hotel suite of any number of rooms, not exceeding 1,500 square feet	.75
Condominium of any number of rooms, not exceeding 2, 000 square feet	1.00

Configuration	Unit Equivalent
Condominium of any number of rooms, not exceeding 2500 square feet.	1.33
Condominium of any number of rooms, in excess of 2,500 square feet	1.50
Commercial spaces (approved as part of Master Plan Approval), for each 1,000 square feet of gross floor area, exclusive of common corridors, or for each part of a 1,000 square foot interval	1.00

- (1) Within a hotel or condominium project with front desk nightly rental, up to 5% of the total floor area may be dedicated to meeting rooms and an additional 5% for support commercial, areas without requiring the use of a unit equivalent of commercial space.
- (2) Circulation spaces including lobbies inside or outside of units do not count as floor area of the unit, or as commercial unit equivalents
- (3) Where the unit configuration fits one of the above designations, but the square footage exceeds the footage stated for the configuration, the square footage shall control, and the unit equivalent for that size unit shall apply.
- (4) The Developer shall have the right to make its election of how to apply the unit equivalency within individual building projects. An election of the final unit configuration must be made at the time the application for final site plan is submitted, and the election of unit mixes is part of the conditional use process that the final site plan is reviewed under.
- (5) For purposes of calculating unit equivalency, "condominium" means a residential unit, which is designed to maximize its potential for continuous use as nightly lodging. Such design shall include the provision of front desk accommodation services and lockout units within a minimum of 80% of the units containing more than one bedroom attributed to each Parcel.

Section 2. OBLIGATIONS OF DEVELOPER

2.1 Conditions of Approval

Developer accepts and shall comply with all impact, connection and building fees currently in effect, or as subsequently enacted in a generally applicable fee ordinance, all subject to the provisions in ¶2.1.15 herein, and all conditions of approval imposed by the City in connection with the approval of the PCMR Concept Master Plan, including, but not limited to:

2.1.1 The approval includes and incorporates the "PCMR Base Area Master Plan Study" which details volumetrics, horizontal and vertical articulation, maximum square footage of each building, streetscapes, and architectural and design guidelines, all of which are integral to this plan. Large Scale Master Plan approval is conceptual in nature. Each Parcel is subject to conditional use (Small-Scale MPD) review by the Planning Commission. Site specific proposals must substantially conform to the approved PCMR Concept Master Plan. The square footages and unit equivalents are maximums that the Planning Commission may consider during site specific review. The maximum square footages and the volumetrics as described in the PCMR Base Area Master Plan Study are the maximum square footages and volumetrics permitted for each development Parcel. The 1997 Master Planned Area shall not exceed the permitted density of 491.78 Unit Equivalents (excluding support commercial, underground public convention and meeting space). If the Planning Commission approves less than the maximum square footages outlined in the PCMR Base Area Master Plan Study for any given Parcel, that square footage will not be transferred to another Parcel.

2.1.2 The volumetrics outlined in the PCMR Base Area Master Plan Study are intended to communicate to potential developers that building height and facade variation are critical components of this project. The volumetrics represent maximums that can be achieved on any given Parcel. The vertical and horizontal articulations that are specified in the volumetrics are

minimums that must be met. If a proposed building does not fill the volumetrics, the minimum roof and facade shifts set out in the Design Guidelines and Volumetrics of the PCMR Base Area Master Plan Study must be present in the reduced structure.

2.1.3 Final site planning to the satisfaction of the Planning Commission is required for each Small Scale MPD that shall include landscaping, streetscape details and finalization of the design guidelines for the buildings. Lighting standards shall be consistent with the standards in effect at the time of application for building permits. If the architectural design guidelines (such as materials, color and fenestration) for Park City become more restrictive in the future than those for this project, the more restrictive guidelines shall apply, but not to the extent that they negatively affect the structural engineering of the project. The final site planning shall orient delivery; service and trash access away from existing residential uses whenever possible. The bridges shown on the preliminary site plan are conceptual only and have not been granted specific approval. The Planning Commission may decide that alternative methods for providing the necessary pedestrian links are more desirable than the bridges depicted in the Concept Master Plan.

2.1.4 Developer has rezoned and partially re-subdivided the 1997 Master Planned Area. Additional re-subdivision will follow. The Planning Commission and City Council shall review and take action on re-subdivision applications as submitted. Construction of the development contemplated by the PCMR Concept Master Plan can move forward only if and when each pertinent re-subdivision is approved by the City Council. At Developer's request, the City has subdivided Parcel A. Developer agrees that Parcel A-1 will be developed first and that Parcels A-2 and A-3 shall be developed as "additional land" (as such term is used in the Condominium Ownership Act, U.C.A. §57-8-1 et. seq.) to the condominium project consisting initially of Parcel A-1.

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- 2.1.5 Neither the City nor the Developer owns the current Bus Drop off Area at the Resort Center. The Bus Drop off Area must be improved, and the Bus Drop off Easement attached hereto as Exhibit G must be executed, prior to any building permit.
- 2.1.6 The Developer has submitted, and the City has approved, a detailed phasing plan attached hereto as Exhibit H.
- 2.1.7 As a part of the phasing plan, the Developer has proposed construction management practices. More detailed construction mitigation plans, to the reasonable satisfaction of the Chief Building Official, are required for each Parcel, as it is proposed for development. At a minimum, those Parcel-specific construction management plans shall address the following:
- Days of the week and hours when construction is permissible
 - Routing of construction traffic so that adjacent residential streets are not affected
 - Material stockpiling and staging on site
 - Parking of construction vehicles
 - Maintenance of pedestrian ways and trails during construction
 - Recycling of construction waste, including the minimizing of off-site soil/material transport.

Reasonable financial security will be required to ensure compliance with each Construction Mitigation Plan.

- 2.1.8 Developer has formed a Master Owners' Association for the 1997 Master Planned Area. The Association shall be responsible for, and shall ensure to the reasonable satisfaction of the City Attorney, the maintenance of all landscaping, streetscape and plaza improvements, pedestrian pathways and trails and other public amenities that are a part of the PCMR Concept Master Plan. The Master Owners' Association shall coordinate recycling, snow removal and maintenance with the existing associations in the Resort Center. Under all circumstances, the Developer is ultimately responsible for the foregoing obligations of the Master Owners' Association.

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- 2.1.9. The Developer shall upgrade utilities, as the City Engineer deems reasonably necessary for the development of the Concept Master Plan. These upgrades shall be consistent with the application of these standards throughout the City. Developer shall provide financial assurance as the City Engineer deems reasonably necessary to secure the completion of public improvements contemplated by the PCMR Concept Master Plan.
- 2.1.10. Concurrent with the review of the Small Scale MPD (CUP) for each building, the Developer shall satisfy fire protection requirements attached hereto as Exhibit I. If building height or square footage is required to be decreased as a result of meeting the fire protection requirements that square footage shall not be transferred to another Parcel.
- 2.1.11. The proposed employee housing shall comply with Section 2.2 herein.
- 2.1.12. The Developer shall comply with the traffic mitigation plan attached hereto as Exhibit J.
- 2.1.13. The Developer shall comply with the parking mitigation plan attached hereto as Exhibit K. This plan shall be reviewed and modified, if necessary, as a part of the Small Scale MPD (CUP) for each phase to evaluate transit alternatives and demonstrated parking needs. If, in practice, the parking mitigation plan fails to adequately mitigate peak day parking requirements, the City shall have the authority to require the Resort to limit ticket sales until the parking mitigation plan is revised to address the issues. The intent is that any off-site parking solution include a coordinated and cooperative effort with the City, other ski areas, the Park City School District, Summit County, and the Park City Chamber/Bureau to provide creative solutions for peak day and special event parking.

2.1.14 Development Exclusion.

Developer shall not promote, encourage, nor allow (to the extent of Developer's current, and if increased, future, legal rights) in the, the Shadow Lake Lease Area, the Thaynes Mining Reservation Area, or the Development Exclusion Area

depicted within the Park City Alpine Terrain (Exhibit C), residential development of any kind nor any commercial nor industrial development which customers will primarily access by rubber tired vehicles. Developer contemplates on-mountain commercial facilities such as restaurants and other services which accommodate individuals engaging in recreational activity on the Park City Alpine Terrain. This Agreement does not prohibit the transfer of base densities from the Park City Alpine Terrain to other suitable locations in unincorporated Summit County. Further, most of the Development Exclusion Area is held under ski leases by GPCC, which reserve development rights in United Park City Mines (UPCM) and others. GPCC holds rights of first refusal in lease lands for which the owner receives a *bona fide* offer of sale. GPCC agrees immediately to notify Park City Municipal Corp. of the fact and substance of any offer to purchase which triggers GPCC's right of first refusal to purchase lease lands; and to the extent allowed by the current leases agrees to cooperate with Park City Municipal Corp. to exercise such right of first refusal prior to the expiration of the first right of refusal period described in the leases by a party, which is or will become bound by these Development Exclusions. GPCC further agrees that it will not amend any of its leases involving lands within the Park City Alpine Terrain to reduce or exclude land that is presently subject to this Agreement. The Parties agree that nothing in this subsection is intended to adversely affect lessor's rights in the leases.

- 2.1.15. Developer has chosen to mitigate additional impacts associated with developing the PCMR Concept Master Plan by paying impact fees (consistent with *Banberry Development Corp. v. South Jordan*, 631 P.2d 899 (Utah 1981)) in lieu of off-site improvements. Developer's commitment to payment of such impact fees is contractual in nature and will be assessed proportionally, prior to issuance of building permits, regardless of fluctuations in state law pertaining to the City's regulatory authority to impose impact fees. The City agrees to incorporate the substance of this subsection in all subsequent development agreements associated with similarly situated projects.

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2.2 Employee Housing

Developer shall construct or provide deed restricted off-site housing for 80 PCMR employees on or before October 1, 2003.¹ The rental rate (not including utilities) for the employee housing will be determined by the City Council Housing Resolutions Establishing Guidelines and Standards, but will not exceed 1/3 of the employee's base gross wages. The rental rate shall be assured in perpetuity through deed restrictions in form and substance satisfactory to the City. Developer must commence construction or complete the purchase of housing to accommodate 80 employees within 90 days of receiving a Small Scale MPD which, in combination with previously granted Small Scale MPDs, represent approvals for a total of 50% of the total square footage of the Concept Master Plan. Developer must work expeditiously to complete the employee housing project(s). In no case shall Small Scale MPDs, which represent approvals for a total of 60% of the Small Scale MPDs within the PCMR Concept Master Plan, be issued until the required housing is available for occupancy. Park City will provide Developer a letter of compliance when it fulfills this requirement.

2.3 Ski Operations Improvements

The Developer has submitted a Mountain Upgrade Plan, which is attached hereto as Exhibit L. Development of the skiing and related facilities as identified in the Mountain Upgrade plan is a conditional use within the City limits and is a subject to administrative review² and approval or rejection for improvements visible from vantage points within the City limits prior to application to Summit County for any necessary County permit. Within the areas shown on the view shed Area map, Exhibit M, the Developer shall notify the Community Development Director of the proposed project and shall submit a plan detailing the proposed location of the alignment and scope of the proposed undertaking will be submitted with such notification. The Developer and the Community Development Director shall discuss the project and the potential

¹ If there is a downturn in the market, and the Developer fails to obtain approval for 60% of the Small Scale MPDs within the PCMR Concept Master Plan, on or before October 1, 2003, Developer shall, at a minimum acquire, by lease or by purchase its proportionate obligation to produce employee housing, and shall offer such housing to employees at a price at or below Park City's applicable affordable housing rates and standards. For example, if only 40% of the Small Scale MPDs have been approved by October 1, 2003, Developer shall provide housing for 32 PCMR employees at the lesser of the City's Affordable Housing rate or no more than 1/3 of the employee's monthly income. Once Developer ultimately achieves the 60% Small Scale MPD approval, it must provide deed restricted housing for all 80 employees as detailed above.

² Developer shall have a right of appeal pursuant to the Land Management Code of any denial of an administrative permit for Ski Operations Improvements.

impacts of the project to Park City including its visibility, re-vegetation plan and erosion control proposal. The following Standards shall apply to the Community Development Director's review:

- 2.3.1. Consistency with the Mountain Upgrade plan. The selection of lift transportation type shall be at the sole discretion of the Developer.
- 2.3.2. The Community Development Director may identify certain techniques as identified in the Park City Mountain Resort Resource Management Plan - Visual Management Guidelines to mitigate any impact to the view shed. The techniques include realignment, re-vegetation, and special silvacultural treatments between ski spaces to achieve the necessary blending. Traditional openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible. Interconnected ski spaces of variable width and length, which are linked together in the fall-line to take advantage of the natural open spaces and vegetative conditions, islands and glades, natural or natural appearing trail edges, are preferred. Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.
- 2.3.3. Ski run lighting shall be consistent with the Park City lighting standards. Glare shall be minimized to the greatest extent possible.
- 2.3.4. Lift towers shall be painted or otherwise treated to blend with the natural surroundings. The color black, as currently used on the Payday Lift, is considered to be the most appropriate. Other colors may be appropriate that are consistent with low contrast with the surrounding vegetation and terrain. Galvanized lift equipment shall be treated to minimize reflectivity.
- 2.3.5. Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the Park City Mountain Resort Resource Management Plan - Vegetation Management Plan and Re-vegetation Guidelines. The objective shall be to achieve a vegetative condition that enhances the skier experience and long term forest health.

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Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

- 2.3.6. Parking. At all times Developer shall assure that it has adequate parking or has implemented such other assurances, as provided in the Parking Mitigation Plan, to mitigate the impact of any proposed expansion of lift capacity.

Upon Developer's compliance with the preceding standards, Developer shall apply to Summit County to issue a permit, consistent with the Community Development Director's approval, to proceed with Ski Operations Improvements within the unincorporated portions of the Viewshed Area. Ski Operations Improvements within the City limits shall comply with all applicable laws.

Section 3. DEVELOPMENT OF THE 1997 MASTER PLANNED AREA

- 3.1 Vested Right to Develop. Developer has a vested right to develop the 1997 Master Planned Area in accordance with the PCMR Concept Master Plan, which details volumetrics, horizontal and vertical articulation, maximum square footage of each building, streetscapes, and architectural and design guidelines, all of which are integral to this plan. Each Parcel is subject to Small-Scale MPD/conditional use review by the Planning Commission. Site specific proposals must substantially conform to the approved PCMR Concept Master Plan. The maximum square footages, unit equivalents and volumetrics as described in the Park City Mountain Resort Base Area Master Plan Study are the maximums permitted for each development Parcel. The overall project shall not exceed the permitted density of 491.78 Unit Equivalents (excluding support commercial, underground public convention and meeting space). If the Developer submits, or the Planning Commission approves (based on criteria in the Concept Master Plan), less than the maximum square footages outlined in the Park City Mountain Resort Base Area Master Plan Study for any given Parcel, that square footage will not be allowed to be transferred to another Parcel. The volumetrics outlined in the Park City Mountain Resort Base Area Master Plan Study communicates to potential developers that building height and facade variation is critical components of this project. The volumetrics represent maximums that can be achieved on any given Parcel. The vertical and horizontal articulations that are specified in the volumetrics are

minimum articulations that must be met. If a proposed building does not fill the approved volumetrics, then the minimum roof and facade shifts that are set out in the Design Guidelines and Volumetrics must be present in the reduced structure (i.e. the structure is reduced from the bottom up). It is solely within the Developer's discretion to submit for approval a structure that underutilizes the maximum unit equivalents or square footages for a particular structure. The Planning Commission may approve a Small Scale Master Plan for less than the stated maximum unit equivalents or square footages for any of the development Parcels in each of the following circumstances: 1) the Developer proposes the plan; or 2) the Planning Commission finds that the Developer's proposed plan does not comply with the PCMR Concept Master Plan.

3.2 Permitted Uses. The permitted uses of the Property, the density and intensity of use, the maximum height, bulk and size of proposed structures, provisions for reservation or dedication of land for public purposes and location of public improvements, location of public utilities and other terms and conditions of development applicable to the Property, shall be those set forth in the PCMR Concept Master Plan and are more particularly described as follows:

3.2.1. Parcel Square Footage Allowance Table

Parcel	Gross Resi. Sq.Ft.	Res. Support Comm. & Accessory Use @ 10%	Accessory Use to Resort Operation	Retail/ Comm.	Total (2)
A	287000	28700	35000	(1)	350810
B	294000	29400		(1)	323519
C	159000	15900	18000	(1)	192963

Parcel	Gross Resi. Sq.Ft.	Res. Support Comm. & Accessory Use @ 10%	Accessory Use to Resort Operation	Retail/ Comm.	Total (2)
D	93000	9300		(1)	102338
E	141000	14100	32000	(1)	187157
TOTAL	974000	97400	85000		1156787

(1) If there are retail/commercial uses other than Support Commercial or Accessory uses they will require a proportionate reduction in the square footage that is allocated for the other uses in this table.

(2) Building square footage does not include Resort Accessory Uses, mechanical, maintenance or storage space that may be located below grade or parking as shown in the Concept Master Plan.

(3) Underground public convention and meeting space is allowed in addition to the total Parcel square footage allowance.

3.2.2. **Maximum Unit Equivalents:** Developer is entitled to a maximum of 491.78 unit equivalents.

3.2.3. **Volumetrics:** The specific volumetrics, including Design Intent, Approval Criteria and Assumptions for Parcels A, B, C, D, E, and the Arcade are set forth in detail, and incorporated herein by reference, on Pages 122 through 148 of the Park City Mountain Resort Base Area Master Plan Study.

3.3 State and Federal Laws. Nothing in this Agreement shall limit the future exercise of the police power of the City in enacting zoning, subdivision, development, growth management, platting, environmental, open space, transportation and other land use plans, policies, ordinances and regulations after the date of this Agreement.

Notwithstanding the retained power of the City to enact such legislation under the police power, such legislation shall only be applied to modify the vested rights described in §§3.1-3.2 if the City demonstrates a compelling, countervailing public interest to override the vested rights doctrine. Any such proposed change affecting the vested rights of the Developer shall be of general application to all development activity within the RC zone.

Section 4. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

4.1 This Agreement may be amended from time to time by mutual consent of the Parties.

Section 5. IMPLEMENTATION OF THIS AGREEMENT

5.1 Processing and Approvals. Site specific plans shall be deemed proposed Small Scale Master Plans pursuant to Section 1.14(a) of the Park City Municipal Corporation Land Management Code (or its equivalent) and shall be subject to the conditional use permit process as set forth in the Park City Municipal Corporation Land Management Code. City shall review and approve or deny site-specific plans according to the Concept Master Plan and the Land Management Code. City shall process and take action on Developer's applications for land use permits and approvals with due diligence.

5.2 Cooperation in the Event of Legal Challenge. If any third party challenges the validity of or, any provision of the PCMR Concept Master Plan or the height exception for the Concept Master Plan the parties shall cooperate in defending such action or proceeding and Developer shall indemnify and shall hold City harmless for any expense generated from such challenge.

Section 6. GENERAL PROVISIONS

6.1 Covenants Running with the Land. The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with the land comprising the Property and the Development Exclusion Area. The burdens and benefits hereof shall bind and inure to the

benefit of each of the Parties hereto and all successors in interest to the Parties hereto.

6.2 Transfer of Property. Developer shall have the right to assign or transfer all or any portion of its interests, rights or obligations under this Agreement or in the Property to third parties acquiring an interest or estate in the Property or any portion thereof. Developer's obligations under this Agreement by its assignee or transferee shall not relieve Developer of any responsibility or liability to the expressly assumed obligation. Developer shall provide notice of any proposed or completed assignment or transfer. If Developer transfers all or any portion of the property to any person or entity, the transferee shall succeed to all of Developer's rights under this Agreement as they affect the right to proceed with development of that portion of the Property transferred to the transferee. As portions of the Property are sold, Powdr Corp., Powdr Development Corp., or GPCC may ask the City to apportion their obligations to a successor or to multiple successors in interest. To the extent the City believes that the successor in interest has adequate resources to secure the City's rights in this Agreement, or some portion thereof, the City shall release the Developer from its proportionate residual liability under this Agreement.

6.3 No Agency, Joint Venture or Partnership. It is specifically understood and agreed to by and between the Parties that: (1) the subject development is a private development; (2) City and Developer hereby renounce the existence of any form of agency relationship, joint venture or partnership between City and Developer and (3) nothing contained herein shall be construed as creating any such relationship between City and Developer.

Section 7. MISCELLANEOUS

7.1 Incorporation of Recitals and Introductory Paragraphs. The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

- 7.2 Other Miscellaneous Terms. The singular shall include the plural; the masculine gender shall include the feminine; “shall” is mandatory; “may” is permissive.
- 7.3 Severability. If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, then, to the extent that the invalidity or unenforceability does not impair the application of this Agreement as intended by the parties, the remaining provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect.
- 7.4 Construction. This Agreement has been reviewed and revised by legal counsel for both Developer and City, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.
- 7.5 Notices. Any notice or communication required hereunder between City and Developer must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If personally delivered, a notice is given when delivered to the party to whom it is addressed. Any party hereto may at any time, by giving ten (10) days written notice to the other party hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the parties at the address set forth below:

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If to City to:

City Attorney
P.O. Box 1480
445 Marsac Ave.
Park City, UT 84060

Copy to:

City Manager
P.O. Box 1480
445 Marsac Ave.
Park City, UT 84060

If to Developer to:

Powdr Development Company.
P.O. Box 39
Park City, Utah 84060

Copy to:

Stephen D. Swindle, Esq.
Van Cott, Bagley, Cornwall & McCarthy
50 South Main Street #1600
Salt Lake City, Utah 84144

- 7.6 No Third Party Beneficiary. This Agreement is made and entered into for the sole protection and benefit of the parties hereto. No other party shall have any right of action based upon any provision of this Agreement.
- 7.7 Counterparts and Exhibits. This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of 22 pages, including notary acknowledgment forms, and in addition, thirteen (13) exhibits, which constitute the entire understanding and agreement of the parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:
- Exhibit A Legal Description of 1997 Master Planned Area
 - Exhibit B Legal Description of Park City Alpine Terrain
 - Exhibit C Depiction of Park City Alpine Terrain, with Development Exclusion Areas

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- Exhibit D Park City Mountain Resort Area Master Plan Study
- Exhibit E June 25, 1997 Conditions of Planning Commission Approval
- Exhibit F August 21, 1997 Conditions of City Council Approval
- Exhibit G Bus Drop Off Easement
- Exhibit H Phasing Plan
- Exhibit I Fire Protection Requirements
- Exhibit J Traffic Mitigation Plan
- Exhibit K Parking Mitigation Plan
- Exhibit L Mountain Upgrade Plan
- Exhibit M Viewshed Area Map

7.8 Attorneys' Fees. The prevailing party shall be awarded its attorneys' fees and costs to enforce the terms of this agreement.

7.9 Duration. This agreement shall continue in force and effect until all obligations hereto have been satisfied. The PCMR Concept Master Plan shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two years of inaction, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by the City of Park City, acting by and through its City Council as of the ___ day of June, 1998.

Park City Municipal Corporation

By: Charles P. Klingenstein
 Charles P. Klingenstein, Mayor Pro Tem

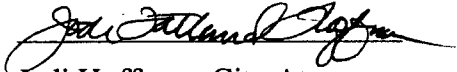
ATTEST: City Clerk

By: Janet M. Scott
 Janet Scott, City Recorder




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Approved as to Form:


Jodi Hoffman, City Attorney

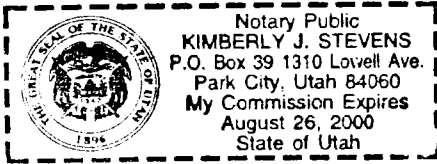
DEVELOPER:

Powdr Development Corp.,
a Utah corporation


By: Douglas Clyde, President

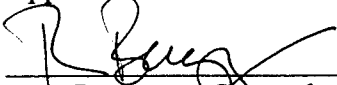
STATE OF UTAH)
 SS
COUNTY OF Summit

The foregoing Agreement was acknowledged before me this 25 day of June, 1998 by Douglas Clyde, President of Powdr Development Corp., who executed the same on behalf of said corporation.

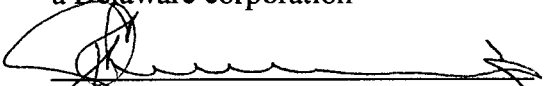



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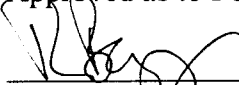
Approved as to Form:


Tom Berggren, Counsel to Powdr Development Corp

Powdr Corp.,
a Delaware corporation


By: John D. Cumming, President

Approved as to Form:


Tom Berggren, Counsel to Powdr Corp

Greater Park City Corp.,
a Utah corporation

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By: [Signature] John D. Cumming, President *Greater Park City Corp*

Approved as to Form:

[Signature]
Tom Berggren, Counsel to Greater Park City Corp

Park City Ski Holidays,
a Utah corporation

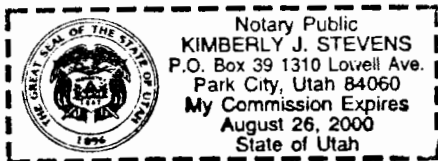
By: [Signature] John D. Cumming, President and General Manager

Approved as to Form:

[Signature]
Tom Berggren, Counsel to Park City Ski Holidays

STATE OF UTAH)
 SS
COUNTY OF *Summit*)

The foregoing Agreement was acknowledged before me this 25 day of June, 1998 by John D. Cumming, President of Powdr Corp., Greater Park City Company, and Park City Ski Holidays, who executed the same on behalf of said corporations.



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Park City Mountain Resort Presents Its Woodward Park City Vision to Park City Planning Commission

Introducing Woodward Park City.

Woodward Park City is Park City Mountain Resort's vision for a vibrant new Park City destination serving a booming action sports market whose influence is being felt across the ski and snowboard industry. It is an action sports mountain training center and camp hosting a spectrum of programs for skateboarding, BMX, cheer, snowboarding, skiing, and digital media. The facility and campus will house trampolines, a skate park, foam pits, ramps, jumps, a pump track, a media lab, lounge, and more. It will be built in the upper portion of Park City Mountain Resort's First Time parking lot, adjacent to Lowell Avenue.

Existing Woodward facilities have thrived to such an extent that some of the world's most accomplished action sports athletes, including Olympians, seek opportunities to train at them. Woodward's core business, however, is family-oriented and remains focused on providing youth experiences to be remembered for a lifetime. Woodward Park City will closely follow that philosophy.

This dynamic project will maintain Park City's reputation as a destination at the forefront of the mountain recreation marketplace, while broadening its appeal in a range of other athletic niches. It's a new year-round economic driver for the community, and will help local businesses generate year-round revenue with sustained operations during the spring and fall shoulder seasons. The ski and snowboard industry has become a focal point for an exciting intersection of creativity, athleticism, progression and digital media – that is exactly what Woodward Park City will be devoted to serving.

Beginning with its opening in 1963 and throughout the 50 years since, Park City Mountain Resort has operated with an eye toward the trends and demands shaping the industry's future. With Woodward Park City, PCMR again addresses what's next in mountain recreation – and further positions the town of Park City as a premier year-round destination for the new generation of mountain enthusiasts.

There's no place like Woodward.

Woodward's first location opened in 1970 in Woodward, Pennsylvania and has since grown to be recognized as a leader in action sports, gymnastic and cheer training centers. Over the last ten years, Woodward has opened an additional camp location in California, two mountain centers located in California and Colorado, and an international location in Beijing, China. Collectively, these five locations have grown

into premier training destinations for action sports athletes, gymnasts and Olympians. At the same time, Woodward holds strong to its core value of providing extraordinary experiences for athletes of all abilities of any age, with a focus on youth participants and progression.

As one of action sports' strongest brands, Woodward's rich history and strong relationships with key market influencers position it as the ideal intersection between athletes, brands, media and events.

Bringing Park City into what's next.

Woodward Park City is devoted full-time to serving the rapidly expanding action sports and youth markets of the ski and snowboard industry. It will market directly to the emerging generation of mountain enthusiasts, the largest generation in American history: Millennials (born between 1978 and 2000, Millennials are 95 million people strong, compared to 78 million baby boomers).

On-mountain tastes and trends are evolving, one lap through a terrain park illustrates the explosion in popularity and progression of action sports in just the last several years. Watch any of this season's ski movies and bear witness to how the rails and jibs of freeskiing and snowboarding have become such popular influences in the wider snow culture. The market's purchasing power – estimated at \$200 billion annually – is undeniable; more than 140 million action sports participants across the globe put it among sport's highest-growing participatory segments.

The next evolution of Park City Mountain Resort's visionary track record.

For half a century, Park City Mountain Resort has demonstrated both an ability to identify where the on-snow recreation industry is headed – whether it comes to infrastructure demands, world-class event hosting or consumer trends – and execute a plan to keep the resort at the forefront of the industry.

In 1978, Nick Badami saw the transformative potential for snowmaking on the mountain. Today, virtually every ski location in North America uses snowguns, and PCMR relies on it to open as early as it does.

In the 1980's and 1990's, in bringing World Cup racing to its slopes with America's Opening, PCMR put itself on the world stage. This vision set the tone for PCMR, and the town of Park City, as Olympic-caliber international destinations.

In the late 90's, PCMR introduced snowboarding to its terrain – a decision not without controversy at the time. Not long after, PCMR again looked forward by opening the first of its terrain parks. Today, with four terrain parks and two halfpipes, PCMR is recognized as one of the most influential and respected resorts in the snow sports industry – by pros, fans and event organizers. That progression continues to distinguish PCMR this season when it hosts the final qualifying event and naming ceremony for the first ever U.S. Olympic Freeskiing Team – a significant event in the town's message that Park City is an important stop on “the road to Sochi.”

With Woodward Park City, PCMR has again identified a definitive evolution in the on-mountain recreation market.

Park City's first 'Shoulder Season' solution.

Local businesses have long sought to fill the revenue valleys of Park City's spring and fall shoulder seasons. Woodward Park City's year-round operation will significantly contribute to filling those slow periods by attracting guests and families 12 months a year.

With operations at the three resorts closed during Park City's "shoulder season" periods, local restaurants, lodging outlets, shops and services are put in difficult positions of filling those revenue valleys. Operating year-round and serving a wide and diverse collection of interests, Woodward Park City will function as a tremendous new economic driver in Park City. This high-profile action sports center will bring families from around the country to shop, dine and stay in town while exploring all Park City has to offer, and works so hard to showcase, on a year-round basis.

While Woodward maintains a focus on youth experiences, its age offerings remain diverse. Outside of camp periods – devoted to serving visitors ages 7-17 years old – Woodward will present opportunities for adult participation, as well: possible offerings include, but are not limited to, corporate bookings and high altitude training events. The building's design also creates the capacity to host skateboarding and BMX contests of regional and national significance, pulling competitors, family and spectators into Park City and bolstering the facility's function as an economic driver.

Benefit for our neighbors.

Woodward Park City will bring a welcome change to the look and feel immediately around Park City Mountain Resort's First Time parking lot – replacing an aging lot left vacant during significant portions of the calendar with the site of a beautiful, state-of-the-art building that realizes an exciting combination of function and design. We are excited to not only provide our neighbors with a fascinating new experience, but present them a re-imagined and updated look to our base area befitting one of America's premier resorts in one of America's great ski towns.

Benefitting the resort and the community.

After years of research, planning and development, Woodward Park City is poised to be the next step in the progression of both Park City Mountain Resort and Park City proper. This incredible new facility will market directly to the next generation of Park City visitors, serve as an extraordinary new venue for local youth to pursue a range of athletic passions, significantly help generate revenue across the community during traditional business valleys and serve as an engaging new showpiece the entire town can be proud of. You can watch a video illustrating the passion behind Woodward at the following link: <http://parkcitymountain.com/woodward>.

We are eager to share our vision with you and one day look back on this project another 50 years from now as one that cemented Park City's place as one of North America's preeminent mountain destinations of the 21st century.

Exhibit D



back-lit perforated metal screens on framing, no glass or wall, at roughly upper 1/3 mechanical floor

glass storefront system with metal exterior screens below, roughly lower 2/3

perforated metal screens
 extensive (shallow) planted roof system, native grasses
 sunshades on south facade
 typical aluminum storefront system
 textured & stained fiber cement boards on rainscreen system
 bridge viewing windows extend to stairs at ski slope

accent metal panels, painted interior commercial roller shades at south, east, west windows to control glare

bridge to parking structure
 lower level training floor

varied profile painted corrugated siding
 "wood" trim fins & accent panels- textured & stained fiber cement

south elevation
 not to scale

vertical glulam beam sunscreens at east facade dorm lounge

bridge to parking structure

textured & stained fiber cement boards on rainscreen system

textured & stained fiber cement board entry canopy, warped to reflect interior ramps

textured & stained fiber cement screen on painted light steel frame

textured & stained fiber cement boards on rainscreen system

varied profile painted corrugated siding

lower level training floor

north elevation
 not to scale

c.architecture **pl**works
 woodward park city
 schematic design
 8.30.2013
 c.architecture #1211

conceptual elevations
 contemporary mine theme

Exhibit E - Preliminary Conceptual Site Plan



PCMR Conceptual Site Plan



Oct. 2013

**CITY COUNCIL/ PLANNING COMMISSION
JOINT WORK SESSION
DECEMBER 8, 2011**

City Council Members: Dana Williams, Cindy Matsumoto, Alex Butwinski, Dick Peek, Liza Simpson, Joe Kernan

Planning Commission: Charlie Wintzer, Brooke Hontz, Julia Pettit, Jack Thomas, Mick Savage, Adam Strachan, Nann Worel

Ex Officio: Charles Buki, Facilitator; Mark Harrington, City Attorney; Thomas Bakaly, City Manager; Thomas Eddington, Planning Director; Jonathan Weidenhamer, Phyllis Robinson; Michael Barille, Plan Works, Jenni Smith, PCMR, John Cumming, Tim Brenwald; Powder Corp.

Mayor Dana Williams opened the joint work session at 6:15 p.m.

Mayor Williams remarked that one goal of the joint meetings was to address the geographic location of Park City Mountain Resort, and its relationship to the City and Lower Park Avenue. It is not meant to be exclusive of Deer Valley Resort, but due to its proximity, PCMR comes into play in discussions regarding the Lower Park Avenue RDA and plans for that area.

Charles Buki, a consultant from Alexandria, Virginia, was hired by the City to work with the City Council and Planning Commission on a range of issues. This was the fifth joint work session. Mr. Buki stated that a consistent approach was applied in the last four meetings and it worked well. The approach was to address things broadly at a middle level and then drill down from conceptual to a specific geography. This was done with Bonanza Park and it proved to be successful. It allowed two groups with two different purposes to develop a common vocabulary and to work in collaboration to move forward.

Mr. Buki remarked that the purpose of Session 5 was to make Lower Park Avenue the type of place they want it to be, based on the result of a survey taken by members of the Planning Commission and the City Council. The survey provided a tremendous amount of information to identify the center of gravity on a range of issues from function to character at both a specific level and city-wide. In addition, cues were taken from the 2009 Visioning, and that language was still in play this evening as they move forward.

Mr. Buki outlined the goals for this evening. He felt it was very important for the group to reaffirm or withdraw the redevelopment posture that was stated at the last four meetings, and then to discuss the PCMR concept.

Mr. Buki outlined the key points from each of the meetings. During Session One they discussed the core values that came out of Visioning and determined that development

must be guided by those core values. They heard from Design Workshop, had caring capacity studies and important competition studies that led them to conclude that development was essential for economic viability, and that a portfolio approach was necessary.

During Session Two they pushed the redevelopment concept and the partnership component. They identified the type of community they wanted and that individual neighborhoods have specific identifies. They agreed that regular redevelopment prioritization was necessary.

During Session Three they began to look at the permissible and desired outcome gap. What they want versus what they can do is not always the same and the gap needs to be closed. Desirable results hinge on trading off “gives and gets”. They identified desired results through a survey for Bonanza Park, Lower Park Avenue and Old Town.

During the Fourth Session they worked specifically on Bonanza Park, primarily in terms of what could be done versus what they want, the desired results, and how they hinge on specific gives and gets.

Mr. Buki believed that overall there was agreement that there would never be perfect information, development would not wait, the competition is active, and doing nothing was not a strategy. The group was comfortable with the accuracy of his summary and agreed to move forward to the Lower Park Avenue discussion.

Mr. Buki presented the survey results for Lower Park Avenue. He noted that the primary question was what they should give up or pay for to achieve two principle objectives that the group previously identified, which was affordability and identity, and resulting in an inviting resort and recreation area with open space. In terms of character and function, they all looked at Lower Park and said that it lacks identify and it was uninviting. It was under-utilized, rundown, and outdated.

Mr. Buki remarked that the status quo is that it functions as a resort and has a recreation component, residential component, interactive open space and it is seasonal. The survey showed that they want character that is diverse and family friendly. They want it to be affordable and inviting, and they want a strong identify. In terms of function they want the open space to be interactive and they are committed to the Resort presence as the primary function. The participants also introduced mixed-use as a high priority. The residential component remained.

Mr. Buki stated that questions arose from the survey results. He asked what the group was willing to give to get what they want for Lower Park, and what tools should be used to

achieve that. It was noted that height was used as a tool in the Bonanza Park discussion. Giving height allowed for incubator business space, open space and view corridors. Density was another tool used in Bonanza Park, because density could be traded for view corridors.

To help achieve their wants for Lower Park Avenue, Mr. Buki introduced new questions in addition to those regarding give and gets, encourage/discourage, and tools. The first question was what they were willing to do, pay for, or otherwise give. The second question was what the market was apt to do. The third question was what would happen in terms of gets, if they do not give. Mr. Buki stated that money was another tool in play. He encouraged the group to think about using height, density and RDA funds to get the character and function they want in Lower Park. Since Lower Park is an economic driver for the City, they need to consider how the gets could translate into city-wide gets.

In order to achieve their goals for Lower Park, the first tool was the RDA. For the benefit of the public, Mr. Buki explained the background of the RDA. It is a tool for investing in a specific district for a set period of time to generate value over and above what would ordinarily be created. The RDA is designed to capture the increment, the over and above, and to keep a piece that is created locally and to reinvest it locally.

Mr. Buki outlined the strengths and challenges of the RDA tool. Council Member Kernan believed that it was better to use RDA money to make things happen that would not otherwise occur. In his opinion that was an important test on how to spend RDA money. Mr. Buki agreed and provided an example of a project that would satisfy the test.

The criticism of RDA is that interventions impede ordinary market tendencies. A second argument is the expectation of an upside, an increment that pre-supposes wider market strength. Mr. Buki identified a possible equity issue in Park City, which is why should the increment at Lower Park not be applied to Bonanza Park, Deer Valley or other parts of the City.

Mr. Buki remarked that a second piece is the discussion that flushes out the give and gets involved in making Lower Park great in the context of concept. The exercise this evening was to go through a concept for potentially redeveloping a massive part of the Lower Park area that would influence that area, and thereby influence the City. The concept would include a range of gives and gets and a range of things to discourage and encourage. He commented on the number of tools at their disposal. Mr. Buki pointed out that this was not an exercise of design review or plan review.

Commissioner Strachan asked if there was only one form of RDA or if they were free to extend it with changes. City Attorney Mike Harrington replied that there are three types of

RDAs in Utah, but because it would be an extension of the existing RDA he did not believe changes were allowed. He would verify that with Utah Law to make sure he was correct.

Jonathan Weidenhamer, Economic Development Manager, summarized how the City reached the point they were at currently in the context of the RDA. Mr. Weidenhamer stated that in January 2010 the City did an updated Redevelopment Plan. He used a map to identify the Lower Park RDA, which runs north to the Hotel Park City and includes the golf course. The current RDA expires in 2015. The question was whether or not to extend the RDA and use it as a tool to move forward. Mr. Weidenhamer explained that the Jack Johnson Company and Design Workshop were hired by the City to put together an updated plan. The role of the Jack Johnson Company was to set a local tone and provide visioning. Design Workshop followed up with a project list. Mr. Weidenhamer pointed out that the projects were scattered all over the area. The theme and threads of the Design Workshop projects were about the broader neighborhood and not limited to PCMR. The idea was to have a broad neighborhood plan for RDA dollars.

Mr. Weidenhamer stated that the Design Workshop plan broke into three areas, which balanced economic return, quality of life factors, and some of the community benefits talked about. Parking lot redevelopment scored high. Mr. Weidenhamer reviewed a spread sheet showing how other areas scored. The second scoring area was transit, traffic, circulation and walkability. The third area was community neighborhood, redevelopment and improvement. Some of the high scoring projects were not all parking lots.

Mr. Weidenhamer stated that the plan was presented to the City Council in January 2010 and they immediately honed in on community and neighborhood redevelopment. A primary goal was what could be done with land in which the City owned a large portion, such as the Senior Center and the Fire Station. A second consultant was then hired to bring forth a plan that would advance certain goals, including green spaces, historic fabric, character, authenticity, housing alternatives, work force, affordable housing goals, neighborhood connectivity, sustainable and green goals, etc. Those issues were currently being advanced with existing increments generated within the RDA.

Mr. Weidenhamer noted that Kent Cashel, the Transportation Manager, began to work on the transit/traffic/circulation/walkability goal. He asked Mr. Cashel to address those goals and talk about the planning.

Mr. Cashel stated that the project Mr. Weidenhamer had been working on in terms of goals for transit/traffic/circulation/walkability was the heart of the transportation system. He noted that the bus stop at Park City Mountain Resort is the second busiest stop in the bus system. Eight out of twelve routes run through there. On a winter day the City runs 360 buses through there and 2,000 people get on and off at that stop every day throughout the

winter. One challenge is the circulation through that entire area. What they currently have is neither efficient nor inviting. People get on and off the bus on a sidewalk, and the circulation goes directly to a parking lot. Mr. Cashel stated that a primary project is to find a solution for that stop. He believes there is an opportunity to improve transit through that area, which would have a positive impact on the entire system.

Mr. Cashel stated that every year for the last five years, Park City Mountain Resort, Deer Valley and the City partner a Peak Ski Day Traffic Management, where they talk about how they can better manage or funnel through the Park Avenue/Empire/Deer Valley intersection. Most of the traffic coming out of Deer Valley and PCMR flows through that intersection. Mr. Cashel stated that any opportunity to improve amenities at the base of a ski area in terms of traffic flow and slowing it down, would keep them from having to expand that capacity. Any project that addresses those issues helps Transportation.

Mr. Weidenhamer remarked that the things Mr. Cashel spoke about affect the quality of the experience for locals, visitors, and residents. He believed this discussion had a role in addressing and improving those matters. Mr. Weidenhamer stated that it was not about the parking lots. It was about taking the dollars generated and putting them back in for the overall benefit of creating more tax venues, as well as creating the value of each of the 436 businesses licensed in the district. The intent was for each of those businesses to raise their own values through this process.

Mr. Weidenhamer clarified that PCMR was involved in the process this was the best opportunity to work with the biggest landowner to effectuate the largest impact. The intent was to give PCMR the opportunity to tee up their vision on how they see a partnership with the City and their future in this community.

Tim Brenwald, the Chief Development Officer of Powder Corp., set the framework for discussion topics. He introduced John Cumming, the President and CEO of Powder Corp., and Jenni Smith, the President and General Manager for PCMR, and Michael Barille with Plan Works Design.

Mr. Brenwald stated that PCMR is very connected to Park City. He pointed out that both the Resort and Powder Corp. are ski area operators and owners; they are not developers. He noted that Powder Corp. was involved in the Bonanza Park discussions because they own a piece of property on the edge of the development area. He appreciated the way the City Council and Planning Commission jointly worked with Mark Fischer on setting development parameters for Bonanza Park. He was interested in working with the group in that same way for the Resort. Mr. Brenwald pointed out that the Resort is different because an MPD is already in place; however, he would like to strive for the same format with the City and the public because it is a healthy dynamic.

Mr. Brenwald thought it was important to recognize that PCMR is the second largest transportation hub, and they have worked with Kent Cashel and the Transportation Department to address many of the issues. Regarding the partnership between the ski area and the City, Mr. Brenwald clarified that the Resort was looking to build a better project, not a bigger project. He stated that the goal this evening was to be very open and to take questions. By the end of the evening he wanted everyone to have a true understanding of Powder Corp and PCMR, their visions and goals, and what they would like to do from a conceptual standpoint. Mr. Brenwald encouraged an open dialogue.

John Cumming provided a brief history of Powder Corp. and how the company functions as a ski area operator. Mr. Cumming stated that as they stumbled upon youth and action sports, they recognized the power in trying to continue what they were already focused on, which is to provide a family experience and vehicles for kids to learn, and to lower the barriers on converting people to skiing or snowboarding. The intent was to be agnostic about the mode of transportation, as long as they hit the right demographic and had the right amount of repeat visits. Mr. Cumming remarked that Powder Corp. was becoming more dedicated to that effort over time. The Millennial Generation and the ones that follow will significantly change the face of skiing and riding. He stated that the fastest growing piece of their business is digital media camps, which are hosted during the summer. They would eventually like to embark on winter camps.

Mr. Cumming reported that they were building a large action sports learning facility called Woodward Tahoe. The purpose is to teach young people how to safely do the things they aspire to do, and let them communicate their passion in the media. This would allow the Millennial Generation to have the same impact on the industry as the Baby Boomers.

Mr. Cumming noted that five shareholders own Powder Corp. It is a closely held company and he is the largest shareholder. He lives in Park City and hopes to pass on his knowledge and experience to his son. Mr. Cumming heard rumors that Powder Corp. had sold PCMR. He wanted it clear that the rumors were untrue and the Resort was not for sale. He intends to keep the Resort and to remain a part of the community, unless something unforeseen would prevent it.

Jenni Smith, Park City Mountain Resort, stated that she was embarking on her 33 year at PCMR. Ms. Smith provided a brief summary of activities at the Resort. During the peak ski season they have approximately 1500 employees; and 250 employees during the summer. Ms. Smith pointed out that PCMR is a ski area. The focus is on the mountain experience and enhancing the guest experience. The Resort does not own or operate any lodging. They provide on-hill skier services, such as ski school, food and beverage, rental and retail. She believed the Resort's success was tightly connected to its relationship with the

community and the town. They rely on Main Street for dining, entertainment and shopping for their guests. They rely on the entire town for lodging. They also rely on their partnership with the Chamber, as well as their relationship with the two neighboring resorts.

Ms. Smith provided examples to show how the management team uses Powder Corp. core values as they plan and think about the business. Ms. Smith stated that since 1998, when John Cumming and his brother firmly took hold of Powder Corp. and PCMR, over \$85 million has been spent in capital improvements at Park City Mountain Resort. As they look towards the future, the question is what more could be done to enhance the skier experience.

Ms. Smith stated that the goals for the base area development were to solve the transportation and connectivity problems Mr. Cashel identified. Whatever development occurs in the parking lot, it will become part of the neighborhood and maintain the neighborhood feel. A primary concern is providing a safe drop-off where parents can drop off their children for ski school. They also want development to include gathering spaces where people can enjoy the atmosphere year-round. Ms. Smith echoed comments by Kent Cashel and John Cumming outlining other areas where PCMR has partnered with the City.

Ms. Smith remarked that she also had attended some of the BOPA meetings and she was very excited by the discussions and comments about partnerships and working together.

Michael Barille, Plan Works Design, provided his personal history to acquaint the group with his background and experience. Mr. Barille stated that as he was leaving his position as the Planning Director for the County, he told the County Council that it was important to maintain their focus of community on 1) work force housing; 2) redevelopment; 3) good resort development that is consistent with who they are as a community. He believed those goals should be encouraged because they already have enough of everything else.

Mr. Barille stated that when he started Plan Work Design, those were the issues he wanted to work within; using his experience from both the public sector and from the way he was raised viewing things through a community lens. He felt fortunate that the project being discussed this evening contained all of those elements.

Mr. Barille stated that Powder Corp. hired him to take a look from different perspective. Powder Corp. had planned many things over the years but had not built anything, partially because other people were bringing in their plans and asking them to build it. Powder Corp. wanted to understand how the Resort might work better operationally and how it could be better integrated into the community to meet their own vision. Mr. Barille noted that they started with the entitlement and the best way to lay it out. They tried a number of different iterations and some maximized the remaining entitlement and others did not. It became clear early in the process that Mr. Cumming and his team had a different outlook

than most of Mr. Barille's clients. If it didn't feel right or flow the way the property should flow or have good places, they did not care about the density or the rate of return. Mr. Barille stated that in the years he has worked with Powder Corp., his understanding of resort development has evolved because of their views. He believed the Powder Corp. view has also changed because they have come to realize that development can be done in small chunks and integrated with the community. Their vision can be instilled over the developer without interfering with the quality of the resort experience and mountain recreation.

Mr. Barille presented a series of slides to address the past, the current, and the direction they want to go in terms of the relationship between PCMR and Park City Municipal. He pointed out that the Resort and the City already do many things together, such as Sundance, the World Cup ski races and other events. Mr. Barille highlighted the PCMR bus stop and the Town Lift as key partnerships between the two entities. He noted that the Town Lift has been a visual and functional link between the Resort and the town. It was a great vision and one that he has not seen in other resort communities.

Mr. Barille commented on the economic link. He emphasized that PCMR is a top ten ranked resort in North America and it was ranked the #1 family resort this year. They would not be able to survive and people would not come back if they did not have the amenities that Main Street and the town provides in terms of food and beverage, entertainment, shopping and the historic character the City works so hard to protect. They recognize the synergy and would like it to continue to grow as both the town and the Resort evolve.

Mr. Barille commented on the challenges that have been identified by the City, Powder Corp. and PCMR. He noted that the Otis Study ranked Empire Avenue and Lowell Avenue near the top of the list of roads needing upgrades to infrastructure and surfaces. The PCMR parking lots are challenging at times due to the slope and the way ice builds up. The bed base at the Resort is old, as well as the dining and entertainment area with the exception of Legacy Lodge and other things that have been recently updated. Mr. Barille agreed with the assessment that the Resort needs to evolve and become more special and consistent with the status Park City has in the broader regional market, as well as the status of the Resort itself. They are anxious to partner with the City on ways to accomplish that goal. Jammed bus and shuttle traffic is another problem and they plan to look for solutions from a design perspective to address that issue.

Mr. Barille stated that moving towards the future, they believe that the Lower Park Avenue RDA and working with the City Council and the Planning Commission was one of many vehicles that could be utilized to expand the existing partnership and to improve those areas. It could also be expanded to other areas through a more innovative use of

transportation. As the Resort develops, they could look at coordinating private transportation in a way that achieves trip reductions, reduces parking standards, and encourages people to carpool and not use individual rental cars. Housing was another partnership goal to find the right type of housing for the right end user in the right location.

Mr. Barille pointed out the uniqueness of having a Resort in close proximity to the town.

Mr. Barille presented a color coded maps showing the RDA boundary in yellow, City-owned property in green that extends from the Resort down to Park Avenue, the salmon color represented the only ground at the Resort base that PCMR owns and controls. Mr. Barille indicated a donut area with the skating rink, retail and bed base that is not owned and controlled by PCMR. They hope to work with those owners to see if they can create improvements. The best way to do that is by upgrading their own standards so people will rise to meet it.

Commissioner Savage referred to a previous comment that there were approximately 436 businesses at the Resort, and he wanted to know how many individual property owners there were in the donut area. Ms. Smith stated that there was the HOA for the homeowners and the property owners HOA. There were probably 200 to 300 condos in the donut area. Commissioner Savage asked if the majority of retail space was individually owned or condominium style. Ms. Smith replied that the business itself is individually owned but 99% of those businesses lease from one of approximately five to ten land owners.

Council Member Butwinski asked if the area shown for the potential transit center was owned by the Resort and if the Resort would have control over the transit center. Ms. Smith replied that what was shown was existing. She understood that any improvements were part of a joint agreement with the Resort Center, PCMR and Park City Municipal Corp.

Mr. Barille referred to the parking and noted that a total of 2513 spaces were anticipated in the parking study that was done as part of the MPD. The bulk of those spaces would go to skiing and the balance would be for residential. The total allowed square feet was slightly over a million. Approximately 974,000 square feet was for residential and under the existing entitlement, approximately 287,000 or 32 UEs were used for the Marriott Mountainside. The remaining was 680,000 square feet or 360 UEs.

Mr. Barille stated that the commercial was discussed specifically as resort support or accessory use to the resort, and it is based on a percentage of the overall entitlement. Language in the existing MPD states that if it falls into those categories or certain uses within a category, it does not need to be counted. Therefore, the MPD allows for flexibility

in the numbers.

Mr. Barille stated that there are 1222 parking spaces under the current condition. He provided a breakdown of where those spaces were located. He noted that what they will show in their concept plan is the idea of a reduced parking standard because it makes sense from the standpoint of cost of development and it encourages people to use alternate modes of transportation. If the parking structure is done as a joint venture, they would suggest exploring the idea of it being paid parking for some portion of the year. Having to pay to park also encourages people to think about alternate transportation or carpooling.

Mr. Barille stated that from a density standpoint they will not know exactly where they are until they get more into the specifics of final approvals that would occur under the MPD. However, their calculation is that the design they think is the best design represents less than the maximum entitlement. They have no intention of maximizing the entitlement. They were also uncertain if they would utilize the maximum commercial square feet. Mr. Barille remarked that Woodward is a new piece of the equation and they think that activity might occur at the base area. If that is commercial density it could increase the number.

Mr. Barille presented the different iterations they went through in looking at how the plan might lay out. Mr. Barille wanted the City Council and the Planning Commission to walk away from the discussion this evening with a real understanding of how differently Powder Corp. views resort development from what is typical. Their goal is to embark on a new model for resort development in a way that takes advantage of the unique relationship PCMR has with the town, and to make sure it is fully integrated. Mr. Barille outlined what Powder Corp. would like to accomplish for the Resort in terms of development and improvements to enhance the amenities and guest experience.

Mr. Barille reviewed the proposed design concepts. They want to create a great facility in partnership with the City and share it for events. They would like to put in a transit hub with restrooms and a waiting area, and smart signs that announce when the next bus is coming. Mr. Barille stated that a key factor is to recognize some of the things going on around the Resort. They also recognize the fact that there is discussion about a receiving area to address project impacts on the hill. They also understand that the Sweeney's have an entitlement that might also get built, and it would be important to find ways to connect that development without rubber tire tracks.

From the standpoint of resort design for the future base area, the plan is to have plazas and pedestrian streets that are well designed and create gathering areas and interest; but are also designed in locations that allow for view corridors for people to experience the fact

that they are in a ski resort. Mr. Barille stated that the intent is to create the type of feel this group previously discussed for the Bonanza Park redevelopment.

Mr. Barille commented on the design specific issues that were outlined in the packet. They looked at creating smaller building footprints that would be broken up and allow for different types of design principles in between the buildings.

Mr. Barille summarized the areas where they look for partnership with the City, which includes financial cooperation, shared events, economic viability, housing and resort/community integrated transportation strategies. Mr. Barille pointed out that Visioning offered a number of important lenses such as environment, community, economic factors, and quality of life for keeping Park City as it is. He believed that a strong partnership and good cooperation would accomplish many of the visioning goals in ways that could not be accomplished otherwise.

Mr. Barille stated that as they move forward, the City has the opportunity to work with Powder Corp. as a master developer and property owner. Powder Corp. is reaching out to the City because they want to develop on an appropriate scale in a way that can be phased over time and has an integrated parking and transportation strategy. Development would be focused on the belief that the skiing experience is the main priority, and that density and the return on real estate is further down the list. The result would be a better economic situation for everyone and it would heighten the experience for both residents and guests.

Mr. Barille stated that the risk of not partnering together would be the possibility of waiting until a larger master developer proposes something similar to the Four Seasons plan that had larger footprints and all the parking is underground. It could be one financier with a vision that might not be consistent with the town's vision.

Mayor Williams believed Powder Corp. had the right team moving forward. He favored the aspects of timing and phasing because they were not contingent on a master financing situation or having to develop everything at once. It allows the Resort to grow organically, which is very positive.

Mayor Williams called for public input.

Ruth Gezelius thought it was imperative that a better drop-off and access system to public transportation be implemented in the plan at this location. She remarked that some of the problems at the current location could be alleviated by having personnel direct traffic. That has not been done by the City or the Resort and she believed it was a gross oversight. Ms. Gezelius stated that the fact that the bus hubs in that location and slows down the transportation system for the entire town is a serious problem. For every person they can

encourage to take the bus eliminates the need for parking spaces. Keeping the transportation system user friendly is key to addressing parking lots. Ms. Gezelius commented on the issue of employee housing at the development site. She thought it was unfortunate that the remainder of the community bears the brunt of affordable housing that is off-site, since off-site housing creates the need for more vehicles. There is already an existing employee parking problem in the resort area. Ms. Gezelius stressed the importance of putting as much seasonal work force housing on-site as possible.

Mr. Buki thought Mr. Barille offered great comments to help guide the conversation this evening. In addition to questions regarding gives and gets, he raised the issues of financial cooperation and system implications.

Commissioner Wintzer asked for clarification on PCMR's timing. Mr. Barille did not believe there was a rush in the timing. The emphasis is on doing things in a way that is comfortable for the community and the City, but is still profitable and a good resort design. They understand that addressing the parking situation is an important asset. Mr. Barille stated that a new influence is the idea of Woodward and whether it would be beneficial to bring that to Park City.

Mr. Weidenhamer noted that the RDA expires on the last day of the calendar year 2015. Therefore, there was an urgency to begin an extension process if the group chooses that direction.

Mr. Brenwald understood that Commissioner Wintzer was concerned about pace. He noted that because it is the base area of the Resort and involves parking and other issues, it is also important for Powder Corp. to control the pace because it impacts the mountain from an operation standpoint. It also impacts the town, and phasing reduces some of those impacts. Proper absorption, making sure they are not overbuilding, and reducing operation impacts are important factors. Mr. Brenwald estimated 15 years as the overall timing.

Commissioner Wintzer clarified that he was referring to a start date more than completion. Mr. Cumming stated that the Rubik's Cube was the phasing of parking. They could not go into a ski season without the ability to park as many vehicles as they can now. The economic impacts would be significant if they lost a holiday season.

Mr. Buki asked Commissioner Thomas for his thoughts on the concept plan from a design viewpoint in terms of "gets" for the community. Commissioner Thomas could see some gets. A conglomeration of economies could cascade out of the health and welfare of Park City, mostly locally confined. Council Member Simpson asked if local meant the RDA area and Lower Park Avenue itself, or the entire City. Commissioner Thomas remarked that it was all the economies that affect Bonanza Park. Everything is connected and this was one

of the major economic generators of the community. Regarding the concept plan, Commissioner Thomas questioned the connectivity to a project he has been working on in Bonanza Park. He could see the connection to Park Avenue and the desire to make it a people mover, but he felt it was equally important to think in terms of a mass transit connection for the future. He would like that element to be addressed and included in the process.

Mr. Barille agreed that some things need to happen from the door of the Resort to the Cole Sport intersection and into the corridor. He understood that a study was being done to figure out some of those issues in terms of how it would all look in 20 years. He noted that Jenni Smith and her team have been participatory in that study. They would continue to participate and have that inform the design if possible.

Council Member Butwinski stated that there was more to the Lower Park RDA than just the Resort. They needed to consider other stakeholders in the area, specifically with regard to how this fits into the transportation plan or design. It is important to foresee what they want that connection to be in the future. Using Bonanza Park as an example, he noted that the way they were laying out the streets was not how the streets exist today. They were taking a longer view of what would be needed in terms of pedestrianization, vehicles, and ingress/egress. Council Member Butwinski acknowledged that the Resort is a key player, but to isolate it would be a mistake.

Mayor Williams stated that it was definitely important to find a way to make the intersection of Park Avenue and Deer Valley Drive work better. He was unsure of the right solution, but because of its proximity to the State Highway, they could utilize Council Government Funds to purchase ground if necessary. Mayor Williams referred to housing and projects that were the original nightly rentals for the Resort that have morphed over the last 25 years into primary residents and work force housing. He recalled an earlier conversation where Mr. Buki talked about RDAs that were helping to fund individual projects. People would use increment financing to improve structures rather than tear them down. Mayor Williams pointed out that it was an important tool that should not be forgotten, and he would like to learn more about the process.

Mayor Williams remarked that as they go down to Park Avenue and across the street, they need to be mindful of the mixture and the many areas of sensitivity. As they move farther up to the south of the Park City Mountain Resort parking lot, there are still a number of Old Town houses in that neighborhood and they are bound by the guidelines for compatibility in that area. As they move north, it becomes more two and three story structures. Moving down Deer Valley the buildings become larger and the density is greater. Mayor Williams liked the fact that the concept plan was broken up in a way that could be done over time, as compared to all at once.

Mayor Williams stated that someone would need to explain why the transportation works differently in that location, but he understood that it needed to be worked out. Mayor Williams liked the idea of separating bus routes from traffic routes, and separating the ski school. He favored the idea of grade changes to bring people in on the same level as the parking, so people can walk flat to the Resort. Mayor Williams was pleased with the basic design and he complimented Mr. Barille on his ideas in terms of the ability to work organically as time moves forward, as opposed to one large development.

Mayor Williams referred to the City-owned property identified on the map, and commented on potential uses for that property. He was unsure if the City would be willing to give up that property, but he was willing to talk about it. He believed they had the potential to accomplish a lot more much faster through this type of process.

Council Member Matsumoto could see a number of “gets” for the community, particularly in terms of transportation and creating a sense of community, rather than just a resort at the base of the mountain. Council Member Matsumoto supported extending the RDA so they could work towards accomplishing some of the goals together. She agreed that phasing was a key element and tying it to Old Town was important. She would also like to see other things occur in the area, such as preserving the Old Town houses and the uniqueness.

Mr. Buki asked Council Member Matsumoto to expand on her comment that it would feel more like a community than a resort. Council Member Matsumoto stated that she understood it would be a resort, but the way it was presented, it would feel like the Resort was part of town rather than being an isolated resort stuck on the edge of town. She saw that as being positive.

Commissioner Pettit stated that her children have been in programs at the Resort since they were three years old. The biggest challenge they faced as a family was picking up the kids after some of the programs, particularly when they were younger and needed help with their equipment. Commissioner Pettit favored anything that could be done to help resolve some of those problems in terms of creating dedicated short-term parking. She believed those amenities were important from the local service aspect. Commissioner Pettit stated that as an Old Town resident, she would like the ability to go skiing without using her car. Whenever possible, she walks from her home and takes the Town Lift up to the resort. Commissioner Pettit encouraged whatever they could do to improve transit options for Old Town residents and City residents as a whole. She had some concern with comments about parking and parking structures, and she would like to understand that better. It is important to create a plan to improve circulation and to have options for people to get in and out; but it is equally important to be forward thinking and environmentally sensitive to finding alternative solutions to get people out of their cars.

Ms. Smith concurred with Commissioner Pettit. She noted that the Resort tries to encourage people to use public transportation. Her office overlooks the parking lot and sees the number of vans and vehicles that come from different properties to drop off visitors. Her frustration is with the locals who live a mile from the Resort and drive their cars and park. She understands that Westerners like their cars, but at some point they need to get out of them to make Park City the community it wants to be. The key is to make transit and transportation so seamless that it is an easy decision to ride the bus and leave the car behind.

Ms. Smith agreed with Ms. Gezelius that the Resort has employee parking issues, which is one reason why they shuttle their employees. Unfortunately, they can't control the employees who work in other businesses at the Resort, and most of them use their cars. Ms. Smith was confident that if they all work together they could solve most of the problems.

Mr. Barille believed that if Powder Corp. could do a coordinated parking facility with the City, it would have some impact on traffic patterns and they may jointly have the ability to control employee parking. In response to Commissioner Pettit's comments, Mr. Barille stated remarked that there were interesting things happening in the lift manufacturing and design world. One product is called a Hill Track, which is a combination funicular and electric train, with the capacity to move a significant number of people per hour at less of a cost that either a train or funicular. He believed that type of application could help with some of the grade separation problems and connections to adjacent properties. It is something they would like to explore.

Council Member Simpson thought this was an incredible opportunity for the City. If they could solve the transit facility issue at PCMR and make it seamless, she was certain they would see more locals using the buses. She is well aware of the parking and circulation problems at the Resort. If they have the opportunity to resolve that issue it might cascade from there and improve connectivity throughout the town. Council Member Simpson could see the transit hub at the Resort being the first piece and then seamlessly connecting to Bonanza. She believed the connectivity projects they have discussed in Lower Park Avenue will make a big difference for those residents. The connectivity through City property to City Park is another link that would be incredibly well-used. Council Member Simpson was very excited about the transit hub.

Commissioner Wintzer preferred to spend more time talking about the Park and Ride outside of town and how to connect it to the Resort. Before they talk about less traffic, they need to find a way to keep cars from coming into town. The City built the Park and Ride but he never sees it being used. Between Park City and Deer Valley there are 400 to 500

cars in employee parking. He suggested training the employees to use the Park and Ride and suggested that they make it a focus at the beginning of this process rather than at the end. Commissioner Wintzer was concerned about having a transit hub on Lower Park Avenue. He worried that putting more traffic onto Park Avenue would create greater impacts to Old Town. Commissioner Wintzer was not opposed to the idea, but he needed to better understand the transit hub. He did not want to shift the parking problem at the Resort to another location. Commissioner Wintzer wanted to see the comprehensive transportation plan and how everything would function together.

Commissioner Wintzer stated that when his children were young, they had a locker to store their equipment so they could ride the bus to and from the Resort. He suggested that the Resort make it easy and affordable for kids so they can and will ride the bus.

Council Member Simpson clarified that the transit hub talked about for Park Avenue would be an enhanced stop and not an actual transit hub. It would be similar to the bus stop at the library.

Mr. Buki suggested that the group take some time this evening to think about what the proposed concept plan would mean for the Lower Park area.

Council Member Simpson felt it was important to better understand some of the pieces, but she personally thought it was the right direction.

Council Member Kernan stated that a selling point of the plan is that would be nicely developed, yet connected with people movers and additional transit to make it more convenient. It would bring in more people and more revenue without worsening the impacts. It would create a higher quality of life for everyone. In the long run, it would financially work better than just letting it happen by itself.

Commissioner Savage liked the idea of having a picture of where they want to be in the next ten to twenty years. He thought it was a good tool to have to be able to layer on top of an economic model. He also heard comments this evening about funding options. Commissioner Savage stated that they were faced with a huge capital investment and ultimately their ability is to reaffirm the City's posture on redevelopment as one of partnership and collaboration. He noted that Mr. Barille had said that PCMR would not take the approach of maximizing the entitlements under the current MPD. Commissioner Savage suggested overlaying a financial model that would become an integral part of the discussion. He stated that the resolution of the differences between what the City wants and what the ski area wants is best ferreted out and resolved in the context of a financial model that talks quantitatively about the gives and the gets. Commissioner Savage encouraged the City and Powder Corp. to work together on a model that addresses the

economic implications of this partnership and the desire for a shared vision to make sure they are moving forward in a way that people would find reasonable.

Commissioner Wintzer identified three major projects at Deer Valley, PCMR and Bonanza Park. He commented on the importance of having someone coordinate to make sure all three come on line with few impacts.

Mr. Buki stated that the clocking was ticking on the RDA and they may not always have it as a tool. He noted that approving an extension takes time and needs representation to process. Mr. Buki remarked that the first check was to see if there was consensus on extending the RDA.

Council Member Kernan thought the RDA should be extended with certain conditions. They should understand the end cost and what the community would get. He suggested that they move forward and obtain more information throughout the process to extend the RDA. Mayor Williams explained that there are eight votes in the RDA. Some entities are hurt from a tax standpoint, and the City would need their support in order to make it work. Mayor Williams thought they would need to prove the greater good to the people in the RDA that would be giving up increment. It will critical for those people to understand when the Resort is coming on line so they know they would be picking up assets to offset what they give up in the increment.

Mayor Williams stated that all he has heard over the past few years is “plan transportation first”. As they move forward, transportation and circulation is the first to consider before anything else.

Mr. Buki clarified that there was consensus among the group to work on extending the RDA. He remarked that this was aggressive redevelopment posturing and asked if the group was comfortable with that. Council Member Simpson pointed out that it was planning, not reacting.

Council Member Kernan remarked that this was an exciting time for Park City, as evidenced through the process of the joint meetings and the work being done by the HPCA in the Historic District. Considering the Plans being discussed for Bonanza Park, the Resort, and improvements for seniors, the town could be amazing 20 years from now.

Council Member Peek thought the transit center was one of the strongest assets they would gain. He believed that placement of the transit center would be the economic engine for this redevelopment area. If it is placed in an area where the Resort has more control, the mountain infrastructure could be brought to it and the bus system would become the most convenient way to get to the Resort.

Mr. Buki summarized that the transit center is a pivotal economic engine and the next discussion should be where it is most pivotal.

Mr. Buki recalled from the Bonanza Park meetings that the conversations were easy and hard at different times. The more in-depth the discussion, the harder it got. Mr. Buki noted that Bonanza Park was in early concept stage, and they had a process to advance it beyond conceptual. He asked if there was anything similar that could be used to move Lower Park Avenue to the next step.

Commissioner Hontz stated that as she looked at the plan and its evolution, all she saw were the “gets”. In order to make sure they receive those gets, they need to be memorialized through a development agreement or other type of program that takes it from site plan and master plan and puts it into agreement form. She believed the next step should be to consolidate and prioritize the “gets” to make sure it happens.

Mayor Williams thought it was important to know the primary resident base in the rest of the area, separate from the Resort. Knowing the breakdown would give an indication of the number of rental properties, 2nd homeowners, and primary residents. It would also help identify properties that are still in rental pools as opposed to long-term rentals.

Council Member Butwinski believed Commissioner Savage was on the right track by suggesting a low granular proforma of how it would all work. They know how the RDA is set up and there were projections in the Staff report regarding the increments that would be collected and how it would be spent. Council Member Butwinski did not want to build a parking structure and let the rest just happen. He felt it was important to develop a financial model that goes along with a rough phasing plan, so they know what will work before they actually build it.

Mr. Buki proposed that the group appoint one representative from the City Council and one from the Planning Commission to work with Jonathan Weidenhamer and the PCMR team.

Mr. Bakaly suggested that the City Council use the same representative for the RDA that would be appointed as the liaison to the Taxing Entity Committee. Mr. Bakaly remarked that the next major step would be to develop the list of projects that would be funded through the RDA extension. That list would then be given to the Taxing Entity Committee for approval. Mr. Bakaly explained the process for approving RDA projects, and noted that it was a lengthy process. He thought the list could be compiled and prioritized during the City Council Visioning in February.

Mr. Bakaly stated that with the general consensus to extend the RDA, the Staff could

combine their vision for the RDA with the information from the Resort. They could work on the list and address some of the planning issues that were addressed, as well as the connectivity to other parts of town. A report could be given at Visioning and the representatives could be appointed at that time.

Council Member Kernan favored the idea of having a task force with two Staff members and a representative from the City Council and the Planning Commission. Due to the holidays, Mr. Bakaly thought they could get the appropriate direction as part of Visioning in February.

Mayor Williams stated that the last couple of years had been phenomenal working with Mr. Buki through Visioning and through the five joint meetings. He thanked Mr. Buki for his work and the way he helped solidify the discussions and kept them cordial. Mayor Williams was positive that the community outlook would be better due to Mr. Buki's participation. The Work Session was adjourned at 8:30 p.m.

Prepared by Mary May, Secretarial Services





City Council Staff Report

Subject: Letter of Intent between Park City Mountain Resort and Park City Lower Park Avenue Redevelopment Agency (LPA RDA)
Author: Bret Howser
Department: Executive
Date: August 9, 2012
Type of Item: Administrative

Summary Recommendations:

Council should:

1. Authorize the City Manager to enter into a Letter of Intent with Park City Mountain Resort (PCMR) to pursue a construction agreement for a joint transit and parking facility at the resort base; and
2. Direct staff to schedule a RDA meeting on 8/23 to appoint Diane Foster as a replacement to Tom Bakaly on the RDA TEC committee, and confirm City support
3. Confirm City support of the extension of the Lower Park Avenue RDA (the RDA will formally direct TEC committee representatives on 8/23)

Topic/Description:

Letter of Intent between PCMR and Park City Redevelopment Agency (RDA) regarding the construction of a transit and parking facility at the resort base.

Background:

On December 8, 2011 the City Council and Planning Commission hosted the 5th of 5 joint meetings on the City's posture on redevelopment. This meeting specifically addressed the Lower Park Avenue RDA and even more specifically the question of extending the LPA RDA and partnership opportunities with PCMR to redevelop their parking lots.

At the meeting the City Council with Planning Commission input:

- Affirmed the City's posture on redevelopment as one of partnership and collaboration where necessary to achieve broader neighborhood goals and community vision;
- More specifically, the Council and Commission complete a survey that stated the area lacked identity, was uninviting, under-utilized and outdated. Furthermore they stated they wanted the resort presence to be the primary activity that enabled the open space to be interactive and create family friendly atmosphere and diverse opportunities; and lastly they confirmed use of RDA tax increment to effectuate their "gets" or goals stated later in this report;
- Directed staff to begin the process of extending the LPA RDA and agreed to appoint a Council Liaison (Dick Peek) as the Tax Entity Committee Member along with Tom Bakaly;

- Directed staff to begin negotiating possible terms with PCMR to identify deal points for redevelopment of a parking garage and transit center – specifically more detail on the financial, pro-forma level analysis and the conceptual scope of the project transit/parking project.

The full 12.8.11 staff report is available at:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8521>

The full 12.8.11 meeting minutes are available at:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8629>

To summarize the discussion at the meeting on 12/8/11, there was broad support for moving forward with the extension of the RDA and partnering with PCMR on a project. The public benefits of the project included:

- 1) Improved Transportation – improving connectivity, easing load in and load out and providing better access to the resort base;
- 2) Integrated Transit – more efficient bus service to the resort base would spur increased usage and make the overall system more effective and efficient;
- 3) Housing – affordable/attainable/workforce housing could be tied into the project, creating a neighborhood identity and transitioning the resort base in to the community, similar to the BOPA plan as well as provide MPD required housing on-site;
- 4) Events – partnership in the construction of parking can lead to partnership of parking operations for shared resort/community events, as well as sharing of revenue from parking to offset debt. Overall, partnership on the project is expected to greatly enhance the quality of the experience for locals, visitors, and residents alike;
- 5) Woodward Academy – provide programming atypical from traditional hotel, mixed use re-development that prioritizes recreation experience, family, and year-round recreation options that would help differentiate us from other resorts;
- 6) Timing/Phasing – financial contribution will allow us to effectuate the timing and receipt of our gets and influence the longer term phasing of the residential UE's, balancing incremental tax revenue with not growing just for growth's sake.

The group closed the meeting in agreement of appointing a member of each body to work with staff in a liaison role. Richard Peek is the City Council liaison and the Planning Commission will appoint a member at their next meeting.

Analysis:

Pursuant to Council direction, staff has negotiated a Letter of Intent (LOI) with Park City Mountain Resort (PCMR) which outlines the potential terms under which the Lower Park Avenue Redevelopment Agency (LPA RDA) would participate in the building of a

parking structure and integrated transit hub. The RDA would participate in the project for the purpose of securing public benefits identified above.

The attached Letter of Intent (LOI) outlines the general approach the two parties would take when structuring an agreement. PCMR has already signed the LOI in its current form. Staff recommends that Council direct the City Manager to enter into the LOI, at which point staff will begin negotiating terms of a final agreement between the two parties for the construction of a transit and parking facility at the resort base. Staff anticipates that this agreement would be finalized before the conclusion of the 2012 calendar year.

Major points of interest in the LOI include:

- 1) Event Parking – Park City would have access to the parking structure for up to 35 days annually for event use.
- 2) Affordable Housing – 20% of the existing affordable housing obligation (currently slated to be built at the Munchkin location) will instead be located at the resort base. The current obligation is about 40 units, so 20% is 8 units. It will be completed in the first phase of the project, either concurrent with the parking structure or at least by the time they build anything else at the resort base.
- 3) Timing/Phasing – The parking structure, transit hub, circulation improvements, etc., will all be completed in the first phase. In the event that the construction cannot be completed in one season, it will be completed during the construction season that immediately follows.
- 4) Woodward Facility – In many ways staff believes POWDR has identified the future of the sport and is making an investment in their future client. From an “attraction” standpoint as well as direct tax revenue standpoint, staff believes development of a Woodward Park City can be a huge branding boon and further establish Park City as a World Class Destination.
- 5) Parking Revenues – The LOI stipulates that PCMC will receive 10% of net operating revenue (meaning parking fees remaining after operations and maintenance costs).

The LOI anticipates the following funding sources for the project:

- 1) Private Development Financing: PCMR would secure much of the funding through whichever private mechanism they choose.
- 2) RDA Contribution: The RDA would contribute 20-25% of project costs (but no more than \$10 M). The money would come from a Tax Increment Revenue Bond, and the debt service on the bond would be paid for with property tax increment generated in the RDA.
- 3) FTA Grant Funding: The Transit Department has already begun the lengthy process of securing funding for the project through the FTA’s 5311 grant program. This funding is not a certainty, but the City has had a fair degree of

success getting this funding for similar projects in the past. If this funding is granted, we should expect it to cover 80% of the transit related project costs.

Staff believes that the LPA RDA, if extended by the Tax Entity Committee, can comfortably afford debt payments on a \$10 M bond. The tables below bear this out.

Historic Data

Fiscal Year	Increment	Mitigation Payment	Net Increment
2002	1,637,500	421,826	1,215,674
2003	1,884,461	689,957	1,194,504
2004	2,109,202	683,865	1,425,337
2005	2,173,064	683,346	1,489,718
2006	2,227,898	703,128	1,524,770
2007	2,476,412	864,444	1,611,968
2008	2,628,305	819,748	1,808,557
2009	2,764,425	891,285	1,873,140
2010	2,740,075	805,225	1,934,850
2011	2,577,315	713,739	1,863,576

Projected Increment

Fiscal Year	Low Projection	Medium Projection	High Projection
2012	2,027,430	2,070,752	2,114,074
2013	2,070,752	2,157,396	2,244,040
2014	2,114,074	2,244,040	2,374,006
2015	2,157,396	2,330,684	2,503,972
2016	2,200,718	2,417,328	2,633,938
2017	2,244,040	2,503,972	2,763,904
2018	2,287,362	2,590,616	2,893,870
2019	2,330,684	2,677,260	3,023,836
2020	2,374,006	2,763,904	3,153,802
2021	2,417,328	2,850,548	3,283,769

Debt Service

Assume 4% Rate

Amount	15-Yr Term	20-Yr Term
\$10 M	899,000	736,000
\$15 M	1,349,000	1,104,000
\$20 M	1,799,000	1,472,000
\$30 M	2,698,000	2,207,000

Next Steps

If this LOI is approved by Council, staff will move forward with the process of extending the LPA RDA. The Taxing Entity Committee (TEC), previously created by RDA Resolution, will be given notification of a meeting in September. These entities will have 30 days to designate representatives. Once the TEC meets, they will have the opportunity to extend the expiration date of the LPA RDA to 2030.

Department Review:

Sustainability, Executive, Legal

Alternatives:

A. Approve:

Direct the City Manager to enter into the LOI with PCMR. This is Staff's recommended action.

B. Deny:

Council may deny the request. The terms of the LOI will have to be renegotiated any may affect the timeline.

C. Modify:

Council may modify the request. This will have the same impact as denying the request.

D. Continue the Item:

Council may request additional information which may affect the timeline.

E. Do Nothing:

This will effectively put a hold on negotiations and will impact the project timeline.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination	Preserving & Enhancing the Natural Environment	An Inclusive Community of Diverse Economic & Cultural Opportunities	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Positively Impact?	- Accessible, world-class recreational facilities - Varied & extensive event offerings - Accessibility during peak season times - Well utilized regional public transit - Multi-Seasonal destination for recreational opportunities	- Reduced municipal, business and community carbon footprints	- Residents live and work locally - Vibrant arts and culture offerings - Diverse population (racially, socially, economically, geographically, etc.)	N/A
Which Desired Outcomes might the Recommended Action Negatively Impact?	- Balance between tourism and local quality of life	- Reduced municipal, business and community carbon footprints		N/A
Assessment of Overall Impact on Council Priority	Very Positive	Neutral (Growth will certainly adversely impact carbon output, but this should be mitigated somewhat by improved transit and on-site housing)	Positive	Neutral

Additional Comments: While it is likely that redevelopment and growth will result from the ultimate construction of a transit and parking structure at the resort base, the growth will be consistent with the general plan without significantly impacting view corridors. Issues related to growth, such as increased traffic, need for affordable housing, etc., are mitigated by improved circulation, transit, and on-site affordable units. Staff believes that this project strikes a healthy balance between the four Council Priorities and significantly contributes to Keeping Park City “Park City.”

Consequences of not taking the recommended action:

Staff would have to renegotiate terms with PCMR or abandon the project. In either case, this would have a serious impact on the current Council direction to extend the RDA. The City would also potentially forfeit an opportunity to collaboratively participate as a partner and influence the outcome of redevelopment at the resort base and therefore be inconsistent with previous direction

Recommendation:

Council should:

1. Authorize the City Manager to enter into a Letter of Intent with Park City Mountain Resort (PCMR) to pursue a construction agreement for a joint transit and parking facility at the resort base; and
2. Direct staff to schedule a RDA meeting on 8/23 to appoint Diane Foster as a replacement to Tom Bakaly on the RDA TEC committee, and confirm City support
3. Confirm City support of the extension of the Lower Park Avenue RDA (the RDA will formally direct TEC committee representatives on 8/23)

Exhibits

A - Proposed LOI

Letter of Intent between Park City Redevelopment Authority (“RDA”) and Park City Mountain Resort (PCMR)

This Letter of Intent is made and entered into this 9th day of August, 2012, by and between Greater Park City Company, a Utah corporation, dba, Park City Mountain Resort (PCMR) and Park City Redevelopment Authority (RDA) (jointly referred to herein as the Parties).

Purpose: This Letter of Intent shall clarify the understanding between the Parties with regard to the parking structure and transit center project conceptualized in Exhibit A (the Project), which is intended to be a joint project between the Parties and of a public as well as private benefit. This Letter is precursor to a definitive Agreement between the Parties stipulating the details of the Joint Project. The Letter outlines general guidelines under which the Parties will work together to arrive at an eventual Agreement.

Whereas, Park City Municipal Corporation and PCMR have an ongoing shared interest in hosting world class special events and mountain recreation based tourism;

Whereas, it is in the best interest of both Parties that these activities be welcomed in a manner that maximizes positive exposure for Park City as a world class destination, maximizes the capture of visitor expenditures within the greater Park City area, and minimizes the impacts to permanent residents;

Whereas, the ability to efficiently direct vehicle trips to logical nodes and to maximize transit ridership while minimizing impacts from congestion, traffic incidents, and reduced air quality is an integral part of operating a successful destination resort community;

Whereas, maintaining infrastructure, amenities, and a development pattern that is competitive in the regional, national, and international marketplace for destination visitors is important to both the economic health of the Parties and the quality of life that can be provided for Park City and Summit County residents;

Whereas, maintaining the health of our destination tourism based economy will result in long term revenue growth in the form of property tax, retail sales tax, TRT & RAP tax, and related spending that supports the overall Summit County business community;

Therefore, the Parties agree to explore the joint planning, financing, and development of a parking and transportation facility intended to further the public and private realization of the aforementioned goals and priorities.

1. Scope

- a. The Parties will work jointly to establish scope for each of the following aspects of the Project:
 - i. Parking –

1. Event Parking – Park City Municipal Corporation will have access or long term lease rights to the parking structure for up to 35 days of each year for purposes of event parking. The Final Agreement will outline the detailed plan. Scheduling, events, specific days and number of parking spots will be reviewed and agreed upon annually by both parties.
 - ii. Transit Hub Size & Location– The Parties intend to establish strategies to improve user friendliness, increase ridership, minimize waiting times and delays, explore smart messaging in conjunction with improved circulation patterns and stop / hub location(s), improve ability to serve events, achieve trip reductions and increase shared vehicle trips for recreation, tourism, event, and employee visits.
 - iii. Housing – The Parties agree that 20% of existing housing obligations required in the approved PCMR MPD (ie: 8 units) will be located at the resort base. The Parties intend to examine the best location and size for these units consistent with the current MPD and in light of efficiency issues, economic feasibility, and the needs of the intended occupants/residents/buyers. The Parties will also examine properties held by both Parties and whether these create opportunity for partnership between the Parties to jointly or separately develop and/or operate housing of the appropriate type at a preferred location.
2. Timing/Phasing of the Project
 - a. The parking structure, transit hub, circulation improvements, and smart messaging will be completed as part of the first phase, to the degree these can be completed within a single construction season.
 - b. The housing obligations to be located at the resort base (outlined above in section 1, iii) will be completed concurrent with the first completed phase of the parking / transit structure or prior to receiving a Certificate of Occupancy of the first project approved under the MPD that is not parking or infrastructure related, whichever occurs later.
3. Financial Participation
 - a. Both Parties will share a portion of the financial responsibility for the Project.
 - b. The RDA will evaluate possible terms of contributing 20%-25% of the estimated costs of the Project, with a projected cap of \$10 million, from proceeds of RDA Tax Increment Revenue Bonds. This contribution is to be made for the purpose of securing the overall viability of the Project and for securing public benefits, including but not limited to: housing, mitigating traffic and circulation impacts, neighborhood place making, improved integration with transit, and coordination/management authority for use during community events. A portion of these community benefits will occur concurrent with the first phase of the parking project.
 - i. The RDA contribution will occur proportionally with the phasing of the Project and will be triggered by the issuance of a building permit. At no point during the phasing of the Project will the cumulative RDA contribution to date exceed 25% of the total Project cost to date.

- c. All efforts will be made to secure Federal grant funding for the transit portion of the Project. Any federal funding secured for the project will reduce the Parties' respective contributions proportionately.
 - d. The Parties will explore alternative financing options (i.e.: RDA Increment Bonds, conduit bonds, mezzanine financing, etc.) allowable by state code to defray financing costs where possible. Any financing secured by or through the RDA which is to be repaid by PCMR or Project revenues will be in addition to the contribution identified in section 3(b) rather than in lieu of that contribution.
- 4. Project Management
 - a. The Parties will finalize a project management plan in full compliance with federal, state and local procurement requirements. The parties have a goal of giving as much of the project management activity as possible to PCMR.
- 5. Ownership, Operations & Maintenance
 - a. The Parties will agree to an ownership structure that will result in satisfactory operations, maintenance, and capital replacement to each of the Parties.
 - b. The Parties will jointly agree to a minimum quality of ongoing service and maintenance for the structure prior to construction.
 - c. In the event that the Project is partially funded by FTA grants, the Parties will consider an appropriate structure of ownership such that the value of the land can be used as a grant match. The Parties may explore condominiumizing the parcel, entering a long-term lease, etc., as potential alternatives.
 - i. If land value is used as a grant match, the land will be donated and not sold to the RDA for additional cash consideration above and beyond the RDA contribution specified in 3(b).
- 6. Operating Revenues
 - a. Operating revenues will be used to pay for operating and maintenance expenses directly related to the parking structure (not to include debt service).
 - b. Any remaining net revenue will be distributed 90% to PCMR and 10% to the RDA.
 - c. Policies for the collection of revenue will be set by PCMR after consultation with City Staff.
- 7. Extension of the RDA
 - a. In the event that the Lower Park Avenue is not extended by vote of the Taxing Entity Committee and the RDA Board prior to expiration, any obligations of the Parties shall automatically terminate and be of no further force and effect.
- 8. Non-binding
 - a. This letter is a statement of intent only, and is not a binding obligation of either of the Parties. Such obligations may only be contained in a binding Definitive Agreement executed by the Parties.

Acknowledgment:

**Tom Bakaly
Authorized Representative
Park City Redevelopment Authority**

Acknowledgment:

**Jenni Smith
President and General Manager
Greater Park City Company,
A Utah corporation,
Dba Park City Mountain Resort**

Acknowledgment:

**John D. Cumming
Chairman and Chief Executive Office
Powdr Corp.,
A Delaware corporation**

Acknowledgment:

**John D. Cumming
Chairman and Chief Executive Office
Powdr Development Company,
A Utah corporation**

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
NOVEMBER 20, 2013**

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

Due to conflicts, Commissioners Strachan was recused from the work session.

WORK SESSION ITEMS

Park City Mountain Resort – Master Planned Development

Planner Francisco Astorga reported that in 1997 and 1998 the City approved a Master Planned Development at the base of the Park City Mountain Resort. In the last 16 years the plans for development have changed and PCMR filed an application to modify the existing MPD. Planner Astorga stated that in the 1990's the Planning Commission approved a large scale MPD that would subsequently follow up with a conditional use permit for each specific area.

Planner Astorga noted that the applicant was prepared to give a detailed presentation. He recommended that the Planning Commission hear the entire presentation and allow time for dialogue. The purpose of the work session is to have an open discussion with the applicant before moving forward to the next step.

Planner Astorga stated that the intent this evening was to introduce the Woodward Concept and to discuss the possibility of transferring density from one parcel to another, but contained within the subject area. Planner Astorga clarified that they were not talking about transferring density from another part of town. He noted that the MPD had a provision stating that all of the density allocated per the table was to remain on each parcel.

Chair Worel informed the applicant that the Planning Commission would have four different members when this item comes back to the Planning Commission, and those members may have different opinions from what they hear this evening.

Michael Barille, with Plan Works Design, stated that he has been working with Tim Brenwald and Jenni Smith with PCMR for a number of years looking at the future of the Park City Mountain Resort Base Area. He introduced Jenni Smith, the President and General Manager of PCMR and Tim Brenwald with Powdr Corporation.

Mr. Barille stated that PCMR had a vision from 1997 and 1999 working through the MPD process and they were approached by outside developers who wanted to develop under that development agreement. Mr. Barille remarked that there have been issues and challenges involved with all of those concepts, and the Resort wanted to relook at it from the perspective of the locals and find something that fits with the community and better fits the operation of the Resort. Mr. Barille stated that this was the viewpoint when he was asked to get involved with the master planning process. He noted that having worked in the business for 13 years in the Park City area and seven or eight years before he moved to Utah, he was very excited to bring this project forward into the process.

He expected to encounter challenges, but he believed it would be good for the Resort and for the community.

Jenni Smith introduced Tom Pettigrew, Director of Skier Services; Jody Church, the Chief Operating Officer of Woodward Camps, which is a company owned by Powdr Corp. She noted that Ms. Church was with Powdr Corp. for 25 years in Tahoe where they opened a Mountain Center in June 2012. Ms. Church has been the COO of Woodward Camps for nearly a year. She and her family relocated to Park City in January 2013.

Ms. Smith stated that PCMR was excited about this project and they were anxious to start the process. Mr. Barille also introduced Sid Ostergaard, the Land Planner for Plan Works Design.

Mr. Barille explained that the Resort would be bringing forward a conditional use permit for the Woodward Mountain Center they were proposing to build in Park City. He noted that corresponding amendments to the Development Agreement would be necessary to allow the density that was already approved within the master plan to be consolidated on to the site where they intend to build the project. They have been working through the issues with Staff and he looked forward to having that discussion with the Planning Commission. Mr. Barille stated that there would also be follow-up amendments that would relate more to the broader master plan for all of the base area and the developable area in the parking lots, and how the Woodward site plan fits within the broader site plan for the entire base area.

Mr. Barille commented on the goals for this project. They believe it has great potential for the Mountain Resort and for the growth of snow sports in General, as well as helping to elevate Park City and PCMR within the snow sports and sports enthusiasts to understand the new offerings that would be coming forward in the future to this area.

Mr. Barille reviewed a time line. The plan is to complete the permitting process during the winter and be ready to start construction of the Woodward facility in the Spring, with a projected completion date of 2015. Mr. Barille stated that the goal with the Planning Commission was to proceed as efficiently as possible and as quickly as possible. He summarized a list of issues that he believed the Planning Commission would eventually want to have more details. He expected the Staff and the Planning Commission would add to the list. Mr. Barille also expected to address neighborhood concerns. He noted that he and Ms. Smith had started meeting with some of the HOAs and neighboring property owners to introduce this project and listen to their concerns and questions. They would continue to do that over the coming weeks. They also intend to host open houses at the Resort during the holiday period to allow people to review the plans in details and ask questions. Mr. Barille anticipated that issues would be raised during the open houses and they would report back to the Planning Commission on how they intend to address those issues.

Mr. Barille explained the function of Woodward. It is a year-round action sports and training facility with a summer camp component for youth. In addition to sports, there would also be a media and arts component. Mr. Barille presented slides of the Woodward Mountain Center Training Facility in Tahoe and noted that it was similar to the one they intend to build in Park City. He presented a series of slides showing how the Training Facility functions.

Mr. Barille showed a video on Woodward and how they teach the skills of their program.

Mr. Barille presented a rendering of the actual design of the building they were proposing to build at PCMR. He stated that they had worked through a number of internal programming issues to achieve a design that works well for the various components of the building. Mr. Barille remarked that the intent was to draw on the mining history and use a lot of the mountain materials, metal, steel and glass, but in a more contemporary way. He believed that would set the tone for what they wanted for the rest of the base village. It reflects the past without being a replica.

Mr. Barille reviewed the front and back elevations of the building, as well as the proposed forms and materials and design features. Mr. Barille presented a series of slides that were taken directly from PCMR's portion of the presentation at the Joint Session. He counted some of that discussion and noted that there was a long history of partnership between Park City Mountain Resort and Town on a number of issues ranging from parking and events to a connection to the Main Street that was created with the Town Lift and the transit stop in that location, to a combined economic synergy and development. The Resort would like to build on the successes as the re-development of the base area occurs. Mr. Barille believed that both Woodward and the site plan design for the base area helps to strengthen those elements. Mr. Barille outlined the challenges that were identified during the Joint Session.

Mr. Barille reviewed a context slide showing the subject area and the parking lots. Another slide showed the context of the area covered by the MPD and recognizes that it is surrounded by the RDA. That was a reason why at that time, and as they move forward, they continue to talk about partnerships with the City. Mr. Barille presented a summary slide of some of the statistics from the MPD as it currently sits with the current parking counts.

Mr. Barille pointed out that the overall site planning anticipates as much as a 15% reduction in the overall density from what was currently approved. They have talked about the potential that approximately 30,000 to 90,000 square feet of various types of resort support and commercial use might be developed on the site, rather than the 97,400 plus 85,000 that was approved in the agreement. He noted that the number could be increased slightly because some of the facilities within the Woodward project have been combined. It would depend on how, as a group, they decide to count the Resort accessory use.

Mr. Barille stated that as they move forward with redevelopment of the base, the goal is to look at ways to improve the efficiency of transit and improve the use of shuttles and alternate modes of transportation. They were cautious about not overbuilding the parking because that would encourage everyone visiting the resort to rent a car and add to traffic congestion. Mr. Barille looked forward to having that discussion with the Planning Commission at upcoming meetings.

Mr. Barille outlined a number of additional goals they hope to accomplish with the proposed plan. He noted that they had participated in the consultant's review of the traffic patterns at the Resort. Gordon Shaw has done a lot of transit planning for the City and the City hired Mr. Shaw to look at the PCMR property. The Resort team participated in terms of providing background numbers and information, as well as their own thoughts about how it would work the best operationally.

Mr. Barille emphasized that the intent is to give the local residents and children an opportunity that

they do not have now. He stated that they try to dual purpose everything possible within the design of this facility. When they run a summer camp they need dormitories where kids can stay. In trying to find a use for that space the rest of the year, they determined that it would be an ideal opportunity to provide seasonal employee housing on-site.

Mr. Barille presented the most current conceptual site plan and noted that the only change since the Joint Session was that the site identified for a hotel was the site they chose for Woodward. Mr. Barille stated that some of the goals that came out of the Joint Session from a survey of both Planning Commission and City Council, was to have more interactive open spaces; to be more diverse and family-friendly; to have more of a sense of arrival and identity; better signage and direction elements; and to be more inviting. He thought that was consistent with Powdr Corp. and PCMR's goals. They view themselves as the family resort of the three resorts in Town, and they want to continue that perspective as the area redevelops. Mr. Barille reviewed a number of slides showing how they intend to meet that goal with the proposed site plan.

Mr. Barille reviewed the definition of Resort Accessory Use from the Development Agreement and he felt strongly that the Woodward project falls within that category of use. The reason for choosing this site for Woodward was its proximity to the snow and its involvement in the snow sports arena. It also does a lot of what resort accessory use was intended to do. He presented the site plan for the Woodward building itself, well as an existing aerial showing how the Woodward building fits in with the existing properties. He noted that the center rectangular portion would be sunk into the ground to reduce the visibility and visual impacts.

Mr. Barille expected to go into a lot more detail with the Planning Commission regarding the density provisions within the agreement and how the density categories would be allocated to this project. He referred to Parcel C, which is proposed for the Woodward facility, and reviewed the current entitlement in terms of height, density and use categories, and the proposed use at the time of the agreement. He then showed what it would be under the current proposal.

Jenni Smith felt this project would raise the bar on recreation opportunities in Park City for youth and adults. It is primarily for youth and a year-round opportunity. The building would be a four-season facility that would continue to bring people into the community. Ms. Smith believed it would grow their core business. The demographics of the ski industry is changing and the millennial generation is the largest in US history; 95 million born between 1978 and the early 2000. The baby boomers is the next largest group at 78 million. A large number of people are coming into the sport and they are looking for an authentic experience. Ms. Smith stated that Woodward is outstanding with the progression of learning and draw people into the community who may not have come otherwise. She remarked that it was difficult to understand the camp experience unless you actually see it, and it would be a great benefit to the community.

Commissioner Thomas stated that this was not difficult for him to comprehend because he has personally seen the reality of it. He was optimistic about its success at PCMR. Commissioner Thomas commented on a similar facility at Whistler and the strength of their pedestrian core and the amount of business it brings as it disperses throughout the rest of the community.

Commissioner Thomas assumed that there was a pedestrian connection through the building

stepping up to the existing drop off. Mr. Barille stated that pedestrian connection was one of the things they thought about as they went through the conceptual design on that building to make it as intuitive as possible. In terms of architecture, Commissioner Thomas believed this was a legitimate representation of the evolution of its moment in time, and it also has a reflection of the mining era. He like the design but he was unsure whether it would fit within the current Code with regard to façade lengths and other issues.

Planner Astorga stated that those issues would be reviewed as part of the conditional use permit. He noted that the original MPD had 492 unit equivalents. PCMR has said that they do not want to build more and they were looking at possibly building less. However, it would require a transfer of density from one parcel to another. He asked if the Commissioners would support the transfer of density, because that would be the first step to amend the current MPD.

Commissioner Wintzer asked Mr. Barille to identify the areas where they were proposing to move around the density. Mr. Barille stated that in the Resort support category there was approximately 18,000 square feet assigned to Parcel C and they want to build 80 square feet. The question is whether to do that by taking some of the resort support commercial from Parcels D, E and B and moving it there, or whether they would honor some of the definition that says they should not count UEs against that category as long as it supports the Resort function, or whether they would look at using some of the residential density. Mr. Barille believed that it would probably be a combination. Commissioner Wintzer commented on the entry experience. If they shift the density in a way that keeps the mountains visible and creates a feel of entry, they should support it.

Commissioner Thomas thought it would be beneficial if the Planning Commission could see a sequence of images showing what the perspective would be outside of it, coming to it and being in it. Mr. Barille noted that they had already started 3-D sketch up modeling and some U of U studies. He also anticipated physical modeling. Mr. Barille stated that he had created imagery that shows what they believe are well-designed pedestrian streets on the view corridors versus ones that do not work as well.

Commissioner Wintzer remarked that traffic would be the major problem. He wanted to see the pedestrian connections and the traffic circulation patterns, particularly where and how traffic would merge on to Park Avenue and Highway 224. Commissioner Wintzer thought it was time to start working on employee parking and using park and rides.

Chair Worel asked about the number of people the dorm would house. Mr. Barille stated that their charge was between 200 to 250 kids and counselors combined. Ms. Smith pointed out that using the dorms for employee housing would be different than using it as camp dorms. Chair Worel liked the fact that the dorm would be used for employee housing.

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

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Brooke Hontz, Stewart Gross, Mick Savage, Adam Strachan, Charlie Wintzer

EX OFFICIO:

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

ROLL CALL

Chair Worel called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Thomas who was excused and Commissioner Savage who arrived later.

General Plan – Discussion and Public Hearing

Director Eddington thanked the stakeholder committee who worked diligently on the General Plan. He named the committee members and recognized their time commitment over the past year.

Director Eddington started the General Plan discussion this evening with some of the questions submitted to the Staff and other issues the Commissioners wanted to address.

Natural Setting

Director Eddington referred to page 3 under Natural Setting and a previous request to add language at the top of the page. The Staff had made corrections, fixed typos, and added language a few weeks earlier. He believed that issue had already been addressed. Director Eddington referred to page 5 of Natural Setting and a request to add item 4(e), develop small neighborhood open spaces and parks. The language was added and it was shown in blue on the draft.

Directed Eddington commented on a request to protect significant vegetation and noted that vegetation was addressed in four different strategies; 4.1, 4.6, 4.13 and 4.16. He asked if the Commissioners wanted a separate strategy to protect significant vegetation or if it was sufficient in how it was currently incorporated in terms of private lands, open space lands, walkability lands, and trail lands. Commissioners Wintzer stated that Old Town and other areas in the LMC talk about significant vegetation and he thought it should be addressed separately in the General Plan. Director Eddington clarified that Commissioner Wintzer wanted to add an independent Strategy 4.22 that recommends protecting significant vegetation.

Commissioner Hontz stated that in the comparison of the Old General Plan to the New General Plan, she found language in the current General Plan, “Manage our limited forest with care to preserve and improve the overall health of the mountain vegetation.” She did not believe that

statement was represented in the new General Plan. Director Eddington stated that the language was included as included as a strategy in the new General Plan because the strategy was dissolved and put into an ordinance. He stated that the Landscape Ordinance has a significant vegetation section and they were building the new Forestry Plan off of that particular ordinance.

Commissioner Hontz asked if there was agreement among the Planning Commission that since this was a tenet of the existing General Plan, which is different than an ordinance, that it should be incorporated into the new General Plan. Commissioner Wintzer wanted it incorporated because protecting existing vegetation is something they talk about with every Steep Slope CUP. It is helpful when they have the ability to say that something does not comply with the General Plan or the LMC.

Director Eddington stated that 4.22 would be added as a separate strategy. Commissioner Hontz thought it was two parts. One was to protect significant vegetation and the other was to manage the existing forest and overall health of the mountain vegetation. They could be addressed in the same sentence but both parts needed to be listed. The Commissioners concurred.

Director Eddington referred to page 10 and recalled a previous discussion about removing 5.5. He noted that 5.5 had been updated and a new strategy 6.14 on page 17 was added to address issues regarding heated driveways, etc. Director Eddington stated that Strategy 5.5 was reworded to “adopt requirements for new development to be oriented for passive and/pr renewable energy.” Strategy 6.14 “Consider the option of surcharges or offsets for heat melt driveway systems that do not utilize renewable energy resources.”

Director Eddington referred to Strategy 5.15 on page 11 and noted that per the Commissioners request the Staff had added screened recycling areas for easy pickup. He stated that 5.22 addresses outside energy uses.

Director Eddington stated that the fire break and fire risk maps were included in the original General Plan. However, the task force recommended that they be taken out and the Staff removed them. He explained that the language on page 38 still talks about the importance of fire breaks and the wildlife urban interface and the maps could be added back in if the Commissioners wanted. The Commissioners were comfortable leaving the language and removing the maps.

Commissioner Wintzer referred to page 14 and asked for an explanation of 6D, “Encourage regional planning efforts as a mechanism to mitigate population growth.” Director Eddington stated that at the last City Council meeting a question was raised about whether to encourage regional planning efforts to mitigate population growth. The Staff thought they had covered that issue in the Regional Section Goal 2 of Small Town, but it was not there. Therefore, it was added as Strategy 6D because it was a good crossover to put mitigating population growth in the Natural Setting section.

Commissioner Wintzer wanted to know how addressing something outside of the City boundary would fit within the General Plan. Director Eddington replied that it was talking about collaborating with their neighbors to help Summit County, Wasatch County and Park City all work together to mitigate and shape future population growth.

Director Eddington stated that language was added on page 16, 6.7, "Work with State and regional entities to incorporate gray water systems in large-scale projects."

Director Eddington remarked that a question was raised regarding fire pits and he asked if the Commissioners wanted fire pits addressed. He noted that there were discussions in both Planning Commission meetings and stakeholder meetings about whether it would be a challenge to the resort character for anyone trying to create that ambiance.

Commissioner Wintzer suggested that it be treated the same as a heated driveway. If someone wanted an outside fire pit that dispels natural gas into the air, it should be offset with additional insulation in the house or better windows. Director Eddington asked if the Planning Commission was willing to consider energy offset on a resort or hotel. He assumed it would be included in 6.14 on page 17. He suggested revising 6.14 to read "...heat melt driveway systems and/or outdoor fire pits."

Director Eddington stated that there were questions about the language regarding open space. He referred to the new page 21, which was revamped to incorporate what the Commissioners had questioned, as well as City Council input. Commissioner Wintzer remarked that his question was, if the public cannot see it or use it is it open space, which includes roof top gardens, etc. counting as open space. Director Eddington replied that the Staff was not recommending counting roof tops as open space under Urban Open Space.

Commissioners Gross pointed out that language under Urban Open Space specifically says accessible rooftop gardens. Commissioner Wintzer stated that the issue is whether or not it is open to the public. Director Eddington recalled a previous discussion where the Commissioners were not opposed to counting roof tops if it was accessible to the public. He clarified that green roofs would not count as open space unless they are publicly accessible. Commissioners Wintzer and Gross did not believe the language was clear. Commissioner Wintzer thought they needed definitions for urban open space and private open space. He suggested that the definitions might be better in the LMC rather than the General Plan.

Commissioner Hontz thought the language as written allows someone to consider their rooftop in their application as open space and later tell the Planning Commission that it is not open space. Only open space that is available to the public should be considered open space. For example, a rooftop with a gate at the bottom that limits access is not open space. Commissioner Hontz did not believe the language as written met what the Commissioners asked for in terms of what they would consider applicable open space. Director Eddington agreed that it made sense to add the word "publicly" in front of rooftop gardens.

Planning Manager Sintz recommended that they remove the phrase, "accessible rooftop gardens". Commissioner Gross preferred to eliminate it because it was undefined. Commissioner Wintzer concurred. Director Eddington remarked that the Staff was trying to anticipate what could occur in the future, because currently there was no requirement. Commissioner Wintzer pointed out that Main Street was the only area without a requirement. Everything else is an MPD that requires open space.

Commissioner Hontz did not believe the definitions were sufficient to address open space and how they relate. She encouraged the Staff to look at other communities to further define it better. Commissioner Hontz stated that labeling a Park as passive open space was inaccurate. Director Eddington explained that the Staff was careful to define open space based on how it is used rather than who owns it.

Commissioner Hontz remarked that the Commissioners have not been heard throughout the entire General Plan process and she felt like she was still not being heard this evening. She asked if there was concurrence among the Planning Commission to direct the Staff to relook at the definitions, or whether they would allow the Staff to move forward with the definitions as written.

Commissioner Wintzer was unsure whether the General Plan was the document to have specific legal definitions. He stated that if "accessible rooftops" was removed from the Urban Open Space, he would agree with the concept of the definition because it was vague enough. Commissioner Hontz replied that the definitions did not need to be legal definitions, but she thought they should be the parameters for what an applicant should expect. Commissioner Wintzer suggested adding a statement in the General Plan about treating public and private open space differently; and let the Code define how they should be treated.

Director Eddington stated that the definitions were expanded in an earlier version; however, in meetings with the City Council and others, the Staff was asked to narrow it down. He pointed out that language was added that talks about the need to address public and private designations in an MPD. However, it was difficult to know how that would play out without knowing the specific project. Commissioner Wintzer stated that if they wait to anticipate it during an MPD it would be too late, because the applicant would have already anticipated their side of it. Commissioner Wintzer reiterated that the General Plan was not the document to define it, but he felt strongly that it needed to be defined before an applicant submits an MPD application.

Commissioner Strachan was not bothered by the definitions with the exception of Urban Open Space and the disclaimer at the bottom right in italics. He thought the disclaimer was a problem waiting to happen. Commissioner Strachan believed the rest of the definitions were generally understood within the community and they were reflected in the LMC. He stated that there were no road maps for Urban Open Space and it was better defined in the LMC. Commissioner Strachan suggested adding a general statement in the General Plan to encourage Urban Open Space where appropriate, and let the LMC to define Urban Space. Commissioner Wintzer concurred.

Commissioner Gross suggested that they take a closer look at the COSAC definitions and tie them together. If the City spends citizens money for open space it would be nice if the definitions could flow from one thing to the other. Commissioner Strachan asked if COSAC defines Urban Open Space. Commissioner Gross was unsure. He would like to take another look at the COSAC definitions to see if there were similarities. Commissioner Strachan agreed with looking at the COSAC definitions, but he did not think the General Plan was the appropriate document to define those.

Chair Worel asked if there was consensus among the Commissioners to support Commissioner Strachan's suggestion. The Commissioners concurred. Director Eddington clarified that the

direction was to uncapitalize urban open space and take out the public/private designation, and add one or two sentences to better define it within the LMC.

Commissioner Hontz was comfortable leaving the last sentence, "Does not include roads or parking lots (pervious and impervious)." Commissioner Strachan thought that sentence should also be for the LMC. The Commissioners agreed to remove it from the General Plan. Commissioner Hontz was willing to support the changes suggested by Commissioner Strachan, but she still did not think the definitions were where they needed to be.

Director Eddington stated that at the request of the Planning Commission a specific strategy was added as 6.7 on page 16 to address gray water.

Commissioner Wintzer referred to page 50 and the photo of a canal walk in Indianapolis. He requested that the photo be replaced with one that would be more indicative of what Park City could accomplish. Director Eddington replied that the photo was a good example of how to daylight a stream; not a representation of what they would actually do in Park City. Commissioner Wintzer thought it was important to use photos that capture what Park City wants. Commissioner Strachan thought the streams in Park City were daylighted already. Commissioner Wintzer replied that Poison Creek was the only stream that was daylighted and that was only after the trail leaves Old Town. The Commissioners discussed daylighting and decided to remove the reference from the General Plan.

Director Eddington stated that stream daylighting was added primarily because the Sustainability Department was talking about opportunities to daylight in the area of the Brew Pub lot and/or to recreate something. There was a lot of interest in trying to get back to water. Commissioner Wintzer stated that it was something he would like to see, but he did not think it was practical.

Commissioner Strachan remarked that his approach to the General Plan has been to shorten it wherever possible. He thought this was an opportunity to delete text and eliminate full pages from the document.

Commissioner Savage thought it was an opportunity to make the creek that runs through town something nice to walk along where people could stroll through Old Town on the creek side. Commissioner Wintzer preferred to remove it from the General Plan. Commissioner Hontz agreed with removing the language because it would not prohibit the concept from being approved. Commissioner Strachan noted that the language states, "The City would not restore the original creek bed, but rather introduce a new path for the stream that accommodates the neighborhood needs along Swede Alley." If anything were to occur he thought it should be to restore the creek bed. He was not in favor of encouraging something artificial with the creek that would alter the natural setting.

Historic Character

Director Eddington noted that on page 3, language was added to say, Historic Preservation is the economic driver to Old Town. The language was shown in blue in the first column. On page 4, language was added to the heading Goal 15, "...preserve the integrity, scale, mass and compatibility...". The added language was shown in blue.

Director Eddington stated that there was a question regarding ridge lines. Since it was already addressed in Natural Setting, the Staff added language as a specific strategy in Old Town. The language was shown in blue on page 7 as Strategy 15.9 - "Protect the ridgelines and hillsides from development." Director Eddington noted that the language in Strategy 15.14 on page 7 reflected their discussion to educate the public.

Director Eddington noted that page 6 talked about increasing the role of the HPB and 15.10 talks about augmenting some of what the Historic Preservation Board does with regard to their review including the grant program, a potential revolving loan fund, and inform property owners of state and federal preservation tax credits. Director Eddington stated that the Staff has been working with the HPB to talk about pro-active opportunities.

Director Eddington noted that a strategy was added on page 7 as 15.20, per the request to add, "Partner with the US Post Office to ensure a continued presence on Main Street." Director Eddington referred to page 9 and new language that was added to the end of 16B, "Uses that should be limited include office space, real estate show rooms and parking." The added language was shown in blue. He stated that the LMC is much more explicit, but the language was added to the General Plan for clarification. Commissioner Strachan asked about the origin of the initial language in red. Director Eddington replied that the Staff had drafted language and the City Council asked for clarifying language. The language in red was revised per City Council direction. The language in blue was added at the request of the Planning Commission.

Commissioner Strachan remarked that it was the City Council's prerogative to revise the language, but in his opinion, "uses that engage visitors" meant real estate agents and timeshares. Director Eddington did not believe the City Council would be opposed if the language was further clarified. Commissioner Wintzer suggested that they tie it into vertical zoning instead of trying to address it separately.

Director Eddington noted that language was added to 16.3 on page 10 to address educating business owners. Director Eddington referred to page 15 and noted that the good neighbor program has been utilized throughout the Nation and the Staff thought it would be good in the toolbox to help promote public/private partnerships. On page 18, column one, language was added to the end of the first paragraph stating, "In areas in the HR1, HR-2, and HR-L zones where no lots are platted, new lots shall respect the historic lot patterns of 25' x 75'. Regarding Rossi Hill, Director Eddington referred to language on Page 18 that talked about options for single family detached garages. The language was added as a result of discussions with the Planning Commission and the HPB. Commissioner Wintzer stated that the Planning Commission discussed smaller lots. He pointed out that there were combined lots on Rossi Hill with smaller houses. He was not in favor of encouraging people to break up everything because historically some of the lots were large and used for agricultural purposes. Director Eddington stated that the language focused primarily on HR-1 and HR-2. He assumed they would not want the same thing for the HRL zone.

Director Eddington referred to page 20 and asked if they should show images of houses with flat roofs. Currently, there were no structures with flat roofs but it has been proposed for consideration when the design guidelines are revised in 2014. Director Eddington stated that flat roofs were more

of an HDDR issue relative to the design guidelines and he was unsure if it belonged in the General Plan.

Commissioner Strachan thought flat roofs should be an LMC issue and not addressed in the General Plan.

Commissioner Hontz referred to page 18 and the paragraph that talked about reducing parking requirements for single lots. She recalled that the Commissioners were concerned that it would actually increase the parking issues for the neighborhood and that it would only make sense if the overall footprint and square footage of the house was also reduced. Commissioner Hontz stated that the Planning Commission had mentioned this several times but it was never changed. Director Eddington explained that it would result in less square footage for the house because currently incorporating the garage into the house allows a footprint for three stories. If the garage is detached, there would be an opportunity to put something above it. Commissioner Hontz read the paragraph and noted that the word "detached" was not in the language.

Commissioner Wintzer calculated that setbacks and parking spaces to show how it would increase the size of the house and potentially the use of a car, but the parking requirement would be decreased. Planning Manager Sintz stated that it was a discussion of reducing the parking requirement from two to one, but it was also a discussion on wanting people to commit to reducing the use of their vehicles. Commissioner Wintzer agreed with the concept of encouraging people to reduce the number of vehicles, but he did not believe the language accomplished that goal. He believed that people with two vehicles would park one on the street. Commissioner Wintzer was certain that the language as written would encourage someone to build a larger house and only have one parking space. Commissioner Wintzer stated that the Planning Commission raised this same issue at the last meeting. Commissioner Hontz thought there was consensus that this was a problem.

Commissioner Hontz suggested adding language indicating that the overall footprint and square footage of the unit would need to be reduced in order to get the parking reduction. Otherwise, they should remove the incentive. They should not offer an incentive that pushes the burden on to the rest of the neighborhood.

The Commissioners agreed to delete the first paragraph on page 18 under Incentivizing Development on Single Lots, as well as the next paragraph that was written in red. Commissioner Hontz referred to the photos on pages 21-25 and stated that the comments she had made in March were not incorporated. She liked the green and red border around each picture because it was easier to identify acceptable and unacceptable; however, many of the photos were not helpful because it was difficult to see what it was showing. Commissioner Hontz suggested that 30% of the photos should be replaced. If they want to tell a story through photos, the story should be easy to understand.

Director Eddington remarked that the photos were new, but they could do more circling to make it more explicit. Commissioner Hontz stated that the pictures were the same ones she had in March. Commissioner Wintzer thought they could find better examples for some of the photos.

Director Eddington noted that there was a question on page 30 regarding the design guidelines, historic preservation deed restrictions, restrictive covenants, and historic preservation easements. Commissioner Wintzer stated that he thought language should be added to work on enforcement. Director Eddington asked if he was referring to enforcement of what was approved at the Building Department. Commissioner Strachan thought it should be that and general enforcement of the Code.

Director Eddington referred to page 31, Park City Preservation Easement. He explained that they were not using Park City easements as much since they implemented the 2009 HDDR. Commissioner Wintzer suggested the idea of a tool to incentivize building smaller structures.

Small Town

Director Eddington noted that a question was raised about whether they were adding density in the first section. He explained that the language had been changed to capture what the Planning Commission and City Council expressed in previous meetings, which was to not add density unless there was a give and get. Director Eddington stated that page 3 addresses TDRs and he asked if that was an appropriate tool for Small Town.

Commissioner Wintzer had raised the question and he thought the Staff had missed his point. He was asking if the language should be in the Small Town section or in Sense of Community. Director Eddington recalled having that discussion early in the process and they said that the Sense of Community section was more about the policy and the Small Town section was more about land use and the regional approach. For that reason, TDRs seemed more appropriate in Small Town. In addition, TDRs allow the opportunity for smaller nodes and smaller neighborhoods, which helps achieve small town.

Commissioner Wintzer agreed with the concept but he was unsure if it belonged in Small Town. Director Eddington stated that after the last meeting the Staff changed the language that talked about opportunities for internal TDRs and to explore the opportunity for jurisdictional TDRs. That was not allowed by the State at this point, but it may be a future opportunity. Either way it would come before the Planning Commission as an ordinance.

Commissioner Wintzer reiterated that he did not believe it belonged in Small Town. Commissioner Hontz stated that if it was TDRs that involved any type of regional discussion, then it definitely should not be in Small Town. If it was within the community, she could still see Commissioner Wintzer's point. She could see no harm in moving it to Sense of Community.

Commissioner Wintzer stated that in reading through Visioning the idea was to keep Park City small and to keep Park City Park City. He could think of three or four places within the City limits where TDRs could be used now. However, regional TDRs could possibly mean moving density into town. Director Eddington noted that Goal 1 on page 6 talks about protecting undeveloped land, discouraging sprawl, etc., and TDRs is a potential tool to help accomplish that. The Small Town section primarily dealt with land use, which is why they put TDRs under Small Town.

Commissioner Wintzer referred to the picture on page 8. It showed bringing the Osguthorpe Farm into the City and he thought it was a terrible example of TDRs in a small town. Director Eddington clarified that the photo was showing how to protect the farm. Commissioner Wintzer pointed out that the Osguthorpe Farm was outside of the City limits and the City did not have property like it within the City limits. Director Eddington agreed that there was nothing now, but there could be opportunities in the future through potential annexations where they would want to protect the land.

Commissioner Savage understood that the concept would be to eliminate development of parcels that are currently open, but have development rights by allowing TDRs to create areas of higher density inside the City; for example, concentrated areas of affordable housing. Director Eddington replied that this was correct. Commissioner Savage supported that idea. Commissioner Gross remarked that the idea was not the issue. The question was where to place it within the General Plan. Commissioner Savage thought they would want to stimulate people to think about higher density housing situations that are close to the hub of town.

Director Eddington stated that the challenge is that the goals in Sense of Community talk about work force housing, lifelong housing, diversity of jobs, parks and recreation and world class recreation and the way they live in the community. He thought TDRs were much more limited.

Commissioner Wintzer was not opposed to leaving TDRs in small town, but he still thought the picture on page 8 showed something he would not want to see occur. He disagreed with Commissioner Savage because if they bring all the density into town, they would lose what they have. Director Eddington stated that they were afraid of both density and sprawl and it was a balancing act.

Commissioner Savage remarked that they continually talk about getting families and full-time resident into Old Town. In his opinion, the best way to do that was to focus on more density and more cost-effectiveness so retirees and young families have places where they can afford to live. Commissioner Wintzer pointed out that the language brings density into town but it does not mention anything about being affordable. He could not support it.

Director Eddington stated that when they get into the strategies section, they begin to talk about reasons for utilizing TDRs for affordable housing and open space preservation in terms of a get for the give.

Commissioner Gross asked if Commissioner Wintzer would support removing regional TDRs and just make it City-wide TDRs. Commissioner Wintzer replied that city-wide TDRs was a great tool. Regional TDRs was a way of making their small town bigger. Director Eddington clarified that Commissioner Wintzer was suggesting some type of qualifier that outlines what might be an allowed regional TDR, such as affordable housing. Commissioner Wintzer stated that he would be more comfortable with a qualifier but he would have to see the wording. However, at this point he preferred to eliminate Regional TDRs because it had not been defined. Director Eddington stated that the Staff would add a qualifier for affordable housing. He noted that the General Plan is a living document and it would change over the course of the next year. Anything related to TDRs would come before the Planning Commission and the City Council.

Director Eddington referred to page 7 and the language the Planning Commission had deleted in Objective 1A. He recalled a discussion where the Commissioners thought it should be qualified. He asked if that was enough qualifier. Commissioner Gross asked if "should only be considered" was the qualifier. Director Eddington answered yes. He revised the stricken language to read, "...should only be considered for offsetting the development pressures and creating affordable housing."

Commissioner Hontz stated that it still did not address her point from previous meetings. She believed there was consensus on why they would want density moved around or increased. Her point was that the other jurisdictions did not have the same code and methodology system of accounting for density. Her concern was that people would manufacture density in other jurisdictions that did not actually exist, and they would want to bring it into Park City because the value would be higher. Commissioner Hontz stated that it is a major problem that has never been addressed.

Commissioner Wintzer thought a prime example was what the City thought they had entitled the Sweeney's versus what the Sweeney's thought they were entitled to. Director Eddington noted that Strategy 1.12 on page 11 says that the TDR system shall reflect market rate valuation. Commissioner Hontz stated that it was more than dollars. It was the actual number of units.

The Commissioner discussed appropriate language to address the concern. Commissioner Savage asked why they had to accept County based TDRs at this point. He could not understand why they were spending time contemplating it if they have no control over how the other jurisdictions set their values.

City Attorney, Mark Harrington, referred to page 8 and suggested adding language under A Legal Approach to TDRs, "The City should explore a Regional TDR program with our partners provided that such program is consistent with Park City's core values and visioning statements, and mitigates transportation traffic impacts." Commissioner Wintzer was comfortable with the suggested language.

Commissioner Strachan thought they needed to revise the language on page 10, Strategy 1.1. The language as written says to amend the LMC to allow TDR credits to be used within defined receiving zones for additional development. City Attorney Harrington stated that the language needed to be clarified to indicate that it was language for the current program within the City limits.

Commissioner Hontz referred to page 8 and thought it was important to keep the language, "The Planning Commission is strongly indicated that TDRs should only be granted where there is a tangible 'get' realized." The Commissioners concurred.

Director Eddington summarized that they should add the language City Attorney Harrington had recommended on page 8, revise the second paragraph to address the concerns, and note that Strategy 1.1 is for the existing ordinance within Park City limits.

Director Eddington understood that there was a concern regarding the photos shown on page 11. The intent was to look back at good examples where sprawl was utilized at a minimum. He explained that the photos were used because they did not have a good local example and they do not what the County will do with regard to future development.

Commissioner Wintzer thought Redstone was a good example because the density from Swaner was transferred to Redstone.

Commissioner Wintzer referred to page 10, Strategy 1.2, and asked for clarification on the transition zone. Director Eddington replied that a transition zone is the area within a neighborhood that may have been lower density that moves to higher density. Commissioner Wintzer thought the language was confusing because the only transition zone is HR-2. The Commissioners changed the language to transition areas.

Commissioner Wintzer asked for clarification of 1.5 on page 10 regarding revising the minimum lot size within primary residential neighborhoods. Director Eddington stated that it was looking at options in the future for cluster zoning and smaller step down housing zoning. It stems from the original intent to keep the properties in Old Town smaller. Commissioner Wintzer remarked that the smaller they make the lot the bigger the ratio between lot and house. Nothing is gained except big houses on smaller lots. Director Eddington explained that part of this would include re-examining setbacks, etc.

Commissioner Hontz did not believe they could make the minimum lot size any smaller in Old Town. Director Eddington agreed; and clarified that the idea stemmed from the typical Old Town lot size.

Director Eddington referred to page 14 which addressed the Local Government Commission. He stated that the LGC was started in Yosemite National Park by a group that came up with a series of principles regarding land use planning. He thought many of the principles tied in with Park City's core values. Director Eddington remarked that the LGC is something that planners look to in terms of guiding ideologies.

Commissioner Wintzer stated that he raised the issue not because it was good or bad, but because they had not had enough conversation about it. Commissioner Hontz requested that they eliminate the entire page. Commissioner Strachan did not believe much of it was applicable. Commissioner Wintzer concurred. The Commissioners supported the suggestion to eliminate the entire page.

Director Eddington noted that page 14 was included to reference the parameters of the Wasatch Back, which includes Park City. Commissioner Wintzer questioned why they were talking about areas outside of their jurisdiction, as referenced on page 15. Director Eddington stated that the idea was to show some of the challenges relative to their small town.

Chair Worel noted that page 35 included Morgan County. Director Eddington stated that page 35 showed the impact of some of the regional open space land and opportunities for overall connectivity. Some did go into Morgan County in terms of the Uintah Wasatch National Forest.

Commissioner Wintzer referred to page 19 and noted that the Huntsman property showed up as a receiving zone but it was never discussed. He pointed out that it would be sending density to the top of the mountain when they were trying to keep it down in the valley. Director Eddington explained that it was only talking about opportunities in looking at potential resort areas for consideration. He

noted that there have been discussions about a gondola and additional transportation modes to reach that area. Commissioner Wintzer was comfortable talking about it but he was not comfortable adding a picture in the General Plan before it was discussed. Commissioner Wintzer stated that his reading of the language was that the Huntsman property could be a receiving zone. Director Eddington noted that it talked about PCMR and Deer Valley as well. Commissioner Wintzer stated that they have talked about PCMR and Deer Valley, but they never had a discussion about Huntsman. Commissioner Hontz explained why she thought it was a misrepresentation compared to the other bubbles on page 19.

Commissioner Savage suggested removing the Huntsman bubble at this point until they have the opportunity to discuss it as a receiving zone. The Commissioners concurred.

Director Eddington noted that page 29 talked about clustering opportunities. Commissioner Wintzer understood the idea but he did not think there was a piece of property in Park City that looked like the image shown. Commissioner Hontz preferred to eliminate the section. Commissioner Savage recalled a previous conversation about whether or not there were areas in Park Meadows where they might be able to encourage a greater amount of density. He understood that there was a lot of skepticism, but the question was whether this was a concept that was worthwhile promoting as a way to enhance the sense of open space. Commissioner Savage personally thought the answer was yes. He wanted to know the downside of leaving in the language because it was not specific to a particular area. Commissioner Hontz reiterated her preference to remove the section for two reasons. One is that she did not believe in it and secondly because it was an unusable document.

Commissioner Strachan stated that he did not know enough about the conservation subdivision design. He thought it was an institution that the planners were familiar with, but again it was a topic that was never discussed. Commissioner Wintzer remarked that his issue was with the ideas that were presented in the General Plan that have never been discussed. Director Eddington stated that it would be a tool the City could use if they ever annexed a piece of property. There were limited opportunities in town but the concept was something they have looked at for Old Town and other areas. Commissioner Wintzer thought the language implied something completely different that would encourage urban sprawl.

Commissioner Savage thought the section provided a tool that the City could use in future annexations and he supported leaving it in. Commissioner Gross also favored leaving it in. After further discussion the majority of Commissioners preferred to remove the section as suggested by Commissioner Hontz.

Director Eddington referred to a question regarding a photo on page 32 and explained that it was showing the Estate neighborhood concept relative to the resort. Commissioner Savage referred to the middle photograph on page 32 and suggested that the Staff take an updated photograph showing the current use or replace it with a different photo.

Commissioner Wintzer questioned the regional map on page 35. Director Eddington stated that the language talks about connectivity for open space and a balance for development. Commissioner Wintzer reiterated his earlier comment Small Town was not the appropriate place for regional issues.

Commissioner Wintzer thought page 37 was more about County issues than small town issues. Director Eddington noted that page 38 shows how Park City fits into the Wasatch Choice Plan. The following pages talk about opportunities to connect Park City to the commercial corridor and the need for alternative transportation modes in the future.

Sense of Community

Director Eddington referred to page 6 and noted that 7.1 talks about opportunities in other neighborhoods within the City to utilize smaller lots. This was based on previous discussions about encouraging smaller lots and smaller houses outside of Old Town.

Director Eddington referred to page 8 and noted that Objective 8C talks about increasing housing ownership opportunities for the work force within primary residential neighborhoods. Commissioner Wintzer agreed with the concept but he wanted to know where they were trying to do it. Director Eddington replied that specific areas have not been identified within the existing primary neighborhoods. Commissioner Wintzer stated that the Planning Commission has never had this discussion. Director Eddington remarked that throughout the neighborhood discussions there was a general sentiment to locate future primary residences, including workforce housing, in primary neighborhoods as opposed to upper Deer Valley or other areas. Commissioner Wintzer recalled a specific conversation about Commissioner Gross' neighborhood and that the Commissioners were uncomfortable subdividing lots in existing neighborhoods. Director Eddington stated that the language regarding subdividing lots was eliminated. The current language looks at future opportunities other than subdividing.

Director Eddington referred to 8.6 on page 10, the fee in lieu concept. He explained that the fee in lieu concept was still part of the affordable housing ordinance and the City Council has generally recommended working with developers to build on-site affordable housing. However, sometimes the fee in lieu is more preferable than building affordable housing in the resort areas. Commissioner Wintzer stated that every time the City tried to put an affordable housing project somewhere, it was always in someone's back yard. Director Eddington agreed that affordable housing projects will never be popular. He pointed out that there were opportunities in Lower Park Avenue which might be the next logical location to utilize fee in lieu. Commissioner Wintzer thought the policy should be to find the property before they take the fee in lieu.

Commissioner Hontz thought the fee in lieu concept needed to be reviewed per the language in 8.6, including the amount paid. She suggested adding a sentence stating that a fee in lieu would not be accepted until appropriate properties for affordable housing are located. Commissioner Hontz thought the current fee was too low and should be reviewed.

Commissioner Savage pointed out that building up fee in lieu builds assets that can be deployed for a more significant affordable housing initiative. The City currently does not do significant initiatives in that way because it is not easy to fund. For that reason he would support fee in lieu. Commissioner Wintzer supported adding the language suggested by Commissioner Hontz. He also thought the City should find a way to purchase property that could be used for future affordable housing. Commissioner Savage stated that if the City does not have a reserve to purchase the land

it would not happen. However, the fee in lieu would allow them to build up that reserve to purchase a future piece of property for that objective.

Commissioner Wintzer asked for clarification on 8.17. Director Eddington stated that the Planning Commission had talked about reassessing fees for affordable housing projects and reducing HOA fees for affordable housing projects. As the City utilizes payment in lieu fees for an affordable housing project, they would work with the City Council and the Planning Commission to set a lower cap for HOA fees. Commissioner Wintzer questioned how they could reduce HOA fees that were not controlled by the City. Director Eddington replied that the City could set the initial fees before the HOA was established.

Director Eddington referred to page 21, Objective 11A, and noted that the idea was not to provide flexibility for the application but rather to provide flexibility for the Planning Commission and the City Council to relook at old MPDs. Commissioner Wintzer remarked that the word "flexibility" made him uncomfortable, particularly if it is based on the Staff interpretation.

Director Eddington referred to page 26 and clarified that the intent was to focus on architectural issues and not to support a certain business. Commissioner Gross recalled that the Planning Commission had eliminated the coffee shop because it was a drive-thru and a temporary building. Commissioner Strachan had the same recollection.

Director Eddington referred to page 30, Strategy 13.1 and the reference to street lights along Main Street. He understood that some people believe that could be disruptive. Commissioner Wintzer stated that the goals of bringing primary residents into town and encouraging more activities on Main Street were in conflict. Chair Worel thought the language "review, revise" would address those concerns.

Director Eddington noted that 43 showed recent commercial establishments. It was not intended to support a particular use. Commissioner Wintzer stated that they spent a considerable amount of time discouraging chain stores and big box stores, yet one picture on page 42 was Home Depot. Director Eddington replied that they had not recommended controlling chain stores at Kimball Junction. Director Eddington stated that the language on page 46 talked about limiting the restrictions on chain stores to some zones. Commissioner Wintzer questioned the wording. Director Eddington stated that if the Planning Commission agreed with the concept he could wordsmith the language for clarification.

Director Eddington noted that page 60 talks about what other communities have done to help resolve affordable housing. The opportunity lies in whether it is an accessory use. The opportunities are limited and this was one opportunity in the vast tool box.

Commissioner Strachan questioned why they would want to change typically single family neighborhoods for the sake of increasing density. He was not opposed to doing it for affordable housing, but the language basically says that a creative way to increase density is to change the zone. He pointed out that lower cost housing was different than affordable housing. Director Eddington agreed and clarified that it would be market rate lower cost housing. The intent was to offer another alternative. Commissioner Strachan thought there was enough language in the

General Plan that says the City should be looking at ways to encourage affordable housing. However, the General Plan should not say they should be looking at ways to change zoning through creative density increases.

Commissioner Savage remarked that the City would have to deal with growth either by sprawl or density. He thought the Planning Commission was in a position where they have unique opportunities to control where they want the density take place, and at the same time achieve some of the other objectives such as getting more families in old town and having the diversity of different housing opportunities. Commissioner Savage stated that they could not achieve those goals without having to make sacrifices related to the nature and location of where the density should be allowed. Commissioner Strachan agreed, but he felt there were other more descriptive areas in the General Plan that do a better job than one quote that was taken from the Portland Municipal Plan. Commissioner Wintzer pointed out that the goal should not be to increase density for no reason.

The Commissioners agreed to eliminate the language.

Director Eddington referred to page 61 and noted that the only way to work with the International Building Code is through the Utah League of Cities and Towns and/or lobbyist state reps.

Commissioner Wintzer referred to page 62, and asked for clarification on "create a one-stop shop for development permits." Director Eddington stated that it talks about a creating a coordinated approach towards development.

Commissioner Hontz assumed the language was from the Urban Land Use Institute. She noted that Park City is A-typical in the West in terms of preparing the Staff reports and recommending findings to the Planning Commission. She believed it sets a false sense of what might happen with the applicant in terms of approval or denial. If the Planning Commission does not agree with the Staff, it sets up the Staff and the applicant for disappointment. Commissioner Hontz thought a better approach would be to have a work session first to gather the opinions of the Planning Commission, since they were the decision makers, before moving forward with a Staff report and findings. She also thought the Staff reports were too lengthy and offered suggestions on how the reports could be simplified to simplify the process. The Commissioners asked Commissioner Hontz to draft appropriate language.

Commissioner Wintzer noted from the minutes of the last meeting that the Planning Commission had given the Staff a list of items to be incorporated, but he could not see where it was done. He had highlighted the items that were missing and submitted them to the Staff.

Chair Worel opened the public hearing.

Tom Fey commended the Planning Commission for their work and the detail in reviewing the General Plan. He had several pages of questions and he was pleased to say that the Commissioners had addressed most of his concerns with the same conclusion. Mr. Fey remarked that the Planning Commission had spent a significant amount of time this evening discussing transfer of density rights. He personally believed that transfer of density rights could be frightening for the community unless it is well-defined and managed. Mr. Fey used PC Hill as an example to

support his concern. PC Hill used to be owned by the Osguthorpe family until the City decided to purchase it. They allowed the Osguthorpe family to take the density rights they believed they had on that hill and transfer the density to a meadow. Mr. Fey stated that anyone who tries to climb PC hill knows that there is no way houses could be built on the hill, yet the Osguthorpe family was allowed to transfer the density rights. The City later paid \$5 million to extinguish those density rights in the meadow. Mr. Fey thought this was a good example of the drawbacks of transferring density. Mr. Fey agreed with the comments that Park City is too small to receive density from the County. They already have enough density issues within the City. Mr. Fey questioned why pictures were included in the General Plan that did not apply to Park City because it suggests things that are not wanted in the community. One example was running the BART system down the highway from Park City to Kimball Junction. If the goal is to maintain a small town community feel, running a trolley into the middle of town tell visitors that Park City is no longer a small community. Mr. Fey referred to a comment in the General Plan about taking climate change mitigation to the next level. However, it was not defined and he was unsure what the next level would be and what it would cost the community. They need to have that understanding before they authorize the Staff to move to the next level. Mr. Fey had the same issue with being "The greenest town in the United States." Nothing was defined and the cost was unknown. Before they put things in the General Plan that drives the direction for the Staff they need to understand exactly what they were being directed to do. Mr. Fey noted that paragraph 5.9 talks about legally limiting the size of a house that the person can build on their property. He was unsure if placing that limit was legal in the State of Utah. If it is not legal it should be removed from the General Plan. He stated that one reference in the General Plan talks about limiting airline travel. He asked if they were discouraging visitors from coming to Park City. The General Plan talks about spending money on a communication facility for internet conferencing rather than having people come to Park City for a conference and spend their money. Mr. Fey questioned why they would limit the number of visitors coming to Park City. If that was not the intent, the language should be changed. Mr. Fey disagreed with the idea of a pool of grant money to help fund start-up businesses. He thought they should simplify the General Plan and remove all photos and analogies that do not pertain to park City. Mr. Fey referred to an earlier comment about the Planning Commission voting this evening to approve the General Plan and forward a recommendation to the City Council. Due to the number of changes, additions and deletions, the community should have the opportunity to look at a clean copy and make comments before the General Plan is approved.

Ruth Meintsma, a resident at 305 Woodside, commented on page 5 of Historic Character. She referred to a note on the new edits that mentioned the graphics of what is and is not compatible in Historic Park City. She could not recall whether the Planning Commission had talked about the graphic. Ms. Meintsma stated that one was quaint and charming versus cold and hostile. In her opinion, for someone who wants to build it does not have to be quaint and charming. She apologized for not having had the opportunity to draft language for their consideration. Ms. Meintsma thought quaint and charming was too specific. It is compatible but it does not have to be quaint and charming to be compatible. She stated that no one would ever build something under the description of cold and hostile. Ms. Meintsma thought it was interesting that architecturally significant was compatible because vernacular housing is not considered architecturally significant. Regarding modern and sterile, she understood that the Planning Department was considering modern and how that fits in. She thought it was too soon to say that modern was not compatible. Ms. Meintsma pointed out other areas where the wording needed to be better defined and she

offered to draft better descriptive words to support her comments. Ms. Meintsma referred to 15B, maintain context and scale of locally historic districts. She thought the word character was missing and it should read, "maintain character, context and scale." She noted that character was alluded to in other areas but in her opinion it could not be mentioned too much in the context of historic character.

Dennis Hanlon, representing the Thayne 1 HOA, read from page 11 of the neighborhood section for Thaynes Canyon, 1.4, "Thayne neighborhood, a local neighborhood in which primary residents choose to live. Of the neighborhoods in Park City Thaynes has the highest percentage of primary residents. Planning within the neighborhood should be focused towards sustaining the primary residential population." He agreed with that statement. Mr. Hanlon read from 1.5, "Thaynes should remain a quiet residential neighborhood dominated by single family homes." He also agreed with that statement. However, language further in the document contradicts what he had read from 1.4 and 1.5. "Some options for Thaynes may include single family homes, attached accessory dwelling units and detached accessory dwelling units." Mr. Hanlon referred to 1.6, second paragraph, "The Planning Commission should consider adopting increased rear yard setbacks or building pads to limit future development." He thought it was in line with what was being done, with the exception of the part about accessory apartments and detached dwellings. Mr. Hanlon stated that Thaynes is a single family neighborhood and accessory apartments were in direct conflict with the CC&Rs. He was concerned that having that language in the General Plan would create problems that the HOA would have to deal with at a great expense. Mr. Hanlon requested that "accessory apartment" be removed from the General Plan. He pointed out that Thaynes was the only neighborhood where they talk about this specifically. He could not understand why they singled out Thaynes when it would only create problems. Mr. Hanlon echoed Mr. Fey's comment about waiting for a clean copy before voting.

Mary Olszewski thanked the Planning Commission for the hours of work they put in. It was truly appreciated. She stated that her comments would focus primarily on the Thaynes Canyon neighborhood. Ms. Olszewski felt they had reached a juncture of whether to protect the uniqueness of each neighborhood and its own character, or to sacrifice these neighborhoods through a rushed statistical goal of higher density. She believed the idea of higher density was a strong motif in the General Plan based on the number of times she counted the use of the word. Ms. Olszewski stated that it was impossible to adding rental units to an established neighborhood and keep the same flavor to the neighborhood. Also, adding detached dwelling, human nature is to maximize the financial gain from those additional units. She contends that the units would probably not be affordable. If the intent was to provide affordable housing in these established neighborhoods, she believed they would fail. She has attended many meetings, read the editorials and knows that the City had received at least a 100 emails questioning this and other parts of the document. She had not heard one person give public comment embracing the Thaynes Canyon neighborhood section. She had gone door to door and did not find it there either. It was mainly confusion due to the lack of simplicity and clarification. Ms. Olszewski stated that lack of clarification leads to misunderstandings and dilemmas for buyers and sellers, realtors and the Planning Department. She would like to see each section of the Thaynes Canyon neighborhood lined out in map; and if possible, she would like to see the CC&Rs of each HOA state whether they prohibit or allow rental units. At that point the document would be easier for the public to read and make a better determination. Ms. Olszewski was concerned about entering a realm of unintended consequences. She did not believe there was

a mandate for this type of density in an established neighborhood; or there was a misinterpretation of the vision sessions that took place. Ms. Olszewski asked the Planning Commission to take their time and that the document be refined because some areas necessitate it to avoid unintended consequences.

Jo Scott appreciated the time the Planning Commission has taken to discuss the General Plan. She also appreciated the opportunity to give public input. Ms. Scott asked the Planning Commission to delay their vote on the General Plan for three reasons. First, Commissioner Thomas was absent this evening and as the future Mayor, his input and vote was critical. She believed that was a reason to delay a vote. Ms. Scott had listened to Director Eddington on the radio and he pointed out that the plan was a guide and a reference that is referred to often in the planning process. She understood that it was a basis for the LMC. When she heard him talking she was struck by the importance of this document and how it would affect Park City for many years. Ms. Scott did not think it was right to vote when one member was absent. Her second reason for delaying the vote was the lack of time to clear up conflicting and confusing language in the General Plan, as evidenced by their discussion this evening. She has attended every General Plan meeting and until this evening she had not heard any discussion on the basic concepts of the General Plan. Her third reason for delaying a vote is that Park City citizens have not had enough time to read this document and comment on it. She wanted to know how they went from the community visioning process to a few people writing the General Plan in the Planning Department and then to the Planning Commission and the City Council as a finished document before it was put on line a month before the City Council was scheduled to vote. This is a busy time of year and it is difficult to get people to take an interest and attend a public hearing to give the variety of input that is important. Ms. Scott begged the Planning Commission to delay this process and give it more time so they end up with a clear and consistent General Plan that is easy to understand and has been thoroughly vetted.

Lisa Wilson stated that she is in the property management business and she owns apartments and condos in Alaska. They started in the business in the late 1980's when they started buying foreclosures from Freddie Mac and HUD. Ms. Wilson provided practical experience of what happens with renters. She learned that one bad tenant can ruin your life. Ms. Wilson stated that if they start putting affordable housing in the midst of a residential area, she guaranteed there would be problems. Based on her experience it would change the fabric of residential neighborhoods.

Chair Worel closed the public hearing.

Chair Worel stated that because Commissioner Thomas was unable to attend this evening he had emailed his comments and asked her to read them into the record. Chair Worel noted that Commissioner Thomas had outlined 13 points.

- 1) The process for reviewing and adopting the General Plan has been complicated and confusing for the Planning Commission and the public. We received the General Plan in March but didn't begin discussing it until June. The Planning Commission and the City Council are simultaneously focusing on different sections in order to meet an arbitrary deadline. The City Council has not seen the last round of Planning Commission edits for sections that they have already reviewed, while the Planning Commission has yet to receive a draft containing its most recent edits or a packet containing any other General Plan material, yet we are expected to vote on in 48 hours.

- 2) When do we get to talk about trends and go over the comparison of old and new.
- 3) There are a lot of good things in this Plan but they are too hard to find. The General Plan is too big and has too many words to be useful.
- 4) We need priorities in a General Plan. This is more like a shopping cart of random ideas. It also lacks structure and contains too many sidebars, the significance of which is unclear. The Plan should answer the question, what is most important to Park City; affordable housing, open space, etc.
- 5) This plan talks about adding density in every section of a neighborhood. When and where has the Planning Commission or the public talked about this?
- 6) Do we really want to expand the City limits? What is the source of this idea? How can we expand our boundaries and still stay a small town.
- 7) How connected do we want to be to Salt Lake City? The more connected we are to Salt Lake City the more we become a suburb to them.
- 8) All the comparisons in this Plan are about big cities; (Oregon Metro, Pineland, New Jersey, City of Atlanta to name a few). We need to see things that talk about resort communities that are close to our size.
- 9) We are asked to approve maps and charts we cannot read. We cannot and will not approve something we have not read.
- 10) We are working off of three versions of this plan that are not dated and have changes in them that we have not talked about. We now have a fourth, as of Monday morning, December 9th, we have not seen and are asked to pass on a recommendation to City Council.
- 11) We have asked numerous times for meetings with Staff so we could go over this Plan page by page and have never gotten one.
- 12) There are several recurring themes in this General Plan that were never talked about that keep coming up, such as moving density from County to City, expanding the City boundaries, putting more density in existing neighborhoods, flexibility and speeding up the approval process. We should have talked about these ideas and received public input before Staff scattered them throughout the Plan.
- 13) The Planning Commission continues to feel strongly that the Planning Commission meeting format and document control by the Staff has failed to afford the Planning Commission an interactive and comprehensive review of the complete and updated draft of the General Plan. To meet the spirit of Land Management Code Section 15-12-15(B), "The Planning Commission shall have the primary responsibility to initiate and update the General Plan." While that may seem an odd position to take given the amount of time the General Plan review has been pending, please

understand that our perspective is numerous requested edits that were never incorporated by Staff or done so only partially. Some sections with significant policy matters were sent to Council before we finished and now returned with only a few days to review yet more changes. While we recognize the State Code ultimately allows the Council to be the final decision maker on the Plan and edits may be made without return to the Planning Commission, a truly inclusive process would not be rushed for an artificial deadline, notwithstanding the desire to finish the document prior to upcoming changes in officials. The Planning Commission has implicated meetings to allow for an orderly page by page review as the Council has been affording with real time edits. A more substantive dialogue and better product would have assuredly been the result. Therefore, regardless of the negative or positive or continuing recommendation from the Planning Commission, we believe it is the Council's obligation to remand the General Plan back to the Planning Commission to conclude a full and proper review of a complete draft document. We would not make this request if we did not feel it was imperative not only for the health, safety and welfare of the residents, but more importantly, to maintain the civility and consensus based approach of community planning and citizen engagement that has set this community apart, and which keeps Park City Park City.

Chair Worel reiterated that those were the comments Commissioner Thomas had forwarded to her to be read into the record.

Commissioner Wintzer stated that he and Commissioner Thomas had talked about this and he agreed with his comments. They had worked on it together, along with Commissioner Hontz. Commissioner Hontz confirmed that she was a part of it and she supported the comments that were read into the record.

Commissioner Hontz stated that she had many issues of her own to discuss. Commissioner Strachan suggested that the Planning Commission decide whether or not they would take action this evening before spending hours on edits. Commissioner Hontz concurred; however, if she came back with her edits it would be as a member of the public since this was her last time on the Planning Commission. She was not opposed to doing that but she wanted everyone to be aware that she, Commissioner Wintzer and Commissioner Thomas would no longer be on the Planning Commission.

Chair Worel stated that if the Commissioners had general comments they wanted on the record they should state those now. She was not interested in going through the edits until the Planning Commission decided whether or not to vote this evening.

Commissioner Hontz stated that she had spent a significant amount of time on the comparison that had not yet been discussed. She wanted her thoughts on the record as to how they should move forward. In terms of future edits, Commissioner Hontz was willing to submit her edits to the Planning Department, which included the toxic soils at Quinn's Junction that have not been adopted, ridgelines, and the map in the neighborhood section of Bonanza Park that have not been addressed. She had spent over nine hours reviewing the comparison of the old General Plan with the new General Plan item by item. She encouraged the Commissioners and the public to do the same. Commissioner Hontz stated that she went through each bullet listed and each section and compared the two to see if they said the same thing. She thought the comparison format was what the General Plan should be. It was concise and easy to track the community vision all in one place.

It was a bullet point format that was easy to comprehend in terms of what is and is not allowed. The larger document was good information but it was painful to work through and unusable. Commissioner Hontz suggested that everyone contemplate whether the comparison format would work or some other concise format that people would be able to use.

Commissioner Hontz stated that in going through every bullet point she realized that the people who wrote the General Plan lived here and wanted to continue living here. Those people cared about Park City and keeping Park City Park City. Commissioner Hontz did not have that feeling when she read the new General Plan. She felt it was more about trends that were trending everywhere in the United States. Some things were too general and too urban to be in a General Plan for Park City. Commissioner Hontz cited examples to make her point. She noted that throughout every section things are either no longer included or they have changed sufficiently enough that they do not reflect the current General Plan. Commissioner Hontz believed the General Plan needed to be updated but she thought it was important to note that those who wrote the current Plan had a lot of powerful things to say. Some of those need to change but many of them need to stay and they need to continue to support what made Park City what Park City is. She was not willing to erode on the issues and weaken the language. There needs to be a forum where this could be addressed.

Commissioner Hontz thought the public comments were fantastic and she was pleased that more people were attending and showing an interest. Another element of keeping Park City Park City is to keep the lines of communication open and to welcome and encourage input. The public's ability to participate will make a great Plan and so far they have failed on that element. She had encouraging public outreach since June and she will continue to advocate for it.

Commissioner Wintzer stated that with the new General Plan he was unsure how they could go through an MPD or a major project and say that it complies or not complies with the General Plan. The document is very vague and it is primarily a list of items that have been done around the world; but it does not provide the needed direction. He could cite seven or eight places in the current General Plan under the Old Town section that says new construction was threatening the core, size and mass. Three or four times it talked about protecting ridgelines and hillside. He did not believe the language in the new Plan was that strong and it was not present in a way that shows what is most important. Commissioner Wintzer was concerned that the new General Plan was big and massive without saying what they want. He was also concerned that there were several dominating themes that go through the General Plan. He counted 25 places that talked about adding density. He pointed out that they have never talked as a community about adding density. They now have the right under existing Codes to add 3400 units of residential construction and a 1.8 million square feet of commercial space that could be built today. On top of that they were talking about adding more density in town. They have taken small town and added TDRs and pictures of big rails. He believed they misinterpreted the core values. His issue about missing items that were in the minutes was small compared to the big items they should have started with. Commissioner Wintzer appreciated Commissioner Hontz's work on the comparisons. He had started the same exercise and it was very daunting. Commissioner Wintzer believed they had started in the middle of a concept and kept going without stopping to regroup.

Commissioner Strachan concurred with the 13 comments submitted by Commissioner Thomas. He believed an arbitrary deadline was being imposed. He was unsure that it needed to be imposed or

what advantage the community, the Planning Commission or the City Council would gain by sticking to the December deadline. Commissioner Strachan was troubled by the scattered process. The Planning Commission and City Council were making simultaneous edits, and he was certain the Staff had to be overwhelmed by input from 14 people and trying to filter out where there was consensus and which changes should be made. Commissioner Strachan agreed with the public comment that at some point the City Council and the Planning Commission have to give the document to the public for review and input. It was not a cohesive and decided process because they were in a rush to get it finished. In terms of the overall structure, Commissioner Strachan believed they were closer than what Commissioners Hontz and Wintzer thought. He did not think it was necessary to revamp or restructure the document. His issue was that they had not gone through it thoroughly enough and it was impossible to do so by December 31st. Commissioner Strachan did not think it was the fault of the Planning Commission or the Staff. It was a giant plan and an important document and they did not get it done as fast as they thought they could. Commissioner Strachan thought the solution was to extend the deadline.

Commissioner Gross concurred with all the comments. He thought they were pushing a deadline as opposed to working the Plan, and he wanted to hear citizen feedback on a final document. Commissioner Gross stated that he would have a hard time voting on the General Plan this evening.

Commissioner Savage stated that when he joined the Planning Commission five years ago he joined at Commissioner Thomas' encouragement to participate in the process of developing the General Plan. Commissioner Savage noted that this was also his last meeting as a Planning Commissioner. One comment he has tried to be consistent on is the idea of starting at the end and working back to the beginning. Commissioner Savage stated that they do not have a concise, straightforward executive summary of what the General Plan is supposed to be, where someone could get a very good idea of the overall structure of the General Plan, the goals, objectives and the schedules for implementation that could inform the LMC and have a balance of this information available to back up the information contained in the summary. Commissioner Savage remarked that currently they have a tremendous amount of information with all kinds of content; but it lacks context. It is important to have the summary for people to understand how all this information plugs with the rest of the data. Commissioner Savage recommended that someone sit down with what they have and try to structure a straightforward, understandable summary of the overall General Plan and utilize it as background and support for the summary document. Commissioner Savage believed the likelihood of someone being able to read the document, digest it and understand it was mind numbingly painful. If it was that difficult for the Planning Commission, he was concerned about people who just wanted to be involved from the point of view of good citizenship and/or putting forth an application.

Chair Worel commended the Staff for their amazing work and the work they will continue to do on the General Plan. She understood that it was a colossal undertaking and she personally appreciated all the work they did. She also appreciated the work of her fellow Commissioners. Chair Worel thanked the public for taking the time to read the document and provide input. She agreed with her fellow Commissioners that the document was not ready for a vote.

Commissioner Wintzer thanked the Staff, understanding that the process has been as painful for then as it has been for the Planning Commission. He realized that they worked diligently to get it done and their effort was commendable.

MOTION: Commissioner Hontz moved that the Planning Commission CONTINUE the General Plan to a date uncertain with the following proposals. First, to incorporate all the comments and proposed changes discussed this evening. Second, to have the City participate in significant outreach to the public to encourage their participation moving forward. Third, to produce a document that takes all of the key bullets out of the master document, puts them in one place and possibly add additional components so the document is in summary form before going forward. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

ADOPTION OF MINUTES

November 20, 2013

Commissioner Wintzer stated that his comments reflected on pages 10-15 of the Minutes were not incorporated into the General Plan. He requested that the Staff relook at the comments and add them to the General Plan. Commissioner Hontz remarked that her comments from that particular section were also not incorporated.

Commissioner Hontz referred to page 3 and noted that she was not shown as being in attendance for the PCMR Work Session item. She corrected the minutes to reflect that she was in attendance. After announcing that she would be recusing herself, she was told by the Legal Department that she could stay for that discussion.

MOTION: Commissioner Wintzer moved to APPROVE the minutes of November 20, 2013 as amended. Commissioner Gross seconded the motion.

VOTE: The motion passed. Commissioner Savage abstained from the vote since he was absent on November 20th.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioner Strachan thanked Commissioners Wintzer, Hontz and Savage for their time and effort serving on the Planning Commission. He has the most respect for each of them and he will miss them dearly. The new Commissioners would have big shoes to fill. Commissioner Strachan hoped to see the outgoing Commissioners frequently attend public hearings.

CONTINUATION(S) – Public Hearing and Continuation to date specified.

Risner Ridge Subdivision 1 & 2 - Plat Amendment (Application PL-13-02021)

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

MOTION: Commissioner Savage moved to CONTINUE Risner Ridge Subdivision 1 & 2 – Plat Amendment to a date uncertain. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

Chair Worel stated that due to the late hour and the complexity of the agenda, it was likely they would not make it through all of the remaining items this evening. The Planning Commission would hear the first two items regarding the Park City Library, followed by a change in the agenda to discuss 916 Empire Avenue and take public comment on 7101 Silver Lake Drive, Lot 2B Subdivision. The other items would be heard in order as time would allow.

Chair Worel noted that the Planning Commission had agreed on a hard stop of 10:30 p.m.

1. 1255 Park Avenue, the Park City Library – MPD (Application PL-13-02085)

Commissioner Hontz recused herself from discussing this item and left the room.

Planner Anya Grahn noted that the Library MPD was heard by the Planning Commission on November 20th. At the time the Commissioners agreed on the 10' foot reduced setback along Norfolk Avenue, the removal of 10 to 12 parking spots in order to improve the pedestrian connection between the Park Avenue bus stop and the entry. The Commissioners opposed the book drop along Norfolk Avenue. Since the applicant was no longer pursuing the book drop he did not have to move the driveway; therefore, the requested overlay was not included for the driveway move.

Planner Grahn remarked that any signage would have to be approved by a sign permit application. The City Engineer may choose to approve alterations to the existing signage and determine whether it was in the setback area and not increasing the non-conformity.

The applicant was proposing outdoor dining as part of this MPD with tables and chairs taking up 25% of the 1891 square feet terrace. The dining operation would be limited to the hours the building is actually open. Activity would cease by 10:00 at all times.

Planner Grahn stated that the application meets the criteria of the CUP. The Staff had added a condition of approval regarding the roof top decks being maintained under the City noise ordinance and also being limited to when the building is open, but no later than 10:00 p.m.

The Staff found that the proposal complies with the MPD requirements and recommended that the Planning Commission conduct a public hearing and approve the MPD based on the Findings of Fact, Conclusions of Law and Conditions of approval outlined in the Staff report.

Matt Twombly, representing the applicant, Park City Municipal Corp, had nothing further to add.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to APPROVE the Master Planned Development and Conditional Use permit for 1255 Park Avenue, the Park City Library and Education Center based on the Findings of Fact, Conclusions of Law and Conditions of Approval included in the Staff report. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously. Commissioner Hontz was recused.

Findings of Fact – 1255 Park Avenue, Library MPD

1. The application for the MPD was received on October 3, 2013. The application was deemed complete on October 22, 2013.
2. The Carl Winters building is a historic building designated as a “Landmark” on the Historic Sites Inventory (HSI).
3. The Park City Library and Education Center (Carl Winter’s School Building) is located at 1255 Park Avenue. The property consists of 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 application submitted on June 14, 2013, the property will be known as the Carl Winters School Subdivision and is 3.56 acres in size.
4. City Council will consider vacation of the portion of Woodside contained on the Library property. Such vacation is required for the Plat Amendment.
5. The Planning Commission will hear the plat amendment for 1255 Park Avenue Carl Winters Subdivision on December 11, 2013 and forward a recommendation to City Council for their review and approval
6. 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 footprint will be expanded by approximately 2,400 square feet. 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.

7. 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.

8. Access is from Park Avenue, with a secondary entrance along 12th Street.

9. The proposed facility open space is 70% and includes a landscaped entry sequence from the Park Avenue bus stop to the Library entrance.

10. The total proposed building footprint is 19,519 square feet and gross square footage is 52,151.

11. The property is in the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts—the structure is located in the RC District, whereas the open space to the north of the structure is in the ROS District.

12. This property is subject to the Carl Winters School Subdivision plat and any conditions of approval of that plat.

13. The existing Park City Library and Education Center contains 92 parking spaces.

14. The proposed parking is being reduced to 86 parking spaces.

15. Setbacks within the Recreation Commercial (RC) District are fifteen feet (15') in the front, fifteen feet (15') in the rear, and ten feet (10') on the sides. The MPD requires twenty-five (25') foot setbacks from all sides. The applicants have requested a setback reduction to ten feet (10') along the rear (west) yard.

16. A 315 SF interior Café is proposed. A Café is a Conditional Use in the RC District and is a support Use to the primary Development or Use, subject to provisions of LMC Chapter 15-6, Master Planned Development. Hours of the café will be limited to the hours in which the building is open.

17. The *Analysis* section of this staff report is incorporated herein.

18. This project is subject to a Historic District Design Review.

19. The Planning Commission reviewed the Park City Library and Education Center MPD as a Pre-MPD during Regular Session on September 25, 2013.

20. The Planning Commission also reviewed the MPD as a work session on September 25, 2013 and held a public hearing on November 20, 2013.

Conclusions of Law – 1255 Park Avenue Library MPD

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD is not subject to the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and lease visually obtrusive portions of the Site.
10. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections by the location on a proposed bus route. Bicycle parking racks will be provided.
11. The MPD has been noticed and public hearing held in accordance with this Code.

Conditions of Approval – 1255 Park Avenue Library MPD

1. All standard conditions of approval apply to this MPD and CUP.
2. All applicable conditions of approval of the Carl Winters School Subdivision shall apply to this MPD.
3. The Carl Winters School will be restored according to the Secretary of the Interior's Standards for Rehabilitation and the structure will be listed on the National Register of Historic Places. A Historic District Design Review and approval will be required prior to building permit submittal.
4. A final water efficient landscape and irrigation plan that indicates snow storage areas and native drought tolerant plant materials appropriate to this area, is required prior to building permit issuance.

5. All exterior lights must conform to the City lighting ordinance and included in the Historic District Design Review. Parking lot and security lighting shall be minimal and approved by Planning Staff prior to issuance of a certificate of occupancy.
6. All exterior signs require a separate sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.
7. The Site plan shall include adequate Areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. Recycling facilities will accommodate materials generated by the tenants, users, operators, or owners of the project and shall include, but are not limited to glass, plastic, paper, cans, cardboard, or other household or commercially generated recyclable and scrap materials. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project.
8. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests. Written approval of the proposed locations shall be obtained by the City Building and Planning Department.
9. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color and material details exhibits and photos reviewed by the Planning Commission on December 11, 2013, and shall be approved by staff at Historic District Design Review (HDDR) application. Materials shall not be reflective and colors shall be warm, earth tones that blend with the natural colors of the area.
10. The final building plans, parking lot details and landscaping, and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on December 11, 2013. The Historic District Design Review (HDDR) application will also be reflective of the drawings reviewed by this Planning Commission on December 11, 2013.
11. The City Engineer prior to Building Permit issuance must approve utility, storm water systems and grading plans, including all public improvements.
12. Staff must approve the Construction Mitigation Plan to issuance of any building permits and shall include appropriate contact information as required. Signs posted on site will indicate emergency contacts.
13. Lay down and staging will be restricted to existing parking lots and disturbed construction area. Applicant will minimize placement adjacent to housing units as much as possible.
14. The applicant will notify all affected property owners within 300 feet prior to construction commencing of conditioned work hours, contact information and general project description.
15. A limit of disturbance area will be identified during the building permit review.
16. The applicant shall submit a total employee count at time of building permit. Prior to

Certificate of Occupancy the applicant shall provide verification that the employee count has not increased. Should there be an increase in the total employee count the applicant shall be subject to the terms and conditions of Housing Resolution 20-07; Section E Redevelopment.

17. An internal parking review will occur one year after Certificate of Occupancy (or the facility is fully operational) to analyze parking load and demand. The number of parking spaces will not be reduced less than 86 spaces.

18. The Mawhinney Parking Lot shall be used as overflow parking. At no time in the future shall this parking area be converted to affordable housing use or any other use without modifying this MPD.

19. The Café Conditional Use shall only operate in conjunction with hours the building is open, Film Series operation, or as approved under a Master Festival License or Special Event.

20. The proposed outdoor dining shall not extend beyond the 1,891 square foot terrace. Additionally, any proposed outdoor furniture will be reviewed and approved by the Planning Department prior to purchase and installation.

21. The hours the rooftop deck will be utilized will be in conjunction with the hours the building is open, and no later than 10pm.

22. An internal review will occur one (1) year after Certificate of Occupancy (or the facility is fully operational) to analyze trash generation and demand. If necessary, trash pick-up will be increased at that time.

**2. 1255 Park Avenue, Park City Library – Plat Amendment
(Application PL-13-01950)**

Planner Grahn reviewed the application for a plat amendment at the Park City Library at 1255 Park Avenue. The lot contains 73 full lots and two partial lots on 3.816 acres. The property is located along Park Avenue, 12th, 13th and Norfolk.

The goal of the Library plat amendment is to remove all interior lot lines. A portion of Woodside Avenue was vacated in 1940; however, a portion along 12th Street was not vacated. The City Engineer was going before the City Council to request a street vacation. Planner Grahn stated that a portion of the lot with the Library was zoned Recreation Commercial and the larger field was zoned Recreation Open Space. In previous meetings they talked about how the historic structure did not meet the setbacks; however, it is a legal non-complying structure because it is historic and the 1992 MPD approved a zero foot lot line along Norfolk Avenue.

Planner Grahn reported that this was the largest MPD that would be done in this neighborhood. The second largest was the Park City High School mechanical arts buildings, which was also the Yoga studio just south of this location. The plat amendment would provide snow storage easements on all four streets and it would resolve an existing encroachment, which includes the retaining wall along the driveway on Norfolk Avenue.

Planner Grahn pointed out that most of the issues related to the plat amendment had been addressed in previous meetings during the MPD discussion.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Carl Winters School Subdivision Plat Amendment according to the Findings of Fact, Conclusions of Law and Condition of Approval as found in the draft ordinance. Commissioner Wintzer seconded the motion.

VOTE: The motion passed. Commissioner Hontz was recused.

Findings of Fact – 1255 Park Avenue Library Plat Amendment

1. The property is located at Carl Winters School Subdivision within the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts.
2. The applicants are requesting to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated and to-be vacated Woodside Avenue. The property contains a total of 3.816 acres.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of an addition to the landmark Park City Library.
4. Currently the property contains 73 full Old Town lots and two (2) partial lots.
5. The existing historic 48,801 square foot structure is listed as "Landmark" on the Historic Sites Inventory (HSI).
6. A three (3) story addition was introduced in 1992, wrapping the historic auditorium wing. The applicant is proposing to reduce the height of the 1992 addition and adding a side addition along the north elevation. Thus far, no HDDR application has been submitted; however, Planning Staff has been serving on the Design Team to guide the development of the project.
7. Per LMC 15-2.16-6, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles Lots 1 through 6 and Lots 29 through 44 of the Snyder's Addition.
8. As part of the 1992 Carl Winters Library Master Planned Development (MPD), two (2) setback exceptions were approved including the encroachment of the 1993 addition into the rear side yard setback (Norfolk Avenue) as well as the permanent parking encroaching into the side yard

setback (12th Street).

9. Any proposed additions to the existing historic structure will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.

10. The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot. As existing, the library structure has a footprint of 17,171 square feet or 10.3% of the lot. The proposed addition will create a total footprint of 19,519 square feet. The total footprint of the building and addition overall consumes approximately 11.7% of the lot and is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.

11. The proposed 7,730 square feet addition is significantly larger than additions seen on other neighboring historic buildings; however, the library structure is also much larger than surrounding historic residential and commercial sites. The addition must adhere to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure.

12. The amendment of seventy-three (73) lots of record and two (2) partial lots would be the largest plat amendments in the neighborhood. The second largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.

13. New additions to the historic structure would require adherence to current setbacks as required in the RC District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites. The Planning Commission may grant exceptions to these setbacks through the MPD.

Conclusions of Law – 1255 Park Avenue Library Plat Amendment

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 - 1255 Park Avenue Library Plat Amendment

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. No building permit for any work that expands the footprint of the structure or would first require the approval of an HDDR shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot with Park Avenue, 12th Street, Norfolk Avenue, and 13th Street and shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. City Council must approve the street vacation of the portion of Woodside Avenue, directly east of Lots 1 through 6 of Block 7 of the Snyders Addition.

**3. 530 Main Street, River Horse – Conditional Use Permit for a seasonal tent
(Application PL-13-02066)**

Director Eddington requested that the Planning Commission continue 530 Main Street to the next meeting because the applicant had to leave.

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

MOTION: Commissioner Strachan moved to CONTINUE the conditional use permit for 530 Main Street to January 8, 2014. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

**4. 916 Empire Avenue – Steep Slope Conditional Use Permit
(Application PL-13-01533)**

Planner Whetstone reviewed the application for a Steep Slope CUP for a new single family home on a standard 25' x 75' Old Town lot at 916 Empire Avenue. She noted that the application was submitted in the Spring of 2012 and the applicants came before the Planning Commission a number of times. Because a split level design was interpreted to be a five-story structure, it did not meet the

LMC requirement of no more than three stories. The applicant was advised to wait until the height/story issue could be addressed in the LMC before moving forward with the application. The LMC was amended and approved by the City Council and the applicant revised the plans to comply. The issues were the overall height from the lowest finished floor to the height of the wall plane of 35-feet, as well as the horizontal step occurring at 22-feet and no higher than 23-feet with a ten foot step. This proposal has a 15-foot step and complies with the requirements of the newly revised LMC as outlined on page 120 of the Staff report.

Planner Whetstone handed out an 11" x 17" drawing. She indicated a change in the elevation on the site plan and clarified that it did measure a little more than 23-feet from the lowest point of existing grade. Planner Whetstone verified that the driveway was 12-feet. A second page of the handout showed that the only difference was that the height of the ridge was amended to confirm that the height does not exceed 23 feet. The actual height is 22'6" from the lowest existing grade to the ridge.

Planner Whetstone stated that since this was new construction consisting of more than a 1,000 square feet and is located on areas of a slope greater than 30%, the applicant was required to file a conditional use permit application for review by the Planning Commission pursuant to Section 15-3.2-6. The applicant did not have an approved HDDR at this point. Planner Whetstone reviewed the Steep Slope Review Criteria outlined on page 122 of the Staff report. The Staff had conducted an analysis and found that there were no unmitigated impacts as designed or as conditioned.

The Staff recommended that the Planning Commission conduct a public hearing and approve the conditional use permit for 916 Empire Avenue per the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Craig Kitterman, representing the applicant, thought Planner Whetstone had done a good job representing what had been done with the project over the past year and a half. He appreciated the fact that the revised language of the LMC was more flexible in allowing for the houses to be stepped with the grade, irrespective of the stepping inside the structure.

Commissioner Hontz read from page 121 of the Staff report, "The current design will require a slight modification to the rear roof element, as the current design exceeds the 23' by approximately 7" at the lowest point of existing grade." She noted that the cross section Planner Whetstone handed out this evening highlighted the 23'; however that would be the southeast corner. Commissioner Hontz asked for clarification because it was also in the findings and conditions. Planner Whetstone stated that she should have also highlighted the left elevation because it also meets the 23'. She recommended keeping the condition of approval because it was a necessary requirement before obtaining a building permit.

Commissioner Gross referred to page 127, Finding #11, which showed the dwelling square footage at 2,208 square feet, including the basement and single car garage. He pointed out that all other references indicate approximately 1,994 square feet. He assumed the 2,208 number in Finding #11 was wrong.

Planner Whetstone reviewed the floor plan on page 132 and noted that the total floor area was listed in the top corner. The gross floor area was 1,793 and the square footage was 2,208 including the basement. She did not believe that included the garage. Mr. Kitterman stated that the garage was approximately 200 square feet. Commissioner Gross thought Finding of Fact #11 should be corrected to reflect the real number. Commissioner Strachan pointed out that the actual number was 2,208 square feet if the garage and basement were included. Therefore, Finding of Fact #11 was correct as written.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Wintzer thanked Mr. Kitterman for his patience over the past year and a half. The Planning Commission had been trying to address height issues and this application got caught in the middle. Mr. Kitterman believed the result was a better product.

Commissioner Hontz referred to page 121 of the Staff report and stated that this was the first time she had seen language approved by the City Council in terms of the LMC changes to the height. The Planning Commission recommended 33-feet and the language shows that it was approved at 35-feet. She found the second paragraph more concerning because it was difficult to understand and adds an element of subjectivity that was not part of the Planning Commission recommendation.

Commissioner Hontz urged the other Commissioners to take a close look at the language and understand it because it was radically different from what they had crafted. She asked if the Planning Commission intended to measure the height from wherever the existing grade was compared to the proposed grade.

Commissioner Hontz was unable to do the math to figure out the distance between the driveway and the decking in the 14% slope area. She suggested that the front decking may have to be modified to pull back a little bit to accommodate parking a larger vehicle.

MOTION: Commissioner Hontz moved to APPROVE the Steep Slope Conditional Use Permit for 916 Empire Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously.

Planner Francisco Astorga stated that he was the project manager for the LMC regulation and he encouraged the Commissioners to contact him with any questions. Planner Astorga clarified that the only change the City Council made to the two provisions was the increase from 32' to 35'. Everything else remained the same. Commissioner Strachan had questions and he would contact Planner Astorga.

Findings of Fact – 916 Empire Avenue

1. The property is located at 916 Empire Avenue.

2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot 28, Block 15 of the Snyder's Addition to the Park City Survey. The lot area is 1,875 square feet. The lot is vacant.
4. The property is not listed as historically significant on the Park City Historic Sites Inventory.
5. A Historic District Design Review (HDDR) application is currently being reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
6. This is an infill "Old Town" lot. There is no existing significant vegetation on this lot. A previous, non-historic wooden parking platform was demolished and removed in 2012. This is a downhill lot.
7. There is an existing significant historic structure, in poor condition, located on the adjacent lot to the north. A wooden walkway and concrete steps located on the adjacent property (920 Empire) encroach onto this lot. This adjacent property is also owned by this applicant and the shared stairs will remain as they are, reconstructed to maintain shared access along the shared lot line with 920 Empire, or removed if alternative access for 920 Empire is approved in conjunction with an approved HDDR application for 920 Empire Avenue.
8. Access to the property is from Empire Avenue, a public street.
9. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.
10. The neighborhood is characterized by a mix of historic and non-historic residential structures, single family homes and duplexes. There are condominium buildings to the north on Empire Avenue.
11. The proposal consists of a single family dwelling of 2,208 square feet, including the basement area and a single car garage.
12. The driveway is designed with a maximum width of twelve feet and is approximately thirty feet in length from the garage to the existing edge of street with a minimum of eighteen feet of driveway located on the property. The garage door complies with the maximum height and width of nine feet by nine feet.
13. The proposed driveway has a maximum slope of 14% with sections at 5% (in front of the garage) and 10% (from property line to edge of street). Overall slope is 9.7% as measured from the front of the garage to the edge of the paved street.
14. An overall building footprint of 812 square feet is proposed. The maximum allowed footprint for this lot is 844 square feet.

15. The proposed structure complies with all setbacks.
16. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.
17. The proposed home includes a split level configuration created by a mezzanine level for the front interior entry area. The proposed structure complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC amendments adopted by City Council on November 21, 2013.
18. There is a fourteen and one-half foot (14.5') step back from the first two stories. The stepping occurs within the first twenty-three feet (23') of the rear (lower) facade. The rear roof form exceeds, by approximately 7", the twenty-three feet at the lowest point of existing grade and will have to be modified prior to submittal of plans for a Building Permit.
19. The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this house on the cross canyon views and the Empire Avenue streetscape.
20. Retaining is necessary around the home on the upper, steeper portion of the lot. 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. Retaining of grade at rear is minimized by the stepping foundation. There are no window wells.
21. 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. There is no existing significant vegetation on the lot.
22. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% slope areas.
23. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.
24. The proposed massing and architectural design components are compatible with both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.
25. The proposed structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and single car garages.

26. This property is required to have separate utility services, independent from 920 Empire Avenue, for water, sewer, power, etc. Stubbing of these utilities was completed during the Empire Avenue reconstruction project.

27. No lighting has been proposed at this time. Lighting will be reviewed at the time of the HDDR and Building Permit application for compliance with the LMC lighting code standards.

28. The applicant submitted a visual analysis, cross canyon view, and streetscape showing a contextual analysis of visual impacts of the proposed structure on the adjacent streetscape.

29. The findings in the Analysis section of this report are incorporated herein.

30. The applicant stipulates to the conditions of approval.

Conclusions of Law – 916 Empire Avenue

1. The Steep Slope CUP application is consistent with requirements of the Park City Land Management Code, specifically Section 15-2.2 for the HR-1 zoning district.

2. The Steep Slope CUP application is consistent with the Park City General Plan.

3. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.

4. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.

5. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 916 Empire Avenue

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.

4. Separate utility service is required for 916 Empire Avenue; services may not be shared with 920 Empire Avenue as these two structures are not attached and are not located on the same lot.

5. 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.
 6. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
 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, the 2009 Design Guidelines for Historic Districts and Historic Sites and the Land Management Code. The rear roof form shall be redesigned to be lowered in order to comply with the maximum height of 23' at the lowest point of existing grade.
 8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions and that the driveway complies with the required slope restrictions.
 9. 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 and existing retaining wall on the south property line.
 10. This approval will expire on December 11, 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 the request is granted.
 11. Plans submitted for a Building Permit must substantially comply with the plans reviewed by the Planning Commission on December 11, 2013.
 12. An access easement for the wooden walkway and concrete stairs shall be recorded at Summit County prior to issuance of a building permit, unless these encroachments are removed and alternative access is provided to the house at 920 Empire Avenue, consistent with an approved HDDR application for that structure.
 13. Modified 13-D residential fire sprinklers are required for all new structures on the lot.
 14. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.
5. **7101 Silver Lake Drive, Lot 2B Subdivision of Lot 2 North Silver Lake – Conditional Use Permit for Lockout Units (Application PL-13-02034)**

Planner Astorga reported that the applicant had submitted a conditional use permit modification request to incorporate 85 lockout units within the approved multi-unit dwellings. The Staff report outlined the history from 2009 through 2012 due to the different extensions issued by the City Council and Planning Commission. In 2010 the Planning Commission approved a CUP for a 54 Unit development consisting of 16 single-family dwellings/duplexes around the periphery of the project and 38 multi-unit dwellings which are privately owned.

Planner Astorga read the definition of a lockout, "An area of a dwelling with separate exterior access and toilet facilities, but no kitchen." The definition of a dwelling unit is "a building or portion thereof designed for use of the residence or a sleeping place for one or more persons or families and includes a kitchen, but does not include a hotel, motel, lodge, nursing home, or lockout unit." Planner Astorga explained that the issue is that the request is for a lockout unit, but not as a separate dwelling unit. A lockout unit per the LMC definition is simply part of the multi-unit dwelling. Planner Astorga clarified that per the LMC definition, a lockout unit, bed and breakfast or boarding houses are not hotels.

Planner Astorga stated that during the work session on November 6th the Planning Commission identified two items that needed to be mitigated. One was related to the capacity of the existing streets and the other related to parking. Following the work session discussion the applicant updated the study which indicates that the level of service would remain as Level A. The City Engineer, Matt Cassel, has indicated that his real concern is when the Level of Service drops to a D or E status. Planner Astorga reiterated that according to the traffic study, which incorporates the worst case scenario of 125 keys utilized, the Level of Service would still remain an A as indicated in the Staff report.

Planner Astorga noted that the required parking must be provided within the development. The Deer Valley MPD specifically states that the parking requirement shall be determined in accordance with the LMC at the time of the conditional use permit. Per the Staff analysis, the modification which changes the use to add lockout units triggers a parking requirement of 76 spaces. At one point the Planning Commission had issued a parking reduction from 106 spaces to 80 spaces. The 80 spaces are still being provided but at this point it is not longer considered a reduced number.

Planner Astorga noted that Exhibit H that was included in the Staff report showed a breakdown of every unit and the required parking spaces per each unit. The Exhibit also showed the square footages of the main dwelling versus the lockout unit.

The Staff found that the conditional use permit modification meets the Land Management Code Section 15-1.10, criteria for a conditional use permit. Conditions of Approval indicate that all standard of conditions shall apply. Because of the various extensions and appeals, the Staff continued to apply the City Council 2011 Order. It should also continue to comply with former approvals in that the support commercial and amenities shall be for the exclusive use of the owners, residents and their guests. Also, per the traffic study the applicant shall work with the City Engineer to ensure proper compliance with the recommendations outlined in the Staff report regarding sight distance and special warning signage during construction.

Planner Astorga reported that the Planning Department had received a significant amount of public input on Monday, Tuesday and Wednesday, which was forwarded to the Planning Commission. The comments were both negative and positive for this application.

Rich Lichtenstein, representing the applicant, noted that six or seven speakers had attended to speak in support of the project, but due to the late hour they had left. However, they met with Planner Astorga and provided their written names and comments. They were in addition to a dozen others who submitted letters of support. Mr. Lichtenstein stated that their attorney, Tom Bennett, had prepared a response to a letter that was received by the City and the applicant from attorney Robert Dillon. He believed there was evidence of an enormous amount of public support for this project and their relationship with Stein Eriksen going forward.

Mr. Lichtenstein introduced Russ Olsen, the CEO of Stein Eriksen, Steve Brown, the Stein Development Consultant, Johnny Shirley of THINK Architecture, as well as the representative from Regent Properties and the Traffic Engineer. Mr. Lichtenstein reviewed the changes and updates to the plan since the November 6th work session, most of which were outlined in the Staff report. Mr. Lichtenstein stated that after conversations with a number of the neighbors over several weeks, they were offering a new condition to read, "Lockouts shall be an approved use so long as the project is managed by Stein Eriksen Lodge Management Corporation or other manager in a luxury manner." Luxury means equality comparable to the quality of Stein Eriksen lodge as of December 2013, which has received five diamonds from AAA, five stars from Forbes, and Travel of Gold List recognition. They also agreed at the request of some of their neighbors that in the event that vehicles driven by owners, guests or employees of Stein Eriksen residents are found to be parked illegally on Silver Lake Drive, the manager of the project would seek to immediately have the vehicle towed.

Mr. Lichtenstein addressed other issues raised during the November work session. He remarked that in all the meetings and conversations with the neighborhoods and during the public hearings, it was always understood that lockouts were a permitted use in North Silver Lake and on their property. Regent Properties voluntarily offered not to pursue lockouts during the original CUP application with the absolute understanding that if desired they would come back to the Planning Commission for subsequent approval. For anyone to suggest that the language of this particular condition has suddenly appeared in Staff report was disingenuous to the Planning Staff. Mr. Lichtenstein stated that as Mr. Olsen testified during the work session, the long term viability of this project is significantly enhanced by creating the lockouts. The Stein Eriksen Residences is not a hotel, which was well-articulated by the Staff report. There are no public meeting rooms, restaurants or other public amenities associated with a typical hotel. To alleviate any continuing concerns on this matter, Regent Properties and Stein Eriksen fully support the Staff recommendation to add a condition of approval indicating that support commercial amenities shall be limited to the exclusive use of the owners, residents and guests of the Stein Eriksen Residences.

Mr. Lichtenstein noted that Regent Properties broke ground on the property earlier this year and the model home was nearly complete. They are in full preparation to begin taking sales reservations this ski season. The request before the Planning Commission was not to revisit the original CUP approval, but rather to seek approval for a modification to include the 85 lockout units. The requested modification proposes no additional square footage, no reduction in open space and no additional height. The project has been found by the Staff to be in substantial conformance and

compliance with the approved CUP. No impacts have been identified from the proposed addition of lockout. Mr. Lichtenstein requested Planning Commission approval this evening.

Commissioner Hontz referred to page 224 of the Staff report, Item 1, "All conditions of approval of the City Council July 21st, 2011 order continue to apply." She noted that those conditions were listed on page 335 of the Staff report and Condition #18 states that, "No lockouts are permitted within this approval." Commissioner Hontz understood that currently the conditions of approval that apply to this project include no lockout units.

Planner Astorga explained that in 2009 an appeal was filed to prohibit lockout units. Subsequently, through the 2010 approval that condition of approval was later amended to reflect that lockout units were not part of that approval. Because a lockout unit is a conditional use in the District, the condition specified that no lockout units were permitted within this approval. It did not say "within this development." Planner Astorga clarified that the condition was added to the original approval to make sure that if a lockout unit was every requested it would have to be done through a CUP modification.

Commissioner Hontz stated that she had a different reading of the condition, particularly related to the other conditions that the applicant stipulated to. Planner Astorga agreed that the modification request was a substantial deviation from what was originally approved, which is why it requires Planning Commission approval. Commissioner Hontz thought Planner Astorga's explanation was clearer than how it was represented in the Staff report.

Russ Olson stated that as Stein Eriksen Lodge got involved with the developer on this project, a discussion they had early on was the important of having lockouts from an operational perspective from the standpoint of selling real estate and the future ongoing operations of a project of this magnitude. The request to modify the CUP to allow lockouts was important for the enhancement of the development and this project in particular.

Commissioner Savage referred to a comment that the property would be managed by Stein Eriksen or another luxury management firm. He assumed that if Stein Eriksen discontinued their management responsibility that the management company hired to replace them would have the same level of credentials. Mr. Lichtenstein answered yes. Commissioner Savage asked for the number of management companies that operate at that credential level. He was told that no other company had the same credentials. Commissioner Savage wanted to know why the Planning Commission could not add a condition of approval stating that Stein Eriksen would be the operator of the property. Mr. Lichtenstein stated that they did not see the relationship with Stein Eriksen ending, and he was comfortable adding a condition stating that if Stein Eriksen discontinued management then the lockouts would go away.

Mr. Olson reiterated that Stein Eriksen has a long term agreement with Regent Property that would transfer over to the HOA. It was a fact that they would be there for many years. Commissioner Savage calculated that the number of keys would increase by 300% over the original approval, going from 40 to 125 keys. Mr. Lichtenstein replied that the increase was actually 54 to 125. There were 54 units on the site and they were only proposing to add the additional 85 lockout units within the condo buildings. Commissioner Savage was concerned about the increase in the number of people coming and going.

Chair Worel opened the public hearing.

Bob Dillon, representing a number of adjoining residents in the neighborhood, assumed that the Planning Commission had received the two letters he sent dated December 6th and December 11th. He noted that the December 6th letter laid out the history of this project and how it got to be what it is today. Mr. Dillon stated that at one point the neighbors realized that if they let these big units have lockouts it is a completely different project than what was proposed. Mr. Dillon provided a hand out to the Planning Commission. He has been involved with this project for many years and it was very clear that the City and Deer Valley Resort wanted this project. It went through a multi-unit dwelling process; however, he and others always asserted that the City really did not know what the project would be until they saw the condo plan because that relates directly to how this project operates and what it is. Mr. Dillon stated that in large units with a full kitchen, people generally live within those units the same as they would within a dwelling unit. Once they add 85 lockouts as part of those units, they create a necessity to have restaurants, bars, and other retail, which is consistent with a hotel use. He used Stein Eriksen and the Chateau as examples. Mr. Dillon watched the approval process and in the October 15 City Council/Staff hearing he made the argument for why lockouts would be a material change and make this a 135 unit project instead of a 54 unit project. Mr. Dillon noted that during the process the Staff relayed that the developer was not contemplating lockout; and therefore agreed to the insertion of the condition stating that no lockouts are permitted within this approval. Mr. Dillon stated that no action was taken on October 15th and the matter was continued several times after that. It was finally discussed on April 28, 2010 with the hearing that resulted in the approval of the project. That approval added Condition #18 that said no lockouts are permitted within this approval because it would be a major deviation and to add them would require approval by the Planning Commission.

Mr. Dillon stated that he has been called ingenuous and a crappy lawyer, but he always thought that if a project was approved that was the project that stood. Mr. Dillon noted that the applicant went through a series of extensions and reached the point where the CUP was ready to expire if they did not pull a building permit. They have still yet to file any condo plats or subdivision plats.

Commissioner Wintzer asked Mr. Dillon to keep his comments focused on the lockout units.

Mr. Dillon believed his comments were on point and continued. Mr. Dillon stated that the neighbors objected and the Legal Department came forward with a labored interpretation to allow this project to start. For the second time excavation started on this property on a project that had not been fully defined. Mr. Dillon reviewed the Legal Department's response and he told his clients that it was clear that the building permit would be allowed by the City. Their choice was to raise money to take it to 3rd District Court, which would be a long arduous process. Even if they won it would put them back in the same place. Therefore, the neighbors decided that modest improvements were made to the project and the applicant had made some concessions to address their concerns. The neighbors also thought they had succeeded in getting a lockout prohibition. For those reasons the neighbors decided to forego their legal option to appeal the decision of starting construction. Mr. Dillon was dismayed to see this lockout application with Staff support. He believed it was totally contrary to their understanding. He was also surprised to find that the applicant had filed their condo and subdivision documents. He had copies and asked if the Planning Commission had seen them.

He noted that the documents revealed exactly what the neighbors were saying. The project was not a multi-unit dwelling. He has worked with Stein Eriksen for years and they run a good hotel. Mr. Dillon stated that the condo documents had commercial units, which per the Code, are units that could be rented out for businesses. He reiterated that 85 lockout units would eventually require restaurants and other hotel amenities. Mr. Dillon felt strongly that the applicant's request for lockout units was a material and substantial deviation from the project that went through the CUP approval process. Mr. Dillon stated that he later learned that the applicant withdrew the filed condo documents, which was why they were able to tell the Planning Commission this evening that they were not a hotel. Mr. Dillon pointed out that Black Diamond has support commercial but they do not have restaurants and they are not run by a hotel operator. If they intend to define support commercial in the context of a multi-unit dwelling, this applicant should not be allowed to have any of that because it runs counter to the definition of a hotel. A hotel is a building that has restaurants, spas, etc. connected with the use. If the applicant intends to have a hotel they should be required to file for a new CUP and prove that their project complies with the Code requirements for a hotel.

Mr. Dillon stated that his clients requested that the Planning Commission disapprove this application this evening and direct the developer to move forward with the multi-unit dwelling project that was approved, and to add a condition of approval that there will be no lockout units permitted in this project. They would like the Planning Commission to instruct the developer to file the condo and subdivision documents as required by the Code before any further building permits are issued. Mr. Dillon pointed out that this was the process required by Code. If the Planning Commission was unwilling to deny the lockouts, their documents should show no material deviation in nature or use of the project, since it will not be a unit project as required by the approved CUP. Otherwise, the developer should have to file a new CUP for a hotel.

Commissioner Strachan thought the Planning Commission should make it clear to the public that due to the late hour they would not be making a decision this evening. He would be moving for a continuance to give the Commissioners the opportunity to read the recently submitted public comment. He was willing to hear additional public comment this evening or those wishing to speak could refine their comments and come back at a later date.

There was no other public comment. Chair Worel closed the public hearing.

Director Eddington noted that the January 8th agenda was quite full. Planner Astorga stated that since the Planning Commission was only meeting once in December and once in January due to the holiday and Sundance, the agendas were anticipated to be large for January 8th and the first meeting in February.

Mr. Lichtenstein understood the scheduling predicament, but his preference was to be back on the January 8th agenda.

Regarding the condominium plat issue, Planner Astorga presented the site plan that was approved in 2010. He noted that two separate applications were filed. One was a subdivision application for the 16 homes around the periphery and the other was a condo plat. However, the Staff identified an issue with the duplex regarding lot lines. The applicant decided to withdraw their applications and do one master record of survey application for the entire application including the 16 single family

dwelling/duplexes and the 38 condo unit buildings. Planner Astorga was informed today that the application would most likely be submitted on December 20th.

Assistant City Attorney McLean asked if it would make sense to continue this item to the date the condo plat would be on the agenda. Planner Astorga was unsure of the exact date because it could change depending on when the application is actually submitted. The applicant wanted to get it right this time and the surveyor was still working on the documents. Commissioner Strachan requested that the Planning Commission hear the two together. He thought it would be more beneficial to allow the public to comment on what might be overlapping issues. Director Eddington suggested February 12th.

Planner Astorga stated that if they continue this item to February 12th it should be done so with the condition that all public comment must be received one week prior to that date. Commissioner Strachan thought they could implore people to meet that deadline but they could not force them.

MOTION: Commissioner Strachan moved to CONTINUE the Conditional Use Permit application for Lot 2B of Subdivision 2 of North Silver Lake until February 12, 2014. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

6. 543 Woodside Avenue – Steep Slope CUP (Application PL-13-02034)

Due to the late hour and the need to have sufficient time to discuss the application, the Planning Commission decided to continue this item to the next meeting.

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

MOTION: Commissioner Savage moved to CONTINUE 543 Woodside Avenue to January 8th, 2014. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission meeting adjourned at 11:00 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Fifth Supplemental Plat for
Constructed Units – The Belles at
Empire Pass, Amending Units 10 + 11

Author: Francisco Astorga

Project Number: PL-13-02096

Date: January 8, 2014

Type of Item: Administrative – Condominium Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Fifth Supplemental Plat for Constructed Units for the Belles at Empire Pass Condominium plat amending Units 10 and 11 and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Topic

Applicant: Wichita, LP, represented by Alliance Engineering, Inc.

Location: 20 + 26 Silver Strike Trail

Zoning: Residential Development (RD) as part of the Village at Empire Pass MPD

Adjacent Land Uses: Single family condominium units, multi-family condominium units, development parcels of the Village at Empire Pass MPD, ski trails and open space.

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

Proposal

The purpose of this application is to plat as-built conditions of constructed Units 10 and 11, two (2) separate single family dwellings, and to identify common, limited common and private areas for these Units, as stipulated by the underlying Silver Strike Subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass condominium plat. A condition of approval of this underlying condominium plat requires that upon completion of the condominium units, a supplemental condominium plat identifying as built conditions, shall be approved by the City Council and recorded at Summit County as a condition precedent to issuance of a final certificate of occupancy.

Purpose

The purpose of the Residential Development RD District is to:

- A. Allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. Encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of

- municipal services,
- C. Allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. Minimize impacts of the automobile on architectural design,
- E. Promote pedestrian connections within Developments and between adjacent Areas; and
- F. Provide opportunities for variation in architectural design and housing types.

Background

On November 11, 2013, the City received a complete application for this plat to memorialize as-built conditions for Units 10 and 11 of the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass condominium plat that was approved by City Council on March 24, 2011 and recorded at Summit County on November 28, 2011.

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

On July 28, 2004, the Planning Commission approved an MPD for the Village at Empire Pass, aka Pod A. The MPD identified an area of Pod A as the location for eighteen (18) detached single family homes, similar to the Paintbrush units currently under construction in other parts of Empire Pass. The Development Agreement allowed a total of sixty (60) units, single detached or duplex, within the annexation area and the rest of the units being multi-family, stacked-flat or tri-plex or greater attached. The Belles at Empire Pass condominiums (formerly known as Christopher Homes) utilize seventeen (17) of the sixty (60) allocated PUD style units for the Flagstaff Development area.

On June 29, 2006, City Council approved the Silver Strike Subdivision creating two (2) lots of record within Pod A. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres. The plat was recorded on December 1, 2006. The subject units, Units 10 and 11 of the Belles at Empire Pass, are located on Lot 1 of the Silver Strike Subdivision.

On March 24, 2011, the City Council approved the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass amending, consolidating, and restating the previously recorded Christopher Homes at Empire Pass condominium. Also on March 24, 2011, the City Council approved the First Supplemental Plat for Constructed Units 1, 2, and 12 of the Belles at Empire Pass Condominiums. These plats were recorded November 28, 2011. A condition of approval of the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass plat requires that upon completion of the condominium units, a supplemental condominium plat identifying as built conditions, shall be approved by the City Council and recorded at Summit County as a condition precedent to issuance of a final certificate of occupancy.

On June 28, 2012, the City Council approved the Second Supplemental Plat for Constructed Unit 9. This plat was recorded on November 20, 2012. On May 9, 2013, the City Council approved the Third Supplemental Plat for Constructed Unit 4 and the Fourth

Supplemental Plat for Constructed Units 5 and 6. This plat was recorded on October 28, 2013.

All conditions of the underlying approvals, namely the Village at Empire Pass MPD; Silver Strike Subdivision; and the Amended, Consolidated, and Restated Belles at Empire Pass condominium plat continue to apply and are reflected as conditions of approval and plat notes on this proposed supplemental plat (Exhibit A).

Analysis

This request for a Fifth Supplemental plat for Constructed Units at The Belles at Empire Pass amends Units 10 and 11 and documents the final as built conditions of these constructed units in accordance with the Utah Condominium Act. The zoning district is Residential Development (RD-MPD); subject to the Village at Empire Pass MPD.

The Silver Strike subdivision restricts each unit to a maximum house size of 5,000 square feet of Gross Floor Area as defined in the LMC, excluding 600 square feet for garage area and the basement area that is below final grade.

The Flagstaff Development Agreement requires calculation of unit equivalents (UE) for these units, in addition to maximum house size. The UE formula includes all interior square footage “calculated from the inside surfaces of the interior boundary wall of each completed unit, excluding all structural walls and components, as well as all shafts, ducts, flues, pipes, conduits and the wall enclosing such equipment. Also excluded from the UE square footage are garage space up to 600 square feet per unit and all space designated as non-habitable.” Basement area is included in the UE calculations.

A total of 90,000 square feet (45 UEs) were approved for the Belles at Empire Pass area (formerly known as the Christopher Homes at Empire Pass condominiums). Within the Flagstaff Development Agreement one (1) residential unit equivalent equals two thousand (2,000) square feet of Gross Floor Area, including the basement area. Units 10 and 11, two (2) separate single family dwellings, meet the maximum house size requirement in both Gross Floor Area and Unit Equivalent calculation as noted above.

Unit 10 contains 4,993.5 sf of Gross Floor Area,(excluding 600 sf for garage area and 761 sf of basement area below final grade) and accounts for 2.877 UEs based on the Total Floor area of 5,754.5 sf (includes basement area but not garage area). Unit 11 contains 4,993.5 sf of Gross Floor Area, (excluding 600 sf for garage area and 761 sf of basement area below final grade) and accounts for 2.877 UEs based on the Total Floor area of 5,754.5 sf (includes basement area but not garage area). The nine units (Units 1, 2, 4, 5, 6, 9, **10, 11** and 12) utilize 24.321 Unit Equivalents (UE). Site development parameters are as follows:

	Permitted	Approved
Height	28' (+5' for pitched roof) total maximum of 33'	33' max with pitched roof. <u>Units 10 and 11 comply.</u>
Front setback	Minimum of 20', 25' to front facing garage	Unit 10: 42'. Unit 11: 39'. <u>Units 10 and 11 comply.</u>

Rear setback	Per Building Code and MPD (allows zero setback to internal property line)	Unit 10: 61'. Unit 11: 94'. <u>Units 10 and 11 comply.</u>
Side setbacks	Per Building Code and MPD (allows zero setback to internal property line)	Unit 10: 12' on north side and 8.5' on south side from Lot boundary. Unit 11: 8' on north side and 10' on south side from lot boundary. <u>Units 10 and 11 comply.</u>
Parking	Two (2) spaces required per unit	2 per unit. <u>Units 10 and 11 Comply.</u>
Maximum house size (based on the Silver Strike subdivision and defined per the Land Management Code)	5,000 sf (Gross Floor Area excludes basement area below final grade and 600 sf of garage area)	Unit 10 contains 4,993.5 sf Gross Floor Area. Unit 11 contains 4,993.5 sf Gross Floor Area. <u>Units 10 and 11 Comply.</u>
Unit Equivalent (based on the Village at Empire Pass MPD)	Maximum of 45 UE for all of the Belles Condominiums. Gross floor area for UE calculations excludes 600 sf garage and any uninhabitable space, i.e. crawl space, attics, etc.	Unit 10- 5,754.5 sf which is 2.887 UE. Unit 11- 5,754.5 sf which is 2.887 UE. <u>Units 10 and 11 Comply.</u> The total UE for Units 1, 2, 4, 5, 6, 9, 10, 11 and 12 is 24.321 UE

Good Cause

Staff finds good cause for this record of survey amendment as it memorializes and documents as-built conditions and UE calculations for this unit. Units 10 and 11 comply with the conditions of approval of the underlying plats, namely the Silver Strike subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass. In addition the units are consistent with the development pattern envisioned in the Village at Empire Pass MPD and the 14 Technical Reports.

Department Review

This project has gone through interdepartmental review. No issues were raised pertaining to the requested plat amendment.

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 had not received public input on this application at the time of this report. No public input was provided at the Planning Commission hearing.

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 application for the Fifth Supplemental plat for Constructed Units for the Belles at Empire Pass amending Units 10 and 11, as conditioned or amended, or
- The Planning Commission may recommend that the City deny the 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

No certificate of occupancy may be granted until the plat is recorded.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Fifth Supplemental Plat for Constructed Units for the Belles at Empire Pass Condominium plat amending Units 10 and 11 and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

- Exhibit A – Proposed Ordinance and Supplemental plat for Belles Units 10 + 11
- Exhibit B – Aerial Photograph
- Exhibit C – Zoning Map
- Exhibit D – County Plat Map
- Exhibit E – Existing Conditions + Topographic Survey
- Exhibit F – Site Photographs

Exhibit A – Proposed Ordinance and Supplemental plat for Belles Units 10 + 11

Ordinance No. 13-XX

**AN ORDINANCE APPROVING THE FIFTH SUPPLEMENTAL PLAT FOR
CONSTRUCTED UNITS AT THE BELLES AT EMPIRE PASS CONDOMINIUMS
AMENDING UNITS 10 + 11, LOCATED AT 20 + 26 SILVER STRIKE TRAIL, PARK
CITY, UTAH.**

WHEREAS, the owners of the property known as The Belles at Empire Pass Condominium Units 10 and 11, have petitioned the City Council for approval of the Fifth Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2014, to receive input on the supplemental plat;

WHEREAS, the Planning Commission, on January 8, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 6, 2014, 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 Fifth Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project to document the as-built conditions and constructed Unit Equivalentents for this completed condominium unit.

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 Fifth Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project, as shown in Attachment A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property, Units 10 and 11 of the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass and associated common area, are

located at 20 & 26 Silver Strike Trail.

2. The property is located on Lot 1 of the Silver Strike subdivision and is within Pod A of the Flagstaff Mountain Development, in an area known as the Village at Empire Pass.
3. The property is located within the RD –MPD zoning district and is subject to the Flagstaff Mountain Development Agreement and Village of Empire Pass MPD.
4. The City Council approved the Flagstaff Mountain Development Agreement and Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.
5. On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass, aka Pod A. The MPD identified the area of the proposed condominium plat as the location for 17 PUD –style detached single family homes and duplexes.
6. On June 29, 2006, the City Council approved the Silver Strike Subdivision creating two lots of record. Units 10 and 11 are located on Lot 1 of the Silver Strike Subdivision.
7. March 24, 2011, the City Council approved the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass amending, consolidating, and restating the previously recorded Christopher Homes at Empire Pass. Also on March 24, 2011, the City Council approved the First Supplemental Plat for Constructed Units 1, 2, and 12 of the Belles at Empire Pass Condominiums. These plats were recorded November 28, 2011.
8. On June 28, 2012, the City Council approved the Second Supplemental Plat for Constructed Unit 9. This plat was recorded on November 20, 2012.
9. On May 9, 2013, the City Council approved the Third Supplemental Plat for Constructed Unit 4 and the Fourth Supplemental Plat for Constructed Unit 5 and 6.
10. On November 11, 2013, the Planning Department received a complete application for the Fifth Supplemental Plat for Constructed Units 10 and 11.
11. The purpose of the supplemental plat is to describe and document the as-built conditions and the UE calculations for constructed Units 10 and 11 at the Belles Condominiums prior to issuance of a certificate of occupancy and to identify private, limited common and common area for this unit.
12. The supplemental plat complies with the conditions of approval of the underlying plats, namely the Silver Strike subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass. The plat is consistent with the development pattern envisioned by the Village at Empire Pass MPD and the 14 Technical Reports of the MPD and the Flagstaff Development Agreement.
13. Units 10 and 11 are located on Lot 1 of the Silver Strike subdivision plat.
14. The approved maximum house size is 5,000 square feet of Gross Floor Area, as defined by the LMC. Gross Floor Area exempts basement areas below final grade and 600 square feet of garage area. Unit 10 contains 4,993.5 sf Gross Floor Area and Unit 11 contains 4,993.5 sf Gross Floor Area.
15. The Flagstaff Development Agreement requires calculation of unit equivalents (UE) for all Belles units, in addition to the maximum house size. The UE formula includes all interior square footage “calculated from the inside surfaces of the interior

boundary wall of each completed unit, excluding all structural walls and components, as well as all shafts, ducts, flues, pipes, conduits and the wall enclosing such facilities. Unit Equivalent floor area includes all basement areas. Also excluded from the UE square footage are garage space up to 600 square feet per unit and all space designated as non-habitable on this plat.” Within the Flagstaff Development Agreement one residential unit equivalent equals 2,000 sf.

16. Unit 10 contains a total of 5,745.5 square feet and utilizes 2.887 UE. Unit 11 contains a total of 5,754.5 square feet and utilizes 2.887 UE. The total UE for Units 1, 2, 4, 5, 6, 9, 10, 11 and 12 is 24.321 Unit Equivalents of the 45 total UE allocated for the Belles at Empire Pass.
17. As conditioned, this supplemental plat is consistent with the approved Flagstaff Development Agreement, the Village at Empire Pass MPD, and the conditions of approval of the Silver Strike Subdivision.
18. The findings in the analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this supplemental plat as it memorializes the as-built conditions for Units 10 & 11.
2. The supplemental plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed supplemental plat.
4. Approval of the supplemental plat, subject to the conditions of approval stated below, 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 of the supplemental plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year timeframe, this approval 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 Village at Empire Pass Master Planned Development, the Silver Strike Subdivision plat, and the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass shall continue to apply.
4. As a condition precedent to issuance of a final certificate of occupancy for Units 10 & 11, the supplemental plat shall be recorded at Summit County.
5. A note shall be added to the plat prior to recordation stating the following, “At the time of resurfacing of Silver Strike Trail, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards”.
6. The Unit sizes and UEs shall be reflected on the plat as they are to reflect the actual

size and UE of the Units.

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

PASSED AND ADOPTED this _____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

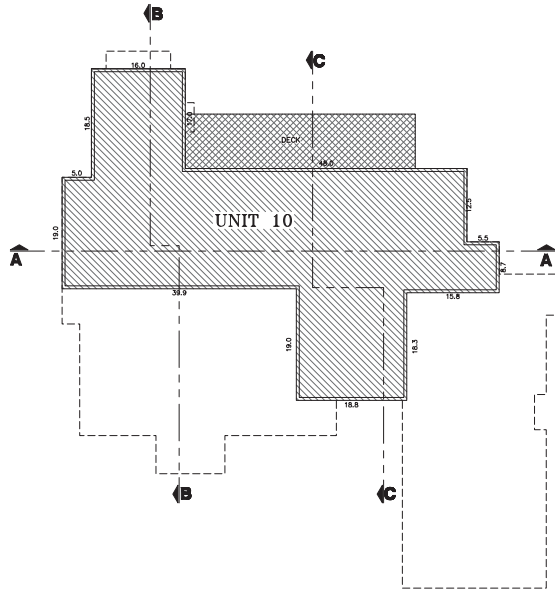
Jack Thomas, MAYOR

ATTEST:

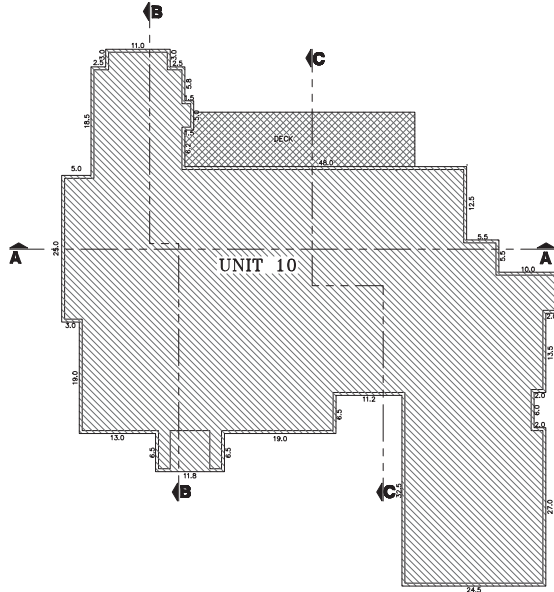
Marci Heil, City Recorder

APPROVED AS TO FORM:

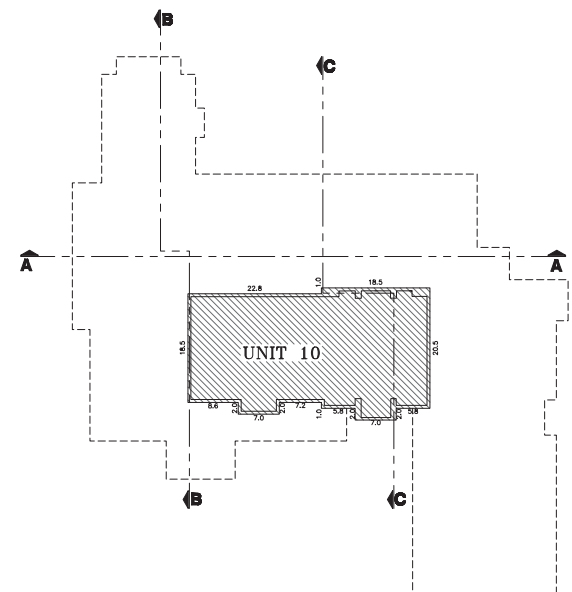
Mark Harrington, City Attorney



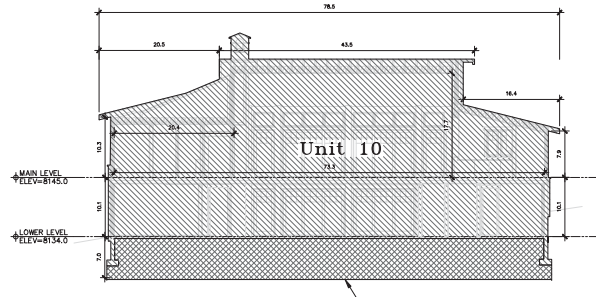
1 LOWER LEVEL AREAS
SCALE: 1" = 10'



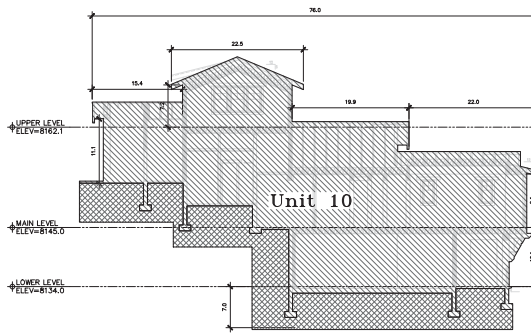
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SCALE: 1" = 10'



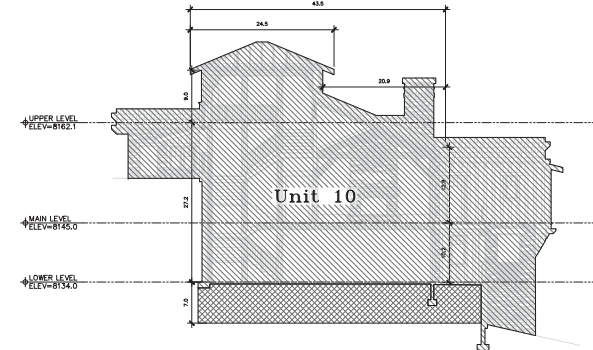
3 UPPER LEVEL AREAS
SCALE: 1" = 10'



4 SECTION A-A
SCALE: 1" = 10'



5 SECTION B-B
SCALE: 1" = 10'



6 SECTION C-C
SCALE: 1" = 10'

- COMMON AREA
- PRIVATE OWNERSHIP UNIT
- LIMITED COMMON AREAS AND FACILITIES

FIFTH SUPPLEMENTAL PLAT FOR CONSTRUCTED UNITS

THE BELLES AT EMPIRE PASS

A UTAH EXPANDABLE CONDOMINIUM PROJECT AMENDING UNITS 10 + 11
 LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

UNIT SQUARE FOOTAGE TABLE*

LEVELS	USE-SQUARE FOOTAGE	GROSS FLOOR AREA (SF)
LOWER	1,728.0 SF	957.0 SF
MAIN	3,507.0 SF	3,507.0 SF
UPPER	519.5 SF	519.5 SF
TOTAL SF	5,748.5 SF	4,984.5 SF
GARAGE**	600.0 SF	600.0 SF

* Per Architectural Drawings
 ** Maximum garage allowance

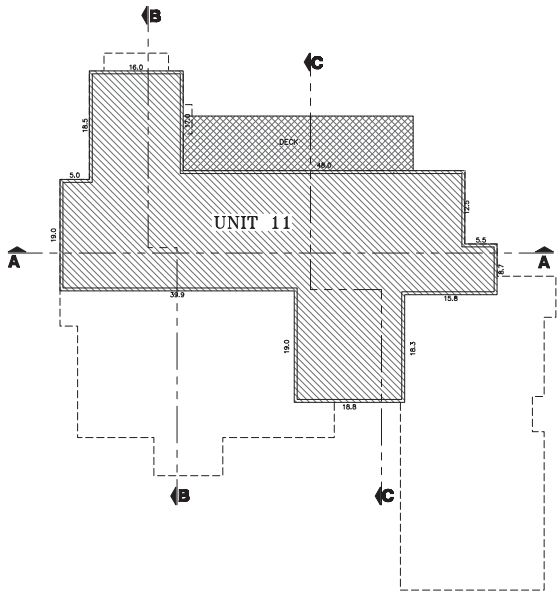
SHEET 2 OF 3

JOB NO: 6-6-10

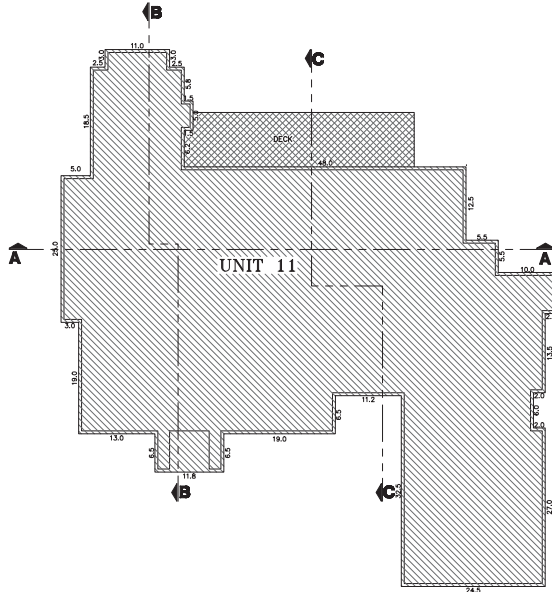
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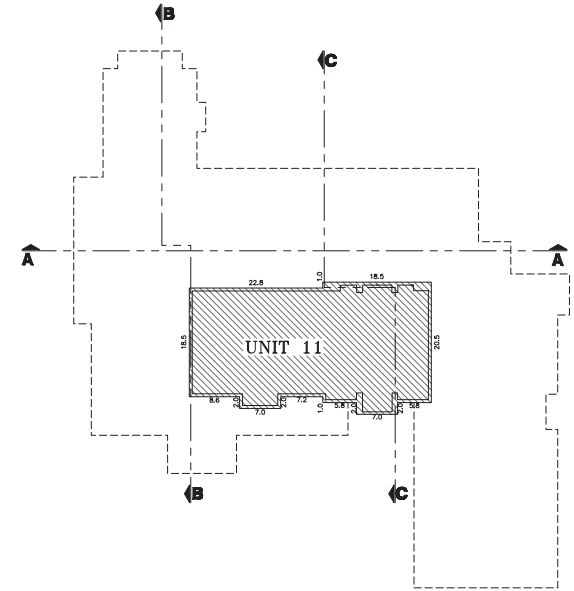
4/24/12



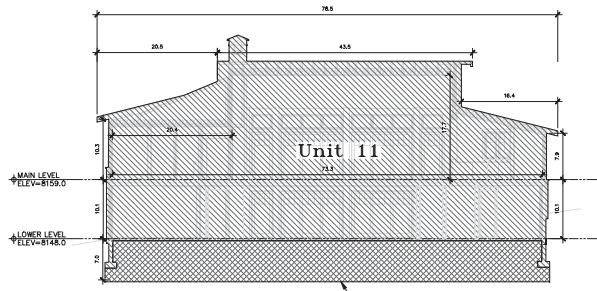
1 LOWER LEVEL AREAS
SCALE: 1" = 10'



2 MAIN LEVEL AREAS
SCALE: 1" = 10'

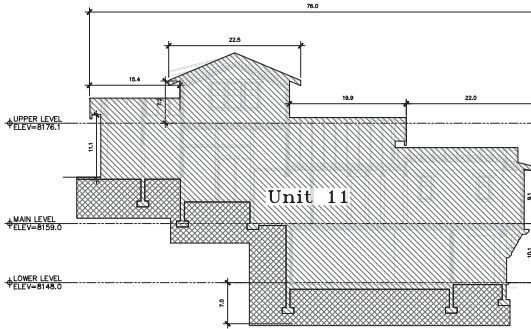


3 UPPER LEVEL AREAS
SCALE: 1" = 10'

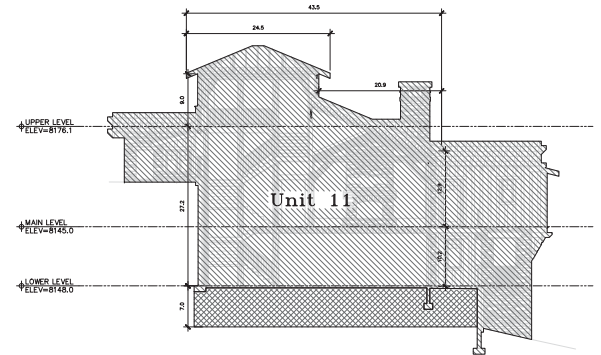


4 SECTION A-A
SCALE: 1" = 10'

The area under the unit extending to 7 feet below the lowest finished floor is designated Limited Common.
Additional Limited Common area on the ground surface is described and shown on Sheet 1.



5 SECTION B-B
SCALE: 1" = 10'



6 SECTION C-C
SCALE: 1" = 10'

- COMMON AREA
- PRIVATE OWNERSHIP UNIT
- LIMITED COMMON AREAS AND FACILITIES

FIFTH SUPPLEMENTAL PLAT FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS

A UTAH EXPANDABLE CONDOMINIUM PROJECT AMENDING UNITS 10 + 11
LOCATED IN SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

UNIT SQUARE FOOTAGE TABLE*

LEVELS	USE-SQUARE FOOTAGE	GROSS FLOOR AREA (SF)
LOWER	1,728.0 SF	907.0 SF
MAIN	3,507.0 SF	3,507.0 SF
UPPER	918.5 SF	918.5 SF
TOTAL SF	5,748.5 SF	4,984.5 SF
GARAGE**	580.0 SF	580.0 SF

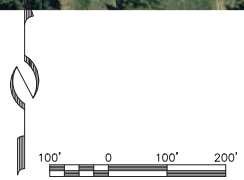
* Per Architectural Drawings
** Maximum garage allowance

JOB NO: 6-6-10
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE: _____ TIME: _____ PAGE: _____

FEE _____ RECORDER _____

4/24/12

Exhibit B – Aerial Photograph




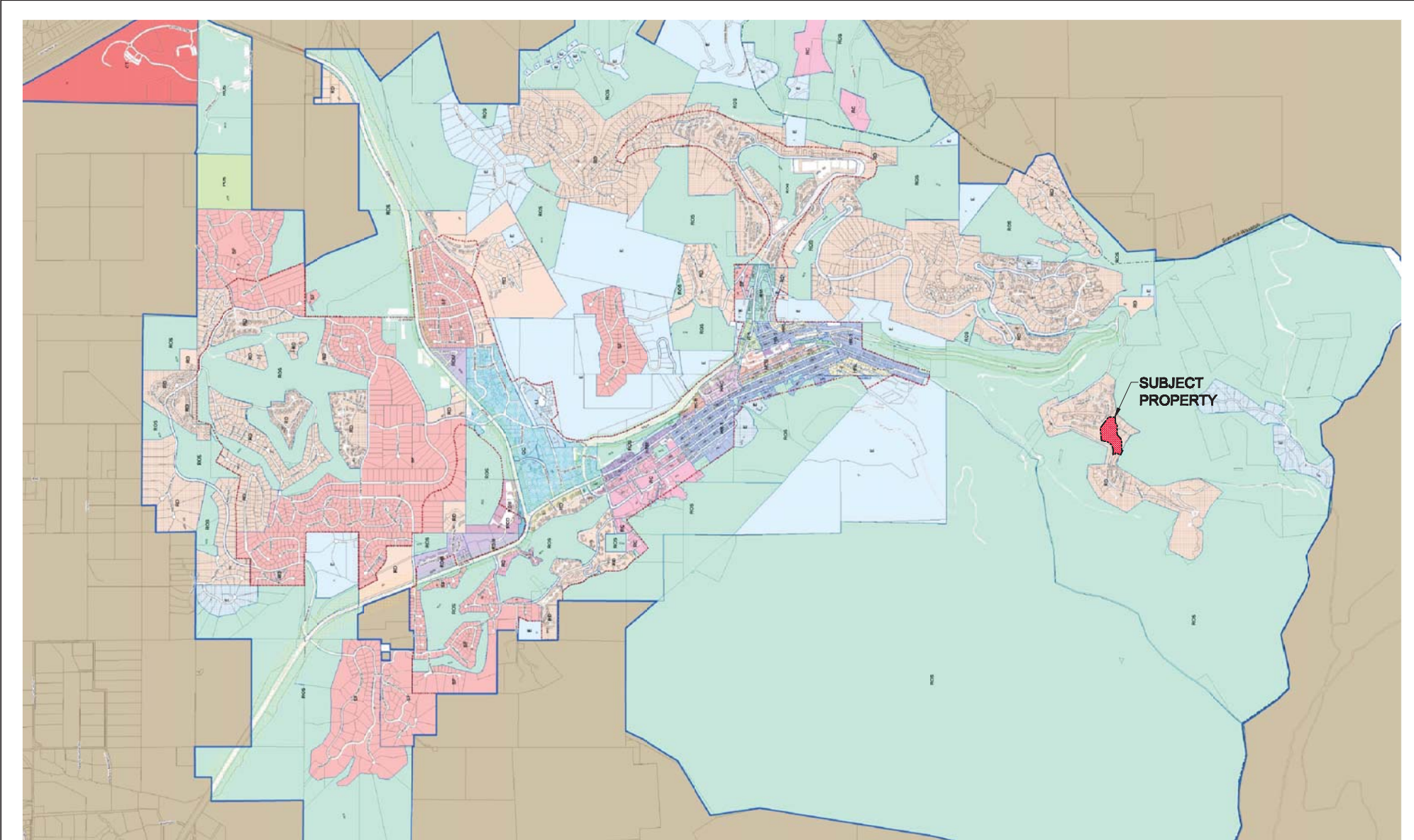
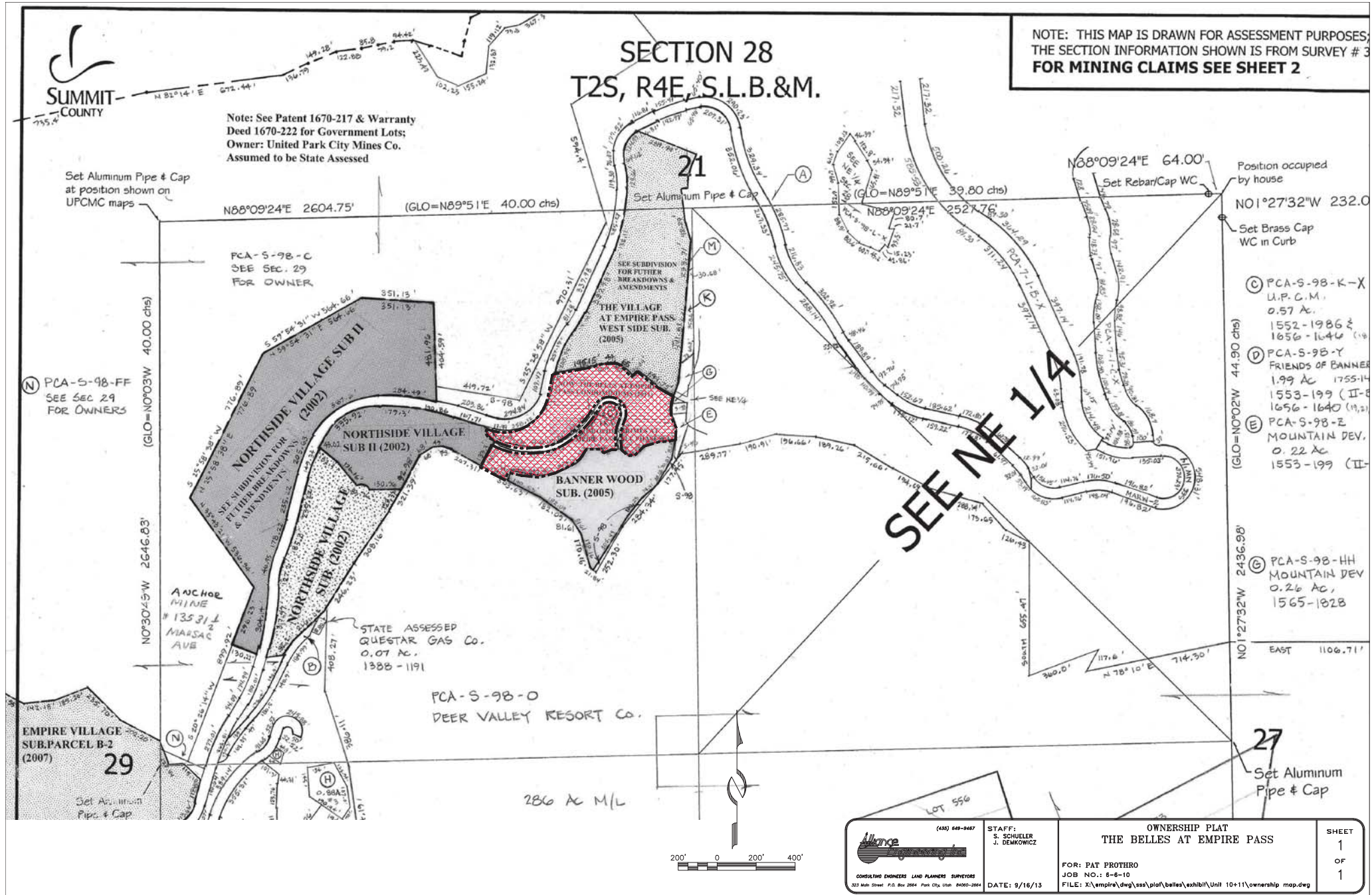
 (417) 610-9467 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2064 Park City, Utah 84060-2064</small>	STAFF: J. DEAKOWICZ S. SCHUELER	AERIAL ORTHO PHOTOGRAPH THE BELLES AT EMPIRE PASS Unit 10 + 11 Condominium Plat	SHEET 1 OF 1
	DATE: 9/16/13	FOR: Wichita LLP JOB NO.: 6-6-10 FILE: X:\empire\dwg\ess\plat\belles\exhibit\Unit 10+11\ortho-ortho.dwg	

Exhibit C - Zoning Map



	<p>(413) 648-8487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street P.O. Box 2854 Park City, Utah 84050-2854</p>	<p>ZONING MAP THE BELLES AT EMPIRE PASS Unit 10 + 11 Condominium Plat FOR: Wichita LLP JOB NO.: 6-6-10 FILE: X:\empire\dwg\ass\plot\belles\exhibit\unit 10+11\zone map.dwg</p>	<p>SHEET 1 OF 1</p>
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NOTE: THIS MAP IS DRAWN FOR ASSESSMENT PURPOSES;
THE SECTION INFORMATION SHOWN IS FROM SURVEY # 3
FOR MINING CLAIMS SEE SHEET 2

Note: See Patent 1670-217 & Warranty
Deed 1670-222 for Government Lots;
Owner: United Park City Mines Co.
Assumed to be State Assessed

PCA-S-98-C
SEE SEC. 29
FOR OWNER

PCA-S-98-FF
SEE SEC 29
FOR OWNERS

(GLO=N09°03'W 40.00 chs)

(GLO=N03°04'W 2646.83')

N88°09'24"E 2604.75'

(GLO=N89°51'E, 40.00 chs)

SEE NE 1/4

(GLO=N07°02'W 44.90 chs)

(GLO=N07°32'W 2436.98')

EAST 1106.71'

27
Set Aluminum
Pipe & Cap

Position occupied
by house
NO1°27'32"W 232.0'
Set Brass Cap
WC in Curb

PCA-S-98-K-X
U.P.C.M.
0.57 Ac.
1552-1986 &
1656-1646 (1,2)

PCA-S-98-Y
FRIENDS OF BANNER
1.99 Ac 1755-14
1553-199 (II-E)
1656-1640 (1,2)

PCA-S-98-Z
MOUNTAIN DEV.
0.22 Ac
1553-199 (II-

PCA-S-98-HH
MOUNTAIN DEV
0.26 Ac,
1565-1828

ANCHOR
MINE
135712
MANSAC
AVE

STATE ASSESSED
QUESTAR GAS Co.
0.07 Ac,
1388-1191

PCA-S-98-O
DEER VALLEY RESORT CO.

286 Ac M/L

EMPIRE VILLAGE
SUB.PARCEL B-2
(2007)
29
Set Aluminum
Pipe & Cap

Alliance
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2004 Park City, Utah 84060-2004

(435) 648-0667
STAFF:
S. SCHULER
J. DEMKOWICZ
DATE: 9/16/13

OWNERSHIP PLAT
THE BELLES AT EMPIRE PASS
FOR: PAT PROTHRO
JOB NO.: 6-6-10
FILE: X:\empire\dwg\ass\plot\belles\exhibit\Unfil 10+11\ownership_msp.dwg

SHEET
1
OF
1

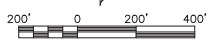


Exhibit E - Existing Conditions + Topographic Survey

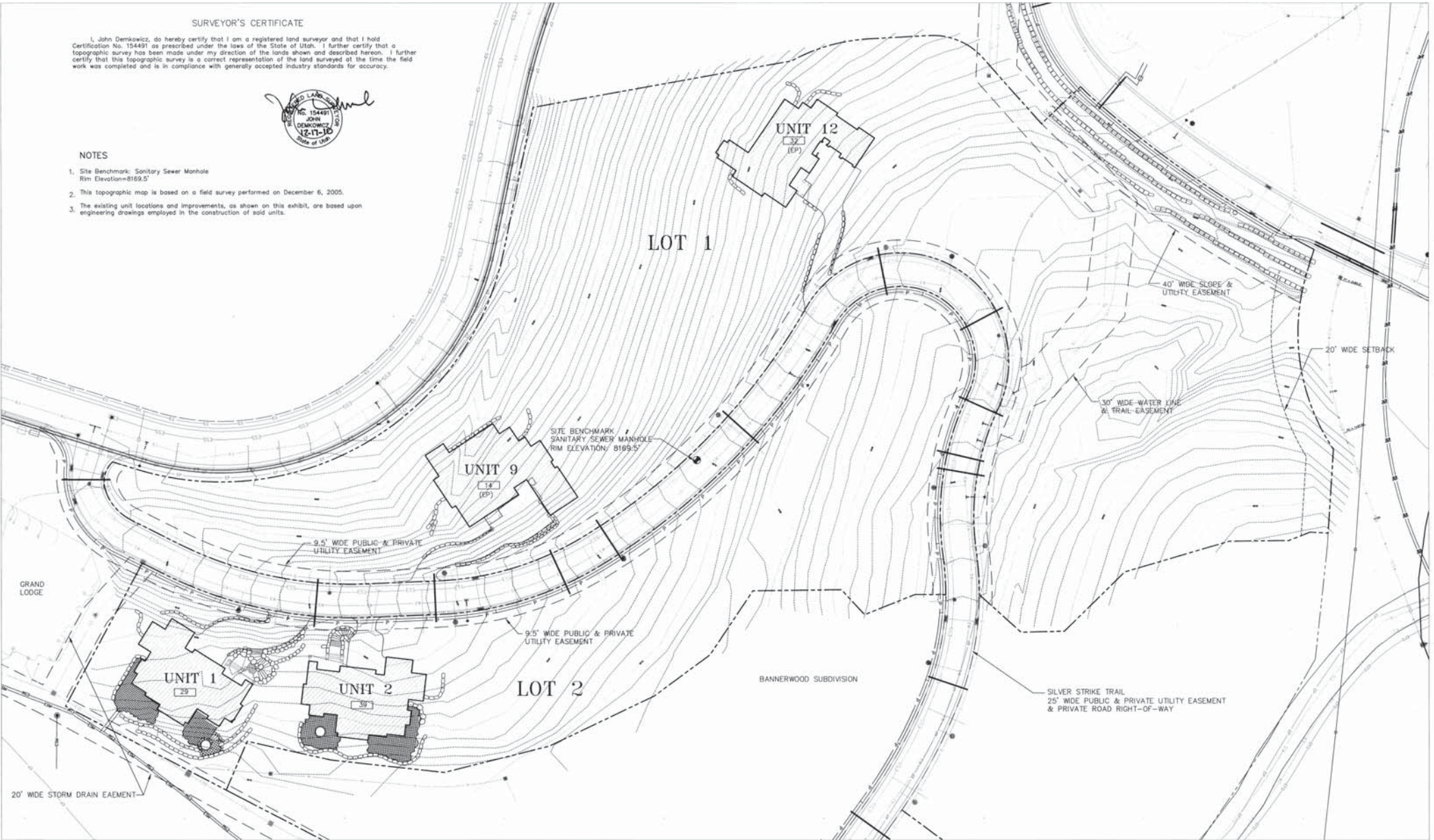
SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered land surveyor and that I hold Certification No. 154491 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 Rim Elevation=8169.5'
2. This topographic map is based on a field survey performed on December 6, 2005.
3. The existing unit locations and improvements, as shown on this exhibit, are based upon engineering drawings employed in the construction of said units.



LEGEND

EXISTING SANITARY SEWER	ESS	---
EXISTING STORM DRAIN	ESD	---
EXISTING WATER	EW	---
EXISTING POWER	EP	---
EXISTING TELEPHONE	ET	---
EXISTING GAS	EG	---
EXISTING FIBER OPTICS	EFO	---
ABANDONED WATER	AW	---
ABANDONED POWER	AP	---



<p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street, P.O. Box 2864 Park City, Utah 84090-2864</p>	<p>(435) 640-9467</p> <p>STAFF: J. DEMKOWICZ M. KING S. SCHUELLER</p>	<p>EXISTING CONDITIONS \ TOPOGRAPHIC SURVEY</p> <p>THE BELLES AT EMPIRE PASS</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 12/15/10</p>	<p>FOR: Wichto LLP JOB NO.: 06-06-01 FILE: X:\Emp\dwg\silverstrike\ub\belles\existing topo 11-3-10.dwg</p>	

Exhibit F - Site Photographs



LOOKING EAST FROM SILVER STRIKE TRAIL




LOOKING WEST FROM SILVER STRIKE TRAIL



LOOKING NORTH FROM SILVER STRIKE TRAIL



LOOKING SOUTH FROM SILVER STRIKE TRAIL

 <p>(435) 848-8447 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84090-2654</p>	<p>STAFF: J. DEMKOWICZ S. SCHUELER</p>	<p>PANORAMIC PHOTOS UNIT 10 + 11 PLAT AMENDMENT The Belles at Emprie Pass</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 9/20/13</p>	<p>FOR: Wichita LLP JOB NO.: 06-06-01 FILE: X:\Emp\dwg\SSS\belles\plat\ext\U 10+11\U 10+11 pano photos.dwg</p>	

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 543 Woodside Avenue
Project #: PL-13-01904
Author: Kirsten Whetstone, MS, AICP
Date: January 8, 2014
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 543 Woodside Avenue and conduct a public hearing. Staff recommends approval of the Steep Slope CUP permit per the findings of fact, conclusions of law, and conditions of approval outlined in this staff report.

Description

Applicant/Owner: Steve Maxwell, Owner
Architect: Jonathan DeGray, Architect
Location: 543 Woodside Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
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 (CUP) for an addition to a “significant” historic house located on a platted 3,750 sf lot. The existing two story house contains 1,658 sf of living area. The existing footprint is 1,072 sf. The proposed addition has a footprint of 280 sf and contains approximately 815 sf of floor area, including the basement areas. Also proposed is a 433 sf single car garage beneath the historic house with an elevator/entry foyer at the garage level connecting the garage to an outside entry. The proposal includes preservation and restoration of both the historic house and historic detached accessory structure located in the rear lot area.

Construction exceeds 1,000 sf of floor area (including garage) and access to the garage is proposed on a slope of 30% or greater, therefore a Steep Slope CUP is required to ensure compliance with the criteria for development on a steep slope prior to issuance of a building permit. Only the garage access is located on a slope of 30% or greater as the rear addition has been reduced in size and is no longer located on a slope of 30% or greater.

Background

On May 2, 2013, the City received an application for a Steep Slope Conditional Use Permit (CUP) for “Construction on a Steep Slope” at 543 Woodside Avenue. The

application was deemed complete on May 15, 2013. The property is located in the Historic Residential District (HR-1).

On May 1, 2013, a HDDR application was submitted to the Planning Department. The application was deemed complete on June 17, 2013 and the design was approved on August 20, 2013. The proposed addition was found to complement the historic structure and follow the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, alignment, and simplicity of architectural detailing. After several design iterations and with guidance from the Design Review Team, the revised (and reduced in size) design was found to be in compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009 (Exhibit C). With the exception of the garage door the rear addition is located to the rear of the historic structure and is not visible from Woodside Avenue due to the height of the existing historic house and the location and height of adjacent buildings.

Previously, on October 21, 2008, the accessory structure was deemed to be an historically significant structure by the Board of Adjustment on appeal, upholding the September 5, 2008, Historic Preservation Board's decision that the accessory structure was historically significant.

Also previously, on December 16, 2012, a Steep Slope CUP application was submitted for a total building footprint of 1,518 sf with 2,155 sf of additional floor area and a 486 square foot garage.

The previous CUP application was reviewed by the Planning Commission on June 27, 2012. At the June 27th meeting the Commission requested additional information on three items, namely 1) provide an adequate landscape plan, 2) provide a comparison with historic structures on the street, and 3) explain how the lack of a 10' step on the third story complies with the LMC. The item was continued to November 28th.

At the November 28, 2012 meeting, the applicant provided a revised landscape plan indicating the existing and proposed vegetation, provided a comparison of historic structures, and explained that on September 18, 2012, the Board of Adjustment granted a variance to the required 10' step for the third story. There were conflicting house size numbers presented by staff and the applicant regarding the comparison with other historic structures in the neighborhood.

The Commission made a motion to deny the previous CUP based on non-compliance with the purpose statements of the zone and that the proposal failed to comply with all of the Steep Slope CUP criteria. The Commission directed staff to return with findings for denial. On December 7, 2012, the applicant submitted a written request to withdraw the application and indicated that he would redesign and reduce the scale of the addition and resubmit a new application. The previous application was closed.

This new application (May 2, 2013) reflects a redesign of the previous project. The current design revises the previous proposal by reducing the overall footprint of the addition, reducing the total floor area of the addition, and reducing the basement area

and amount of excavation. The redesign removed the rear addition from slopes that are 30% or greater, only the driveway access is located on a Steep Slope.

This current design increases the separation between the addition and the accessory structure and maintains the current configuration of staircases, with an historically compatible staircase connecting a lower entry to the street and maintaining the landscaping on the north side which maintains the character of the front yard on the north side of the driveway by removing the previously proposed series of retaining walls and planters.

Because the rear addition was reduced in size it is no longer sited on an area of the lot that has a slope of 30% or greater, however the driveway is proposed on an area of 30% slope, the Steep Slope CUP is required. The new design includes a pitched roof over a portion of the rear addition as well as a flat roof section that provides a transition between the historic house, the addition, and the detached accessory structure.

The applicant also submitted a revised comparison of historic houses in the neighborhood (Exhibit G). With the reduced addition the overall square footage is less than the average size of historic structures in the neighborhood.

The current proposal still includes preservation and restoration of the historically significant structures. The house will continue to be a single-family dwelling with a detached accessory ski-prep/storage building in the rear. The existing accessory apartment will be removed and a deed restriction will be recorded on the property prohibiting use of the accessory structure as a separate dwelling unit or apartment. One of the goals of the proposal is to restore and preserve the historic house and accessory building and bring the house back as a single family dwelling.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- A. Preserve present land Uses and character of the Historic residential Areas of Park City,
- B. Encourage the preservation of Historic Structures,
- C. Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. Encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. Define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. Establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The applicant is requesting a Steep Slope Conditional Use Permit for construction of approximately 815 square feet of new floor area construction, that includes 219 square feet of basement and circulation (rear stairs and elevator) area and 596 square feet of above grade living area, in addition to a 433 square foot garage located beneath the

south side of the 1,658 square foot historic house. The basement does not extend to the north side.

The existing house is located on a 3,750 square foot platted lot of record, known as Lot 1 of the 543 Woodside Avenue Subdivision. The subdivision plat combining two “Old Town” lots was approved by City Council on March 29, 2012, and was recorded at Summit County on March 28, 2013 (Exhibit A). The existing building footprint is approximately 1,072 square feet and the proposed new footprint area is 280 square feet. The final building footprint, with the addition would be 1,352 square feet which is less than the maximum allowed footprint of 1,519 sf for a combined lot of this size.

Because the driveway access is proposed on an area of the lot that has a thirty percent (30%) slope, the applicant is required to file a Steep Slope Conditional Use Permit (CUP) application. The Steep Slope CUP is required to be reviewed by the Planning Commission for compliance with LMC § 15-2.2-6, prior to issuance of a building permit.

The lot contains an historic single family house listed in the Park City Historic Sites Inventory (HSI) as “Significant” as it was constructed in the late 1890s or early 1900s during the Park City Mining Boom era. The house shows up on the 1901 Sanborn Fire Insurance Maps for that year (Exhibit B). The existing house complies with the setbacks, building height, and footprint requirements of the HR-1 zone. Utility services exist at the lot. There is an historic detached accessory structure, with a building footprint of 278 sf, located in the rear of the lot, and in compliance with building setbacks and height. The accessory structure is currently utilized as an accessory unit and the applicant intends to convert the accessory apartment into a ski prep/storage space.

The proposal includes construction of a new foundation and partial basement under the historic house, restoration of the historic house, construction of a rear addition behind the house and restoration of an historic accessory structure.

Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	3,750 sf, <u>complies.</u>
Building Footprint	1,519 square feet (based on lot area) <u>maximum</u> (code excludes historic accessory structures from footprint)	1,352 square feet (excluding the detached historic accessory structure footprint of 278 sf.). (smaller footprint) <u>complies.</u>
Front and Rear Yard	10 feet minimum for main building, 1 foot for accessory structure with height of less than 18 feet in height	Main building 11 feet or greater front (28’ or greater to edge of paved Woodside), 10 feet or greater rear, <u>complies.</u> Accessory structure rear setback is 3 feet. (greater

		setbacks). <u>complies.</u>
Side Yard	5 feet minimum for main building 3 feet for accessory structure with height of less than 18'	Main building 5 feet or greater, <u>complies.</u> Accessory structure north side is 10' and south side is 20' (greater setbacks). <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u>	Various heights at or less than 26 feet. (lower height). <u>complies.</u>
Number of stories	A structure may have a maximum of three (3) stories (This application was submitted prior to the LMC amendment that modified these regulations, however the addition complies with the revised LMC requirements.)	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 (after submittal of this application the LMC was amended to exempt historic structures from this regulation).	Board of Adjustment granted a variance to this requirement on Sept. 18, 2012, <u>complies per variance.</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.	Historic is 9.5:12 and 4:12 for primary roofs <u>complies per existing historic.</u> A non-primary connector element has a flat roof. Roof pitch on rear addition is 7:12, <u>complies.</u>
Parking	Historic structure therefore no parking is required.	One (1) single car garage is proposed with access on Woodside Ave, compliant with required maximum dimensions, <u>complies.</u>

LMC § 15-2.2-6 requires a Steep Slope 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 Steep Slope Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of construction 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 addition is located on a platted lot of record in a manner that reduces the visual and environmental impacts of the addition and in compliance with the plat notes. The proposed footprint is less than that allowed for the lot area, setbacks are increased, and height is decreased for portions of the new addition. Only a partial basement is proposed and the addition has been decreased from the previous submittal reducing environmental impacts of the new construction. The addition is not located on an area with a slope of 30% or greater. The addition is located behind the existing house and the proposed single car garage is located below the existing grade of the house with the garage door set back 28' from the street reducing visual impacts.

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", and streetscape to show how the proposed addition fits within the context of the slope, neighboring structures, and existing vegetation (Exhibit B).

The proposed structure is not visible from key vantage points indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view. The visual analysis and streetscape demonstrate that the proposed additional is designed to mitigate impacts on the existing slope, neighboring historic structures, and existing vegetation. Visual impacts are mitigated by locating the addition thirty (30') behind the twenty-six foot high, two story house with the garage located below the existing grade and setback from the street and recessed from the front facade.

Minimal retaining walls are necessary and a basement is proposed for only the south side of the house to accommodate the garage, entry foyer, and a circulation staircase, minimizing excavation. Minimal retaining walls are necessary for slope stabilization as the rear addition has been located on slopes that do not exceed 30% and is an area of an existing deck and lawn 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 access off of Woodside Avenue with a 12' wide driveway that minimizes grading of the natural topography and places the single car garage below existing grade of the historic house on the south side. Grading is

minimized for the driveway. The garage doors are recessed behind the front façade of the house.

Due to the 30% slope of the lot at the access area and the maximum allowed driveway slope of 14% (actual proposed driveway slope from the edge of street to the drain in front of the garage, is between 5.7% and 13.9%) a series of stepped rock walls are proposed to retain the grade on either side of the driveway. A side access garage is not recommended or proposed for this property as it would require a massive retaining wall within the south side yard setback. The single car driveway is designed to minimize grading of the natural topography and the location of the single door (recessed back 4' from the front) beneath the existing grade reduces overall Building scale.

Criteria 4: Terracing.

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

The site has a steeper grade along Woodside Avenue at the access than at the location of the proposed addition. This revised application reduces the footprint of the addition so that the rear addition is not located on any areas with a slope of 30% or greater. Grade around the historic structure will generally be maintained within a foot of where it currently exists, with the exception of changes necessary to accommodate the new foundation. The difference between final grade and existing grade is typically one to two feet with two areas on the south side that are 3.5' and 4' respectively.

New retaining walls will not exceed four feet (4') in height, with the exception of the stepped rock retaining wall for the driveway that begins with a seven foot (7') high portion at the garage door and steps to two feet (2') at the property line.

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 allow for more open space, preserve natural vegetation, and minimize the driveway area. The maximum allowable building footprint is not utilized and the driveway beneath the south side of the house minimizes impact of the garage.

The driveway area is minimized (12' wide at the property line) to the greatest extent possible. The garage door is recessed from the front façade. The addition is proposed behind the rear of the house and is differentiated from the historic structure with a flat roofed element. Existing separation between this house and adjacent properties remains the same when viewed from the public street as the addition is nearly 60 from

the edge of the street and the existing house is two stories. The area of the addition is currently a flat deck area and yard.

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.**

Two stories of the rear addition floor area are proposed below final grade. The addition is a smaller component, as is the accessory structure. The design is broken into a series of smaller components that are compatible with the District, historic house, and surrounding structures. The garage is subordinate in design to the main Building as it is below the existing grade and beneath an historic bay window element that further decreases the visual impact of the garage. The garage door is recessed behind the front façade. The single car wide garage door is located 28' from the edge of Woodside Avenue and approximately 2' lower than the street and is recessed back from the front façade. This location and the fact that the historic house is approximately thirty-five feet (35') wide and twenty-six feet (26') tall, further subordinates the garage to the house.

The rear addition is located approximately thirty feet (30') behind the front façade of the two story house and nearly sixty feet (60') from Woodside Avenue, which reduces the visual impact of the form and mass of the addition as viewed both from the street and from cross canyon views.

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 along Woodside Avenue are greater than required by the LMC as the garage door is setback from the front facade and the entire structure is located 28' or greater from the edge of Woodside. The addition is located to the rear. There is no wall effect created along the Street front as the addition is setback 30' from the front façade and nearly 60' from the edge of the Street and behind the two story (26' tall) existing house. The rear addition is proposed as a smaller component, as is the accessory structure. No wall effect is created along the Rear Lot Line. The historic house complies with the north side setback of five feet and has a 9.5' setback on the south side. The rear addition meets the setbacks on the sides and rear. The front setback is staggered due to the historic house design with the north side of the house setback seven feet from the front façade on the south side. No wall effect is created with the proposed design.

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 addition is both horizontally and vertically articulated and broken into compatible massing components with a pitched roof over a portion and a flat roof element providing a transition between the main structure and the accessory structure. 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 addition and existing historic structures in the neighborhood as viewed from the public streets. The building volume is not maxed out in terms of footprint or potential floor area and much of the building volume of the rear addition is located below final grade.

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 addition does not exceed the twenty-seven feet (27') maximum building height requirement measured from existing grade. The height of the addition measures 20.5 feet above existing grade at the highest point. The flat roof portion measures less than 15' from existing grade. The two story historic house measures 26' from existing grade at the highest point. All portions of the house, addition, and accessory structure are less than 27' in height.

The difference in scale between the historic Structure and proposed addition are mitigated by reduced building height, reduced mass and scale, reduced footprint, and locating the garage below the existing grade of the historic house and setback from the front façade. No additions are proposed over the top of the existing historic structure. The historic structure and the accessory structure will be preserved and restored as part of this proposal. Overall the proposed height is less than that allowed and the location and size of the addition are such that the overall visual mass is mitigated.

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 was noticed separately and compliance with the approved HDDR 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

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

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 543 Woodside Avenue as conditioned or amended, or
- The Planning Commission may deny the Steep Slope Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue discussion on this application to a date certain (January 8, 2013).

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is a platted residential lot with an existing two story historic house and detached historic accessory structure to the rear. The addition is proposed to the rear of the historic house, primarily below final grade, in an area where the slope is not greater than 30%.

Consequences of not taking the Suggested Recommendation

Construction as proposed could not occur.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 543 Woodside Avenue and conduct a public hearing. Staff recommends approval of the Steep Slope CUP permit per the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 543 Woodside Avenue.
2. The property is located within the Historic Residential (HR-1) District.
3. The existing historic home was constructed on two "old town" lots.
4. The property is Lot 1 of the 543 Woodside Avenue Plat amendment, approved by the City Council and recorded at Summit County on March 28, 2013.
5. The property is an uphill lot that slopes westward towards Park City Mountain Resort ski trails.
6. The Lot contains 3,750 square feet. The minimum lot size in the HR-1 District is 1,875 square feet.

7. The lot width is fifty feet (50'). The minimum lot width is twenty-five feet (25') for a single family house. Access is from Woodside Avenue.
8. There is a 1,658 sf, two-story historic house located on the property. The historic house is an example of an original L-Cottage/cross wing structure with an in-period partial basement addition as well as a detached historic accessory structure in the rear yard, currently used as an accessory apartment.
9. The site and house are identified in the Park City Historic Sites Inventory (HSI) as "Significant" constructed in 1894 at the beginning of the Mature Mining Era. The house shows up on the 1901 Sanborn Fire Insurance Maps for that year.
10. The existing footprint is 1,072 sf. The proposed addition has a footprint of 280 sf and contains approximately 815 sf of floor area. Also proposed is a 433 sf single car garage beneath the historic house with an elevator/entry foyer at the garage level connecting the garage to an outside entry.
11. The existing historic structure complies with the required setbacks, footprint, and building height.
12. Proposed construction for the rear addition meets and/or exceeds minimum setbacks.
13. The LMC allows a building footprint of 1,519 sf for a lot of this size. The proposed building footprint is 1,352 square feet with the rear addition.
14. Building footprint of the accessory structure is not included because it has been determined to be an historic accessory structure and the structure is not an accessory dwelling unit.
15. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet with the change in grade generally limited to one to two feet.
16. The current use of the property is residential and is used as a rental/nightly rental property with a detached accessory apartment. The detached accessory structure will be used as an entertainment room and ski prep/storage area and the accessory apartment will be removed and a deed restriction placed on the property that the accessory structure may not be used for a separate dwelling unit or accessory apartment.
17. The proposal also includes restoration of both the house and the accessory structure.
18. The HDDR was approved to maintain the current stair configuration with new stairs leading from the street to the lower level entry, because it maintains the current configuration and retains the historic character of a main staircase connecting the entry to the street.
19. The addition will not raise the home by more than two (2) feet from its original elevation, the basement addition is under the south portion of the house and will not extend beyond the wall plans of the historic structure's primary or secondary façade, only the garage door of the basement level will be visible from Woodside Avenue, window and egress wells will be located beyond the mid-point of the secondary façade, the area around the basement will be re-graded to match the existing conditions, minus the driveway and garage door areas, and a single-wide garage door not more than nine feet (9') tall and nine feet (9') wide will be used.
20. On May 29, 2013, the property was inspected by Historic Preservation Consultant Dina Blaes along with other members of the Planning Staff, Chief

- Building Official Chad Root, and other members of the Building Department.
21. The Chief Building Official determined that the detached accessory building is a hazardous or dangerous building and the building cannot be made safe and/or serviceable through repair.
 22. On August 20, 2013, the Planning Director and Building Official made findings for, and approved the reconstruction of the existing accessory which will allow the applicant to reconstruct the aforementioned structure to the exact square footage, dimension, height and location as the original accessory structure.
 23. The requested reconstruction of the accessory structure is guided by documentation and physical evidence as provided by Shen Engineers on March 7, 2012, in order to facilitate an accurate re-creation.
 24. The landscape plan identifies existing vegetation and identifies proposed vegetation to mitigate for the necessary removal of existing vegetation to excavate the basement and provide a solid foundation for the historic house.
 25. The applicant will raise and possibly temporarily re-locate the historic house to the hill behind it, beyond the accessory structure. The existing partial basement foundation will be demolished, and the rock will be harvested, categorized, and remain on site to be used in the reconstruction of the 2nd story level of the home. The foundation is in poor condition and appears to be failing. A false, smooth faced CMU wall added in front of the rock to enclose a patio area that once existed below the top story deck will be removed and discarded, as this portion of the home is not historic. A new basement level foundation will be installed, which will include the second story partial basement. The stone removed from the original foundation will be used to veneer this section of the home. Some of the stone was painted, and the paint will be removed prior to being replaced back onto the home.
 26. On September 18, 2012, the Board of Adjustment granted a variance to the 10' horizontal stepping requirement for the third story, as this application was submitted prior to the LMC amendment that renders historic structures with this configuration as non-complying and does not require the third story step.
 27. All final heights will be verified at the time of the Building Permit application.
 28. The proposed garage door will not exceed 9' wide by 9' in height. The proposed driveway will not exceed 12' in width.
 29. Only the garage access is located on a slope of 30% or greater as the rear addition has been reduced in size from the initial submittal and is no longer located on a slope of 30% or greater. The proposed addition is not located on a slope of 30% or greater.
 30. Changes to the existing grading and landscaping are documented on the preliminary landscape plan. The change in grade from existing to final does not exceed 48", the allowed change. A final grading and landscape plan, consistent with the preliminary plat, will be submitted with the building permit application.
 31. On May 1, 2013, a HDDR application was submitted to the Planning Department. The application was deemed complete on June 17, 2013 and the design was approved on August 20, 2013. The proposed addition was found to complement the historic structure and follow the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, alignment, and simplicity of architectural detailing.

32. The proposed addition is both horizontally and vertically articulated and broken into compatible massing components with a pitched roof over a portion and a flat roof element providing a transition between the main structure and the accessory structure. 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 addition and existing historic structures in the neighborhood as viewed from the public streets. The building volume is not maxed out in terms of footprint or potential floor area and much of the building volume of the rear addition is located below final grade. The garage door is recessed behind the front façade.
33. The proposed structure will not be viewed from the key advantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view.
34. The applicant submitted a visual analysis/ perspective, cross canyon view and a streetscape. The design mitigates visual impacts of the cross canyon view in that the addition is located to the rear of the two story historic house, nearly sixty feet (60') from the edge of Woodside Avenue and the garage is set below the grade of the street and the single car door is recessed from the front façade.
35. The addition and garage location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. Grade around the historic structure will be maintained as it was historically, with the exception of changes necessary to accommodate the garage door and basement/foundation area to meet Code.
36. The design includes setback variations, increased setbacks, decreased maximum building footprint, and lower building heights as compared to the requirements of the LMC in order to maximize the opportunity for open area and natural vegetation to remain.
37. The proposed massing and architectural design of the addition are compatible with the massing and volume of the historic house and historic structures in the neighborhood. The existing house is a larger two story house, with a façade width of thirty-five feet and a height of twenty-six feet. The house was originally constructed on two standard "old town" lots and contains 1,658 square feet of living area.
38. With the exception of the garage door the addition is located to the rear of the historic structure and is not visible from Woodside Avenue due to the height of the existing historic house and the location and height of adjacent buildings.
39. No wall effect is created with adjacent structures due to the location of the addition to the rear of the historic house (thirty feet behind the front façade and nearly sixty feet (60') from the edge of the street).
40. The height of the addition measures 20.5 feet above existing grade at the highest point. The flat roof portion measures approximately 15' from existing grade.
41. The findings in the Analysis section of this report are incorporated herein.
42. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B), criteria for Steep Slope CUP.
2. The Steep Slope 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.
5. The proposed construction will not create any non-compliance issues with the HR-1 requirements.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan (CMP) is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house on the property and a preservation guarantee is required with the amount of the guarantee to be determined by the Chief Building Official upon review of the approved preservation plan.
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.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final Landscape Plan shall be submitted to the City for review and approval by the City Planning Department, prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation of trees and shrubs. Lawn area shall be limited in area per the LMC Section 15-5-5 (M). All significant trees to be removed shall be replaced with the same or similar species and size of tree. Replacement of larger trees to be removed may be substituted with additional trees, the size and species of which will be determined by the City Forester during review of the building permit application.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Steep Slope Conditional Use Permit, the August 20, 2013, Historic District Design Review, and the 2009 Design Guidelines for Historic Districts and Historic Sites.
7. All conditions of approval of the 543 Woodside Avenue Subdivision plat apply. The encroachment agreement for existing retaining walls in the Woodside ROW was recorded prior to plat recordation, residential fire sprinklers are required, and the plat was recorded before it expired.
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 on the lot.

9. Soil shall be tested and if required, a soil remediation plan shall be approved by the City prior to issuance of a building permit for the house.
10. This approval will expire on December 11, 2014, if a building permit application has not been issued 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, upon required public notice.
11. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and with the final HDDR plans.
12. Modified 13-D residential fire sprinklers are required for all new construction on this lot, unless otherwise stipulated by the Chief Building Official.
13. 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.
14. The final preservation plan shall be approved by the City Planning Director and Chief Building Official prior to issuance of a building permit.
15. A preservation guarantee shall be calculated by the Chief Building Official and all paper work and documentation regarding the preservation guarantee shall be executed and recorded at Summit County recorder's office prior to issuance of any building permits for construction on this property.
16. Construction waste shall be diverted from the landfill and recycled when possible.
17. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend in with the surrounding natural terrain.
18. An encroachment agreement with the City is required prior to issuance of a building permit, for any new retaining walls and landscaping proposed within the Woodside Avenue ROW.
19. A deed restriction shall be recorded against the property prior to issuance of a building permit stating that the detached accessory structure may not be used as a separate dwelling unit or apartment and the detached accessory structure may not be attached to the main house.

Exhibits

- Exhibit A- Subdivision plat
- Exhibit B- Historic Sites Inventory
- Exhibit C- Plans
- Exhibit D- Visual Analysis/Streetscape
- Exhibit E- Preservation Plan
- Exhibit F- Photographs
- Exhibit G- Comparison of house size

543 WOODSIDE AVENUE PLAT

LOT A OF THE 543 WOODSIDE AVENUE PLAT OF THE AMENDED PLAT OF PARK CITY SURVEY, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE
1" = 10 FEET

LEGEND

- STREET MONUMENT
- FOUND PROPERTY MONUMENT (AS DESCRIBED)
- 543 ADDRESS ON WOODSIDE AVENUE
- 25 LOT NUMBER

LEGAL DESCRIPTION

ALL OF LOTS 14 AND 15 BLOCK 28 OF THE AMENDED PLAT OF PARK CITY SURVEY, SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, do hereby certify that the undersigned owner(s) of the herein described land is/are as set forth herein in the 543 WOODSIDE AVENUE PLAT, by every party thereto, have caused this Plat to be prepared, and I, Steve Maxwell, President of SWAGS, LLC, hereby consent to the recording of this Plat, to the extent of my power, on the representations, hereby appearing, of the undersigned to the City of Park City, on the streets, and for best government ends, monuments, signs, and required utilities and easements shown on the plat and construction drawings in accordance with an ordinance of said City.

In witness whereof, I have hereunto set my hand and the seal of SWAGS, LLC, at Park City, Utah, this 22nd day of November, 2012.

Steve Maxwell
Steve Maxwell
President of SWAGS, LLC

CORPORATE ACKNOWLEDGMENT

State of Utah
County of Summit

On this 22nd day of November, 2012, Steve Maxwell personally appeared before me, whose identity is known to me to his (her) capacity and the nature of authority exercised and whom, by the duly sworn Affirmation, he (she) had the right to the President of SWAGS, LLC and that said document was signed by him/her as Agent of said SWAGS, LLC by Authority of its Board of Directors or (Production of its Board of Directors), and that said party acknowledged to me that said SWAGS, LLC executed the same.

Notary Public: *Christopher Pentes*
My Commission Expires: *12/31/12*



SURVEYOR'S CERTIFICATE

I, Christopher Pentes, certify that I am a Registered Land Surveyor and that I hold Certificate No. 644036 as provided by the laws of the State of Utah, and that I was prepared upon the review in accordance with the requirements of the City Municipal Corporation. I further certify that the property boundaries as shown are correct.

Christopher Pentes
P.C. 644036



Date: *8/27/12*

STREET MONUMENT
INTERSECTION OF
WOODSIDE & 4TH ST



- NOTES:
1. PROPOSED 12'-0" DIMENSIONS WILL BE REQUIRED FOR RENOVATION OF THE EXISTING STRUCTURE.
 2. BACKSIGHTMENT AGREEMENT FOR RETAINING WALLS, RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AS ENTRY #200808, ON 7/14/10, PG. 102 ON 08/15/2012.
 3. THIS SURVEY IS SUBJECT TO THE CONDITIONS OF APPROVAL BY ORDINANCE 72-04.

Park City Surveying
P.O. Box 662793
Park City, UT 84068
(435) 649-2918
(435) 649-4637 fax

<p>PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 18th DAY OF <u>March</u>, 2012 A.D.</p> <p><i>Steve Maxwell</i> CHAIRMAN</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 29 DAY OF <u>March</u>, 2012 A.D.</p> <p><i>Christopher Pentes</i> PARK CITY RECORDER</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>30th</u> DAY OF <u>August</u>, 2012 A.D.</p> <p>BY <i>Steve Boddy</i> S.B.W.R.D.</p>	<p>ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>20th</u> DAY OF <u>February</u>, 2012 A.D.</p> <p>BY <i>Christopher Pentes</i> PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>6th</u> DAY OF <u>March</u>, 2012 A.D.</p> <p>BY <i>Christopher Pentes</i> PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>2nd</u> DAY OF <u>March</u>, 2012 A.D.</p> <p>BY <i>Steve Maxwell</i> MAYOR</p>	<p>RECORDED #906512 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF <u>HIGH COUNTY TITLE</u> DATE <u>3/28/12</u> TIME <u>12:31 PM</u> PAGE <u>1</u></p> <p><u>30</u> FEE <i>Christopher Pentes</i> RECORDER</p>
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HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 543 Woodside Avenue

AKA:

City, County: Park City, Summit County, Utah

Tax Number: PC-346

Current Owner Name: Smaxski, LLC

Parent Parcel(s):

Current Owner Address: c/o Steve Maxwell, 866 Heards Ferry Road, Atlanta, GA 30328

Legal Description (include acreage): 0.09 acres; LOTS 11 & 12 BLK 28 PARK CITY SURVEY.

2 STATUS/USE

Property Category

- building(s), main
 building(s), attached
 building(s), detached
 building(s), public
 building(s), accessory
 structure(s)

Evaluation*

- Landmark Site
 Significant Site
 Not Historic

Reconstruction

- Date:
 Permit #:
 Full Partial

Use

- Original Use: Residential
 Current Use: Residential

- *National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
 prints: 1995, 2006 & 2008
 historic: c.

Drawings and Plans

- measured floor plans
 site sketch map
 Historic American Bldg. Survey
 original plans:
 other:

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
 tax card
 original building permit
 sewer permit
 Sanborn Maps
 obituary index
 city directories/gazetteers
 census records
 biographical encyclopedias
 newspapers
 city/county histories
 personal interviews
 Utah Hist. Research Center
 USHS Preservation Files
 USHS Architects File
 LDS Family History Library
 Park City Hist. Soc/Museum
 university library(ies):
 other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Crosswing type / Vernacular & Victorian Eclectic style No. Stories: 1 ½

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # 2; structure(s), # 1.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation Date: November, 08

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Lot rises from the retaining wall at the roadway. Center curved stair of railroad ties. Informal landscaping deciduous trees.

Foundation: Stone and concrete block.

Walls: Upper walls clad in drop siding lower level appears to be limestone that has been painted, but also a concrete block material under the porch. Front porch is supported by square columns and a low open rail. A front entry stair is also supported by square columns with a rail of square balusters.

Roof: Crosswing roof form sheathed in asphalt shingle.

Windows: Windows include paired double-hung units in the lower bay on the primary façade, and horizontally oriented grouped and paired casement units. Doors include a six panel door on the lower level and a mid-century solid door on the upper level.

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The crosswing frame house has been significantly altered over time. A square projecting bay with a decorative cornice on the main level as seen in the tax photo has been replaced by a grouping of casement windows; the siding has been spliced also indicating the existence of the bay. The fish-scale shingles do not appear to be original. The front partial width porch has been extended and the entry stair no longer projects out into the front yard, but rather runs across the lower façade. The openings on the stem wing have been altered. The tax photo indicates a center door flanked by single double-hung windows and a possible second door on the stem wing or in the gable end. Windows are horizontally oriented paired casement windows and a single, incompatible door. Finally, the area beneath the front porch has been enclosed. The tax cards and 2008 photographs indicate a rear addition at some point after 1968, as well as the existence of a bunk house and shed over a cellar in the rear yard. The bunk house appears on the 1907 Sanborn Insurance map and it, along with the shed and cellar, are noted in the tax cards. The changes are significant and diminish the site's original character.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered. The entry stair has been reoriented and what appear to be stone steps in the tax photo have been replaced by railroad ties. A stone retaining wall running south of the steps has been removed, but it remains north of the steps. A patio has been added at the base of the entry stair on the north side of the primary façade. Like most houses in Park City's older neighborhoods, the side yards are narrow and the house is surrounded by homes of similar (often larger) scale and size.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): Much of the physical evidence from the period that defines the typical Park City mining era home has been altered and, therefore, lost.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, do not effectively convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The "T" or "L" cottage (also known as a "cross-wing") is one of the earliest and one of the three most common house types built in Park City during the mining era; however, the extent of the alterations to the main building diminishes its association with the past.

The extent and cumulative effect of alterations to the site render it ineligible for listing in the National Register of Historic Places.

5 SIGNIFICANCE

Architect: Not Known Known: (source:)

Date of Construction: c. 1894¹

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.²

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2008.

Photo No. 2: East elevation. Camera facing west, 2008.

Photo No. 3: Northeast oblique. Camera facing southwest, 2008.

Photo No. 4: East elevation. Camera facing west, 2006.

Photo No. 5: East elevation. Camera facing west, 1995.

Photo No. 6: Southeast oblique. Camera facing northwest, tax photo.

¹ Summit County records.

² From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____
 Owner's Address _____
 Location _____
 Kind of Building Res Street No. _____
 Schedule 1 Class 4 Type 1-2-3-4 1 Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
1	x x		1009	\$ -	\$ 2697
	x x			\$	\$
	x x			\$	\$

No. of Rooms 5 Condition _____

Description of Building	Add	Deduct
Foundation—Stone <input checked="" type="checkbox"/> Conc. <input type="checkbox"/> None <input type="checkbox"/>		156
Ext. Walls <u>Siding</u>		
Insulated—Floors _____ Walls _____ Clgs. _____		
Roof—Type <u>Gal.</u> Mat. <u>Flat She</u>		
Dormers—Small _____ Med. _____ Lg. _____		
Bays—Small _____ Med. _____ Lg. _____		
Porches—Front <u>84" @ 1.25</u>	105	
Rear _____ @ _____		
Cellar—Basmt— $\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ <u>full floor</u> <u>Pine</u>	446	45
Basement Apts.—Rooms Fin. _____		
Attic Rooms _____ Fin. _____ Unfin. _____		
Plumbing— Class <u>1</u> Tub <u>1</u> Trays _____ Basin _____ Sink <u>1</u> Toilet <u>2</u> Urns _____ Ftns. _____ Shr. _____ Dishwasher _____ Garbage Disp. _____	65	
Heat—Stove <input checked="" type="checkbox"/> H. A. _____ Steam _____ S. _____ Blr. _____ Oil _____ Gas _____ Coal _____		
Air Conditioned _____ Incinerators _____		
Radiant—Pipeless _____		
Finish— Hd. Wd. _____ Floors— Fir. <input checked="" type="checkbox"/> <input type="checkbox"/> Hd. Wd. <input checked="" type="checkbox"/> <input type="checkbox"/> Conc. _____		
Cabinets <u>1</u> Mantels _____		125
Tile— Walls _____ Wainscot. _____ Floors _____		
Lighting—Lamp _____ Drops <input checked="" type="checkbox"/> Fix. _____ <u>Lbr. Lined - 5 @ 20"</u>		100
Total Additions and Deductions	616	426
Net Additions or Deductions	-426	

Age 55 Yrs. by Est. Owner
 Tenant
 Neighbors
 Records
REPRODUCTION VALUE \$ 2487
 Depr. 1-2-3-4-5-6 68/32 %
 Reproduction Val. Minus Depr. \$ 924
 Remodeled _____ Est. Cost _____ Remodeling Inc. _____ %
 Garage—S 8 C Depr. 2% 3% Obsolescence \$ _____
 Cars 2 Walls She Out Bldgs. \$ 90
 Roof She Size 17x17 Age 33
 Floor Fir Cost 25/25 Depreciated Value Garage \$ 64
 Remarks (4777 Ave Used - 1941) **Total Building Value** \$ 1078

Location Block 28 PC - Lots 11+12
 Kind of Bldg. Res St. No. 543 Woodside Ave
 Class 4 Type 1 2 3 4 Cost \$ 2330 X — %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		1009		\$ 2330
	x x				
	x x				

Gar.—Carport — x — Flr. — Walls — Cl. —

Description of Buildings	Additions
Foundation—Stone <u>—</u> Conc. <u>—</u> None <u>✓</u>	
Ext. Walls <u>Siding</u>	
Insulation—Floors <u>—</u> Walls <u>—</u> Clgs. <u>—</u>	
Roof Type <u>Gable</u> Mtl. <u>Sh</u>	
Dormers—Small <u>—</u> Med. <u>—</u> Large <u>—</u>	
Bays—Small <u>—</u> Med. <u>—</u> Large <u>—</u>	
Porches—Front <u>84</u> @ <u>150</u>	126
Rear <u>—</u> @ <u>—</u>	
Porch <u>—</u> @ <u>—</u>	
Metal Awnings <u>—</u> Mtl. Rail <u>—</u>	
Basement Entr. <u>—</u> @ <u>—</u>	
Planters <u>—</u> @ <u>—</u>	
Cellar-Bsmt. — ¼ ½ ¾ Full <u>—</u> Floor <u>Wood</u>	436
Bsmt. Apt. <u>—</u> Rooms Fin. <u>—</u> Unfin. <u>—</u>	
Attic Rooms Fin. <u>—</u> Unfin. <u>—</u>	
Plumbing	Class <u>1</u> Tub <u>1</u> Trays <u>—</u>
	Basin <u>1</u> Sink <u>1</u> Toilet <u>2</u>
	Wtr. Sfr. <u>—</u> Shr. St. <u>—</u> O.T. <u>—</u>
	Dishwasher <u>—</u> Garbage Disp. <u>—</u>
Built-in-Appliances <u>—</u>	
Heat—Stove <u>✓</u> H.A. <u>—</u> Steam <u>—</u> Stkr. <u>—</u> Flr. <u>—</u>	
Oil <u>—</u> Gas <u>—</u> Coal <u>✓</u> Pipeless <u>—</u> Radiant <u>—</u>	
Air Cond. <u>—</u>	
Finish—Fir <u>✓</u> Hd. Wd. <u>—</u>	
Floor—Fir <u>✓</u> Hd. Wd. <u>—</u> Other <u>—</u>	
Cabinets <u>1</u> Mantels <u>—</u>	
Tile—Walls <u>—</u> Wainseot <u>—</u> Floors <u>—</u>	
Storm Sash—Wood D. <u>—</u> S. <u>—</u> ; Metal D. <u>—</u> S. <u>—</u>	
	902

Total Additions			902
Year Built <u>1949</u>	Avg. Age <u>64</u>	Current Value	\$ 3292
Inf. by <u>Owner - Tenant - Neighbor - Record - Est.</u>		Commission Adj.	%
Remodel Year <u>—</u>	Est. Cost <u>—</u>	Bldg. Value	
Garage—Class <u>—</u> Depr. 2% 3% <u>—</u> Carport <u>—</u> Factor <u>—</u>		Depr. Col. 1 2 3 4 5 6 <u>30</u>	%
Cars <u>—</u> Floor <u>—</u> Walls <u>—</u> Roof <u>—</u> Doors <u>—</u>		Current Value Minus Depr.	\$ 988
Size— <u>—</u> x <u>—</u> Age <u>—</u> Cost <u>—</u> x <u>—</u> %			
Other <u>—</u>			
		Total Building Value	\$

PC 346

Serial Number

GF Card Number

Owners Name E. Elizabeth W.L. Reed

Location _____

Kind of Bldg. Rear St. No. 543 Woodside Ave

Class. 4- Type 1 2 3 4 Cost \$ 5231 X 94 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	974	5.36	\$ 4908	\$
	x x				
	x x				

Att. Gar.—C.P. x Flr. _____ Walls _____ Cl. _____

Description of Buildings Additions Additions

Foundation—Stone ✓ Conc. _____ Sills _____

Ext. Walls Siding

Roof Type Asphalt Mtl. Pat

Dormers—Small _____ Med. _____ Large _____

Bays—Small 1 Med _____ Large _____

Porches—Front _____ 115 @ 2⁰⁰ 230

Rear _____ @ _____

Porch _____ @ _____

Planters _____ @ _____

Ext. Base. Entry _____

Cellar-Bsmnt. — 1/4 1/8 1/2 3/8 3/4 Full _____ Floor 1089 @ Conc 994

Bsmnt. Gar. _____

Basement-Apt. _____ Rms. _____ Fin. Rms. _____

Attic Rooms Fin. _____ Unfin. _____

Plumbing { Class 1 Tub. 1 Trays _____

Basin 1 Sink 1 Toilet 2 550

Wtr. Sfr. _____ Shr. St. _____ O.T. _____ 130

Dishwasher _____ Garbage Disp. _____

Heat—Stove _____ H.A. ✓ HW _____ Stkr _____ Elec. _____

Oil _____ Gas _____ Coal _____ Pipeless _____ Radiant _____ 378

Air Cond. — Full _____ Zone _____

Finish—Fir. ✓ Hd. Wd. _____ Panel _____

Floor—Fir. ✓ Hd. Wd _____ Other _____

Cabinets _____ Mantels _____

Tile—Walls _____ Wainscot _____ Floors _____

Storm Sash—Wood D. _____ S. _____; Metal D. 1 #2 30

Awnings — Metal _____ Fiberglass _____

Total Additions 2362

Year Built 1894 Avg. 11900 Replacement Cost 7270

1961 Age 2. Obsolescence _____

Inf. by { Owner - Tenant - _____ Adj. Bld. Value _____

{ Neighbor - Record - Est. _____ Conv. Factor x.47

Replacement Cost—1940 Base _____

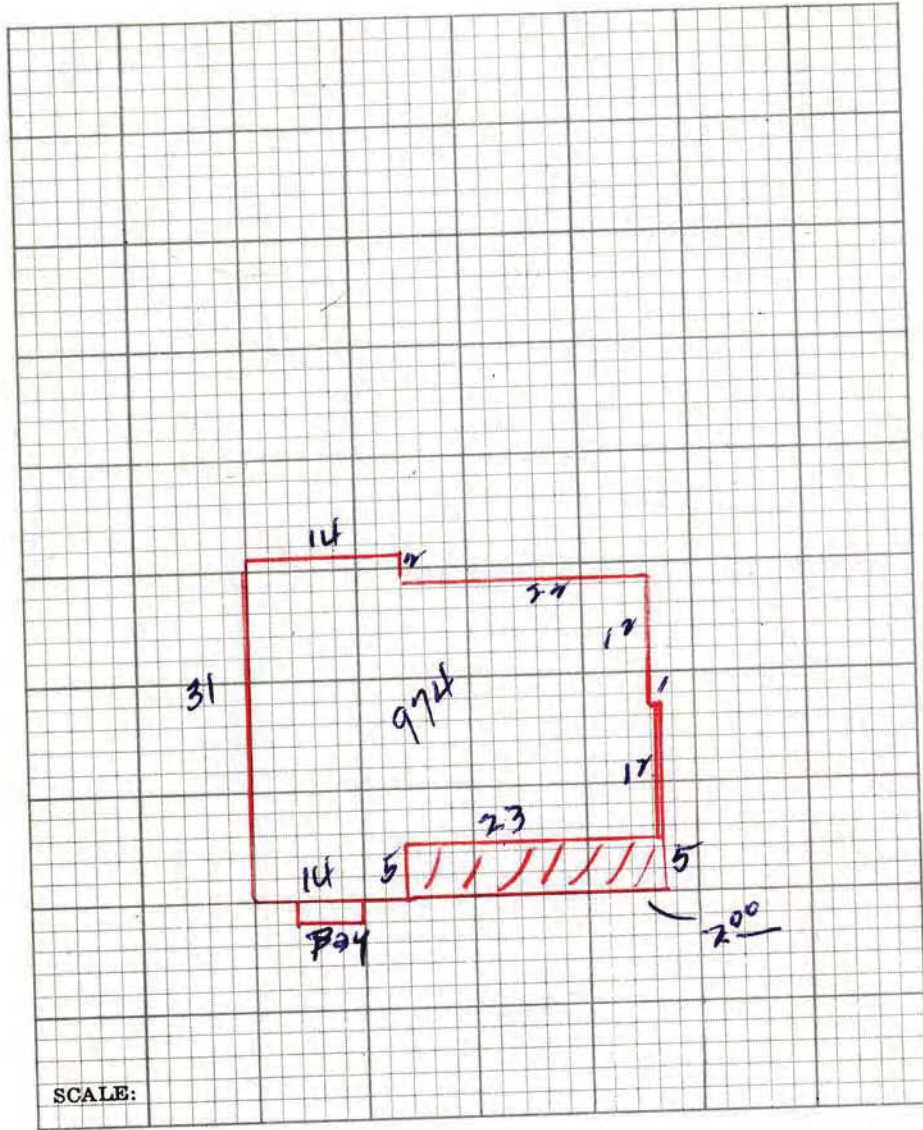
Depreciation Column 2 3 4 5 6

1940 Base Cost, Less Depreciation _____

Total Value from reverse side _____

Total Building Value \$ _____

Reapp 11-14-79



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
<i>old shed No value</i>		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47% _____

1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS Average Year of Construction Computation:

Year 1894 \$ 6800 = 93% X .67 Year = 62.31

Year 1961 \$ 480 = 7% X .1 Year = .07

Average Year of Construction 1900 62.38

68







MAXWELL RESIDENCE

HISTORIC DISTRICT DESIGN REVIEW APPLICATION

543 WOODSIDE AVE PARK CITY, UTAH

CONSULTANTS

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LEGEND

	BRICK & STONE		OFFICE 16		ROOM NAME
	BATH		ROOM NUMBER		FLOOR, POINT ELEV.
	CONCRETE		CENTER LINE		CHANNEL
	CONCRETE MASONRY UNIT		ROUND, DIA.		ANGLE
	STEEL (LARGE SCALE)		DETAIL		SECTION CUT, DETAIL
	RIGID INSULATION		BUILDING SECTION		KEYED NOTES
	ROUGH WOOD		WINDOW TYPE		DOOR NUMBER
	BLOCKING		REVISION		INTERIOR WALL ELEV.
	ALUMINUM (LARGE SCALE)		WALL TYPE		
	GRAVEL				
	FINISHED WOOD				
	BATT OR BLOWN INSULATION				
	PLASTER, SAND, GROUT, MORTAR				
	STEEL (SMALL SCALE)				
	BITUMINOUS PAVING				
	PLYWOOD				
	GYPNUM BOARD				

CODE ANALYSIS

APPLICABLE CODES
2012 IRC 2012 IRC
2012 IPC 2012 IMC
2011 NBC 2012 IFGC
2009 IBC 2012 IFC

OCCUPANCY: R2
CONSTRUCTION TYPE: VB
BUILDING TO BE FIRE SPRINKLED: CONTRACTOR TO PROVIDE APPROVALS PRIOR TO INSTALLATION.

AREA CALCULATIONS
LOT AREA: 3750 SF
ALLOWABLE FOOTPRINT AREA: 1519 SF
EXISTING FOOTPRINT AREA: 1072 SF
PROPOSED FOOTPRINT AREA: 1322 SF
DISTURBED AREA: 1128 SF

MAIN HOUSE LIVING AREA CALCULATIONS			
LEVEL	EXISTING	NEW	TOTAL
MAIN LEVEL	854	308	1162
LOWER LEVEL	804	288	1092
BASEMENT LEVEL	219	219	
TOTAL LIVING AREA	1658	815	2473
GARAGE		433	

ACCESSORY BLDG. LIVING AREA CALCULATIONS		
LEVEL	EXISTING	NEW
MAIN LEVEL	235	223
UPPER LEVEL	235	242
TOTAL	470	465

ABOVE GRADE LIVING AREA CALCULATIONS		
LEVEL	EXISTING	NEW
MAIN LEVEL	854	308
LOWER LEVEL	804	288
TOTAL	1658	596

INDEX TO DRAWINGS

#	SHEET #	SHEET DESCRIPTION
1	Aa	COVER SHEET
2	1of1	RECORD OF SURVEY, TOPOGRAPHIC MAP AND AS-BUILTS SURVEY
3	AB.1	AS-BUILTS LOWER LEVEL PLAN
4	AB.2	AS-BUILTS MAIN LEVEL PLAN
5	AB.3	AS-BUILTS SOUTH AND EAST ELEVATIONS
6	AB.4	AS-BUILTS WEST AND NORTH ELEVATIONS
7	A0.1	ARCHITECTURAL SITE PLAN
8	A0.2	LANDSCAPE PLAN
9	A1.1	GARAGE LEVEL PLAN
10	A1.2	LOWER LEVEL PLAN
11	A1.3	MAIN LEVEL PLAN
12	A1.4	UPPER LEVEL PLAN
13	A1.5	ROOF PLAN
14	A2.1	WEST AND EAST ELEVATIONS
15	A2.2	NORTH ELEVATION
16	A2.3	SOUTH ELEVATION
17	A2.4	ACCESSORY BUILDING ELEVATIONS
18	A3.1	BUILDING SECTION

ABBREVIATIONS

AC	AIR CONDITIONING	F.D.	FLOOR DRAIN	FR.	PAIR
ACQ.	ACOUSTICAL	FND	FOUNDATION	R.D.	ROOF DRAIN
ADD.	ADDENDUM	FIN.	FINISH	REG.	REGULAR
ADJ.	ADJUSTABLE	FL.	FLOOR	R.S.	ROUGH SAWN
ALLOW.	ALLOWANCE	F.F.	FIRE RATED	RAD.	RADIUS
ALUM.	ALUMINUM	FG.	FOOTING	REIN.	REINFORCING
APPROX.	APPROXIMATE	G.	GAS	REVD.	REWORKED
B.D.	BUILDING	GI	GALVANIZED IRON	REV.	REVISION
B.U.	BUILT-UP	GL	GALV.	RM.	ROOM
B.W.	BOTH WAYS	GR.	GRASS	R.O.	ROUGH OPENING
B.L.C.	BLOCK	G.W.B.	GYPNUM WALL BOARD	S & R	SHIELD AND ROD
B.K.	BRICK	G.L.B.	GULF LAM BEAM	S.C.	SOLID CORE
B.I.	CAST IRON	H.B.	HOSE BIBB	SCHED.	SCHEDULE
C.I.	CONTROL JOINT	H.D.	HEAD	SHET	SHEET
C.M.U.	CONCRETE MASONRY UNIT	H.M.	HOLLOW METAL	SIM.	SIMILAR
C.L.G.	CEILING	H.Z.	HORIZONTAL	SPEC.	SPECIFICATION
C.C.	COLUMN	I.D.	INSIDE DIAMETER	STD.	STANDARD
COMP.	COMPACTED/COMPOSITE	INT.	INTERIOR	STRUCT.	STRUCTURAL
CONC.	CONCRETE	IRRG.	IRRIGATION	SYS.	SYSTEM
CONSTR.	CONSTRUCTION	INSUL.	INSULATION	T & B	TOP AND BOTTOM
CONTR.	CONTRACTOR	JAMB	JAMB	T & G	TOP AND GROOVE
CONT.	CONTINUOUS	JNT.	JOINT	T.O.	TOP OF
D.F.	DRAINING POINT/AND DOUGLAS FIR	MANFR.	MANUFACTURER	T.O.F.	TOP OF FOOTING
DIA.	DIAMETER	M.A.P.	MATERIAL	T.O.W.	TOP OF WALL
DM.	DIMENSION	M.A.X.	MAXIMUM	TYP.	TYPICAL
DN.	DOWN	M.C.R.	MECHANICAL	T.S.	STEEL TUBE COLUMN
DWG.	DRAWING	MIN.	MINIMUM	U.N.O.	UNLESS NOTED OTHERWISE
DTL.	DETAIL	NEW	NEW	VERT.	VERTICAL
EA.	EACH	N.I.C.	NOT IN CONTRACT	V.T.R.	VENT THRU ROOF
EF.	EXHAUST FAN	N.T.S.	NOT TO SCALE	W.	WATER
E.F.S.	EXT. INSUL. FINISH SYSTEM	NO.	NUMBER	WD.	WOOD
E.I.	EXPANSION JOINT	O.C.	ON CENTER	W.	WITH
E.I.C.	ELECTRICAL	O.D.	OUTSIDE DIAMETER	W.P.	WATERPROOF
ELEV.	ELEVATION	O.F.D.	OVERFLOW DRAIN	W.R.	WATER RESISTANT
EX.	EXTERIOR	OPNG.	OPENING	W.S.	WATER STOPPER
EX.	EXPANSION TANK	P.F.W.D.	PAINT	W.S.F.	WELDED WIRE FABRIC
EXIST. (B)	EXISTING	PNT.	PAIN	W.W.F.	WOVEN WIRE MESH
EXT.	EXTERIOR	PRD.	PAINTED	W.W.M.	WOVEN WIRE MESH

GENERAL NOTES

- THIS DESIGN IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED AND/OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT/ENGINEER.
- THESE SHEETS - LISTED BY DRAWING INDEX, ALL ACCOMPANYING SPECIFICATIONS FOR MATERIALS, WORKMANSHIP QUALITY, AND NOTES HAVE BEEN PREPARED SOLELY FOR THE CONSTRUCTION AND FINISH OF PROJECT IMPROVEMENTS, COMPLETE AND READY FOR OCCUPANCY AND USE.
- ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH PERTINENT JURISDICTIONAL CODES, RESTRICTIONS, COVENANTS, AND ORDINANCES. ANY CONFLICT BETWEEN DESIGN AND REQUIREMENT SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
- ANY AND ALL PROPOSED CHANGE, MODIFICATIONS AND/OR SUBSTITUTION SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
- IN THE EVENT OF CONFLICT BETWEEN THE DESIGN DOCUMENTS AND/OR JURISDICTIONAL REQUIREMENTS, THE MORE RESTRICTIVE FROM THE STANDPOINT OF SAFETY AND PHYSICAL SECURITY SHALL APPLY.
- ANY INSTALLATION, FINISH, OR COMPONENT INTENDED TO PROVIDE ENCLOSURE, WEATHER ABILITY OR APPEARANCE QUALITY SHALL BE PRODUCED AS A REPRESENTATIVE SAMPLE PRIOR TO PROCEEDING WITH COMPLETION. WORK PERFORMED WITHOUT WRITTEN APPROVAL OF SUCH SAMPLE BY THE ARCHITECT/ENGINEER SHALL BE DONE AT THE RISK OF THE CONTRACTOR. A MINIMUM OF TWO (2) WORKING DAYS NOTICE SHALL BE GIVEN.
- ALL WORK SHALL BE INSPECTED BY GOVERNING AGENCIES IN ACCORDANCE WITH THEIR REQUIREMENTS. JURISDICTIONAL APPROVAL SHALL BE SECURED BEFORE PROCEEDING WITH WORK.
- BUILDING DESIGN IS GENERALLY PREDICATED UPON PROVISIONS OF THE 2012 IRC AND AMENDMENTS AS MAY HAVE BEEN LOCALLY ENACTED. ALL REQUIREMENTS OF THE JURISDICTIONAL FIRE SAFETY/PREVENTION DISTRICT SHALL BE ACCOMMODATED BY THIS DESIGN AND ANY CONSEQUENT CONSTRUCTION.
- ALL 25 lb. GAS PIP SYSTEM METER SETS REQUIRES PRIOR APPROVAL FROM QUESTAR GAS COMPANY. PROVIDE A LETTER FROM QUESTAR APPROVING SYSTEM.
- ALL FIELD WELDING OR TORCH WORK WILL REQUIRE A SEPARATE "HOT WORK" PERMIT PRIOR TO BEGINNING WORK. IFC 105.6.11

Jonathan DeGray
Architect

MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

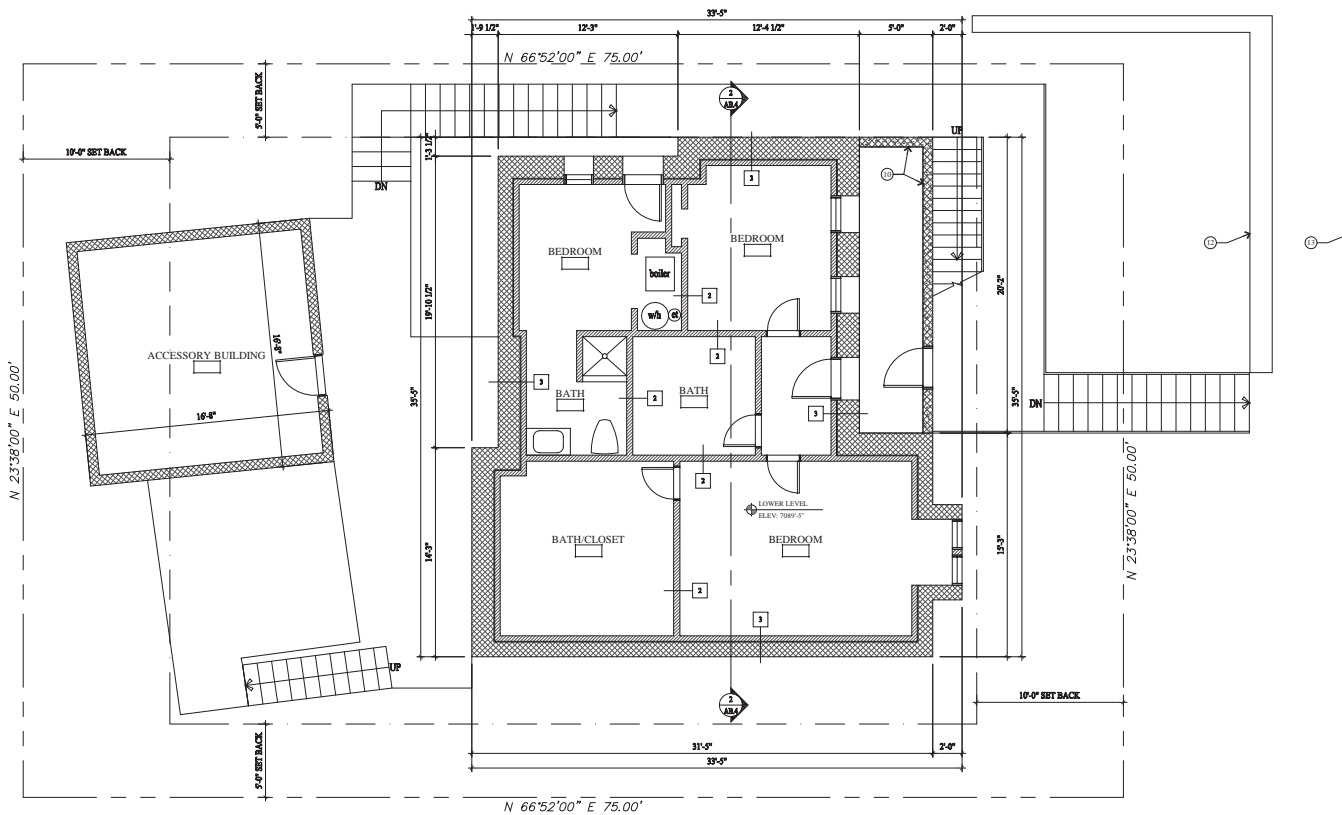
COVER SHEET

DATE: DEC. 04, 2013

DATE: APRIL 19, 2013

PROJECT NUMBER: 1201-01

SHEET NUMBER: Aa



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

GENERAL NOTES

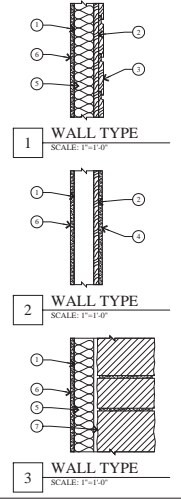
ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

- EXISTING 2x FRAMED WALL
- EXISTING NON-HISTORIC CMU WALL
- EXISTING HISTORIC STONE WALL

KEY NOTES

- ① 2x4 STUDS @ 16" O.C.
- ② 1x12 VERTICAL PLANK - HISTORIC
- ③ 1x HORIZ. LAP SIDING - NON-HISTORIC
- ④ VAPORS, GYPSUM BOARD, LATH & PLASTER
- ⑤ BATT INSULATION @ EXTERIOR WALLS
- ⑥ 1/2" GYPSUM BOARD
- ⑦ STACKED STONE WALL - HISTORIC
- ⑧ GAS METER
- ⑨ ELECTRICAL METER
- ⑩ 4" CMU WALL - NON-HISTORIC
- ⑪ 1x HARDWOOD FLOORING ON HISTORIC 2x4 FLOOR JOISTS @ 16" O.C.
- ⑫ STACKED STONE RESTAINING WALL
- ⑬ 2.7 CURB AND GUTTER

WALL TYPES



WOODSIDE AVENUE

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PROJECT INFORMATION
MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

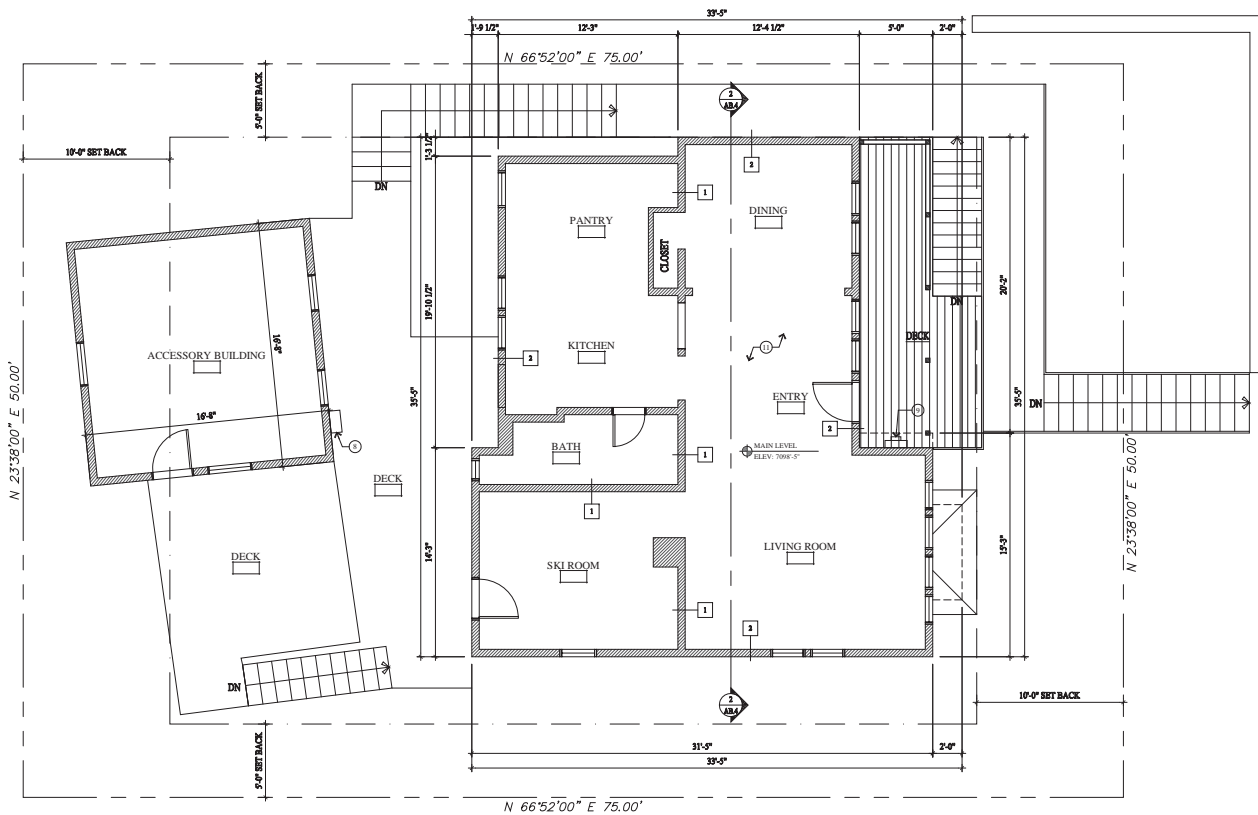
DATE PREPARED
AS-BUILTS
LOWER LEVEL PLAN

ISSUE DATE
DEC. 04, 2013

DATE
APRIL 19, 2013

PROJECT NUMBER
1201-01

DATE REVISION
AB.1



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

GENERAL NOTES

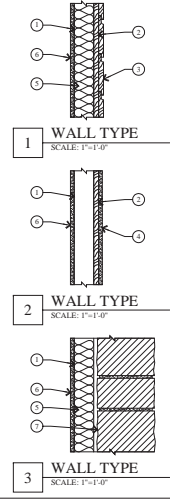
ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

- EXISTING 2x FRAMED WALL
- EXISTING NON-HISTORIC CMU WALL
- EXISTING HISTORIC STONE WALL

KEY NOTES

- ① 2x4 STUDS @ 16" O.C.
- ② 1x12 VERTICAL PLANK - HISTORIC
- ③ 1x HORIZ. LAP SIDING - NON-HISTORIC
- ④ VARIOUS, GYPSUM BOARD, LATH & PLASTER
- ⑤ BATT INSULATION @ EXTERIOR WALLS
- ⑥ 1/2" GYPSUM BOARD
- ⑦ STACKED STONE WALL - HISTORIC
- ⑧ GAS METER
- ⑨ ELECTRICAL METER
- ⑩ P CMU WALL - NON HISTORIC
- ⑪ 1x HARDWOOD FLOORING ON HISTORIC 2x FLOOR JOISTS @ 16" O.C.

WALL TYPES



WOODSIDE AVENUE

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MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

AS-BUILTS
MAIN LEVEL PLAN

DATE: DEC. 04, 2013

DATE: APRIL 19, 2013

PROJECT NUMBER: 1201-01

DATE REVISION:
AB.2

THE BRID MIX BELOW SHALL BE UTILIZED IN AREAS SPECIFIED FOR NATIVE GRASS. THE MIXTURE SHALL BE APPLIED AT A SUFFICIENT RATE TO TIGHT COMPACTATION AND SUBSEQUENT COVERAGE SHALL BE IN A REPRESENTATIVE 1' X 1' AREA. IF COVERAGE DOES NOT REACH 90% RESEEDING MUST OCCUR AT A RATE OF 10 LBS/ACRS ON THE FOLLOWING SCHEDULE:

- * NATIVE GRASS BRID MIX
- 30% CRISTADO VIRGATULAS
- 10% STELLARIS VIRGATULAS
- 30% PERENNIAL WINDGRASS
- 15% PERENNIAL WINDGRASS
- 15% MOUNTAIN BROOMGRASS
- 10% TROPICAL WINDGRASS
- 10% ALPINE BLUEGRASS
- * 20' WIDTH, ALSO IN 10' WIDE BACK OF LANE LANE 2 AND PROVISION BAYON 2 WITH NATIVE GRASS BRID MIXTURE.

PERENNIAL PLANTING & HYDROSEEDING PALETTE

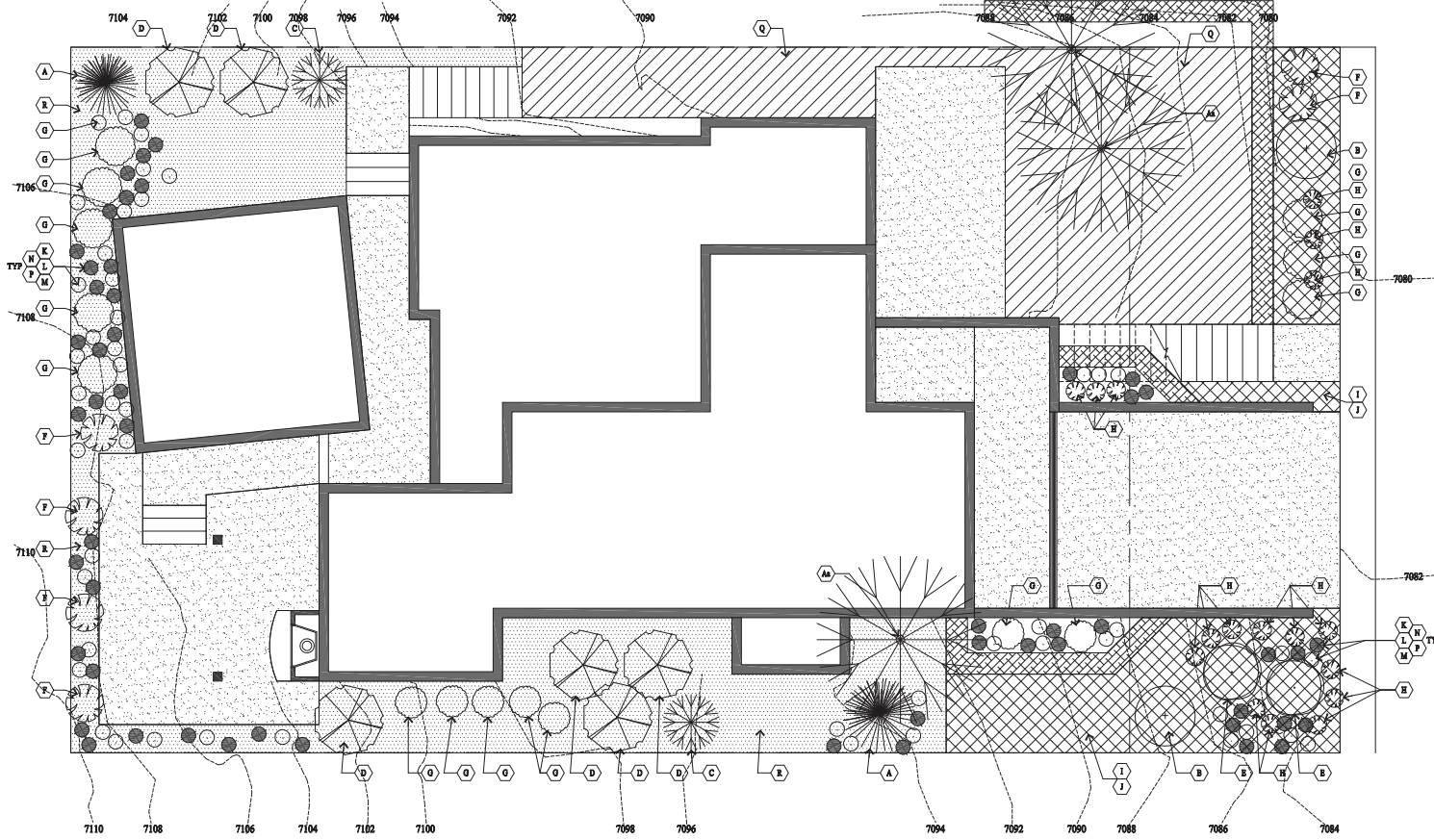
SYMBOL	KEY #	QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING	COMMENTS
○	(A)	30	AMARANTHUS BIPHYLLIFOLIA	BLISSBELL	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(B)	30	ACROBON FLAGEOLATA	TRAILING DART	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(C)	30	CHROMOLA FRAGRANS	BACHS OR BUTTER	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(D)	30	CALLUNA ARISTATA	BLANKET FLOWER	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(E)	30	CALLUNA GRANDIFLORA	SPRING BLANKET FLOWER	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(F)	30	LEWISIA REVELGNT	BLISS PLAX	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(G)	30	LEWISIA REVELGNT	YELLOW PLAX	1 GAL.	12-18" O.C.	DISTRIBUTE EQUALLY
○	(H)		DROUGHT TOLERANT PERENNIAL	BRID PERENNIAL	1 LB/500 SF	HYDROSEED	* 200 SQFT AREA
○	(I)				1 LB/500 SF	HYDROSEED	SEE BRID MIX BELOW

PLANT SCHEDULE

SYMBOL	KEY #	QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING	COMMENTS
TREES AND SHRUBS							
CONIFEROUS TREES							
○	(A)	2	ABIES CONCOLOR	WESTS FIR	14-16"	12' O.C.	
○	(B)	2	PICEA PARSONS	COLORADO BLUE SPRUCE	14-16"	12' O.C.	EXISTING TO BE REMOVED
○	(C)	2	ACER HINDOO	BOX ELDER			
DECIDUOUS TREES							
○	(D)	2	ACER GLABRUM	ROCKY MTH MAPLE	7 DIA.	7' O.C.	
○	(E)	2	ALNUS TERNATA	TRINLEAF ALDER	7 DIA.	6' O.C.	
SMALL FLOWERING & NATIVE TREES & SHRUBS							
○	(F)	6	ACER GRANDIDENTATUM	REDTOOTH MAPLE	7 DIA.	6' O.C.	
○	(G)	2	QUERCUS GRANIFLORA	OHIO VALLEY OAK	7 DIA.	8' O.C.	
○	(H)	2	CRIBOCARPUS LAEVIFOLIA	CORONADO WILLOW	7 DIA.	6' O.C.	
SHRUBS							
○	(I)	6	ARTEMISIA TRIDENTATA VAR. YANAYANA	MOUNTAIN BIG SAGE	5 GAL.		SPACING AS NOTED ON PLAN
○	(J)	14	CHENOPodium SPICATA "HALFET"	RED TENDRILWOOD	5 GAL.		SPACING AS NOTED ON PLAN
○	(K)	17	FORSYTHIA OBTUSIFOLIA	UTAH FERNIE	5 GAL.		SPACING AS NOTED ON PLAN
GROUND COVER							
○	(L)	20	PACHYSTIMA CANVIT	SWAMP MITAL LOWER	4" POTS	12' O.C.	DISTRIBUTE EQUALLY
○	(M)	20	PACHYSTIMA MONTANA	MOUNTAIN LOWER	4" POTS	12' O.C.	DISTRIBUTE EQUALLY

PLANTING NOTES

- CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO INITIATION OF EXCAVATION OR PLANTING OPERATIONS. ANY DAMAGES TO EXISTING UTILITIES OR SETS OR ADJACENT PROPERTY SHALL BE CONTRACTORS RESPONSIBILITY.
- ALL PLANT MATERIAL SHALL CONFORM TO CURRENT AMERICAN ASSOCIATION OF NURSEYMAN'S STANDARD SPECIFICATIONS.
- ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DRAWINGS, DETAILS, AND SPECIFICATIONS.
- CONTRACTOR SHALL VERIFY ALL QUANTITIES. IN CASE OF A DISCREPANCY, THE ILLUSTRATED LOCATIONS SHALL DICTATE COUNT.
- CONTRACTOR SHALL COORDINATE ALL PLANTING WITH IRRIGATION CONTRACTOR, AS NEEDED.
- IN THE EVENT OF A DISCREPANCY NOTIFY THE ARCHITECT OR OWNER IMMEDIATELY.
- NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT WRITTEN PERMISSION OF THE ARCHITECT OR OWNER.
- SHRUB BEDS SHALL RECEIVE 6" OF TOPSOIL.
- ALL SHRUB BEDS SHALL HAVE 3" OF DECOMPOSED BARK MULCH INSTALLED.
- SHRUB BED BEDDING SHALL BE PRESSURE TREATED WOOD OR "TICKY" BOARDING IT SHALL SEPARATE ALL SHRUB BEDS FROM PLANTER GRASS LOCATIONS.
- ALL PLANTS AND ALL PLANT STAKES SHALL BE SET PLUMB.
- ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT TIME OF PLANTING AND PROPERLY COLLECTED.
- NO BARE ROOT STOCK SHALL BE USED.



LANDSCAPE PLAN
SCALE: 1/4" = 1'-0"

Jonathan DeGray
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MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

LANDSCAPE PLAN

DATE: DEC. 04, 2013

DATE: APRIL 19, 2013

PROJECT NUMBER: 1201-01

SCALE: A0.2

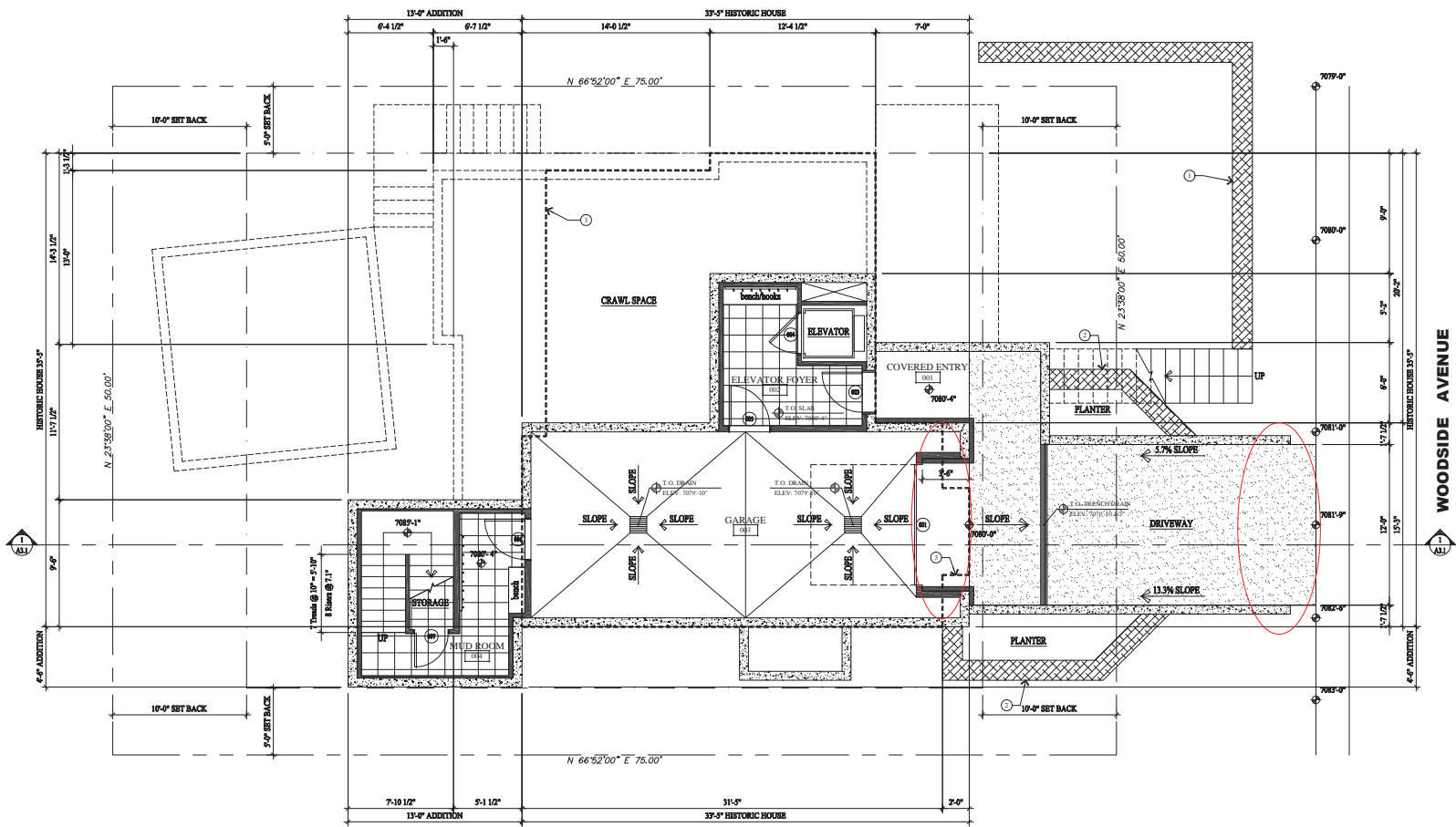
GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

- EXISTING 2x FRAMED WALL
- NEW 2x FRAMED WALL
- NEW 8" CONCRETE WALL

KEY NOTES

- EXISTING STACKED STONE WALL
- NEW STACKED STONE WALL
- LINE OF EXISTING HISTORIC BUILDING



GARAGE LEVEL PLAN
SCALE: 1/4" = 1'-0"

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MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

GARAGE LEVEL PLAN

DATE: APRIL 19, 2013
PROJECT NUMBER: 1201-01

A1.1

GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

-  EXISTING 2x FRAMED WALL
-  NEW 2x FRAMED WALL
-  NEW 8" CONCRETE WALL

KEY NOTES

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MAXWELL RESIDENCE
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543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

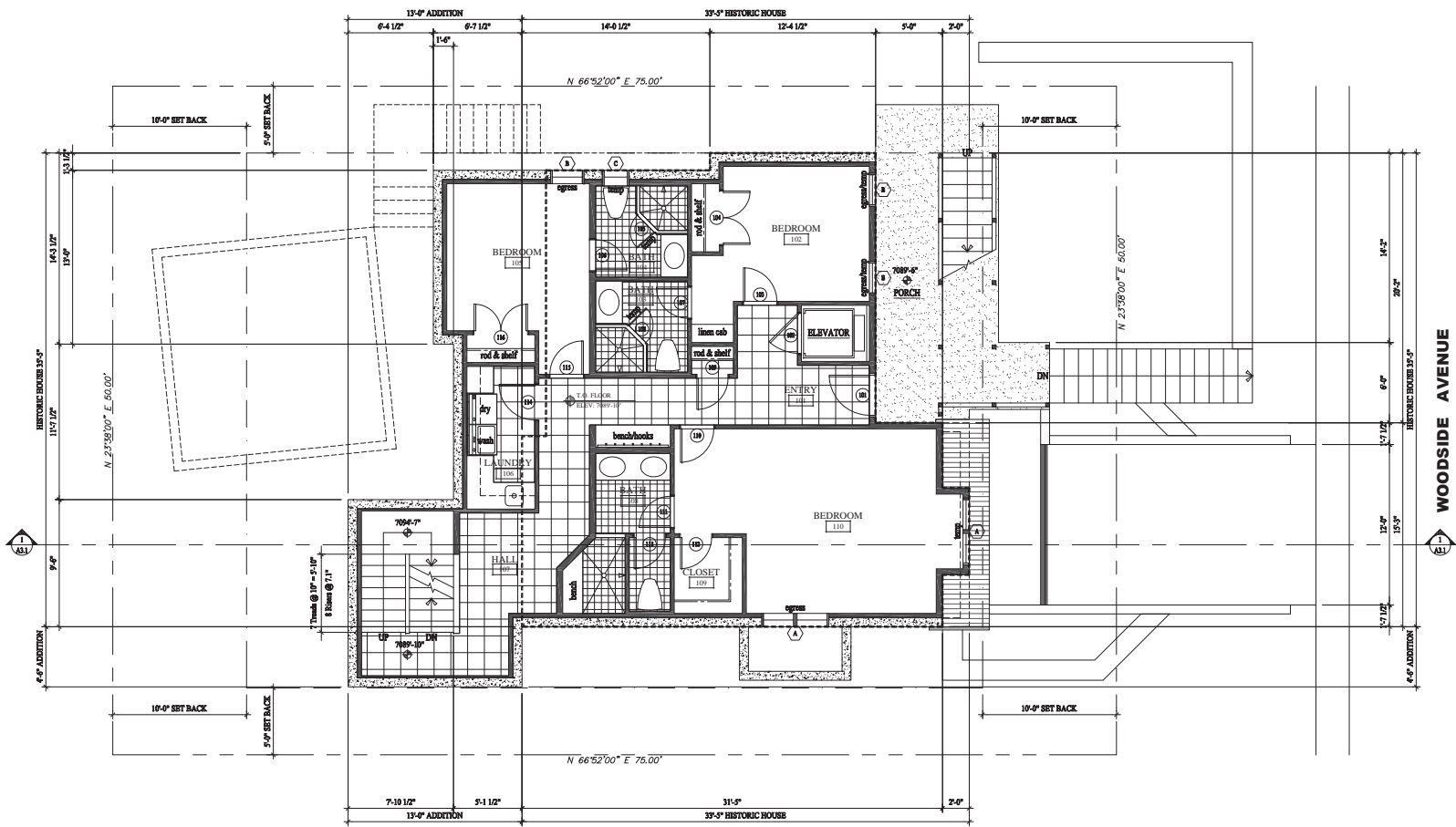
LOWER LEVEL PLAN

DATE: DEC 11, 2013

DATE: APRIL 19, 2014

PROJECT NUMBER: 1201-01

SHEET NUMBER: **A1.2**



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

WOODSIDE AVENUE

GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

-  EXISTING 2x FRAMED WALL
-  NEW 2x FRAMED WALL
-  NEW 8" CONCRETE WALL

KEY NOTES

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MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

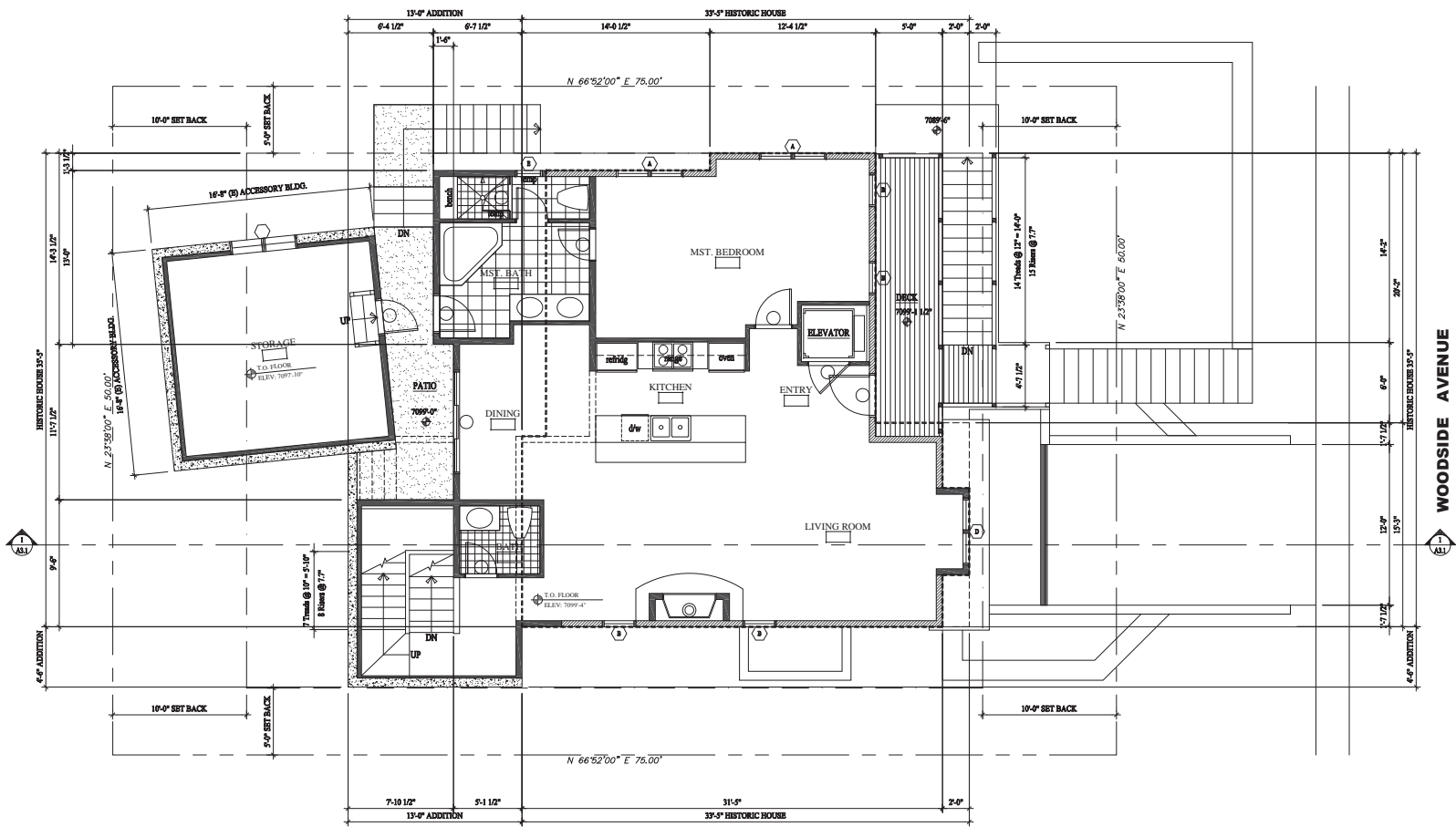
MAIN LEVEL PLAN

DATE: **DEC. 11, 2013**

DATE: **APRIL 19, 2013**

PROJECT NUMBER: **1201-01**

SCALE NUMBER: **A1.3**



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

WOODSIDE AVENUE

GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

-  EXISTING 2" FRAMED WALL
-  NEW 2" FRAMED WALL
-  NEW 8" CONCRETE WALL

KEY NOTES

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A r c h i t e c t
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MAXWELL RESIDENCE
 Historic District Design Review Application
543 WOODSIDE AVENUE
 PARK CITY, UTAH 84060

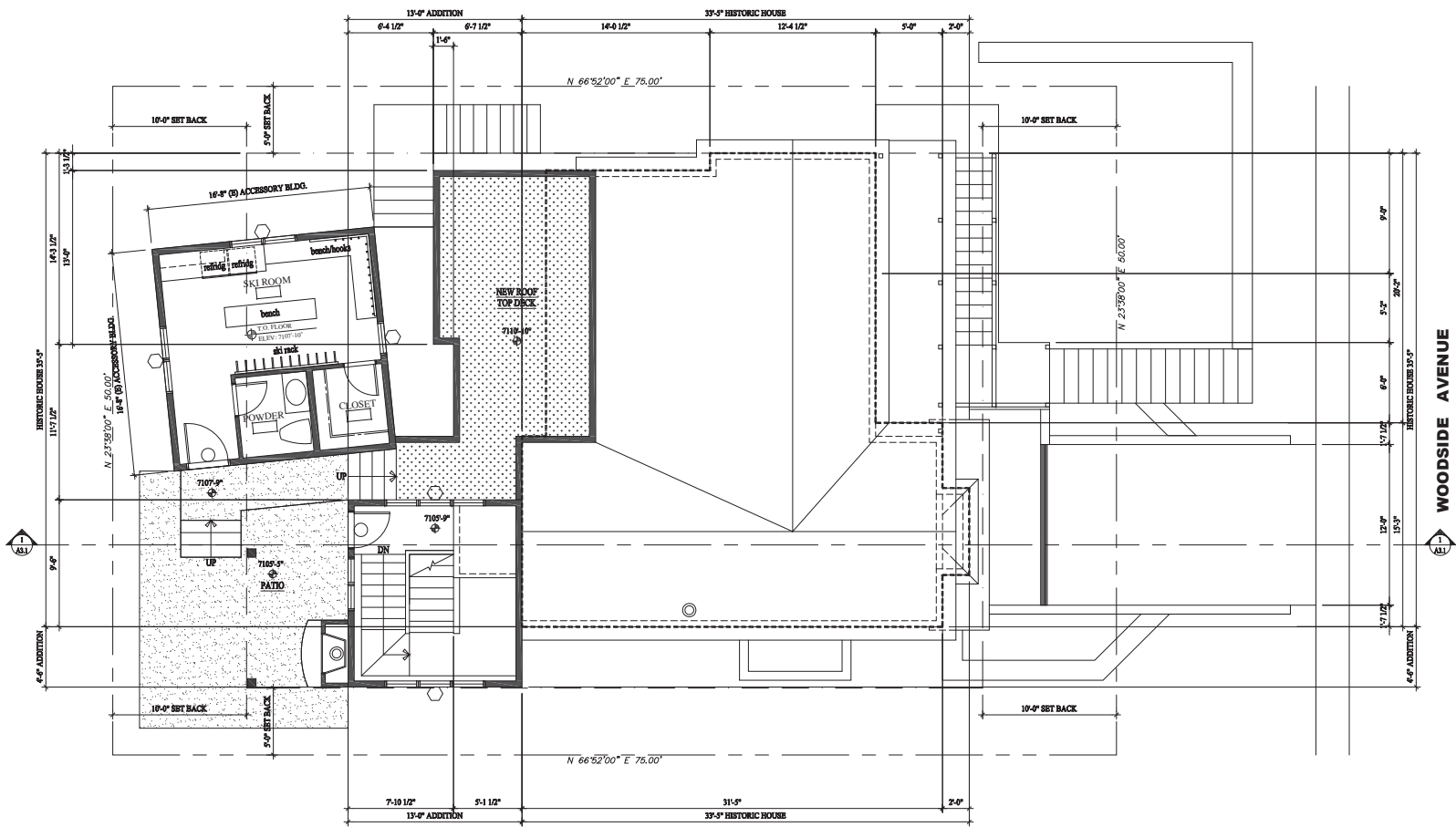
UPPER LEVEL PLAN

DATE: **DEC 11, 2013**

DATE: **APRIL 19, 2013**

PROJECT NUMBER: **1201-01**

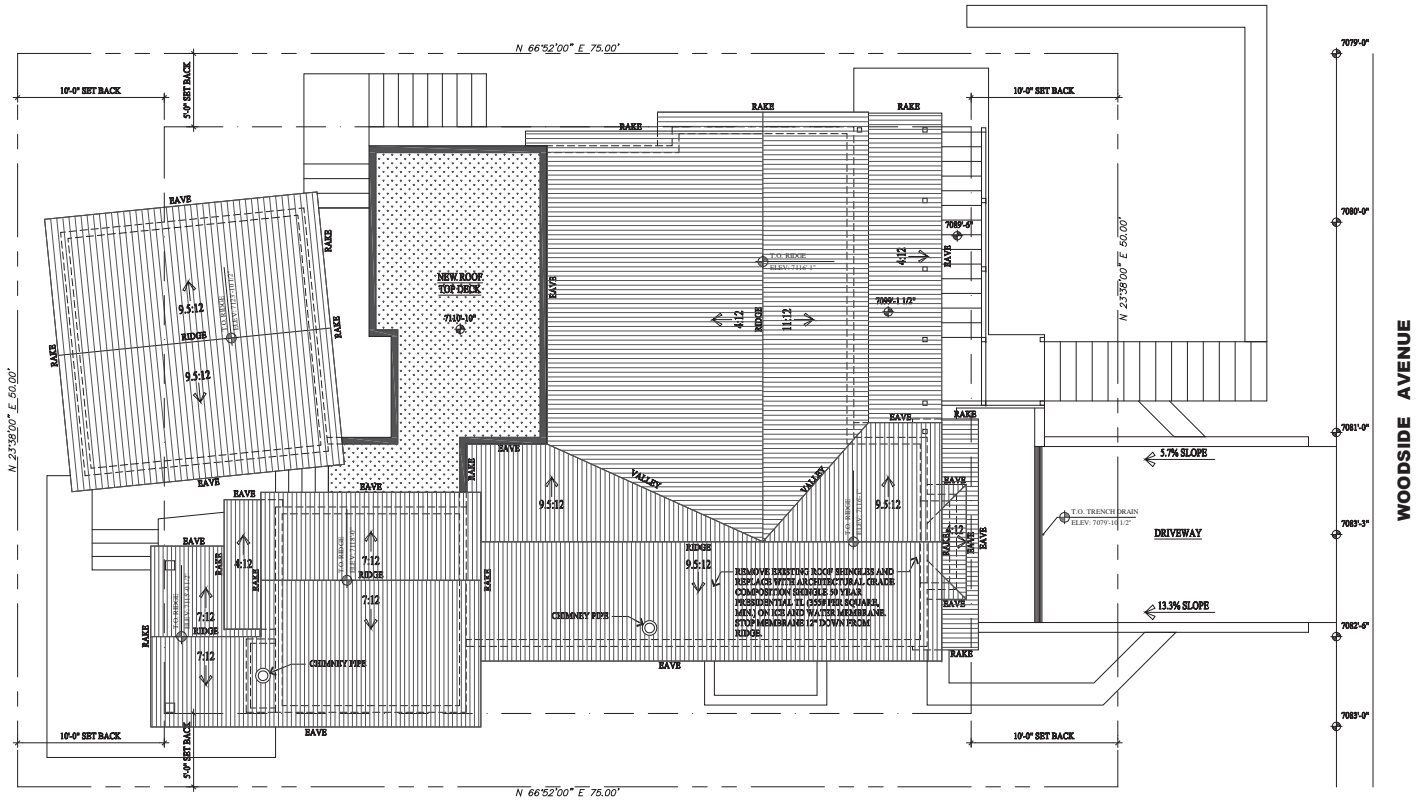
SCALE NUMBER: **A1.4**



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

GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD TRUED FROM TO ANY CONSTRUCTION



ROOF PLAN
SCALE: 1/4" = 1'-0"

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MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

ROOF PLAN

DATE: DEC. 11, 2013

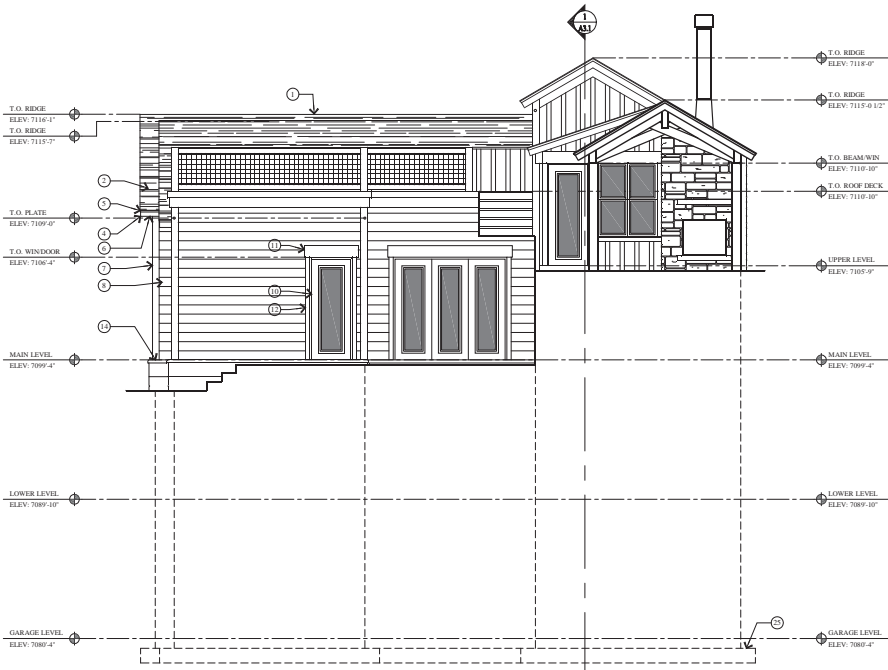
DATE: APRIL 19, 2013

PROJECT NUMBER: 1201-01

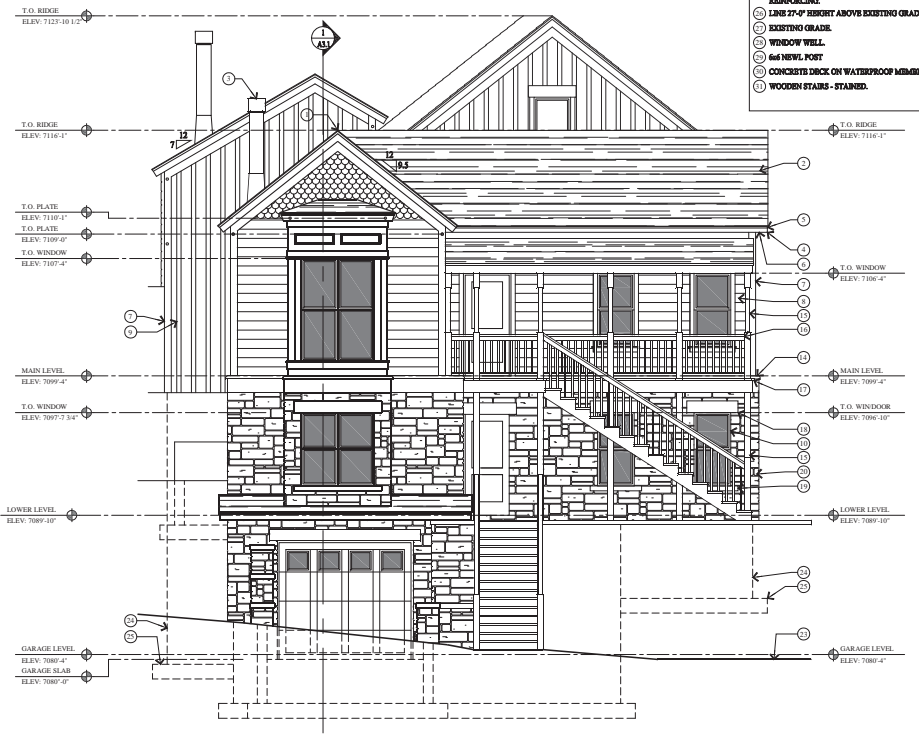
SCALE: **A1.5**

KEY NOTES

- ① COMPOSITE EDGE VENT, CORRA OR REGAL.
- ② ARCHITECTURAL GRADE COMPOSITION SHIMES 90 YEAR PRESIDENTIAL TL (559 PER SQUARE, MIN) ON 3/8" AND WATER MEMBRANE. HOLD MEMBRANE 12" DOWN FROM EDGE.
- ③ CHIMNEY PIPE.
- ④ 2x6 FASCIA - PAINTED.
- ⑤ 1 1/2" x 3" CONTINUOUS METAL DRIP EDGE.
- ⑥ 1X CEDAR SOFFIT - STAINED W/ CONTINUOUS SOFFIT VENT.
- ⑦ 2x6 CEDAR OUTSIDE CORNER BOARD, 2x2 CEDAR INSIDE CORNER BOARD - PAINTED.
- ⑧ 2x6 CEDAR BEVELED LAP SIDING ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING.
- ⑨ 2x4 BATTEN @ 12" O.C. ON 1X12 BOARD. PROVIDE 2x12 BLOCKING PERPENDICULAR 2X @ 36" O.C. ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
- ⑩ WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE.
- ⑪ 2x ANCHORED WINDOW/DOOR HEAD, 4 1/2" @ CENTER AND 5 1/2" @ END - PAINTED W/ FLASING.
- ⑫ 2x4 WINDOW/DOOR JAMB - PAINTED.
- ⑬ 1"x3" STOOL ON 2x4 WINDOW SILL - PAINTED.
- ⑭ BEVELED 3x3 ON 2x12 CEDAR TRIM BOARD - PAINTED.
- ⑮ 4x4 POST - PAINTED.
- ⑯ 3" RIGID BAILING; 2x4 TOP RAIL W/ 2x2 BALLAST @ 5 1/2" O.C. 2x6 BOTTOM RAIL.
- ⑰ 2x4 DECKING - STAINED ON 2x10 JOIST - SEE STRUCTURAL FOR BRACING AND DETAILS.
- ⑱ 3 1/2" CUT STONE SILL.
- ⑲ 4" CUT STONE SILL.
- ⑳ STONE VENEER.
- ㉑ 4" CUT STONE CAP.
- ㉒ CONCRETE STAIRS.
- ㉓ FINISH GRADE TO BE 6" AWAY FROM HOUSE A MIN. OF 6" WITHIN THIS 17' IRC RAIL.
- ㉔ FOUNDATION - SEE STRUCTURAL FOR SIZE AND REINFORCING.
- ㉕ FOOTING - SEE STRUCTURAL FOR SIZE AND REINFORCING.
- ㉖ LIME 27"-9" BRIGHT ABOVE EXISTING GRADE.
- ㉗ EXISTING GRADE.
- ㉘ WINDOW WELL.
- ㉙ 6x4 NEWEL POST.
- ㉚ CONCRETE DECK ON WATERPROOF MEMBRANE.
- ㉛ WOODEN STAIRS - STAINED.



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



2 EAST ELEVATION
SCALE 1/4" = 1'-0"

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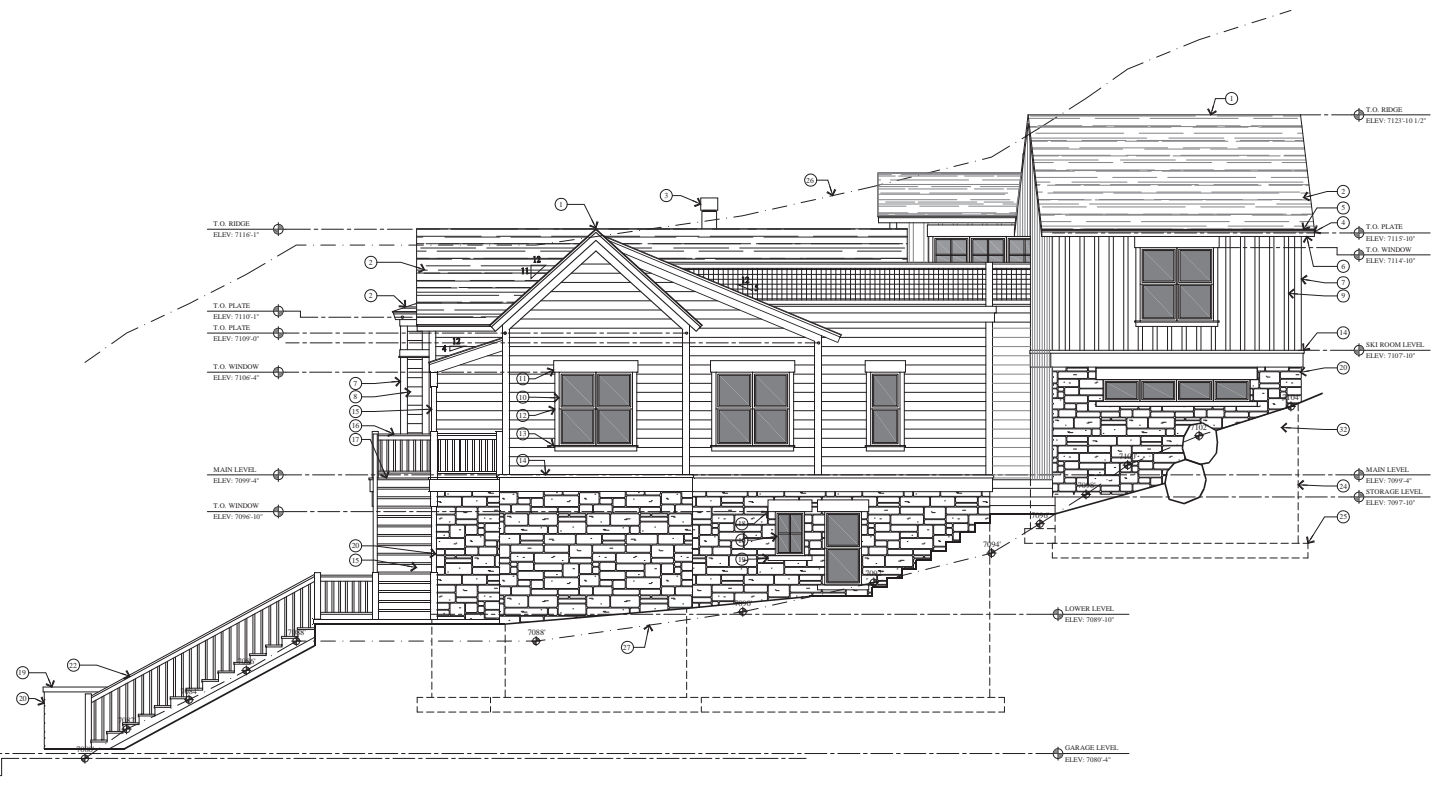
WEST AND EAST
ELEVATIONS

REVISIONS:
▲ DEC. 04, 2013
▲ DEC. 11, 2013

DATE:
APRIL 19, 2013

PROJECT NUMBER:
1201-01

SHEET NUMBER:
A2.1



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

- ### KEY NOTES
- 1 COMPOSITE RIDGE VENT; CORRA OR ROIAL.
 - 2 ARCHITECTURAL GRADE COMPOSITION SHINGLES 90 YEAR RESIDENTIAL TL (559 PER SQUARE, MIN) ON 3/8" AND WATER MEMBRANE. HOLD MEMBRANE 12" DOWN FROM RIDGE.
 - 3 CHIMNEY PIPE.
 - 4 2x6 FASCIA - PAINTED.
 - 5 1 1/2" x 3" CONTINUOUS METAL DRIP EDGE.
 - 6 1X CEDAR SOFFIT - STAINED W/ CONTINUOUS SOFFIT VENT.
 - 7 2x6 CEDAR OUTSIDE CORNER BOARD, 2x6 CEDAR INSIDE CORNER BOARD - PAINTED.
 - 8 2x6 CEDAR BEVELED LAP SIDING ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING.
 - 9 2x4 BATTEN @ 12" O.C. ON 1X12 BOARD. PROVIDE 8x12 BLOCKING HORIZONTAL 2X @ 36" O.C. ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
 - 10 WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE.
 - 11 2x ANCHORED WINDOWWOOD HEAD, 4 1/2" @ CENTER AND 5 1/2" @ END - PAINTED W/ FLASING.
 - 12 2x4 WINDOWDOOR JAMB - PAINTED.
 - 13 1"x3" STOOL ON 2x4 WINDOW SILL - PAINTED.
 - 14 BEVELED 3x3 ON 2x12 CEDAR TRIM BOARD - PAINTED.
 - 15 4x4 POST - PAINTED.
 - 16 3" RISE RAILING; 2x4 TOP RAIL W/ 2x2 BALLAST @ 5 1/2" O.C. 2x6 BOTTOM RAIL.
 - 17 2x4 TRICKING - STAINED ON 2x10 POST. SEE STRUCTURAL FOR BRACING AND DETAILS.
 - 18 9 1/2" CUT STONE HEAD.
 - 19 4" CUT STONE SILL.
 - 20 STONE VENEER.
 - 21 4" CUT STONE CAP.
 - 22 CONCRETE STAIRS.
 - 23 FINISH GRADE TO BE 6" AWAY FROM HOUSE A MIN. OF 6" WITHIN THIS FIRST 17'. IRC R401.3
 - 24 FOUNDATION - SEE STRUCTURAL FOR SIZE AND REINFORCING.
 - 25 FOOTING - SEE STRUCTURAL FOR SIZE AND REINFORCING.
 - 26 LIME 77'-0" HEIGHT ABOVE EXISTING GRADE.
 - 27 EXISTING GRADE.
 - 28 CONCRETE WINDOW WELL, SLOPS TOP WITH GRADE.
 - 29 6x6 NEWL POST.
 - 30 CONCRETE DECK ON WATERPROOF MEMBRANE.
 - 31 WOODEN STAIRS - STAINED.
 - 32 BOULDER RETAINING WALL.

MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

DATE: APRIL 19, 2013

PROJECT NUMBER: 1201-01

A2.2



EXISTING



PROPOSED





EXISTING
12/11/2013



PROPOSED
12/11/2013

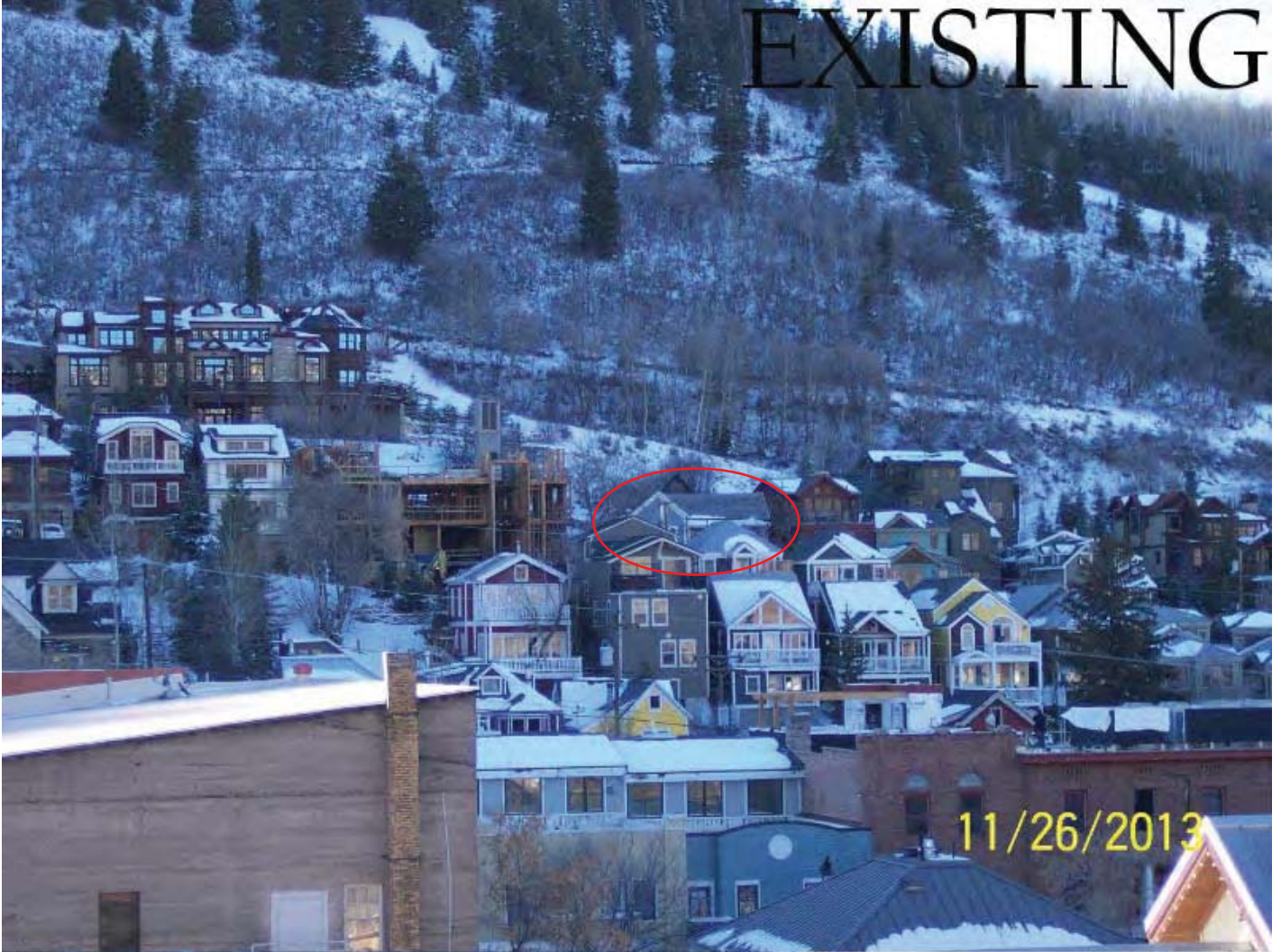
EXISTING



PROPOSED

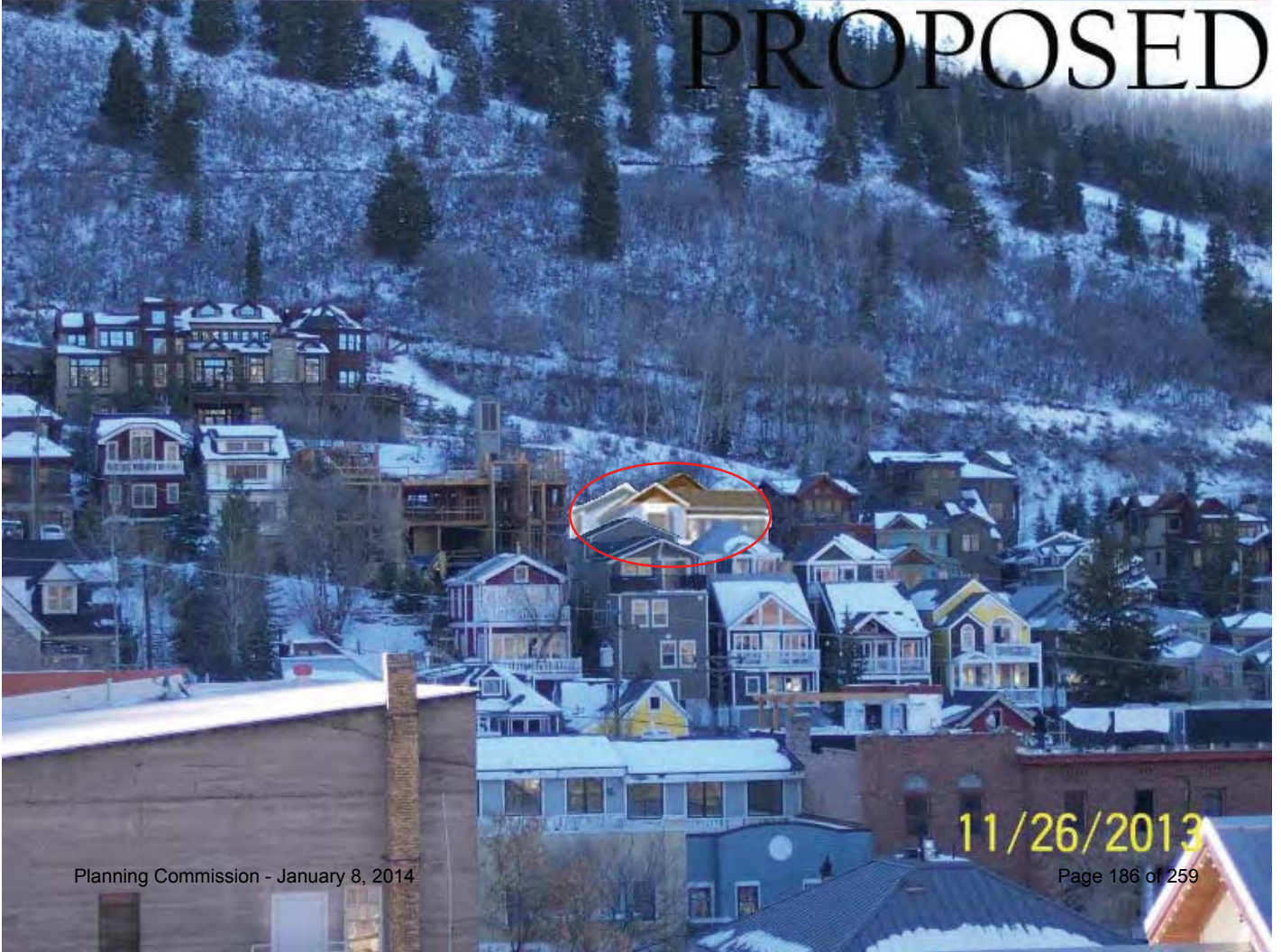


EXISTING



11/26/2013

PROPOSED



11/26/2013

EXISTING



11/26/2013

PROPOSED



11/26/2013

Historic Preservation Plan

Revised 7-23-13

1. PROJECT DESCRIPTION

The existing structure at 543 Woodside is a frame single story home that sits on an unreinforced stacked sandstone lower level/foundation. This home dates to around 1900 as it appears on the 1901 Sandborn Maps. To the rear of the property is a 2 level accessory building. This building appears for the first time on the 1929 Sandborn Maps.

The main home has been modified over the years both on the interior and exterior. On the exterior a bay window was removed from the front gable; the front entry stair has been relocated from the main level to the lower level; an entry deck at grade has been added; There has been an extensive deck area added to the rear of the building; All but 2 windows have been changed and the siding on the building does not appear to be original. On the interior both the main and lower levels floor plans have been altered with interior walls moved and room configurations changed.

Through the renovation and addition of this residence we will bring the exterior appearance back to a more historically accurate look by:

- a. Relocating the entry stair to its historic location
- b. Rebuild the missing bay window
- c. Remove the non-historic front yard deck.
- d. Replace the non-historic windows with period correct units
- e. Rebuild to match the deteriorating lower level masonry walls
- f. Reconstruct the accessory building to a historically accurate appearance.

Based on our existing conditions evaluation and the structural engineers report we propose to proceed with the renovation of the main home as follows:

1. Stabilize the existing wood structure and lift it off the existing sandstone foundation.
2. Save all sandstone and reuse to face the new foundation walls
3. Create a flat pad at the rear of the property to place the building during foundation work.
4. Construct the new foundation
5. Re-install the framed home on top of the new foundation
6. Rebuild the frame home from the inside to meet the structural requirements of code.
7. Finish the new exposed lower level foundation with the reclaimed sandstone to match appearance of original building.

Based on our existing conditions evaluation and the structural engineers report we propose to reconstruct the accessory building. By approaching the project in this way we will be able to:

1. Replace failing material and correct structural modifications that have been made to the exterior and interior, such as the removal of roof and floor structure to accommodate the installation of non-historic window openings.
2. Create the flat pad needed to store the main home during the foundation construction.
3. Build a replication of the existing that is structurally sound and will last another 100 years.

2. DESIGN ISSUES

1. The existing setting has been altered over the years. The historic steps leading to the second level entry have been removed and a new deck and stair case added. The front porch has been walled in with concrete blocks. A bay window that had been a full two stories has been cut down to one level and windows around the home have been replaced over time. Additionally, the front landscape wall along the road has been restacked numerous times and is in need of repair.
2. Through the course of this renovation we will renovate the front porch and remove the concrete block enclosure, restore the stone foundation, bring back the bay window at the living room and correct the non-historic window openings.
3. In order to preserve as much historic material as possible and address the existing failed foundation we will lift the wood structure as a unit, place it at the rear of the site and then go about constructing a new lower level and garage level foundation. Once completed the framed home will be placed on the new foundation and modified from the interior to a minimum level of code compliance. Window and siding replacement will take place at this time as needed to replace non-historic or failed material.
4. As part of this foundation construction we are proposing to add a single car garage accessed by a driveway on the south side of the front elevation, directly under the gable roof form. This addition will be similar to the garage and driveway added to 517 Park Avenue. The 517 Park Avenue project is a landmark home that added the garage and driveway in a similar location on the home as we are proposing. 517 Park was able to make this addition, maintain their landmark status and qualify for the National Register of Historic Places. I have included the Site Form for 517 Park as part of the application material so you can review the photos of the project before and after the garage and driveway were added. With access off the street the drive will slope down to the garage door. There will be stone walls on either side of the driveway to take up the grade. The stone on these new walls will match the front wall that will be rebuilt as part of this renovation.

5. At the rear of the building we are proposing a 363 sq. ft., footprint, additions that will expand the living areas along the rear of the existing home. The north side of the addition will not be visible from the street and the south addition roof will be constructed to appear as an attached shed. The addition area is being added to the rear of the existing building and only requires removal of the rear, west wall on the historic building to accommodate the expansion.
 6. The historic entry to this home was by a steep stair that rose up from the street to the main level, a vertical rise of 18'. In order to rebuild these stairs the building official was requiring the construction to meet current code. To achieve a code compliant stair would require constructing retaining walls along the front of the property. To avoid the construction of these walls we are leaving the stair as it currently exists.
7. At the rear of the property there is an existing 16'-8"x16'-8", two story accessory building that is currently an independent living unit. Due to the condition of this structure and site constraints we are proposing to rebuild this building in its exact location. The plan will call for new materials to match the existing building. More historically accurate windows will replace the non-historic existing units. This building is not visible from Woodside Avenue.
8. In summary, the proposed changes outlined here are all intended to bring the home closer to its historic appearance while improving the homes livability. These exterior changes along with the proposed structural improvements yield a finished project that will benefit the historic district for years to come.

3. CONSTRUCTION ISSUES

SITE FEATURES:

A.1 Topography – The site topography will remain the same except for the area of the proposed driveway to access the garage. See physical condition report.

A.2 Landscaping – See landscape plan

A.3 Retaining Walls - The stacked stone retaining walls will be replaced with a reinforced concrete walls. The historic stacked stone will be saved and reused to face the new concrete walls, for historic appearance.

A.5 Fences - None

A.6 Other - None

MAIN BUILDING:

B.1 Roof - The roof will be rebuilt to meet the structural requirements of code and maintain the historic form and appearance.

B.2 – B.5 Exterior Walls – The exterior walls will be modified from the interior to a minimum level of code compliance. Windows, doors and siding replacement will take place as needed to replace non-historic or failed material.

B.6 Foundation – The historic stacked stone foundation will be replaced with a reinforced concrete foundation. The historic stacked stone will be saved and reused to face the new foundation walls, for historic appearance.

B.7 Porches - The front porch will be rebuilt and brought back to its historic form and appearance.

B.8 Dormers/Bays - The bay window will be rebuilt to match the original historic two story bay in the tax photo.

B.9 Additions - We are proposing to add a single car garage accessed by a driveway on the south side of the front elevation, directly under the gable roof form. At the rear of the building we are proposing an addition that will expand the living areas on the rear of the building, additional 363 sq. ft. of footprint. The addition will be partly visible from the street on the south rear corner and will appear as a small shed element. The addition is located on the rear of the existing building. It requires removal of the west wall of the historic building to accommodate the expansion.

B.10 Mechanical System – All mechanical systems will be new and up to code.

B.11 Electrical System – All electrical systems will be new and up to code.

B.12 Structural System - See Structural Engineers Physical Condition Report.

B.13 Hazardous Materials - See Physical Condition Report

B.14 Other - None

MAIN BUILDING - DETAILS:

C.1 Windows - All historic windows have been replaced, see physical condition report. All new windows will be historic in appearance.

C.2 Doors - All historic doors have been replaced, see physical condition report. All new doors will be historic in appearance.

C.3 Trim – All historic trim has been replaced, see physical condition report. All new trim will be historic in appearance.

C.4 Architectural Ornamentation - None

C.5 Other - None

ACCESSORY BUILDINGS:

D.1 – The two story accessory building will be rebuilt in its exact location. The plan will call for new materials to match the existing building. More historically accurate windows will replace the non-historic existing units.

STRUCTURES:

E.1 - None

4. PROJECT TEAM –

1. Architect: Jonathan DeGray Architect, 435-649-7263, degrayarch@qwestoffice.net.
2. Structural Engineer: Shen Engineers, Henry Shen, 801-466-2625, sheneng@msn.com
3. Contractor: None chosen at this phase in the project.

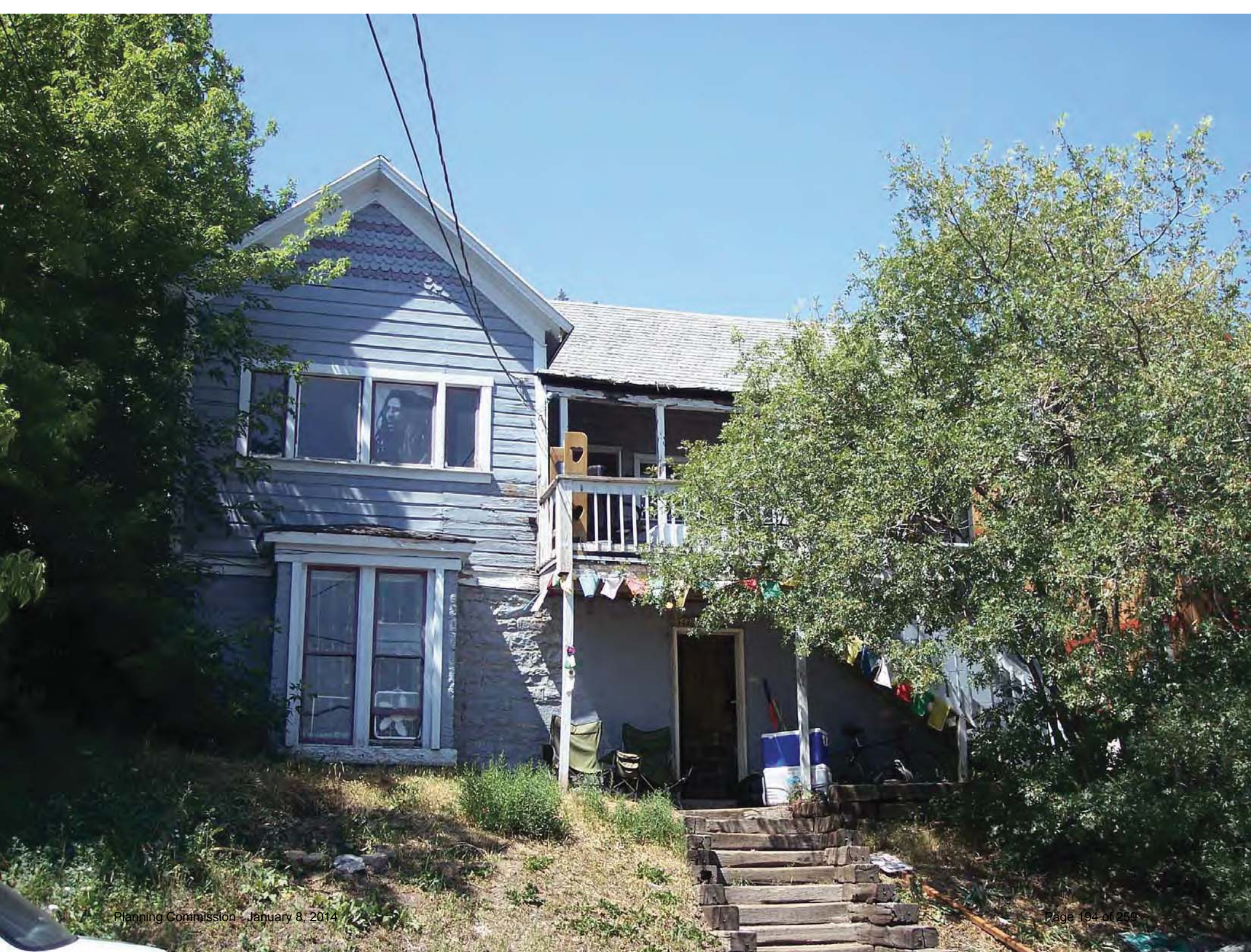
5. SITE HISTORY – See Physical Condition Report

6. FINANCIAL GUARANTEE -

1. Owner will place a lien on the property in favor of the city.

7. ACKNOWLEDGEMENT OF RESPONSIBILITY – See signed/dated application.











Historic Home Analysis – Woodside Avenue Properties

Address	House Size (total sq. ft.)	Garage Size (total sq. ft.)	Footprint (total sq. ft. estimate)	Lot Size (total sq. ft.)
405 Woodside	933	64 (shed)	933	7,405
424 Woodside	2,237	505	2,187	5,625
429 Woodside	3,300	495	1,458	4,356
481 Woodside	2,700	550	950	3,290
501 Woodside	2,500	286	1,181	2,178
505 Woodside	2,266	0	1,030	4,356
563 Woodside	1,522	234	856	1,742
564 Woodside	1,396	0	698	2,613
605 Woodside	6,011	720	1,880	7,162
615 Woodside	6,101	0	1,500	11,153
627 Woodside	3,015	480	1,481	6,098
633 Woodside	2,730	506	1,879	5,269
655 Woodside	1,480	0	1,480	3,920
664 Woodside	2,646	200	1,323	3,920

Average house size is 2,774 sf

Existing house size for 543 Woodside is 1,658 sf

Proposed house size for 543 Woodside is 2,473 sf

Planning Commission Staff Report

Application #: PL-13-02066
Subject: 530 Main Street-Riverhorse on Main
Author: Anya Grahn, Planner
Date: January 8, 2013
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review the proposed Conditional Use Permit (CUP) application for temporary structures, open the public hearing, and consider denying the CUP application in accordance with the findings of fact and conclusions of law.

Description

Applicant: Riverhorse Partners, represented by Seth Adams
Location: 530 Main Street
Zoning: Historic Commercial Business (HCB)
Adjacent Land Uses: Commercial retail, restaurants, bars, office
Reason for Review: Conditional Use Permits require Planning Commission review and approval

Proposal

This application is a request for a Conditional Use Permit (CUP) for proposed temporary structures (tents, teepees, yurts, and stages) to be located within the existing Riverhorse property at 530 Main Street property for longer than fourteen (14) days or more than five (5) times a year. The property is located within the Historic Commercial Business (HCB) District. The applicant proposes to construct a temporary structure for 180 days (November through April) on the structure's balcony. A portion of the balcony is located within the City right-of-way (ROW) for Main Street.

Background

The property is located at 530 Main Street in the Historic Commercial Business (HCB) District. The Riverhorse restaurant occupies the second level of the structure, which is shared by Pizza & Noodle, which is on the first floor. There is an existing balcony that extends beyond the 530 Main property lines and over the city right-of-way.

On April 1, 2013, the Planning Department received a Pre-Historic District Design Review (Pre-HDDR) application outlining the applicant's intent to enclose the balcony of the Riverhorse restaurant. After meeting with staff, the applicant was persuaded not to enclose the balcony year-round; however, they do wish to enclose it temporarily during the winter months. As part of the proposed remodel, the applicant intends to alter the balcony by squaring off the existing chamfered corners to capture an additional 22 square feet of balcony space. The HDDR application for this work has not yet been

submitted to the Planning Department. The overall work for these proposed changes has been separated into two (2) phases, as outlined by the CUP application:

1. Modifying the existing second level building front of 530 Main Street within the existing property line boundaries.
2. Altering the balcony space
 - a. Squaring off the chamfered corners
 - b. Modifying the balcony materials
 - c. Constructing a custom temporary enclosure system

A Historic District Design Review (HDDR) will be required for this proposed work, with the exception of the 180-day temporary enclosure.

Per LMC 15-2.6-3(D) no balcony may be erected, enlarged, or altered over a public pedestrian right-of-way without advance approval of the City Council. Once the applicant has submitted an HDDR application to alter the balcony, the City Engineer will be presenting the applicant's application to expand the balcony to the City Council. Any alterations to the historic landmark structure at 540 Main Street or the adjacent addition at 530 Main Street will require administrative approval through the HDDR process.

The Land Management Code (LMC) was revised in 2009 to address the duration in which temporary structures may be installed. There were several temporary structures located on hotel properties in town that had been approved as temporary structures, but were left standing in virtual perpetuity. To ensure this trend would not continue, new duration parameters were adopted in 2009.

LMC 15-4-16(D) Temporary structures, tents, and vendors states that unless approved by the City Council as part of a Master Festival, in no case shall a tent be installed for a duration longer than fourteen (14) days and no more than five (5) times per year on the same property or site, unless a longer duration or greater frequency is approved by the Planning Commission consistent with Conditional Use Criteria set forth in LMC 15-1-10. Longer durations or an increase in the frequency of occurrences requires a Conditional Use Permit (CUP) and must be approved by the Planning Commission. The intent of this provision in the Code, adopted by City Council in 2009, was to allow events to run together if necessary but each fourteen (14) day period would count towards the total allowable amount of five (5) times per year. This prevents tents from remaining up indefinitely. This would also allow a tent to stay up no longer than seventy (70) days, if the fourteen (14) period was run consecutively for five (5) times.

On September 13, 2013, the Planning Department received an application for a CUP to allow a temporary structure to be constructed on the Riverhorse balcony for a full 180 days. The application was deemed complete on October 3, 2013. The current balcony is used only during the summer months as it has no overhang for weather protection, no enclosure, and no integral heating system.

A permit has been issued in the past to permit a temporary tent structure in order to allow the restaurant additional tempered space on the balcony and permit wintertime use during special events, such as Sundance. During special events, such as

Sundance, this tent has been approved through an Administrative Conditional Use Permit (Admin-CUP). The tent has traditionally been a simple white vinyl outdoor tent. It is held in place on the balcony by water ballasts, heated by propane, and lit internally to meet the International Building Code (IBC). The duration of the tent has not exceeded fourteen (14) days.

The applicant hopes to imitate the success of the tent's use during special events by constructing a temporary 180-day tent on the balcony from approximately November 1st through April 30th that would promote winter-time use. The custom temporary enclosure system will feature full height front and end walls, supported by metal-framed glazing with pairs of glazed metal doors. The temporary glazing panels will be clear, tempered glass (not sheet vinyl or similar). The sloped roof will be opaque sheet vinyl; the color has not yet been determined. The vinyl material will be stretched taut over the temporary, demountable metal framing structure. The structure will have to be engineered for snow load, address snow shedding, and run-off control. No visible elements of the enclosure system will remain, when the temporary structure is removed. The temporary enclosure will add approximately 350 square feet of restaurant space on the balcony and seat approximately twenty (20) patrons, or about five (5) tables of four (4). Given the duration of the proposed enclosure (180 days), staff finds that such a structure would be a permanent fixture during the winter season and should comply with the Historic District Design Guidelines.

There are approximately thirty (30) balconies on Main Street above the City ROW. If we were to grant CUPs to all thirty (30) of these properties in the historic commercial district to enclose their balconies, the look and feel of our historic western Main Street would be significantly diminished. Currently, encroachment agreements exist for only two (2) of these balconies.

Analysis

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

Within the LMC section 15-4-16(A)(7), a temporary structure may not be installed for a duration longer than fourteen (14) days and for more than five (5) times a year (total - if all time is utilized the temporary use is 70 days), unless a longer duration or greater frequency is approved by the Planning Commission consistent with CUP criteria in LMC 15-1-10 and the criteria for temporary structures in LMC 15-4-16 (C). The applicant is requesting that the Planning Commission consider approving a CUP to allow temporary structures up to 180 days due in order to capture additional restaurant space on the balcony for winter-time use.

Criteria for Temporary Structures:

According to LMC 15-4-16 (C), temporary structures on private property are a conditional use with consideration of the following review criteria to be considered by the Planning Commission:

- (1) *The proposed Use must be on private property. The applicant shall provide written notice of the Property Owner's permission.*

Does not comply. The temporary structure will be located on the Riverhorse balcony above the city right-of-way and thus encroaches into the City right of way (ROW) and is not entirely on private property. The tent structure will measure approximately seven feet seven one-half inches (7' 7.5") by forty feet (40'). The existing Riverhorse balcony is approximately eight feet (8') in depth at the north and south sides. Four feet (4') of the balcony structure is located within the property lines; the remaining half of the balcony structure is located on City property.

- (2) *The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.*

Not applicable. The proposed use will not diminish existing parking. Currently, no parking exists on site.

The additional 350 square feet of enclosed space, however, would increase the square feet of the building area and increase the number of required parking spaces by two (2). Nevertheless, staff finds that any additional parking could likely be accommodated at the public parking lots.

- (3) *The proposed Use shall not impeded pedestrian circulation, emergency access, or any other public safety measure.*

Complies. The location of the structure would not impede pedestrian circulation. The Building Department would mandate that the structure be designed by an engineer and that the membrane be fire-rated to ensure public safety. Furthermore, the Building Department would require that the tent structure be connected to the structure's existing fire sprinkler system.

- (4) *The Use shall not violate the City Noise Ordinance.*

Complies. The current use of the balcony during the summer months does not violate the City noise ordinance, and winter use is expected to comply as well.

- (5) *The Use and all signing shall comply with the Municipal Sign and Lighting Codes.*

Complies. Signs to the interior of the project are not regulated under the sign code. Any exterior signs must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning Department and comply with the Land Management Code (LMC).

(6) *The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gatherings.*

Complies. All uses within the temporary structure must be permitted. The property owner is responsible for obtaining the correct permits for each proposed use, including building permits, Summit County Health Code permits, Fire Code permits, Liquor Licensing and permits issued by the State of Utah.

(7) *The Use shall not violate the International Building Code (IBC).*

Complies. All temporary structures must have all required building permits and be inspected by the Building Department prior to occupancy. The Building Department would inspect the temporary structure for compliance with the IBC.

(8) *The Applicant shall adhere to all applicable City and State licensing ordinances.*

Complies. All commercial activities within the temporary structure must be licensed. The property owner is responsible for obtaining the correct City and State licensing for each proposed use within the temporary structure.

Conditional Use Permit Criteria LMC 15-1-10(E)

The Planning Commission must review each of the following criteria and consider whether or not the proposed Conditional Use mitigates impacts of and addresses each of the items:

(1) *Size and Location of the Site;*

Does not comply. The Riverhorse is located on a 6,982 square foot lot that was amended in 1995 as part of the DJK Properties. The balcony, which is approximately eight feet (8') in depth, extends approximately four feet (4') beyond the property lines and into the City ROW.

The extended duration of the tent and its construction would require adherence to the Design Guidelines as it cannot be considered a short-term, temporary structure. As proposed, the design of the 180-day tent overall is meant to mimic an enclosed porch. The mass and bulk of the structure are relatively small and appropriate to Main Street. Egress French doors, windows, and transoms preserve the overall orientation of the structure and provide a Main Street presence.

Staff finds, however, that balconies contribute to the historic character of Main Street. New construction on Main Street should utilize the standard components of historic commercial buildings in the districts. Street level facades and upper facades should be designed to be compatible with the surrounding historic buildings. Enclosed balconies are not a standard component of historic buildings, nor are balcony enclosures compatible with the surrounding historic buildings. Allowing Main Street property owners to enclose their balconies would detract from the historic character and feeling of the Main Street Historic District.

If the temporary 180-day structure were to be approved, the applicant would be required to add the additional square footage to his business license as well.

(2) *Traffic considerations including capacity of the existing Streets in the Area;*
No unmitigated impacts. The Riverhorse may be accessed via Main Street. On-street parking is available along Main Street, the adjacent Swede Alley, or at China Bridge to the east of the Main Street district. Guests and patrons using the temporary structure would have to abide by the same parking regulations as other restaurant patrons. Staff finds that the additional 350 square feet of the enclosure will increase parking demand by two (2) spaces.

(3) *Utility capacity, including storm water run-off;*
No unmitigated impacts. Any additional utilities necessary to heat the temporary structure will be tied into the building's existing utilities. The increased use will result in an increase demand for water, gas, sewer, and trash. The existing infrastructure is adequate to accommodate the additional demand on utilities. Sewer and water demand is currently met by the existing infrastructure during summer months when the balcony is currently utilized.

(4) *Emergency vehicle access;*
No unmitigated impacts. Emergency vehicle access will not be impacted by the proposal.

(5) *Location and amount of off-street parking;*
No unmitigated impacts. The increased use of the balcony due to the enclosure will result in increased vehicular traffic during the winter months.

Staff finds that non-residential uses in the HCB must provide parking at the rate of six (6) spaces per 1,000 square feet of Building Area. Typically, outdoor seating in the summer does not increase parking demands because given the choice between indoor and outdoor dining, people generally choose to sit outside. In the winter, however, most restaurant goers prefer to sit indoors and increased parking demands already exist due to the ski season.

The additional 350 square feet of enclosed space during the winter will result in a need for an additional two (2) parking spaces. Any extra parking caused by the use of the temporary structure could be accommodated in the public parking areas, such as China Bridge.

If the City were to require the applicant to provide two (2) parking spaces for his seasonal enclosure and he did not meet the criteria for the Pre-1984 Park Exception, he could purchase two (2) additional parking spaces from the City.

(6) *Internal vehicular and pedestrian circulation system;*
No unmitigated impacts. Wintertime balcony users will enter the 180-day tent structure through interior doors that lead to the balcony. The Building Department

would have to inspect the temporary structure for pedestrian circulation requirements prior to issuance of a certificate of occupancy.

(7) *Fencing, screening, and landscaping to separate the use from adjoining uses;*

Not applicable. The adjacent uses include commercial retail and service, restaurants and bars, and the Park City Museum. Fencing and screening are not applicable; however, it would also be very difficult to shield the tent from a balcony so visible from Main Street.

(8) *Building mass, bulk, and orientation, and the location of Buildings on the site; including orientation to Buildings on adjoining Lots;*

Does not comply. As previously noted, the construction of the 180-day temporary enclosure is intended to mimic an enclosed porch. Enclosed balconies are not a standard component of historic buildings and detracts from the historic district overall.

(9) *Useable open space;*

Not applicable. There is no existing open space on the site. There is no minimum required front, rear, or side yard side backs in the HCB district, nor are there requirements in the HCB to provide open space.

(10) *Signs and lighting;*

No unmitigated impacts. Signs to the interior of a project are not regulated under the sign code. Any exterior signs must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning and Building Departments and comply with the Land Management Code.

(11) *Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;*

Does not comply. The existing building at 530 Main Street and the balcony are non-historic. Changes to the non-historic building are limited. The structure at 530 Main Street is, however, adjacent to Landmark Structure at 540 Main and is an addition to the historic Masonic Hall.

Staff finds that a temporary structure, with an extended duration such as this which exists throughout the winter season, significantly alters the streetscape. This 180-day winter enclosure would become more of a permanent fixture on Main Street than a temporary fourteen (14) day tent. Balcony enclosures diminish the pattern of the historic structures and commercial buildings along Main Street as the balconies add visual interest and reinforce the architectural history and feeling of our western mining town.

Moreover, additions to the historic structure, such as the proposed tent, are subject to the Design Guidelines for Historic Sites. As previously noted, street level facades and upper facades should be designed to be compatible with the

surrounding historic buildings. Enclosed balconies are not a standard component of historic buildings, nor are balcony enclosures compatible with the surrounding historic buildings.

(12) *Noise, vibration, odors, steam, and other mechanical factors that might affect people and property off-site;*

Complies. The use shall not violate the City noise ordinance. Currently, the use of the balcony as outdoor dining is restricted after 10pm. No music or noise must exceed the City Noise Ordinance, Title 6. The applicant is not proposing to change their hours of operation. The use of the balcony enclosure will be the same as for the restaurant.

(13) *Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup areas;*

Not applicable. Delivery and service vehicles, loading and unloading zones, as well as screening of trash and recycling pickup areas have already been established through the use of the restaurant.

(14) *Expected Ownership and management of the project as primary residence, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;*

Not applicable.

(15) *Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinances, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site.*

No unmitigated impacts. The temporary structure would not have any impact on Park City Soils Ordinances, steep slopes, or the topography of the site.

Process

Denial of this application constitutes Final Action that may be appealed following the procedures found in LMC Section 1-18. Final Action by the Planning Commission on Conditional Use permits may be appealed to the City Council within ten (10) days of final action.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised at the review.

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

As of this date, no public input has been received by Staff. Public comment will be taken at the regularly scheduled meeting on January 8, 2014.

Alternatives

1. The Planning Commission may deny the CUP for the temporary structure as proposed; or
2. The Planning Commission may approve the CUP and direct staff to provide findings supporting this recommendation; or
3. The Planning Commission may outline the discussion to a date certain to allow the applicant time to respond to any additional concerns or issues raised at the Planning Commission hearing.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The applicant will be able to install a temporary 180-day structure on their balcony, above the city right-of-way. This will set a precedent and likely lead to the request for additional Conditional Use Permits (CUPs) for temporary structures to be constructed on balconies above Main Street throughout the winter season. If such seasonal structures were to exist throughout the winter, they would become a permanent fixture on Main Street during the ski season and contribute to the overall identity of Park City. Staff finds that such an improvement, even if it is temporary, is not in keeping with the Historic District Design Guidelines as balcony enclosures significantly alter the look and feel of Park City's western Main Street. Moreover, many temporary improvements on balconies will be over City property and the city right-of-way.

Recommendation

Staff recommends that the Planning Commission review the proposed Conditional Use Permit (CUP) application for temporary structures, open the public hearing, and consider denying the CUP application in accordance with the findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. On September 13, 2013, the City received an application for a Conditional Use Permit (CUP) for a temporary structure to be located on the Riverhorse balcony at 530 Main Street for up to 180 days. The application was deemed complete on October 3, 2013.
2. Temporary improvements require a CUP in the Historic Commercial Business (HCB) District.
3. Within the Land Management Code (LMC) 15-4-16 (A)(7), a temporary structure may only be installed for a duration longer than fourteen (14) days and for more than five (5) times a year with an Administrative CUP. The Planning Commission must approve a CUP for any longer duration or greater frequency consistent with

CUP criteria in LMC 15-1-10(E) and the criteria for temporary structures in LMC 15-4-16(C).

4. The applicant is requesting that the Planning Commission approve a CUP to allow the applicant to install a temporary structure for 180 days in order to permit the restaurant to utilize their balcony during the winter season.
5. No additional signs or lighting are proposed with this application.
6. This application is reviewed under Land Management Code 15-1-10(E) and Section 15-4-16(C).
7. The tent structure will measure approximately seven feet seven one-half inches (7'7.5") by forty feet (40').
8. The temporary structure will be located on the Riverhorse balcony above the city right-of-way. The existing Riverhorse balcony is approximately eight feet (8') in depth. Four feet (4') of this structure is located within the property lines; the remaining half of the structure is located on City property.
9. The proposed design is not compatible with surrounding Structures in mass, scale, style, design, and architectural detailing. Additions to the historic structure, such as the proposed tent, are subject to the Design Guidelines for Historic Sites. Additions should complement the visual and physical qualities of the building; staff finds that the overall scale and pattern of the openings on the tent reflect the patterning of the non-historic addition; however, tempered clear glazing is not an appropriate material in the historic district.
10. The proposed design detracts from the historic character of Main Street. The proposed enclosure is not a standard component of commercial buildings in the district. The mass and scale of the upper façade of the enclosure is not compatible with surrounding historic buildings.
11. The Riverhorse at 530 Main Street may be accessed via Main Street. Patrons utilizing the temporary structure would have to abide by the same parking restrictions as other visitors to Main Street. The approximately 350 foot enclosure would require an additional two (2) parking spaces to be provided.
12. The property was posted and notice letters were mailed to property owners within 300 feet of the property. Legal notice was published in the Park Record.
13. The project has access from Main Street.
14. The property is located within the Historic Commercial Business (HCB) District.
15. The Findings of the Analysis section are incorporated herein.

Conclusion of Law

1. The proposed application does not comply with all requirements of the Land Management Code.
2. The use as conditioned is not consistent with the Park City General Plan as it does not comply with the historic character and feeling of Main Street.
3. The use as conditioned will be not be compatible with surrounding structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have not been mitigated through careful planning.
5. The Application does not comply with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review

criteria for Conditional Use Permits and 15-4-16(C) review criteria for temporary structures.

Exhibits

Exhibit A- Applicant's request

Exhibit B- Site Plan

Exhibit C- Elevation Drawings

Exhibit D- Recorded Plat, 1995

Riverhorse on Main Balcony Adaptation
530 Main Street, Park City

The Riverhorse restaurant occupies the second level of two interconnected buildings on Main Street, the historic Masonic Hall and the modern steel-frame building (built 1983) at 530 Main Street. This proposal involves primarily the modern structure with only very limited 'edge' involvement of the two adjacent historic buildings.

Background

The existing cantilevered steel frame balcony at 530 Main projects over the city sidewalk terminating roughly at the plane of the street gutter. This balcony is used primarily during a few summer months as it has no overhang for weather protection and no integral heating system. Occasionally for special events (e.g., Sundance) a permit has been obtained for a temporary tent structure to create additional tempered space on the balcony and allow for its winter-time use. This use has been quite successful but requires significant hands-on servicing or maintaining and does not create an integrated or adequately climate-controlled space for dining, etc. The current adaptation proposal is for a continuous 180 day permit for the temporary enclosure as compared to a permanent conditional use or the 14 day enclosure permit as secured previously.

Scope of Proposal

The first phase of work presented on the attached drawing involves modifications to the existing second level building front at 530 Main only and occurs within the existing property line boundaries, hence is provided as information only in the context of the Conditional Use Permit application. This first phase includes adding to the existing roof to extend the overhang west to nearly align with the face of the adjacent buildings. The existing second level glazed building front and doorways will be replaced with similar elements installed slightly to the west. However, the proposed 'stepped' building front remains 1 to 3 feet behind the plane of the adjacent historic buildings and the property line. This revised building front would be executed in metal and glass similar to the existing.

The second phase of the proposed work involves modification of the projecting balcony for extended season dining use. Currently, the north and south corners of the balcony are rounded and prevent efficient use of the balcony. These rounded corners would be rebuilt and 'squared up' using steel components and detailing similar to the existing. The balcony guardrail would be modified/extended to follow the square balcony corners. The balcony weathering surface would be upgraded to include electrical radiant heating with insulation added from below and a new metal soffit system installed, similar to the existing and without noticeable change to the balcony from below. A continuous gutter with heat trace would be installed with drainage via new downspout mounted to the building face and extending (with heat trace) below the sidewalk to the gutter.

Also during this second phase a custom temporary enclosure system will be developed by an experienced enclosure system manufacturer. Full height front and end walls of the temporary enclosure will be metal-framed glazing with pairs of glazed metal doors as shown in plan and elevation. The temporary glazing panels will be clear, tempered glass (not sheet vinyl or similar). The sloped roof will be opaque sheet vinyl (color to be

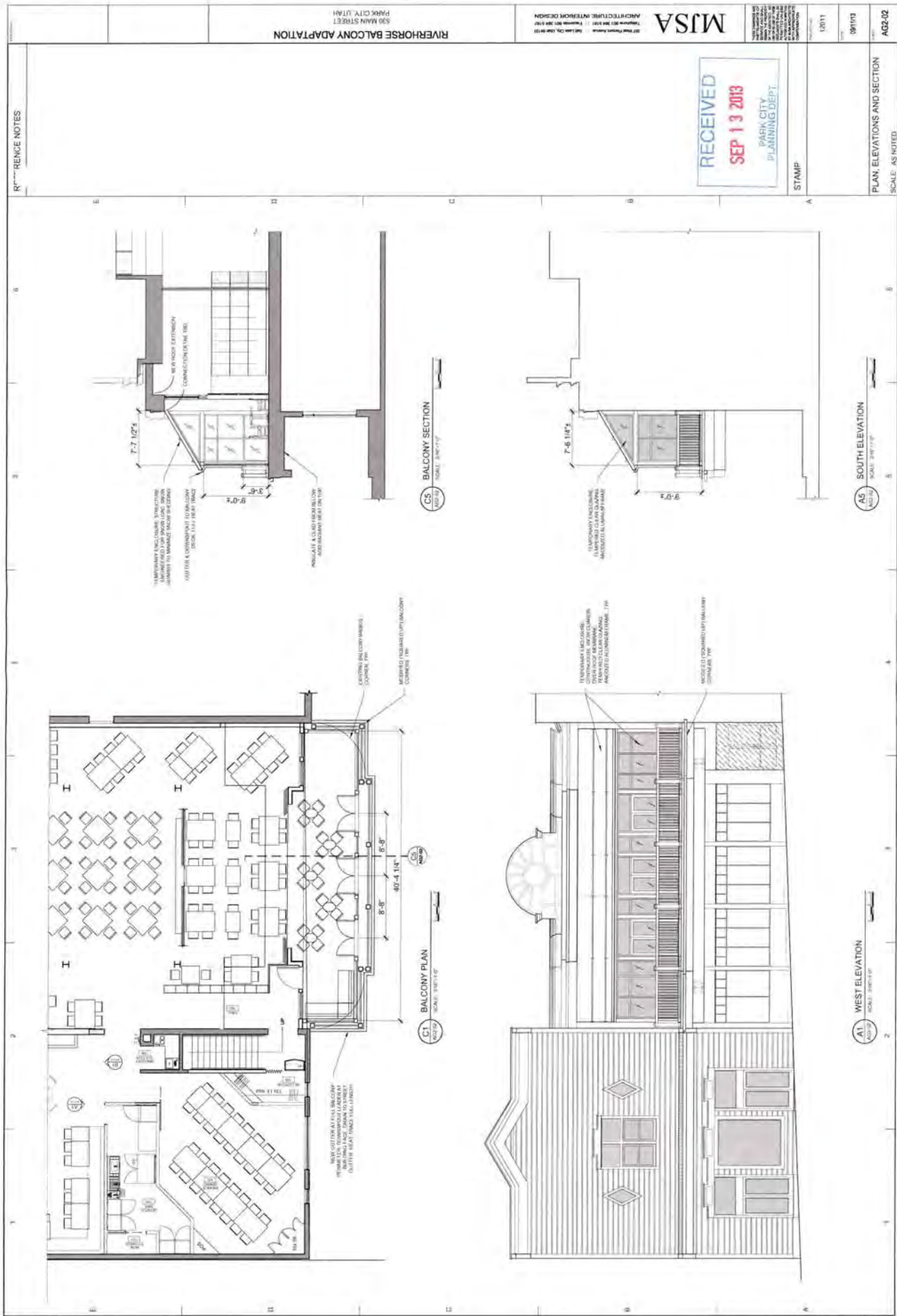


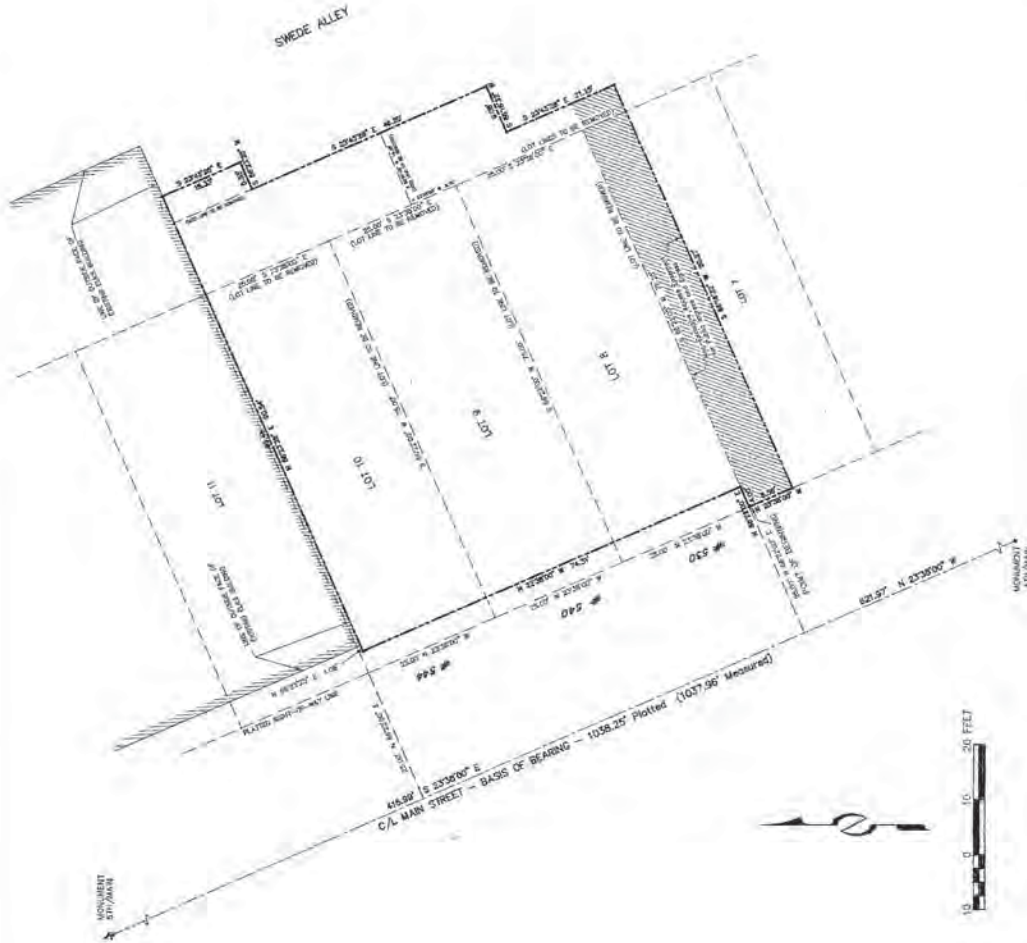
determined) stretched taut over the temporary, demountable metal framing structure. Engineering will address unique Park City situations for snow loading and include snow guards, heated gutters, etc. to address snow shedding and run-off control. When the temporary enclosure is removed (approximately April through October) no visible elements of the enclosure system will remain.

Project Response to Application Questions

- The proposed balcony adaptation involves primarily the modern 1983 building – front building wall, doorways and balcony. Front corners of the adjacent historic buildings will remain unencumbered; historic sidewalls will remain exposed to the interior (similar to existing conditions).
- The temporary enclosure is proposed to increase the use of the existing dining balcony through the critical ski season.
- No change of use is proposed; use as a dining balcony is simply extended, reinforcing the visitor support and hospitality function of Main Street.
- The proposed balcony adaptation continues the existing building use which is typical in the commercial section of Main Street.
- The existing building is modern/non-historic and the balcony existing. Changes to the building are limited; there are no changes to the site.
- The proposed balcony adaptation will not create pollutants, odors or noise.
- Hours of operation will be the same as for the restaurant.
- Total project seating capacity is unchanged as balcony seating is already addressed/included in previous restaurant improvements. ‘Squaring up’ the balcony corners adds an insignificant 22 sq. ft. and only allows more efficient use of the balcony. Hence, parking counts, egress requirements, etc. remain unchanged from previously approved values.







SURVEYOR'S CERTIFICATE
I, John D. Kline, being duly sworn, depose and say that I am a Licensed Professional Surveyor in the State of California, and that I have personally surveyed the above described premises, and that the same are correctly and lawfully surveyed, and that the same are correctly and lawfully divided into the lots hereinafter described, and that the same are correctly and lawfully divided into the lots hereinafter described, and that the same are correctly and lawfully divided into the lots hereinafter described.

BOUNDARY LEGAL DESCRIPTION
A PORTION OF LOTS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

OWNERS DECLARATION
I, the undersigned, being duly sworn, depose and say that I am the owner of the above described premises, and that I have personally surveyed the same, and that the same are correctly and lawfully surveyed, and that the same are correctly and lawfully divided into the lots hereinafter described, and that the same are correctly and lawfully divided into the lots hereinafter described, and that the same are correctly and lawfully divided into the lots hereinafter described.

ACKNOWLEDGEMENT
I, the undersigned, being duly sworn, depose and say that I am the owner of the above described premises, and that I have personally surveyed the same, and that the same are correctly and lawfully surveyed, and that the same are correctly and lawfully divided into the lots hereinafter described, and that the same are correctly and lawfully divided into the lots hereinafter described, and that the same are correctly and lawfully divided into the lots hereinafter described.

DJK PROPERTIES

A LOT LINE ADJUSTMENT LOCATED IN BLOCK 24 & MILLSTE RESERVATION, PARK CITY SURVEY

RECORDED
STATE OF CALIFORNIA COUNTY OF SAN DIEGO
AT THE OFFICE OF THE COUNTY CLERK
DATE 01/18/2011 THE ALLOTMENT PAGE 1 OF 1
FEE \$5.00
RECORDED
Diana M. Brown

COUNCIL APPROVAL AND ACCEPTANCE
APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS 18th DAY OF AUGUST 2010.
BY: *[Signature]*
CITY CLERK

CERTIFICATE OF ATTEST
I HEREBY CERTIFY THAT THE FOREGOING MAP WAS APPROVED BY THE PARK CITY COUNCIL THIS 18th DAY OF AUGUST 2010.
BY: *[Signature]*
CITY CLERK

APPROVAL AS TO FORM
I HEREBY CERTIFY THAT THE FOREGOING MAP WAS APPROVED BY THE PARK CITY ENGINEER THIS 18th DAY OF AUGUST 2010.
BY: *[Signature]*
CITY ENGINEER

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE PROVISIONS OF THE ENGINEERING ACT.
BY: *[Signature]*
PARK CITY ENGINEER

ALLIANCE ENGINEERING INC.
P.O. BOX 2484
333 MAIN STREET
SAN DIEGO, CA 92101
(619) 649-4467

PLANNING COMMISSION
I HEREBY CERTIFY THAT THE FOREGOING MAP WAS APPROVED BY THE PLANNING COMMISSION THIS 18th DAY OF AUGUST 2010.
BY: *[Signature]*
PLANNING COMMISSION

PLANNING COMMISSION
I HEREBY CERTIFY THAT THE FOREGOING MAP WAS APPROVED BY THE PLANNING COMMISSION THIS 18th DAY OF AUGUST 2010.
BY: *[Signature]*
PLANNING COMMISSION

Planning Commission Staff Report

Application #: PL-13-01956
Subject: 820 Park Avenue-Rio Grande Development
Author: Anya Grahn, Historic Preservation Planner
Date: January 8, 2014
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the proposed Conditional Use Permit (CUP) application for the mixed-use commercial and residential development at 820 Park Avenue. Staff recommends the Commission conduct a public hearing and discuss the Conditional Use Permit.

Description

Applicant: 820 Park Avenue, LLC, represented by Rory Murphy
Location: 820 Park Avenue
Zoning: Historic Recreation Commercial (HRC) District
Adjacent Land Uses: Commercial retail, restaurants, bars, offices, and residential uses
Reason for Review: Conditional Use Permits (CUPs) require Planning Commission review and approval

Proposal

The applicant is proposing to develop the site at 820 Park Avenue. The property contains the “Significant” historic structure known as the Rio Grande Building. On November 13, 2013, the Historic Preservation Board granted an appeal to allow the historic structure to be relocated to the northwest corner of the site, 9th Street and Park Avenue, and be a prominent feature of the property. The applicant is also proposing to construct a three (3) story stepped mixed-use building on the remainder of the site. The first floor of this development will be primarily reserved for commercial-retail uses while the upper stories will be residential condominiums.

This is a request for a Conditional Use Permit (CUP) for use of the proposed building for:

- Multi-Unit Dwellings (a building containing four (4) or more dwelling units);
- Commercial Retail and Service, Minor;
- Neighborhood Convenience Commercial;
- Restaurant and Café;
- Outdoor Dining; and
- Parking Area or structure with five (5) or more spaces

The Land Management Code requires submittal of a Conditional Use Permit application, with review by the Planning Commission, for commercial uses, including restaurants, bars, and retail uses if located within the HRC District. In order to approve a CUP for these uses the Commission must find compliance with specific criteria as stated in LMC Section 15-1-10 and any impacts of the proposed uses must be mitigated by physical changes to the site and/or by specific conditions of approval.

Background

On June 19, 2013, the City received an application for the 820 Park Avenue-Rio Grande Development CUP. The application was deemed complete on November 26, 2013, when additional information was provided. The property is located at 820 Park Avenue in the Historic Recreation Commercial (HRC) zoning district. The existing structure known as the "Rio Grande Building" is designated as a "Significant" historic building on the City's Historic Sites Inventory (HSI).

The applicant also submitted a Historic District Design Review (HDDR) application on June 19, 2013. On October 9, 2013, the Planning Director and Chief Building Official determined that there were not unique conditions that warranted the relocation of the historic Rio Grande Building to the corner of 9th Street and Park Avenue. The applicant submitted an appeal of this determination on October 18, 2013. The Historic Preservation Board (HPB) granted the appeal and reversed staff's determination on November 13, 2013, permitting the structure to be relocated due to the loss of the historic context of the site and the loss of the southern two-thirds (2/3) of the original structure. Moreover, the HPB found that the goals of historic preservation were best served by relocating the structure to the northwest corner of the site to be the visual focal point of the project.

The structure has had a number of different uses throughout its history. Originally constructed as part of a larger freight shed and Queen Anne passenger depot c.1890, the structure was abandoned by the D&RGW railroad line in 1946. Since the demolition of the Queen Anne depot and two-thirds (2/3) of the freight shed in the late-1940s, the remaining portion of the freight shed, better known today as the Rio Grande Building located at 820 Park Avenue, has housed an architect's office, Park City Bank, and Zion's Bank. After sitting vacant for at least a decade, the structure today is being rehabilitated in order to serve as an office for the Rio Grande Development project; however, the developers plan to utilize this structure as commercial retail use following the completion of the project.

Purpose of the HRC District

The purposes of the HRC District include:

- (A) Maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,
- (B) Encourage pedestrian oriented, pedestrian-scale Development,
- (C) Minimize visual impacts of automobiles and parking,

- (D) Preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,
- (E) Provide a transition in scale and land Uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,
- (F) Provide a moderate Density bed base at the Town Lift,
- (G) Allow for limited retail and Commercial Uses consistent with resort bed base and the needs of the local community,
- (H) Encourage preservation and rehabilitation of Historic Buildings and resources,
- (I) Maintain and enhance the long term visibility of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

Analysis

The applicant is proposing to rehabilitate the site into a mixed-use development containing a multi-unit dwelling of ten (10) units; commercial retail and service, minor; neighborhood convenience commercial; restaurant and café; outdoor dining; and a parking structure with five (5) or more spaces. Two (2) levels of underground parking are proposed, accessible from 9th Street. Above this, the historic Rio Grande building will be relocated to the corner of 9th Street and Park Avenue and restored to its former grandeur. A plaza will be constructed between the historic building and new development to isolate the historic structure. The L-shaped new construction will wrap the historic building on the north, east, and south sides of the property. Separated from the historic building by an open plaza, this new construction will contain approximately 6,401 square feet of Retail and Service Commercial, Minor; neighborhood convenience commercial; restaurant and café; and outdoor dining space, and two (2) condominium units on the ground level. Four (4) condominium units ranging from 924 square feet to 1,945 square feet will be built on the second (2nd) level. The third (3rd) level will contain four (4) condominium units ranging from 919 square feet to 1,849 square feet. One (1) condo (10-B) will be located at the Loft/Roof Deck Level.

A breakdown of the area and required parking for these uses is listed in the following table:

Use (As designated on plans—Exhibit B)	Proposed Square Footage (SF)	Parking Requirement	Parking Spaces Provided
Ground Level			
Alternative A: Retail & Service Commercial, Minor	3,100	3 spaces/1,000 SF	10
Alternative B: Restaurant	3,100	10 spaces/1,000 SF	31
Alternative C:	3,100		

Parking Requirement similar to HCB District		6 spaces/1,000 SF	19
Historic Rio Grande	788	Exempt (Historic Structure)	0
Unit 1	983	1/dwelling unit	1
Unit 2	922	1 dwelling unit	1
Second (2 nd) Level			
Retail & Service Commercial (Rio Grande)	788	Exempt (Historic Structure)	0
Unit 3	924	1 /dwelling unit	1
Unit 4	1,733	1.5 /dwelling unit	1.5
Unit 5	1,945	1.5 /dwelling unit	1.5
Unit 6	1,753	1.5/dwelling unit	1.5
Third (3 rd) Level			
Unit 7	919	1/dwelling unit	1
Unit 8	1,716	1.5/dwelling unit	1.5
Unit 9	1,849	1.5/dwelling unit	1.5
Unit 10	2,210	1.5/dwelling unit	1.5

The final total parking requirements for the proposed three (3) alternatives is:

Alternative A	23
Alternative B	44
Alternative C	32

The applicant is proposing to provide forty-two (42) underground parking spaces. The applicant has not yet leased the 3,100 square feet of storefront space. This space may be leased to a single retail and service or restaurant tenant, or this space may be further subdivided into multiple tenants. Staff has analyzed these scenarios through the following three (3) alternatives:

- Alternative A
Should the space be leased to a single commercial retail and service tenant, the applicant will be required to provide twenty-three (23) parking spaces. The applicant has exceeded this amount by providing forty-two (42) underground parking spaces.
- Alternative B
Should the space be leased a restaurant tenant, the applicant will be required to provide forty-four (44) parking spaces. The proposed forty-two (42) underground parking spaces would not meet the LMC requirements for parking. The applicant would require a parking reduction of eighteen (18) spaces.
- Alternative C
The Planning Commission could approve a mixed-use parking requirement similar to that permitted by LMC 15-2.6-9(B) in the Historic Commercial Business (HCB) District that requires non-residential uses to provide parking at a rate of six (6) spaces per 1,000 square feet of Building Area, not including bathrooms, and

mechanical and storage spaces. In this scenario, the applicant would be required to provide thirty-two (32) spaces, meeting the proposed forty-two (42) underground spaces.

It is likely that as this project progresses and the storefront spaces are leased, the 3,100 square foot commercial retail and service/restaurant space will be subdivided further to promote a mix of tenants. Mixed-use would alleviate parking demands by promoting greater shared parking and reducing the intensity of the restaurant use. As outlined by Alternative C above, the Planning Commission may wish to consider approving a parking reduction based on the parking requirements for the HCB zone district that accommodates mixed-uses on Main Street.

The proposed development will feature a shared party-wall with the Town Lift Condominiums to the south. As outlined in LMC 15-2.5-3(E)(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 Side Lot Line may not exceed 100 feet. The applicant is proposing a common wall of approximately twenty feet (20') and has met with the Chief Building Official and City Attorney to enter into a party wall agreement with the Town Lift Plaza.

This site is surrounded by mixed use residential, residential condominium, and commercial spaces. To the east of the structure, the Lift Lodge Condominiums feature a similar arrangement to the proposed Rio Grande design in that the Lift Lodge has underground parking; commercial and retail, minor; restaurant and café use on the first level; and residential development on the top two (2) floors. The Lift Lodge is located on .26 acres (11,535 square feet). In June 1997, the Planning Commission approved a Conditional Use Permit (CUP) at this location, permitting the construction of thirteen (13) condominiums on the top level and north end of the first and second floors equaling 12,381 net square feet; 842 square feet of support commercial uses and 3,554 square feet of net leasable commercial space on the first and second levels (4,442 square feet gross). The Commission also approved 8,654 square feet of parking and storage as well as 7,128 square feet of common area (hallways, stairs, elevators, etc.) The total building floor area is 37,001 square feet. The Lift Lodge is also built to a zero foot (0') setback along the west property line, shared with 820 Park Avenue. To the south, the Town Lift Plaza is dominated by commercial use with the residential components such as the Lift Lodge and Caledonian Building.

This site is also adjacent to the Park Avenue residential neighborhood. To the west, the neighborhood is dotted with historic and non-historic residential developments one (1) to three (3) stories in height. The UP&L Park directly north of the site is open space, followed by the Summit Watch development and Park Station Condominiums. According to Land Management Code (LMC) § 15-2.5-2,

- Multi-Unit Dwellings;

- Commercial Retail and Service, Minor;
- Neighborhood convenience commercial;
- Restaurant and café;
- Outdoor dining; and
- Parking Area or Structure with five (5) or more spaces

These uses are Conditional Uses in the HRC District. Staff has reviewed the proposed Conditional Use Permit (CUP) with respect to the conditional use review criteria as outlined in LMC 15-1-10. The Commission must also make a determination that the proposed uses meet the CUP criteria found in LMC § 15-1-10 as follows:

1. *Size and location of the site.* **Complies.** Per LMC 15-2.5-3 (G)(1), the Floor Area Ratio (FAR) for non-residential structures built after October 1, 1985 and located east of Park Avenue is 1.0. The FAR, Gross Commercial, is defined as the Area of a Building including all enclosed Areas excluding parking areas. Areas below Final Grade used for commercial purposes including, but not limited to, storage, bathrooms, and meeting space, are considered Floor Area. The following floor areas are proposed:

	Commercial Gross Floor Area Square Footage
Lower Parking Area	0 SF
Upper Parking Area	0 SF
Ground Level Area (Commercial Retail, including support areas)	4,433 SF
2 nd Level	788 SF
3 rd Level	0 SF
Loft/Roof Deck Area	0 SF
Total Square Footage	5,221 SF

The total lot area is approximately 14,375 square feet. The Floor Area Ratio is .36 and is less than the allowable FAR of 1.0. The FAR is intended to restrict the scope of non-residential uses within this zoning district, and the size of the site will accommodate the proposed uses, which includes ten (10) residential units.

2. *Traffic considerations.* **Discussion Requested.** The development of this site and increased residential and commercial retail uses in the neighborhood will result in additional traffic and parking demands. As outlined above, the applicant is proposing to construct two (2) levels of underground parking containing forty-two (42) parking spaces in order to accommodate the parking demands for the 5,221 square feet of commercial retail spaces including Commercial Retail and Service, Minor; Neighborhood convenience commercial; Restaurant and café as well as the 15,742 square feet of the multi-unit dwelling. As previously described, the applicant will need to meet the following parking requirements depending on the use of the ground level storefront space:

- Alternative A. Should the space be leased to a single commercial retail and service tenant, the parking requirement for the site will be twenty-three (23) spaces.
- Alternative B. Should the space be leased to a single restaurant tenant, the parking requirement for the site will be forty-four (44) spaces.
- Alternative C. The Planning Commission could approve a mixed-use parking requirement similar to that used in the Historic Commercial Business (HCB) zoning district which permits 6 spaces per 1,000 SF. In this scenario, the applicant would be required to provide thirty-two (32) spaces.

The development's location on the #1 Red Prospector bus route and the proximity of the Main Street Trolley will allow site users to use public transit and lessen traffic congestion and parking demands as well.

Staff has requested the applicant submit a traffic study in order to better understand additional demands caused by this development on neighboring streets.

3. *Utility capacity.* **Impacts mitigated with conditions.** Utilities will need to be upgraded in order to accommodate the new development on the site. Water service, in particular, will require cutting into the road and tapping into the water main. The developer has also reached out to the Snyderville Basic Water Reclamation District in order to extend the sewer system into the new building. A condition of approval will state that all utility impact fees will be calculated prior to issuance of the building permit.
4. *Emergency vehicle access.* **No unmitigated impacts.** The building is accessible from both Park Avenue and 9th Street for emergency vehicles.
5. *Location and amount of off-street parking.* **Discussion Requested.** As previously discussed, the design, as proposed, includes two (2) levels of underground parking containing forty-two (42) parking spaces. The underground parking structure will be 16,448 square feet in area.

Should the applicant lease all 3,100 square feet of storefront space to a commercial retail or service tenant, the applicant will provide parking in access of the required twenty-three (23) spaces by thirteen (13) spaces. Should the space be leased to a single restaurant tenant, the required number of parking spaces will be forty-four (44) spaces, and the applicant will be short two (2) spaces. The Planning Commission may also choose to approve a parking reduction based on the parking requirements for the HCB zone district that accommodates mixed-uses on Main Street. Based on the HCB requirement that six (6) spaces be

provided for every 1,000 square feet, the applicant would exceed the requirement with the proposed forty-two (42) spaces by ten (10) spaces.

The applicant is also required to provide parking for the ten (10) residential units located in the development. As previously noted, parking for the multi-unit dwelling use will require thirteen (13) parking spaces.

6. *Internal circulation system.* **Complies.** Vehicular ingress and egress to the site's underground parking is located along 9th Street. Stairs lead up from the underground garages to the southeast corner of the building. Ingress and egress to the commercial spaces is located on the ground level, facing Park Avenue. Elevator and stair access is provided to the residential condos on the second (2nd) and third (3rd) levels as well in the center of the new structure. On the fourth (4th) floor, access will be provided to the adjacent Town Lift Condominium structure to provide residents with indirect access to the Town Lift Plaza.
7. *Fencing, screening and landscaping to separate uses.* **Complies.** No new fencing is proposed. Eight (8) of the ten (10) residential uses will be located above the commercial uses on the ground level and do not require screening or landscaping. Access to the underground parking is located at the northeast corner of the site, and the driveway is shielded by the terrace to the north of Unit 1.
8. *Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots.* **Complies.** The building mass, bulk, and orientation of the proposed building relate to adjacent buildings. As previously noted, the historic Rio Grande structure will be relocated to the northwest corner of the site, 9th Street and Park Avenue. The new construction will wrap the historic building, providing interior plaza spaces along the south and east sides of the Rio Grande building.

The proposed development is also in keeping with the present character of the HRC District, located on the east side of Park Avenue. Both the Town Lift Plaza and the Lift Lodge condominiums were approved through a Master Planned Developments (MPD) that permitted zero (0) setbacks. The applicant is proposing a shared party wall with their neighbor to the south, the Town Lift Plaza, and enclosure of the alleyway to prevent the accumulation of trash; 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 the Chief Building Official. The applicant is proposing a ten foot (10') rear yard setback along the east property line, shared with the Lift Lodge Condominiums. This space will be made up of the driveway leading to the underground parking as well as open space.

Special considerations have been made to the design in order to mitigate the effects the structure will have on the neighboring condominium structure. Due to the proximity of the Lift Lodge Condominiums, the applicant has strived to create a design that obstructs the view of a minimum number of residences, which equates to only two (2) condominiums at the Lift Lodge (see Exhibit B). As previously noted, the first and second floors of the Lift Lodge are reserved for commercial use, with some residential uses. The majority of the Rio Grande development sharing the east property line will be facing the backside of these commercial spaces. The view from two (2) condominium units on the east elevation of the Lift Lodge Condominiums on the first and second floors will be obstructed; however, the applicant has proposed a ten foot (10') side yard setback and driveway for the northeast corner of the site to allow condominiums at the north end of the Lift Lodge development to maintain their views of the mountain. (The Lift Lodge was constructed with a zero setback along the shared property line.)

The applicant is proposing a modern interpretation of mining era structures. The height and density of the development is similar in scale to the Lift Lodge and Town Lift Condominiums and is compatible with the scale with the neighborhood. The style of the development is also congruent with the existing historic Rio Grande freight shed as well as the surrounding modern mining design of the adjacent Town Lift Condominiums and Plaza.

In response to the goals of the General Plan, the proposed design has emphasized the importance of historic preservation and maintaining the historic character of this site. More than two-thirds (2/3) of the original Rio Grande freight shed has been demolished. Historically, the Silver King mining site and iconic Coalition Building towered over the depot in height. The density of this historic industrial site has been replaced by the current density of contemporary mixed-use developments.

9. *Usable open space.* **Complies.** The LMC does not stipulate the amount of required open space that must be provided in the HRC. Open space will be provided on the north, west, and east sides of the development within the setback areas as well as the interior hard-scape plaza. The total open space to be provided is 3,540 square feet or 24.6% of the site.
10. *Signs and lighting.* **Complies with additional conditions.** Signs within the interior spaces of the project are not regulated under the sign code. Any exterior signs, including those located in the proposed plaza, must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning Department and comply with the Land Management Code (LMC). Condition of Approval #2 states all exterior signage requires a separate Master Sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs. Similarly, a condition of approval will specify that all exterior

lights must conform to the city lighting ordinance and must be included in the Historic District Design Review (HDDR).

11. *Physical design and compatibility with surrounding structures in mass, scale and style.* **Complies.** The site at 820 Park Avenue is in the HRC zone and is located in close proximity to the ski lift and Main Street. To the east of the site is the Lift Lodge Condominiums, a three (3) story mixed-use development approved for zero setbacks on the east elevation as well as a height of forty-five feet (45') for their development through a previous MPD. The Town Lift Condominiums, a mixed-use development, is directly south of the site and the proposed Rio Grande development will provide access to these shops and restaurants. To the west of the site, a second MPD has permitted the redevelopment of several historic structures as well as new construction. The west side of Park Avenue is primarily residential, one (1) to three (3) story single-family dwellings. Directly to the north, the UP&L Park was developed when the substation was removed.

This neighborhood is dominated by mixed-use buildings three (3) to four (4) stories in height. Along Park Avenue to the north are the four (4) story Park Station Condominiums and Summit Watch developments. Both of these structures exceed three (3) to four (4) stories in height. In addition to residential development, the neighborhood to the east of the Rio Grande site features mixed-use development containing retail and restaurant uses along the first level and residential uses above.

The applicant is proposing a modern interpretation of mining era industrial architecture. Previous developments such as the Lift Lodge and Town Lift Condominiums are a similar style that relate to the traditional wood frame construction of residential properties on the west side of Park Avenue. As previously described, the proposed design is compatible with the surrounding structures in mass, scale, and style. Much like the Lift Lodge Condominiums, the Rio Grande design is based on a modern interpretation of the now-demolished Coalition Building. The height and density of the development is similar in scale to the Town Lift Condominiums and is compatible with the scale of the Town Lift Condominiums. The style of the development is also congruent with the existing historic Rio Grande freight shed as well as the surrounding modern mining design of the adjacent Lift Lodge and Town Lift Condominiums.

12. *Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site.* **Complies with addition conditions.** The applicants are proposing to locate all mechanical equipment on the rooftop of the new condominium development. This equipment will be shielded and not visible from the primary right-of-way. The design has considered the view of the mechanical equipment from above as well as the ski runs, and for this reason, the mechanical has been enclosed in the structure. Furthermore, any mechanical equipment will have to meet the City's noise ordinance. A condition of approval will state that any noise, vibration, odors, steam, or other mechanical factors will

be located on the rooftop of the new structure and will be screened and shielded to mitigate any adverse effects on people and property off-site.

13. *Control of delivery and service vehicles, loading and unloading zones, and screening.* **Impacts mitigated with conditions.** Delivery and service loading and unloading zones have not been identified on the site-plan. The applicant has informed staff that delivery will occur along Park Avenue in much the same way as it does for neighboring properties. The applicants are not proposing to construct any loading docks for the delivery vehicles that will be servicing the site. A condition of approval will state that delivery will be limited to Park Avenue.

14. *Expected ownership and management of the property.* **No unmitigated impacts.** The site is owned by 820 Park Avenue, LLC, a Utah limited liability company. 820 Park Avenue, LLC will retain ownership of the site and management of the new development, including tenant leases. All existing easements, conditions, and agreements as stated in the current Title Report, shall continue and this Conditional Use Permit (CUP) shall not change or amend said easements, conditions, or agreements.

The City owns a one foot (1') strip along the north edge of the property, adjacent to 9th Street. In order to move forward with this development, the developer will be required to record an easement with the City in order to access this street frontage.

15. *Sensitive Lands Review.* **No unmitigated impacts.** The proposal is not located within the Sensitive Lands Overlay zone.

Process

The Conditional Use Permit (CUP) is the first of several applications required for development of this site. The CUP will permit the applicant to construct a mixed-use commercial and residential condominium project at 820 Park Avenue.

In addition to the CUP, the applicant has also submitted a Historic District Design Review (HDDR) for the rehabilitation of the historic Rio Grande Building as well as the proposed new construction on the site. The HDDR is currently under staff review and is dependent on the Planning Commission's approval of the CUP. Following an HDDR approval, a Building Permit application will be required for all construction work on the site. The work will be inspected prior to issuance of a certificate of occupancy for compliance with applicable Building and Fire Codes and conditions of this CUP. A financial guarantee is also required for all work to be completed on the historic structure.

Approval of this application 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.

As previously noted, any and all signage will be approved through a Sign Permit application.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised at the review.

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

Public input was received prior to publication of this report, and is included as Exhibit E.

Recommendation

Staff recommends the Planning Commission review the proposed Conditional Use Permit application for the mixed-use commercial and residential development at 820 Park Avenue. Staff recommends the Commission conduct a public hearing and discuss the Conditional Use Permit.

Exhibits

- Exhibit A- Applicant's letter
- Exhibit B- Proposed design plans
- Exhibit C- Landscape Plan
- Exhibit D- Historic Sites Inventory
- Exhibit E- Public Input

May 21, 2013

Mr. Matt Evans, Senior Planner
Park City Municipal Corporation
Planning Department
445 Marsac Av.
PO Box 1480
Park City, Utah 84060

RE: Rio Grande Project Conditional Use Permit Application Project Description

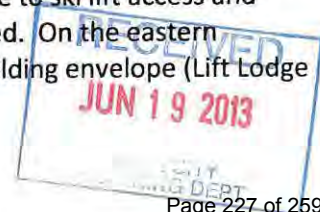
Dear Matt,

Please find below our proposal for the Rio Grande project Conditional Use Permit. Thank you for your constructive feedback from our pre-application meeting. As we have stated previously, it is very important to us as the applicant that this process be open to suggestions from the various interested parties as it progresses. While we have some intriguing ideas regarding the plans for this site, it needs to be noted that we feel we are entering a discussion and we truly have no fixed positions regarding this project. We welcome suggestions and comments and hope that the result of these discussions result in a project that is congruous with the community's on-going historical preservation efforts and economic development objectives. Please do not hesitate to let us know if there are additional items you would like to see covered, or if there are any questions or comments whatsoever concerning this proposal.

General Description of Project

The Rio Grande property is located at 820 Park Avenue in the HRC Zone and is approximately .33 acres in size. There is an existing conditions Plat attached to this submittal. Located on the property is the historic Rio Grande building, which has been designated as a significant site on the Park City Historic Sites Inventory. The Rio Grande Building is the remnants of what was once a very charming railroad station that has since been partially demolished. Some historic photos show the attached building quite well. Why the uniquely beautiful passenger station was demolished and the somewhat bland and nondescript structure that currently exists was kept is unknown. Approximately 30-35% of the original structure remains and its historic siting is currently under question. We are proposing a rehabilitation and adaptive reuse of the existing Rio Grande structure.

Over the past months, we have discussed many possibilities that may exist for the site. The lot size is large for Old Town commercial district and the site is very well situated relative to ski lift access and Main Street access. The properties surrounding the lot are now fully developed. On the eastern boundary is a three-story mixed-use building that maximizes the allowable building envelope (Lift Lodge



Condominiums). To the west, across the street, there is a master-planned historic redevelopment and new residential construction by David Belz. On the southern boundary is the Town Lift Plaza commercial development and 9th Street borders the north. The HRC Zone allows for a 32' height, and we are considering how that new structure could fit compatibly with the existing building and not overwhelm it. Currently, as the Rio Grande Building currently lies, the most buildable area is the north half of the property.

Our initial idea is to reconstruct the existing structure and add the torn down passenger station element using a modern interpretation of the former structure. The modern interpretation would use different materials; however it would stay true to the original form of the passenger station. A reasonable case exists to contemplate this. Reproductions of once existing historic structures is an allowed use in the Park City Design Guidelines for Historic Sites. By carefully examining the historical photographs that exist of the passenger station, we get a clear picture of the building that was attached to the existing structure. This was a unique and very beautiful structure. The architectural lines are very compelling and this would have been an important community center. The passenger station oriented south towards Main Street as it was attached to the existing structure. Thus, the passenger station would have sat roughly where the Flying Sumo currently exists.

By pulling the Rio Grande Building towards the north and approximately ten feet to the west, we could reconstruct the passenger station portion and have it oriented in the same manner that it was. The Rio Grande Building would be the primary feature of the property. From a visitor perspective, as one drives up Park Avenue, the existing Rio Grande Building would be situated on the corner of 9th Street and Park Avenue and thus be the most prominent feature on the property. These buildings are proposed to be retail commercial structures located with frontage on Park Avenue. There would be a plaza between the historic structures and any additional building on the site to maximize the visual separation and not crowd the historic structure.

In addition to the historic renovation of the existing Rio Grande Building and the reconstruction of the demolished passenger station, we would also like to propose a three-story stepped condominium building on the remainder of the site. The plan would be careful not to overwhelm the proposed historic structure and would be incorporated with a plaza area in between and a public walk-through. The structure would be one large building, but the historic building would be distinct and visually respected by the rest of the structure. We would like to explore the possibility of incorporating some of the design elements from the old Coalition Building, an iconic structure that burned down in the modern era, into the new building. The Coalition Building was directly adjacent to the Rio Grande building and the historic context was this large structure immediately next to the passenger station. We are currently proposing that the new building be a mixed use of residential condominiums and commercial spaces. We believe with a well thought out plan we can accomplish the goals set forth in the General Plan for Historic Preservation and Economic Development as well as adding hot beds to the Main Street area. Our proposed plan does not require an MPD and is entirely compatible, both in the letter of the law and the intent of the code, with the LMC.

The railroads were an important part of the Park City landscape for 120 years and very little remains to record their existence here. The Rio Grande Building is an authentic, significant piece of that history. For some reason, either by fire, neglect or demolition, the passenger waiting area section of the structure was removed. Reproducing the passenger station portion of the overall site is a worthwhile idea to contemplate. There exists many structures in Park City that were associated with the mining era

relative to the residential and commercial categories. Further, a short walk up the mountains reveals many examples of historic industrial structures. What are woefully underrepresented are the transportation elements that were the lifeblood of the Park City mining industry. This is an opportunity to reconstruct one of the more attractive representatives of the historic transportation element and add that piece back to the historic tapestry of Old Town.

A critical element in a rebuild such as the one proposed is that the construction be faithful to the materials that the original structure was composed of. Even a slight deviation from authentic materials can create a "Disneyesque" quality that does not satisfy the eye. In any event, an exacting level of detail will be required if the idea of a rebuild moves forward. It makes more sense that we approach the idea of reconstructing the passenger station using a modern interpretation of the former structure and use modern materials. This celebrates the existing structure and yet does not try to mimic it.

There are several aspects to our proposal that would qualify as unique situations for requesting consideration from the Planning Director and the Chief Building Official to allow the structure to be relocated on the property. The existing structure's foundation is in pretty rough shape and the building will have to be reset on a modern foundation regardless. The site is also in the Soils District and will have to be excavated to remove the contaminated materials, so the building will have to be moved in any event. The proposed building location would be oriented the same way it currently sits. The context is not likely to change much as there is very little of the transportation infrastructure left to compare it to. The proposed reconstruction of the passenger station is presently not possible due to the current location of the Flying Sumo. Moving the existing Rio Grande Building on the 820 Park Avenue site would allow for this to be possible. The current orientation of the Rio Grande Building would be preserved and enhanced as it was shifted over to a more prominent location of the property. The reconstruction of the passenger station elements will create a vibrant and visually inviting front for Park City's residents and guests as they come up Park Avenue. Our goal is to create vitality and develop a situation where the visitors and inhabitants of Main Street have another place to visit and informally gather.

There is also a great deal of controversy regarding which elements of the passenger station survived and where, exactly, they were located. While we agree the building was located in the general vicinity of where it currently sits, there remains strong anecdotal and photographic evidence to support that the building was moved. Regardless of where the building was located, what is clear to all concerned is that the original context of the structure has been altered so much so as to be non-existent. It seems more respectful of the building to situate it where it is very prominent (i.e. on the corner of 9th and Park) and to make the historic building the well-defined centerpiece visually of the site. By placing it on the corner, it is located on the most prominent area of the site and would not be buried behind any other structure.

Another unique and pertinent factor would be to essentially reproduce the use of the station building by placing it in accordance with the transportation elements that once existed adjacent to it. This building would have been situated right next to the railroad tracks (the historic transportation element) where the passengers would enter and disembark. By placing the building next to the road (the modern transportation element) and elevating the platform, this would give the building much greater historical context when considering its use in the last century.

So, there are at least six pertinent and unique reasons why the proposal to move the building should be considered. Significant is the proposal to add the passenger station element, which is not possible



where it is currently located. There is also the requirement to mitigate the extensive environmental contamination under and adjacent to the building. Additionally it is essential to move the building to replace a very shaky and unstable foundation. Further, and perhaps most important, is the argument that the building needs to be properly celebrated and accessible to the public and prominent in its place in the pantheon of Park City's historic structures. Also, there is the setting of where the building was relative to the transportation element that existed at the time and transportation element that exists today. Finally, it is disputed where the building actually sat and which part of the original structure still exists.

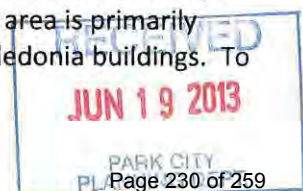
There are a couple of ideas that we would like to discuss with Staff and the Planning Commission that are reflected in the current drawings. The first revolves around the access onto the site. Currently, there are two curb cuts that are about equidistant from each other that access the Park Avenue frontage. We would like to trade these two access points for one access point that instead goes onto 9th Street. The reasons for this are multi-fold. Park Avenue is considerably busier than 9th Street and thus any additional traffic accesses that go onto this route will likely further add to the congestion, which is tricky anyway due to the nearby bus stops and the traffic that enters from Crescent Ridge Road. It is also congruent with the Lift Lodge access to the east. Most importantly, it would allow for a significant amount of clear space for the adjacent Lift Lodge condominiums to the east and would help to preserve the views for several of the units that are part of this condominium complex. This scenario would require an easement from the City over a thin strip of City-owned property that is located between the subject property and 9th Street.

The second consideration that requires discussion is that the neighbors to the immediate south, the Town Lift Plaza, would like us to have zero lot lines on the south side. Both the Town Lift Plaza and the Lift Lodge condominiums were part of an MPD and have zero lot lines. The Town Lift owner's reasons for requesting a zero lot line on the south side is that alleyways tend to fill up with garbage, people go to the bathroom in them, etc. The benefit of zero lot line on this side is that these issues would be eliminated along with the long-term maintenance that would go along with them. The Town Lift Plaza anticipated this scenario and did not place many windows on this side. It must be noted that we are not proposing zero lot line on the Lift Lodge side (east) to try to maintain as much separation as possible between the buildings and lessen the impact on their views.

Lastly, we are proposing direct access to the Town Lift Plaza through an easement agreement with the Plaza landowners. This would require a physical connection between the proposed Rio Grande building and the Town Lift plaza, which we have tentatively planned for the southeastern corner of the project. This proposed access works very well and the easement would greatly enhance the pedestrian walkability of the project and cement the connection to the Town Lift Plaza.

How will the proposed use fit in with the surrounding uses?

The proposed uses are very compatible to the uses that surround it. To the east, there is an existing structure, the Lift Lodge Condominiums that has identical uses as the proposed Rio Grande building. There is underground parking, commercial on the first floor and residential development on the top two floors. The Lift Lodge building has a ground floor of parking and is a story higher than the proposed Rio Grande building. To the south is the Town Lift Plaza, which is a semi-public area that serves as a major ski transportation artery into the Park City Mountain Resort via the Town Lift. This area is primarily commercial, but has strong residential components as well as the Lift Lodge and Caledonia buildings. To



the north is a pocket park (the UP&L Park) that was purchased with open space bonding funds and is therefore perpetually a park-type area. To the west are one to three-story residential developments which are primarily tourism-oriented. Some of the structures to the west are designated as historically significant. Park Avenue separates the Rio Grande building from the historic structures to the west.

What type of service will it provide to Park City?

The proposed Rio Grande project is designed to add resort-oriented commercial to the already existing Main Street area commercial core. It is also designed to add to the existing bed-base in the Main Street area which should help to stimulate the vibrant activity that is necessary in that economically critical part of the City. As the proposed Rio Grande building will have an excess of parking than is necessary to suit its needs, the proposal will not adversely affect the existing parking infrastructure.

Is the proposed use consistent with the current zoning district and general plan?

The proposed use is completely consistent with the LMC, the HRC Zoning District and the General Plan. There are no variances being applied for whatsoever. The General Plan's General Concepts lists "Maintaining the historic character of Main Street" and "Resort-based Development that adds to the tax base and is tourist-oriented lodging" as two of the primary tenants of the General Plan. The proposed Rio Grande project complies with these concepts very elegantly and, further, to quote the General Plan, will help to perpetuate a "vibrant, active, intimate downtown" by developing a pedestrian-oriented project that is scaled to its surroundings and has plenty of off-street parking.

Is the proposed use similar or compatible with other uses in the area?

The proposed use of the site is identical to and thus compatible with the scope of uses found in the Lift Lodge building and the Town Lift Plaza. The residential use found across the street from Park Avenue are similar to the residential use found at the proposed project (i.e.: primarily resort-oriented with some primary ownership) and would then be compatible with one another. The commercial use is the same type of use found on the east side of Park Avenue and should be compatible with the current use patterns.

Is the proposed use suitable for the proposed site?

The proposed use is consistent with the HRC Zoning District and exclusively proposes uses that are deemed acceptable for the site by the City's LMC and General Plan. The proposed commercial and residential uses are identical to what is going on around the site and are consistent with the resort-oriented development that is preferred by the City in these areas.

Will the proposed use emit noise, glare, dust, pollutants and odor?

No. The only period where dust may be an issue will be the excavation period which will last less than 30 days. There will be construction noise for a period of approximately 12 months. Other than the previously stated issues, we are confident that there will not be any noticeable impacts such as those described above.

What will be the hours of operation and how many people will be employed?



The hours of operation will be consistent with the current Main Street activities and regulations. The number of employees at any given time is expected to be between 6 and 12, depending on the season and the type of commercial uses.

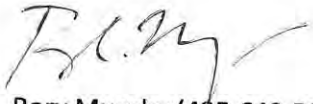
Are there other special uses that need to be mitigated?

No. The proposed uses are consistent with the LMC, the HRC Zone and the General Plan and there is no special mitigation that needs to take place.

* * *

Thank you for your consideration of this proposal. We very much appreciate your feedback and realize the importance of this site to Park City. Please do not hesitate to contact us if you have any additional questions or concerns.

Take care,



Rory Murphy (435-640-5068)

Jana Potter (435-659-6649)

Rio Grande Project

820 Park Ave.

Park City, Utah 84060





CONSULTANTS
 CIVIL: EVERGREEN ENGINEERING
 STRUCTURAL: JARRATT ENGINEERING
 MECHANICAL: PVE INC.
 ELECTRICAL: BNA CONSULTING ENGINEERS
 LANDSCAPE: INTERIOR DESIGN

STAMP
PRELIMINARY
NOT FOR CONSTRUCTION
OR BUILDING PERMIT
SHEET DATA

DESIGNED BY: Designer
DRAWN BY: Author
REVIEWED BY: Checker

PROJECT
RIO GRANDE DEVELOPMENT
 820 PARK AVENUE
 PARK CITY, UTAH 84060

REVISIONS

No.	Date	Description

ISSUE/PHASE

ISSUE	HDDR APPLICATION

ISSUE DATE: 06.13.2013
PROJECT #: 2013.03

SHEET TITLE
COVER SHEET
NOT FOR CONSTRUCTION

GI-001
 SHEET OF

820 PARK AVENUE, LLC

RIO GRANDE DEVELOPMENT

820 PARK AVENUE
 PARK CITY, UTAH 84060

HDDR APPLICATION

06.13.2013



PROJECT CONTACT INFORMATION

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 Contact: Rory Murphy
 email: jacob@parkcityutah.com

CONTRACTOR

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 Contact: Chelso Onwuegbu, AIA, LEED-AP
 email: c@onwuegbu.com

DRAWING INDEX

NO.	DESCRIPTION
HDDR-01	HDDR APPLICATION
HDDR-02	HDDR APPLICATION
HDDR-03	HDDR APPLICATION
HDDR-04	HDDR APPLICATION
HDDR-05	HDDR APPLICATION
HDDR-06	HDDR APPLICATION
HDDR-07	HDDR APPLICATION
HDDR-08	HDDR APPLICATION
HDDR-09	HDDR APPLICATION
HDDR-10	HDDR APPLICATION
HDDR-11	HDDR APPLICATION
HDDR-12	HDDR APPLICATION
HDDR-13	HDDR APPLICATION

EXISTING SURVEY
 CIVIL SITE PLAN
 PANOGRAMS
 AREA PLANS
 CONCEPT PLAN
 PARKING PLANS
 FLOOR PLANS
 FLOOR PLANS
 BUILDING ELEVATIONS
 BUILDING ELEVATIONS
 PROPOSED SECTIONS
 RIO GRANDE DEPOT BUILDING FLOOR PLANS
 RIO GRANDE DEPOT BUILDING ELEVATIONS
 BUILDING HEIGHTS
 HISTORIC PHOTOS & INFORMATION

CIVIL ENGINEER
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 Park City, Utah 84060
 Telephone: 435.649.9219
 Facsimile: 435.649.4667
 email: c@onwuegbu.com

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 Facsimile: 801.521.4114
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 email: reese@pve-ut.com

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FLUMBING ENGINEER
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 Salt Lake City, Utah 84119
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 Facsimile: 801.521.4114
 Contact: Ryan Reese
 email: reese@pve-ut.com

ELECTRICAL ENGINEER
 BNA Consulting Engineers
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 Park City, Utah 84060
 Telephone: 801.532.2196
 Facsimile: 801.532.2305
 Contact: Mark Bryant
 email: mark@bnaconsulting.com

LANDSCAPE ARCHITECT

INTERIOR DESIGN

DATE	BY	REVISIONS/COMMENTS



DATE: JUL 1, 2012
 DRAWN BY: CP
 CHECKED BY: SP

RECORD OF SURVEY & TOPOGRAPHIC MAP
A PORTION OF BLOCK 53, SNYDER'S
ADDITION TO THE PARK CITY SURVEY

FOR: OTTO-WALKER DWG: 820 PARK AVE ROS-TOPO

SHEET 1 OF 1



GRAPHIC SCALE
 1 inch = 10 feet
 1 inch = 30.48 meters

- LEGEND**
- FOUND STREET MONUMENT
 - FOUND MONUMENT BY CAP (AS RECORDED)
 - SETBACK MONUMENT
 - WATER TABLE
 - PIPE FOUND
 - STEIN DRAIN MONUMENT
 - CONCRETE MONUMENT

SUBMITTING:
 THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE PROPERTY AND TO SHOW THE EXISTING STRUCTURE AND CONTIGUOUS LOTS.

EXISTING SURVEY MONUMENTS IN ADJACENT RECORDS AND LOTS:
 ARE USED TO RECHECK THE PROPERTY BOUNDARIES AND TO OBTAIN A MORE ACCURATE POSITION OF THE MONUMENTS AND DISTANCES THAN WERE OBTAINED BY THE SURVEYOR'S OWN FIELD MEASUREMENTS.

SURVEY COMPLETED: 7/1/2012

SEE ALSO: OFFICIAL SURVEY RECORD TO PARK CITY SURVEY PLAT AND RECORD OF MONUMENTS COMMENTS INCLUDING DELEGATES AND RECORDS OF MONUMENTS.

THE NAME OF THE PROPERTY SHOULD BE NAME OF ANY OTHER ADJACENT PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE POLICY, CONTRACT, OR DOCUMENT OF ENCUMBRANCE ON THE PROPERTY.

RECORDS FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS RECORDS OF SURVEYS AND RECORDS OF MONUMENTS RECORDED IN THE OFFICE OF THE SURVEYOR GENERAL OF THE STATE OF UTAH.

EXPLANATION:
 BEING AT A POINT IN THE SOUTHWEST CORNER OF BLOCK 53, SNYDER'S ADDITION TO THE PARK CITY SURVEY, THE SURVEYOR HAS LOCATED THE POINT OF BEGINNING OF THE SURVEY AT THE INTERSECTION OF THE EAST LINE OF PARK AVENUE AND THE SOUTH LINE OF THE EAST LINE OF PARK AVENUE, THENCE SOUTH 89° 14' 30" WEST 14.25 FEET TO THE POINT OF BEGINNING.

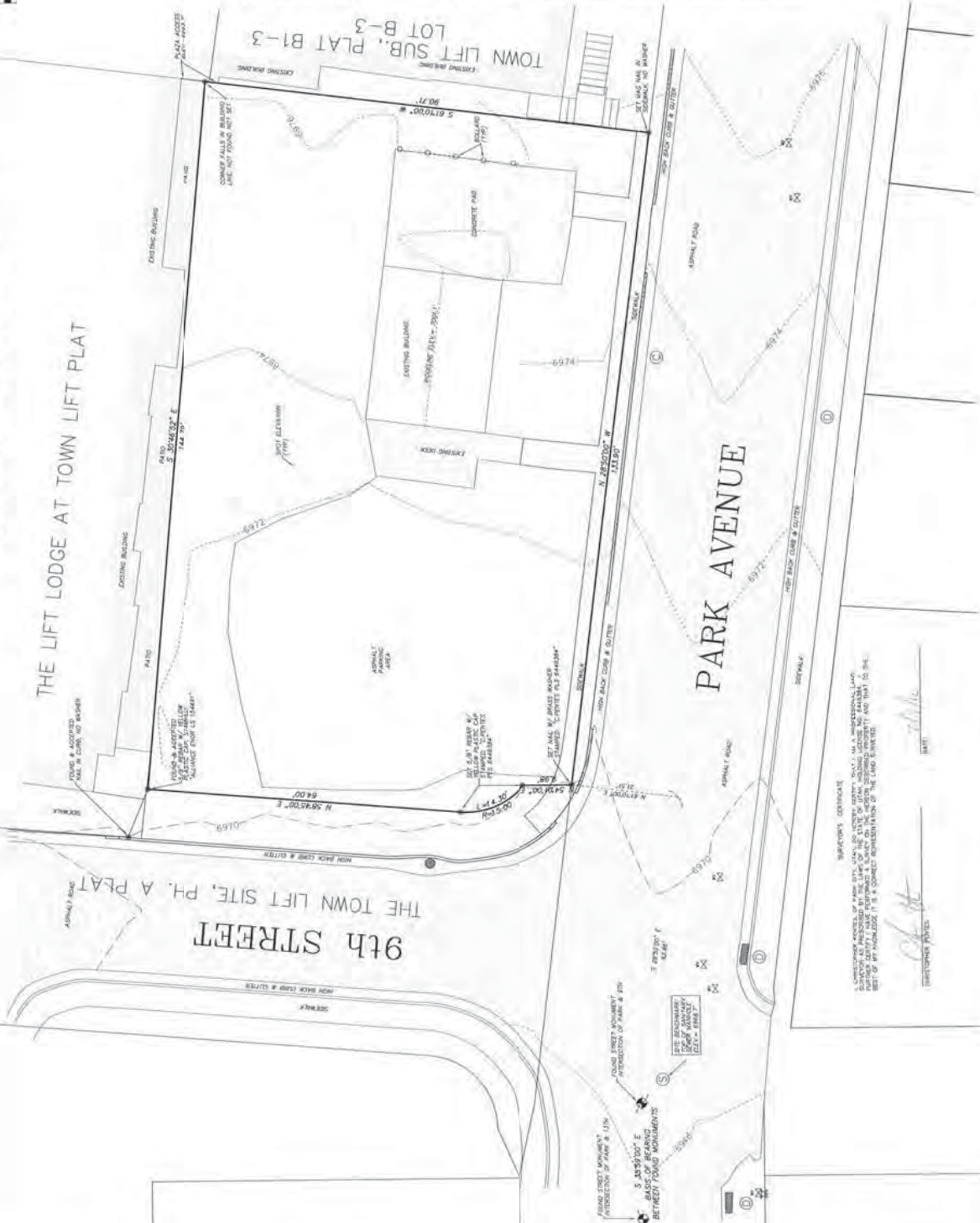
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 BEING AT A POINT IN THE SOUTHWEST CORNER OF BLOCK 53, SNYDER'S ADDITION TO THE PARK CITY SURVEY, THE SURVEYOR HAS LOCATED THE POINT OF BEGINNING OF THE SURVEY AT THE INTERSECTION OF THE EAST LINE OF PARK AVENUE AND THE SOUTH LINE OF THE EAST LINE OF PARK AVENUE, THENCE SOUTH 89° 14' 30" WEST 14.25 FEET TO THE POINT OF BEGINNING.

EXCEPTION:
 BEING AT A POINT IN THE SOUTHWEST CORNER OF BLOCK 53, SNYDER'S ADDITION TO THE PARK CITY SURVEY, THE SURVEYOR HAS LOCATED THE POINT OF BEGINNING OF THE SURVEY AT THE INTERSECTION OF THE EAST LINE OF PARK AVENUE AND THE SOUTH LINE OF THE EAST LINE OF PARK AVENUE, THENCE SOUTH 89° 14' 30" WEST 14.25 FEET TO THE POINT OF BEGINNING.

EXCEPTION:
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RECORD OF SURVEY & TOPOGRAPHIC MAP
 A PORTION OF BLOCK 53,
 SNYDER'S ADDITION TO THE PARK CITY SURVEY
 LYING WITHIN THE NORTHEAST QUARTER OF SECTION 16,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN,
 PARK CITY, SUMMIT COUNTY, UTAH



THESE MONUMENTS WERE PLACED BY THE SURVEYOR IN THE FIELD AND ARE NOT TO BE CONSIDERED AS A PART OF THE SURVEY. IF ANY MONUMENT IS FOUND TO BE MISSING OR DAMAGED, IT IS THE RESPONSIBILITY OF THE SURVEYOR TO RELOCATE IT TO ITS ORIGINAL POSITION.

DATE: 7/1/2012

BY: [Signature]



8



7



6



5



4



3



2



1

LAND MANAGEMENT CODE ANALYSIS

HEC ZONE:
PROJECT USES:
 MULTIFAMILY DWELLING (CONDITIONAL USE)
 COMMERCIAL RETAIL AND SERVICE (MAJOR) (CONDITIONAL USE)
 COMMERCIAL RETAIL AND SERVICE (MINOR) (CONDITIONAL USE)
 RESTAURANT AND CAFE, OUTDOOR DINING (CONDITIONAL USE)

REQUIRED SETBACKS:
 REAR YARD: 10'
 SIDE YARD: 5'
 CORNER YARD: 10'

FLOOR AREA RATIO (F.A.R.):
 NON-RESIDENTIAL USES: 1

BUILDING HEIGHT:
 ZONE HEIGHT: 32'
 MAXIMUM BUILDING HEIGHT: 32'
 MECHANICAL EXCEPTION: +8'
 ELEVATOR PENITHOUSE: +8'

PLANNING DIRECTION EXCEPTION: 20% OF ROOF AREAS
 OPEN SPACE (INCLUDING DRIVEWAY) 4.543 36.27%
 3.540 28.26%

BUILDING AREA BREAKDOWN
 COMMERCIAL 5,856 20.69%
 RESIDENTIAL 22,706 79.31%
 DECK 897 3.25%
 MISC. 4,505 15.91%

TOTAL BUILDING AREA 28,309



SITE AERIAL IMAGE - PANORAMA KEY



CONSULTANTS
 CIVIL: EVERGREEN ENGINEERING
 STRUCTURAL: JARWAT ENGINEERING
 MECHANICAL: PVE INC.
 ELECTRICAL: BNA CONSULTING ENGINEERS
 LANDSCAPE: INTERIOR DESIGN

STAMP

**PRELIMINARY
 NOT FOR PERMIT OR
 CONSTRUCTION**

SHEET DATA
 DESIGNED BY: JMO
 DRAWN BY: JMO
 REVIEWED BY: JMO

PROJECT
 RIO GRANDE
 DEVELOPMENT

820 PARK AVENUE
 PARK CITY, UTAH 84060

REVISIONS

No.	Date	Description

ISSUE/PHASE
 ISSUE: HDR APPLICATION
 ISSUE DATE: 06.13.2013
 PROJECT #: 2013.03

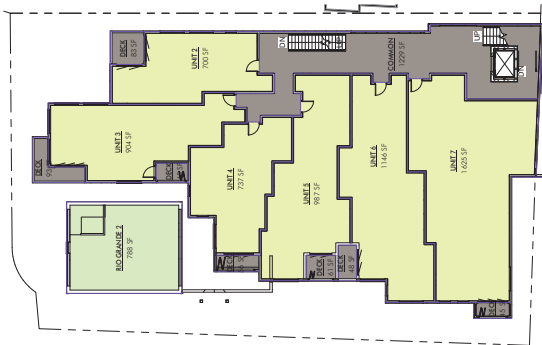
SHEET TITLE
 PANORAMAS

NOT FOR CONSTRUCTION
HDDR-01

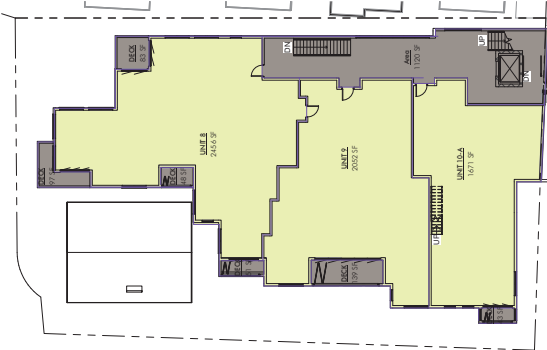
SHEET OF

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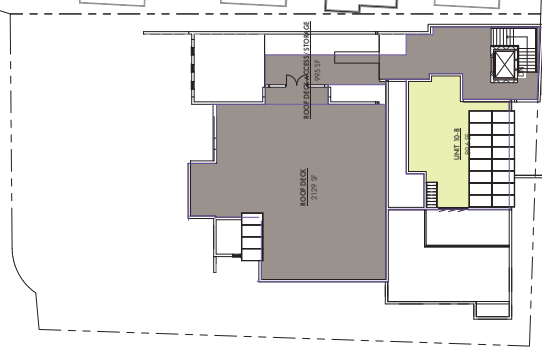
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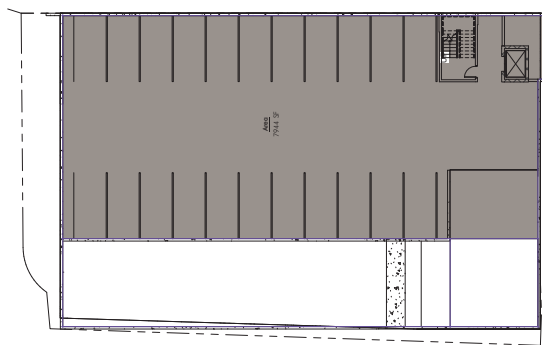
4 2ND LEVEL AREA PLAN
SCALE: 1/16" = 1'-0"



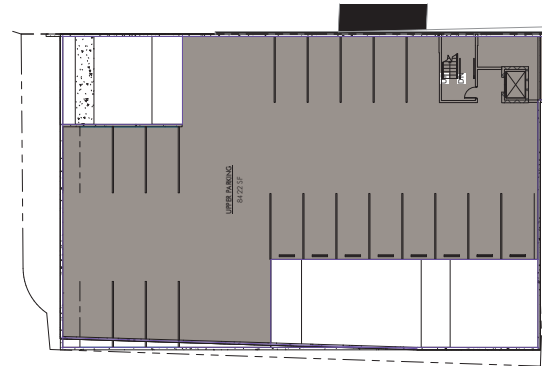
5 3RD LEVEL AREA PLAN
SCALE: 1/16" = 1'-0"



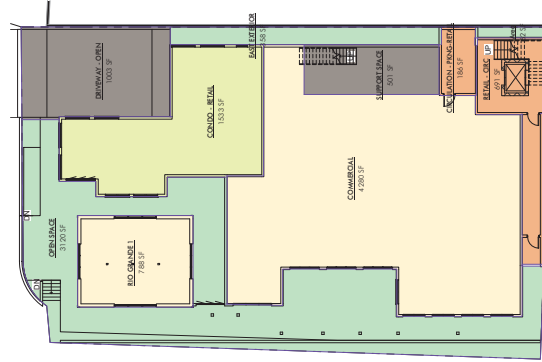
6 LOFT/ROOF DECK AREA PLAN
SCALE: 1/16" = 1'-0"



1 LOWER PARKING AREA PLAN
SCALE: 1/16" = 1'-0"



2 UPPER PARKING AREA PLAN
SCALE: 1/16" = 1'-0"



3 GROUND LEVEL AREA PLAN
SCALE: 1/16" = 1'-0"

ONWUEGBU Architecture
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801.712.4078 • 801.618.3849 (fax) • info@onwuegbu.com

CONSULTANTS
CIVIL: EVERGREEN ENGINEERING
STRUCTURAL: JAWANT ENGINEERING
MECHANICAL: PVE INC.
ELECTRICAL: BINA CONSULTING ENGINEERS
LANDSCAPE: INTERIOR DESIGN

STAMP

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SHEET DATA

DESIGNED BY: MDO
DRAWN BY: MDO
REVIEWED BY: MDO

PROJECT

**RIO GRANDE
DEVELOPMENT**

820 PARK AVENUE
PARK CITY, UTAH 84060

REVISIONS

No. Date Description

ISSUE/PHASE

ISSUE: HDRR APPLICATION
ISSUE DATE: 06.13.2013
PROJECT #: 2013.03

SHEET TITLE

AREA PLANS

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CONSULTANTS

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 STRUCTURAL: JARWAT ENGINEERING
 MECHANICAL: PVE INC.
 ELECTRICAL: BNA CONSULTING ENGINEERS
 LANDSCAPE: INTERIOR DESIGN

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SHEET DATA

DESIGNED BY: MDO
 DRAWN BY: STAFF
 REVIEWED BY: MDO

PROJECT

**RIO GRANDE
 DEVELOPMENT**

820 PARK AVENUE
 PARK CITY, UTAH 84060

REVISIONS

No.	Date	Description

ISSUE/PHASE

ISSUE: HDR APPLICATION
 ISSUE DATE: 06.13.2013
 PROJECT #: 2013.03

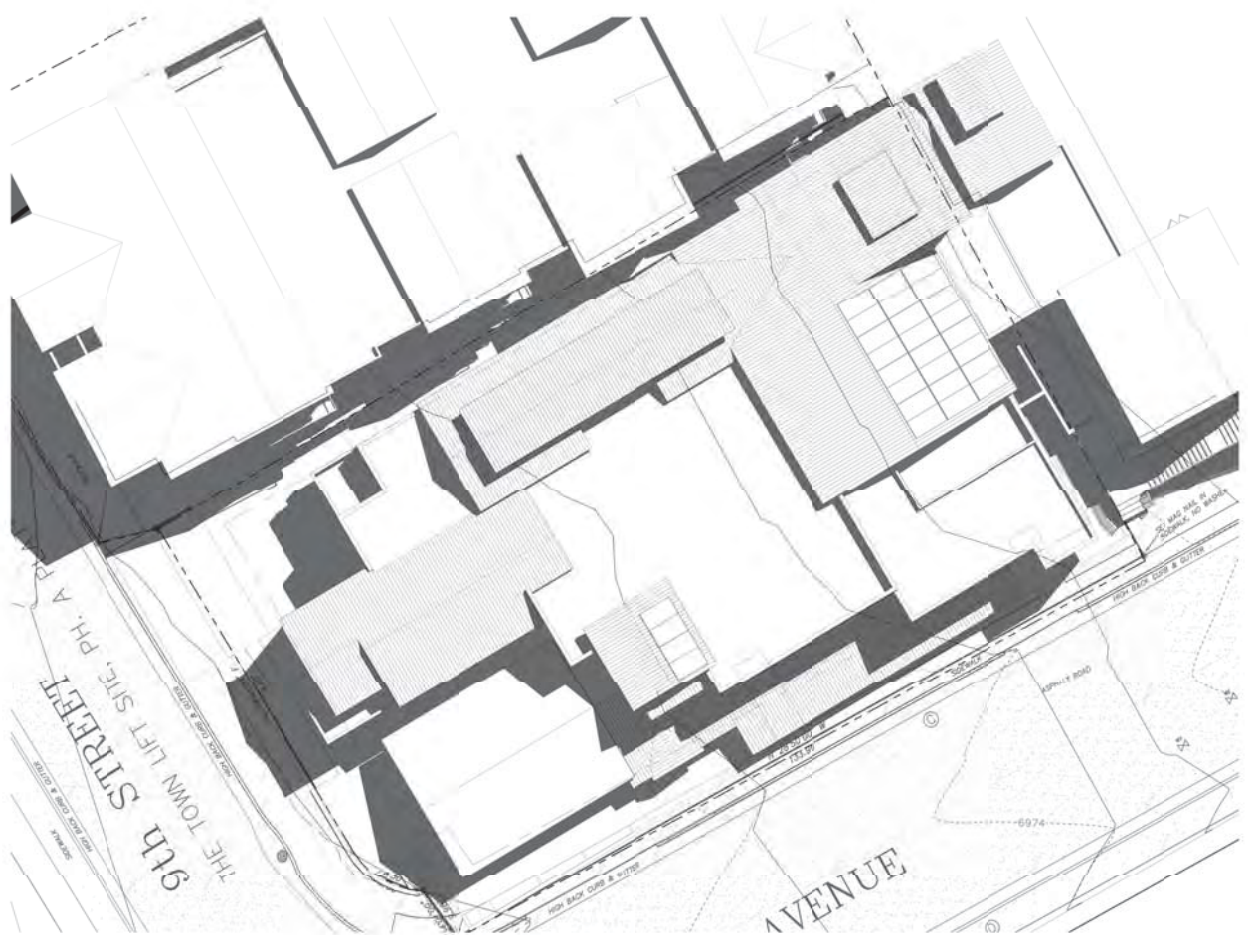
SHEET TITLE

**SITE ROOF PLAN
 NOT FOR CONSTRUCTION**

HDDR-03

SHEET OF

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1 ARCHITECTURAL SITE PLAN
 SCALE: 1" = 10'-0"

CONSULTANTS
 CIVIL: EVERGREEN ENGINEERING
 STRUCTURAL: JAWAHT ENGINEERING
 MECHANICAL: PVE INC.
 ELECTRICAL: BNA CONSULTING ENGINEERS
 LANDSCAPE: INTERIOR DESIGN

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 REVIEWED BY: JMO

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**RIO GRANDE
 DEVELOPMENT**

820 PARK AVENUE
 PARK CITY, UTAH 84060

REVISIONS

No. Date Description

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ISSUE: HDR APPLICATION
 ISSUE DATE: 06.13.2013
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SHEET TITLE

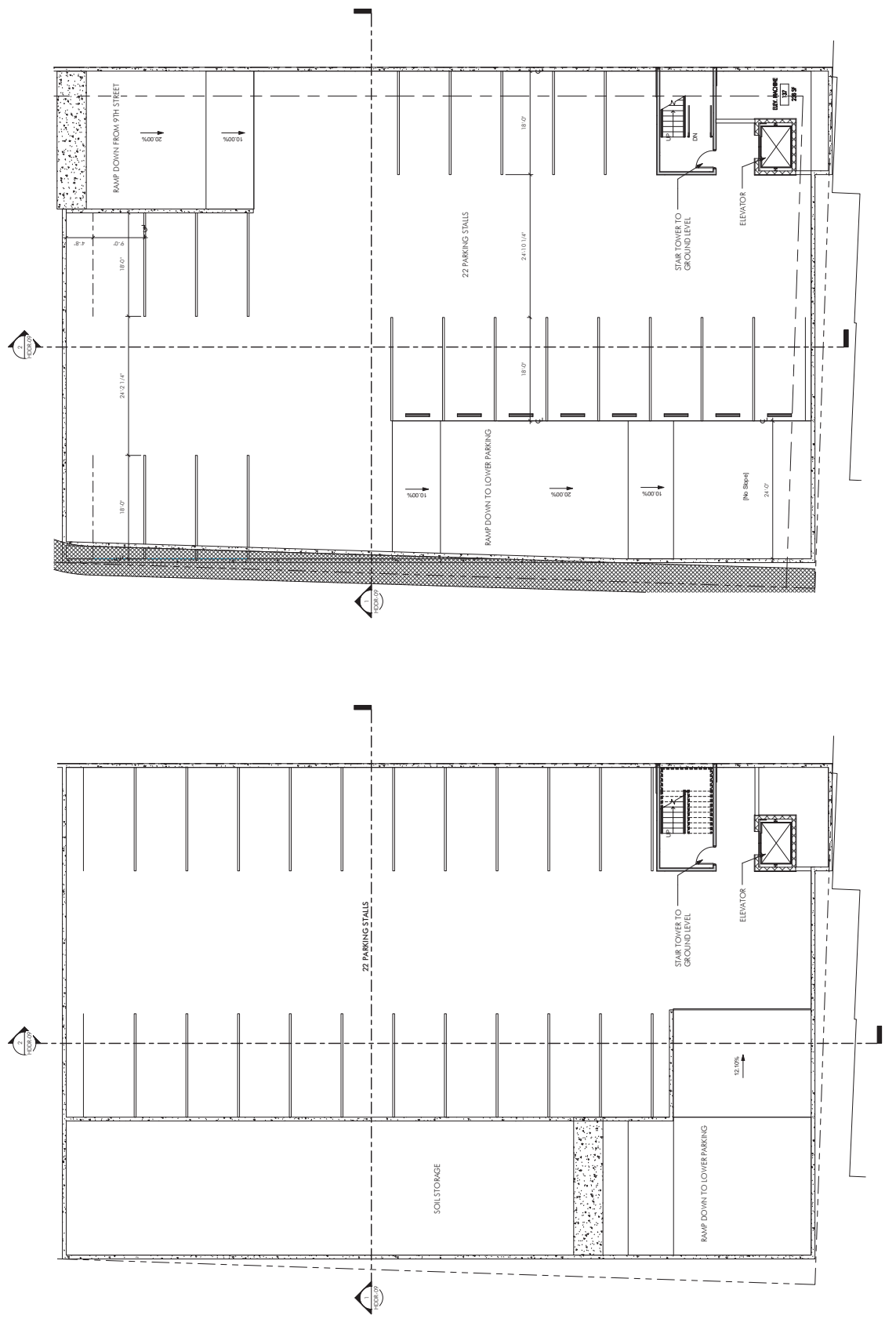
PARKING PLANS

NOT FOR CONSTRUCTION

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2 UPPER PARKING
 SCALE: 1/8" = 1'-0"

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

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CONSULTANTS

CIVIL: EVERGREEN ENGINEERING
 STRUCTURAL: JAWAAT ENGINEERING
 MECHANICAL: PVE INC.
 ELECTRICAL: BINA CONSULTING ENGINEERS
 LANDSCAPE: INTERIOR DESIGN

STAMP

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SHEET DATA

DESIGNED BY: JMO
 DRAWN BY: JMO
 REVIEWED BY: JMO

PROJECT

**RIO GRANDE
 DEVELOPMENT**

820 PARK AVENUE
 PARK CITY, UTAH 84060

REVISIONS

No. Date Description

ISSUE/PHASE

ISSUE: HDR APPLICATION
 ISSUE DATE: 06.13.2013
 PROJECT #: 2013.03

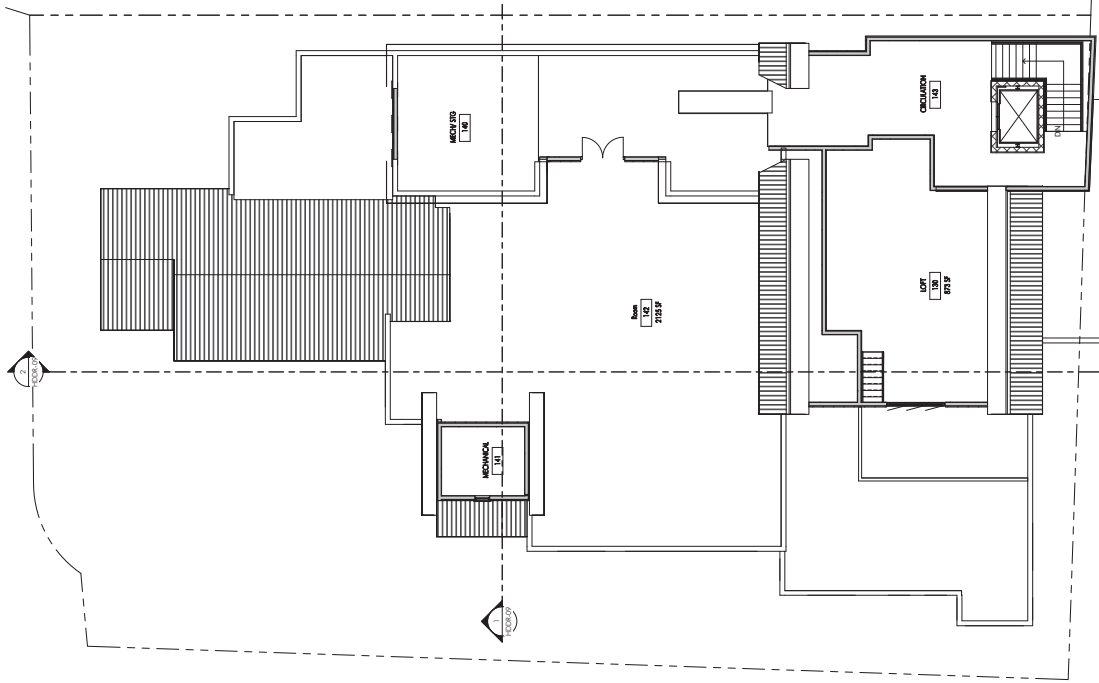
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FLOOR PLANS

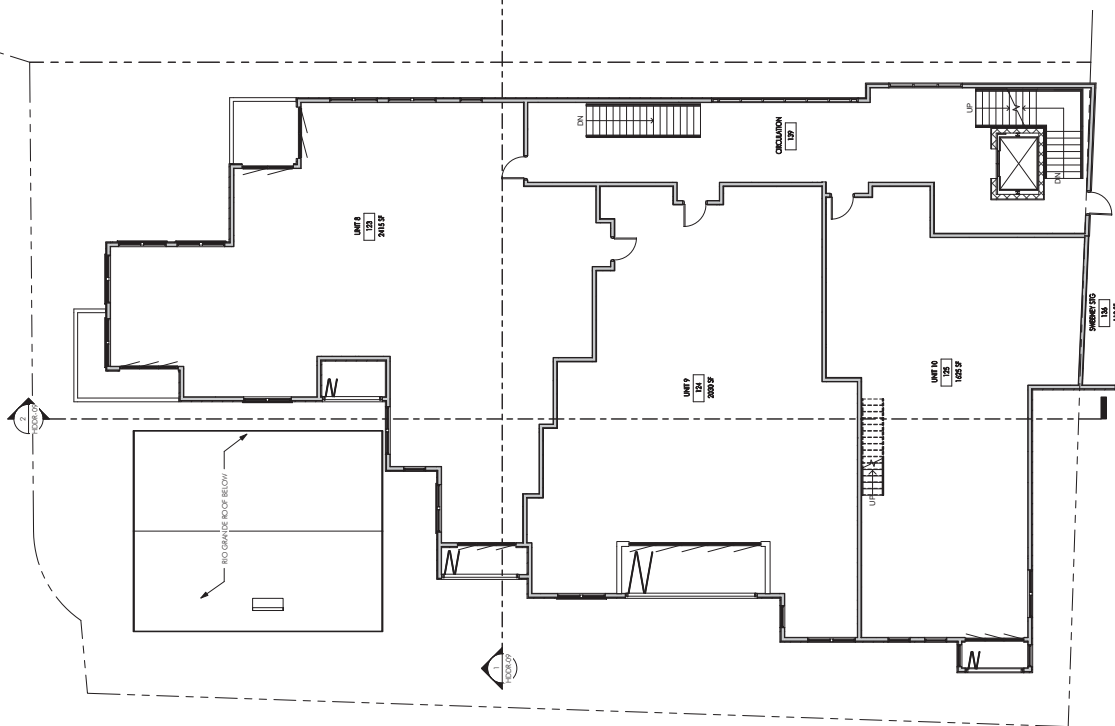
NOT FOR CONSTRUCTION

HDDR-06

SHEET OF



2 TOP OF WALL - LOFT
 SCALE: 1/8" = 1'-0"



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

CONSULTANTS

CIVIL:	EVERGREEN ENGINEERING
STRUCTURAL:	JAWATT ENGINEERING
MECHANICAL:	PVE INC.
ELECTRICAL:	BNA CONSULTING ENGINEERS
LANDSCAPE:	LANDSCAPE
INTERIOR DESIGN:	INTERIOR DESIGN

STAMP

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CONSTRUCTION**

SHEET DATA

DESIGNED BY:	MDO
DRAWN BY:	STAFF
REVIEWED BY:	MDO

PROJECT

**RIO GRANDE
DEVELOPMENT**

820 PARK AVENUE
PARK CITY, UTAH 84060

REVISIONS

No.	Date	Description

ISSUE/PHASE

ISSUE:	HDR APPLICATION
ISSUE DATE:	06.13.2013
PROJECT #:	2013.03

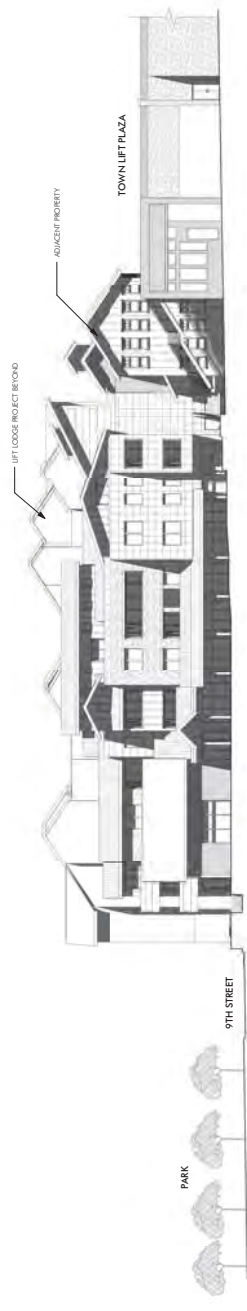
SHEET TITLE

BUILDING ELEVATIONS

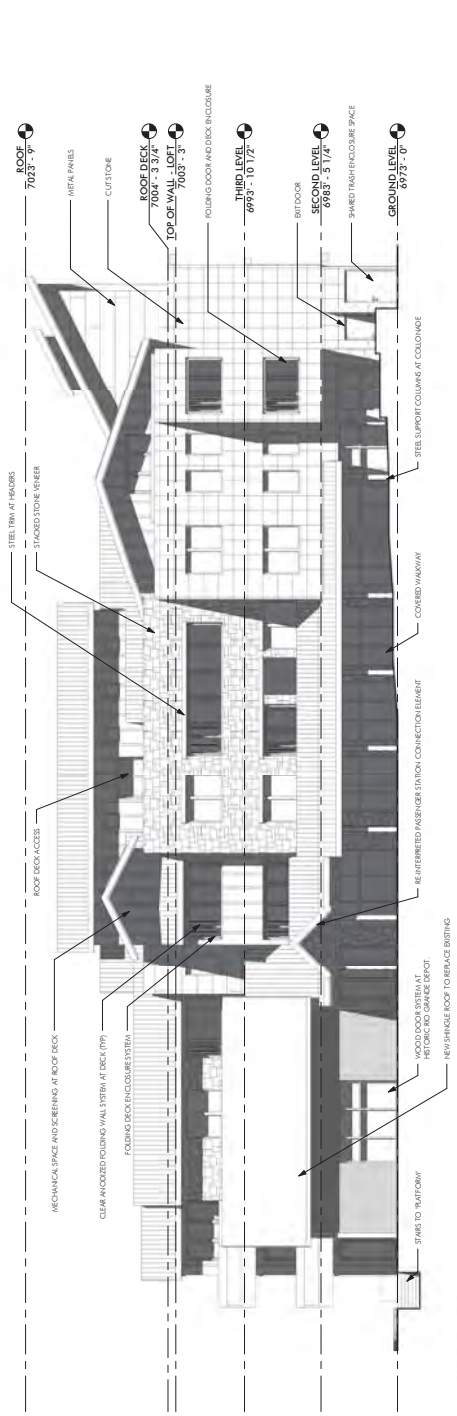
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HDDR-07

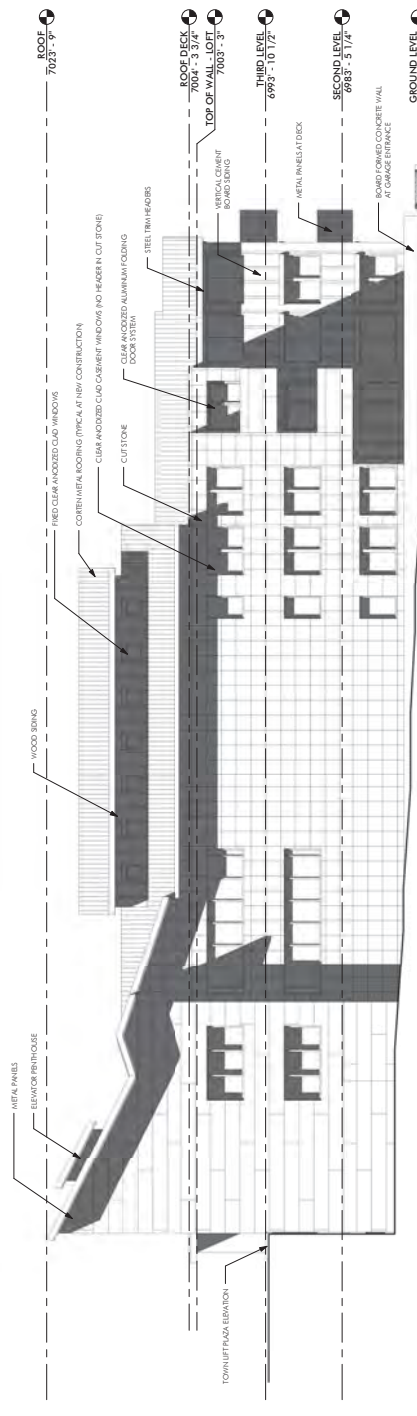
SHEET OF



3 STREETScape ELEVATION
SCALE: 1/16" = 1'-0"

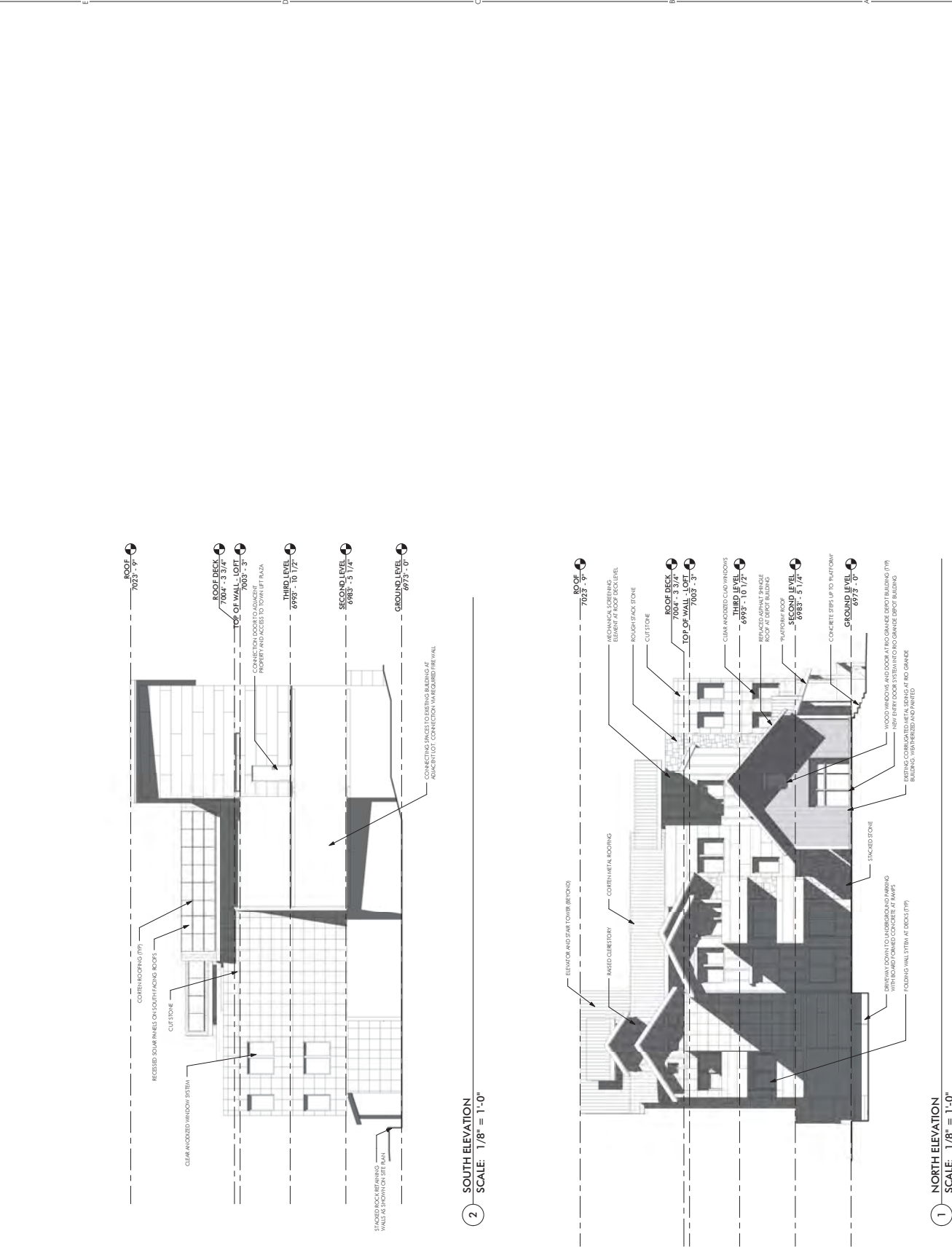


2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



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

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2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

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

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801.712.4078 • 801.618.3849 (fax) • info@onwyuegbu.com

CONSULTANTS
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 STRUCTURAL: JAWAAT ENGINEERING
 MECHANICAL: PVE INC.
 ELECTRICAL: BINA CONSULTING ENGINEERS
 LANDSCAPE: INTERIOR DESIGN

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SHEET DATA
 DESIGNED BY: JMO
 DRAWN BY: STAFF
 REVIEWED BY: JMO

PROJECT

**RIO GRANDE
DEVELOPMENT**
 820 PARK AVENUE
 PARK CITY, UTAH 84060

REVISIONS

No.	Date	Description

ISSUE/PHASE
 ISSUE: HDR APPLICATION
 DATE: 06.13.2013
 PROJECT #: 2013.03

SHEET TITLE
**BUILDING ELEVATIONS
NOT FOR CONSTRUCTION**

HDDR-08
 SHEET OF

CONSULTANTS	
CIVIL:	EVERGREEN ENGINEERING
STRUCTURAL:	JARWAT ENGINEERING
MECHANICAL:	PVE INC.
ELECTRICAL:	BNA CONSULTING ENGINEERS
LANDSCAPE:	INTERIOR DESIGN:

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SHEET DATA	
DESIGNED BY:	IMCO
DRAWN BY:	STAFF
REVIEWED BY:	IMCO

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**RIO GRANDE
DEVELOPMENT**
 820 PARK AVENUE
 PARK CITY, UTAH 84060

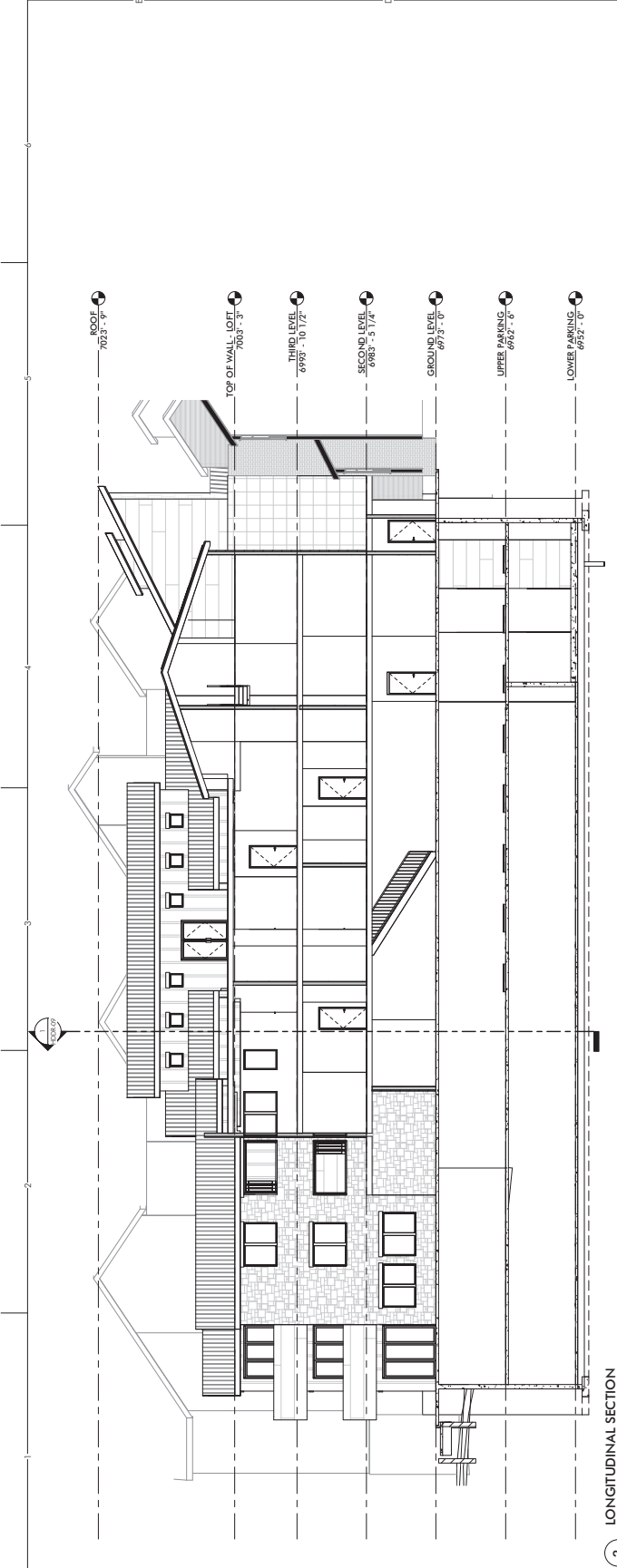
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No.	Date
	Description

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ISSUE:	HDDR APPLICATION
ISSUE DATE:	06.13.2013
PROJECT #:	2013.03

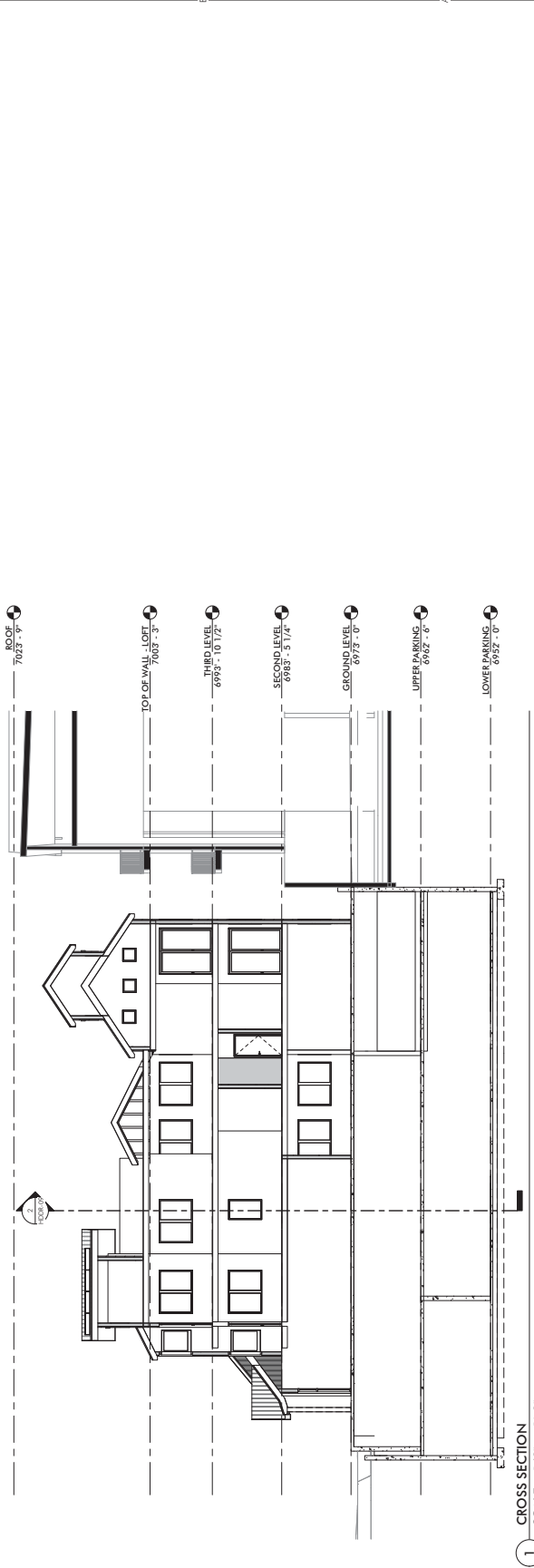
SHEET TITLE

PROPOSED SECTIONS
NOT FOR CONSTRUCTION

HDDR-09
 SHEET OF



2 LONGITUDINAL SECTION
 SCALE: 1/8" = 1'-0"



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

1955
SCALE: 1/8" = 1'-0"



5

1955
SCALE: 1/8" = 1'-0"



3

PRE-1941
SCALE: 1/8" = 1'-0"



1

1911 PHOTO
SCALE: 1/8" = 1'-0"



6

1962 PHOTO
SCALE: 1/8" = 1'-0"



4

1940'S OR 1950'S
SCALE: 1/8" = 1'-0"



2

1912 PHOTO
SCALE: 1/8" = 1'-0"

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CONSULTANTS
EVERGREEN ENGINEERING
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ELECTRICAL: BNA CONSULTING ENGINEERS
LANDSCAPE: INTERIOR DESIGN

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SHEET DATA
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DRAWN BY: STAFF
REVIEWED BY: JMO

PROJECT
**RIO GRANDE
DEVELOPMENT**

820 PARK AVENUE
PARK CITY, UTAH 84060

REVISIONS

No. Date Description

ISSUE/PHASE
ISSUE: HDR APPLICATION
ISSUE DATE: 06.13.2013
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SHEET TITLE
**HISTORIC PHOTOS &
INFORMATION
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HDDR-13

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HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Denver & Rio Grande Western Railroad Passenger Station**

Address: 820 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-340

Current Owner Name: POTTER GAIL & LORI TR

Parent Parcel(s):

Current Owner Address: PO BOX 2391, PARK CITY, UT 84060-2391

Legal Description (include acreage): SUBD: SA BLOCK: 53; 0.33 AC

2 STATUS/USE

Property Category

- building(s), main
- building(s), attached
- building(s), detached
- building(s), public
- building(s), accessory
- structure(s)

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full Partial

Use

- Original Use: Transportation
- Current Use: Commercial

*National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
- prints: 1995 & 2006
- historic: c.

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
- tax card
- original building permit
- sewer permit
- Sanborn Maps
- obituary index
- city directories/gazetteers
- census records
- biographical encyclopedias
- newspapers
- city/county histories
- personal interviews
- Utah Hist. Research Center
- USHS Preservation Files
- USHS Architects File
- LDS Family History Library
- Park City Hist. Soc/Museum
- university library(ies):
- other:

Drawings and Plans

- measured floor plans
- site sketch map
- Historic American Bldg. Survey
- original plans:
- other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
 Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
 Notarianni, Philip F., "Park City Main Street Historic District." National Register of Historic Places Inventory, Nomination Form. 1979.
 Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Railroad Passenger Station

No. Stories: 1 1/2

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

General Condition of Exterior Materials:

- Good (Well maintained with no serious problems apparent.)

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's commercial and transportation-related buildings represent the best remaining metal mining town business district in the state. The buildings along Main Street, in particular, provide important documentation of the commercial character of mining towns of that period, including the range of building materials, building types, and architectural styles. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining business district².

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: North elevation. Camera facing south, 2006.

Photo No. 2: West elevation. Camera facing east, 1995.

² From "Park City Main Street Historic District" written by Philip Notarianni, 1979 and "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.





Mathew Evans

From: planning
Sent: Wednesday, August 28, 2013 7:23 AM
To: Mathew Evans
Subject: FW: Letter from the Lift Lodge Homeowner's Association
Attachments: Rio Grande Building Comments.pdf

Hi Mat!

This was on the POC email - Let me know if this does not go to you - Thanks :)

From: Trudy Stump [Trudy@parkcitylodging.com]
Sent: Monday, August 26, 2013 2:59 PM
To: planning
Cc: Rhonda Sideris; Monica Swindel; John Staples; Tim Keenan; Vanessa Carrington
Subject: Letter from the Lift Lodge Homeowner's Association

Lift Lodge Homeowners Association
P.O. Box 827
Park City, UT 84060

August 26, 2013

Dear Planning Commission:

We are writing to you on behalf of the owners of Lift Lodge Homeowners Association at 875 Main Street with respect to the proposed development at 820 Park Avenue. The Lift Lodge adjoins the proposed property and will be materially affected by any development of 820 Park Avenue; half of our condos will directly face any development at that location.

We have spoken with the developers and they have shared their plans with us. While it is still early in the permit process, we thought it was important to express our concerns.

The proposed building seems, in simple terms, very large, very dense and not conforming with Historic downtown Park City. We have received several comments from our owners both mountain and non-mountain sides with respect to the project that we have attached for your reference. The general consensus is that the developers seem to be pushing the envelope and trying to maximize their square footage. There is also deep concern among the owners that the impact to our building won't be limited to just the size of the proposed building, there is potential for light, noise and privacy issues as well.

We would like to be involved in discussions about this project, would very much like for our voice to be heard and to encourage the Commission to take the appropriate time in assessing the proposed addition to Historic Downtown.

Sincerely,

Lift Lodge Home Owners Association

Trudy Stump | Administrative Assistant

P: 435.649.6175 | T: 800.348.6759 Fax: 435-649-6225 trudy@ParkCityLodging.com



2064 Prospector Avenue | Park City, UT 84060
Park CityLodging.com | Formerly R&R Properties

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To: Park City Planning Commission

From: Lift Lodge Owners, 875 Main Street, Park City, UT

January 3rd, 2014

Dear Planning Commission,

We are writing to you on behalf of the owners of Lift Lodge Homeowners Association at 875 Main Street with respect to the proposed development at 820 Park Avenue. As mentioned in our previous communication, the Lift Lodge adjoins the proposed property and will be materially affected by any development of 820 Park Avenue; half of our condos will directly face the development at that location.

Overall our HOA members have a collective sense of community and want to collaborate with the Planning Committee to ensure that the quality of life for those most impacted is not compromised by the technical specifications of the building code, but is focused on the overall goal of the natural and historical Park City environment.

We have received drawings of the proposed construction at 820 Park Avenue and wanted to share some feedback in addition to the feedback we shared in the fall (please see letter attached at end of this document) as a number of our owners have significant reservations regarding the new construction, primarily around privacy, light, and the overall environment.

Overall Concerns/Comments:

1. Loss of light: The shadow study we have received will yield a significant loss of light and privacy to these owners. The proposed building is very high and close making the homes much darker. Additionally, the environment will be significantly altered as our owners will only be a few feet from a building wall.
2. Loss of privacy and increased noise from driveway: The owners of the new building will be able to see into our building. They can put privacy windows, etc. on their side, but we are unable to limit their ability to see into our building. Additionally, cars driving up next to our homes and decks will also decrease privacy as the garage is right next to our building. The cars will be enter next our building yielding both noise and light. We would request that if no alterations are made, that the developer at 820 Park is compelled to install at their own expense windows that offer the same privacy as our homeowners currently enjoy.
3. Snowfall in Alleyway between buildings: We would like to know how the owners of 820 Park Avenue plan to access and shovel the snow between our two buildings to prevent water from entering our foundation. We would like to see a recommended solution, especially as their roof appears to slope towards us.
4. Historical Nature of the Project: Based on the drawings, there is concern that the stonework and other architectural designs may not align with the overall historical nature of Park City. In addition, we do not see where the Rio Grande building will be situated on the property as this is

a significant historical landmark. We would like to ensure that the Historical Committee is in full alignment of the exterior.

- 5. Construction Timeline: During the construction, many of the units will be impacted by noise, dust, etc. thereby limiting their ability to be rented and decreasing both the value and the overall environment. We would request that construction only occur in the shoulder seasons of the Spring and the Fall and all efforts are made to mitigate the impact on surrounding buildings.

Again, thank you for taking time to talk with us prior to the holidays. Please let us know if you would like any clarification from us.

Lift Lodge Home Owners Association

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Subject: Re: New Drawings

It's hard to believe that the city would allow a 3-story complex to be erected right on top of the west side of our building, destroying our view and, frankly, the ambience of our location. It would seem that when we purchased our vacation home in Park City specifically in this location, we had a reasonable expectation that we would not end up being swallowed up by a wall of condominiums right outside our windows and losing our view of the mountains.

Another issue for those of us who rent our units, the building process 10 feet from our decks, will kill our income for as long as the construction takes.

Steven Shuster

Lift Lodge 101

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Previous Communication

Lift Lodge Homeowners Association
P.O. Box 827
Park City, UT 84060

August 26, 2013

Dear Planning Commission:

We are writing to you on behalf of the owners of Lift Lodge Homeowners Association at 875 Main Street with respect to the proposed development at 820 Park Avenue. The Lift Lodge adjoins the proposed property and will be materially affected by any development of 820 Park Avenue; half of our condos will

directly face any development at that location.

We have spoken with the developers and they have shared their plans with us. While it is still early in the permit process, we thought it was important to express our concerns.

The proposed building seems, in simple terms, very large, very dense and not conforming with Historic downtown Park City. We have received several comments from our owners both mountain and non-mountain sides with respect to the project that we have attached for your reference. The general consensus is that the developers seem to be pushing the envelope and trying to maximize their square footage. There is also deep concern among the owners that the impact to our building won't be limited to just the size of the proposed building, there is potential for light, noise and privacy issues as well.

We would like to be involved in discussions about this project, would very much like for our voice to be heard and to encourage the Commission to take the appropriate time in assessing the proposed addition to Historic Downtown.

Sincerely,

Lift Lodge Home Owners Association

Anya Grahn

From: Catie Grimes <catiegrimes@gmail.com>
Sent: Friday, January 03, 2014 8:46 AM
To: Anya Grahn
Cc: Vanessa Carrington
Subject: Re: 820 Park Avenue Input for Planning Committee from 875 Main Street HOA (Lift Lodge)

Anya,

As I mentioned in my previous email, we had one last piece of information/feedback forthcoming which I have just received. Again, we'd like to reiterate that Rory and Jana have been very receptive to conversations.

Warm regards,
Catie.

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Thank you for collecting feedback from Lift Lodge owners regarding the proposed Rio design. I understand and respect the right to develop the Rio property. Also, Rory, Jana and Chimso have been responsive and have worked to consider/adjust their design for the Rio complex to reduce negative impact on my unit and views.

I have three concerns remaining:

- 1) The height and proximity of the Rio elevator shaft relative to my family room and balcony window. Note the Rio team has modified their design to try to reduce the impact of this by placing it further from my balcony - which is much appreciated. I am not sure any more could be done to move the shaft further away and lower in height if at all possible.
- 2) I am also concerned about the height (~2013 feet) and proximity (~10 feet from my balcony) of the Rio loft roof line. I have suggested a modification below which could substantially mitigate this concern. I hope to talk with Rory or Chimiso this morning about this item and will email you after.
- 3) I have asked that the Rio team seek to minimize the height of the walkway to the lift plaza by adopting a flatter roof profile. I believe they are looking at this concept.

In summary, I have appreciated that the Rio design team has taken my concerns into consideration. I am still asking that the Rio design team work to see if the items above can be resolved in a manner that works for both parties.

Bill

On Fri, Jan 3, 2014 at 9:35 AM, Catie Grimes <catiegrimes@gmail.com> wrote:

Anya,

Thank you for speaking with Vanessa and me before the holidays. We wanted to include the following information/input into the Planning Committee discussions. I believe we are waiting for one more piece of input from an owner which I will forward as soon as I receive it, but I did want to get this to you as soon as possible. I have included the letter in the body of the email below and more information in the actual attachment.

If you can please confirm you received this email, I'd appreciate it.

Thanks,

Catie Grimes.

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To: Park City Planning Commission

From: Lift Lodge Owners, 875 Main Street, Park City, UT

January 3rd, 2014

Dear Planning Commission,

We are writing to you on behalf of the owners of Lift Lodge Homeowners Association at 875 Main Street with respect to the proposed development at 820 Park Avenue. As mentioned in our previous communication, the Lift Lodge adjoins the proposed property and will be materially affected by any development of 820 Park Avenue; half of our condos will directly face the development at that location.

Overall our HOA members have a collective sense of community and want to collaborate with the Planning Committee to ensure that the quality of life for those most impacted is not compromised by the technical specifications of the building code, but is focused on the overall goal of the natural and historical Park City environment.

We have received drawings of the proposed construction at 820 Park Avenue and wanted to share some feedback in addition to the feedback we shared in the fall (please see letter attached at end of this document) as a number of our owners have significant reservations regarding the new construction, primarily around privacy, light, and the overall environment.

Overall Concerns/Comments:

1. 1. Loss of light: The shadow study we have received will yield a significant loss of light and privacy to these owners. The proposed building is very high and close making the homes much darker. Additionally, the environment will be significantly altered as our owners will only be a few feet from a building wall.
2. 2. Loss of privacy and increased noise from driveway: The owners of the new building will be able to see into our building. They can put privacy windows, etc. on their side, but we are unable to limit their ability to see into our building. Additionally, cars driving up next to our homes and decks will also decrease privacy as the garage is right next to our building. The cars will be enter next our building yielding both noise and light. We would request that if no alterations are made, that the developer at 820 Park is compelled to install at their own expense windows that offer the same privacy as our homeowners currently enjoy.
3. 3. Snowfall in Alleyway between buildings: We would like to know how the owners of 820 Park Avenue plan to access and shovel the snow between our two buildings to prevent water from entering our foundation. We would like to see a recommended solution, especially as their roof appears to slope towards us.
4. Historical Nature of the Project: Based on the drawings, there is concern that the stonework and other architectural designs may not align with the overall historical nature of Park City. In addition, we do not see where the Rio Grande building will be situated on the property as this is a significant historical landmark. We would like to ensure that the Historical Committee is in full alignment of the exterior.
5. 5. Construction Timeline: During the construction, many of the units will be impacted by noise, dust, etc. thereby limiting their ability to be rented and decreasing both the value and the overall environment. We would request that construction only occur in the shoulder seasons of the Spring and the Fall and all efforts are made to mitigate the impact on surrounding buildings.

Again, thank you for taking time to talk with us prior to the holidays. Please let us know if you would like any clarification from us.

Lift Lodge Home Owners Association