

ENSIGN

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.6629
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNUTAH.COM

PROJECT: PARK CITY HEIGHTS
SITE: RICHFIELD
OWNER: BRAD MOODY
PHONE: 801.408.8181
FAX:

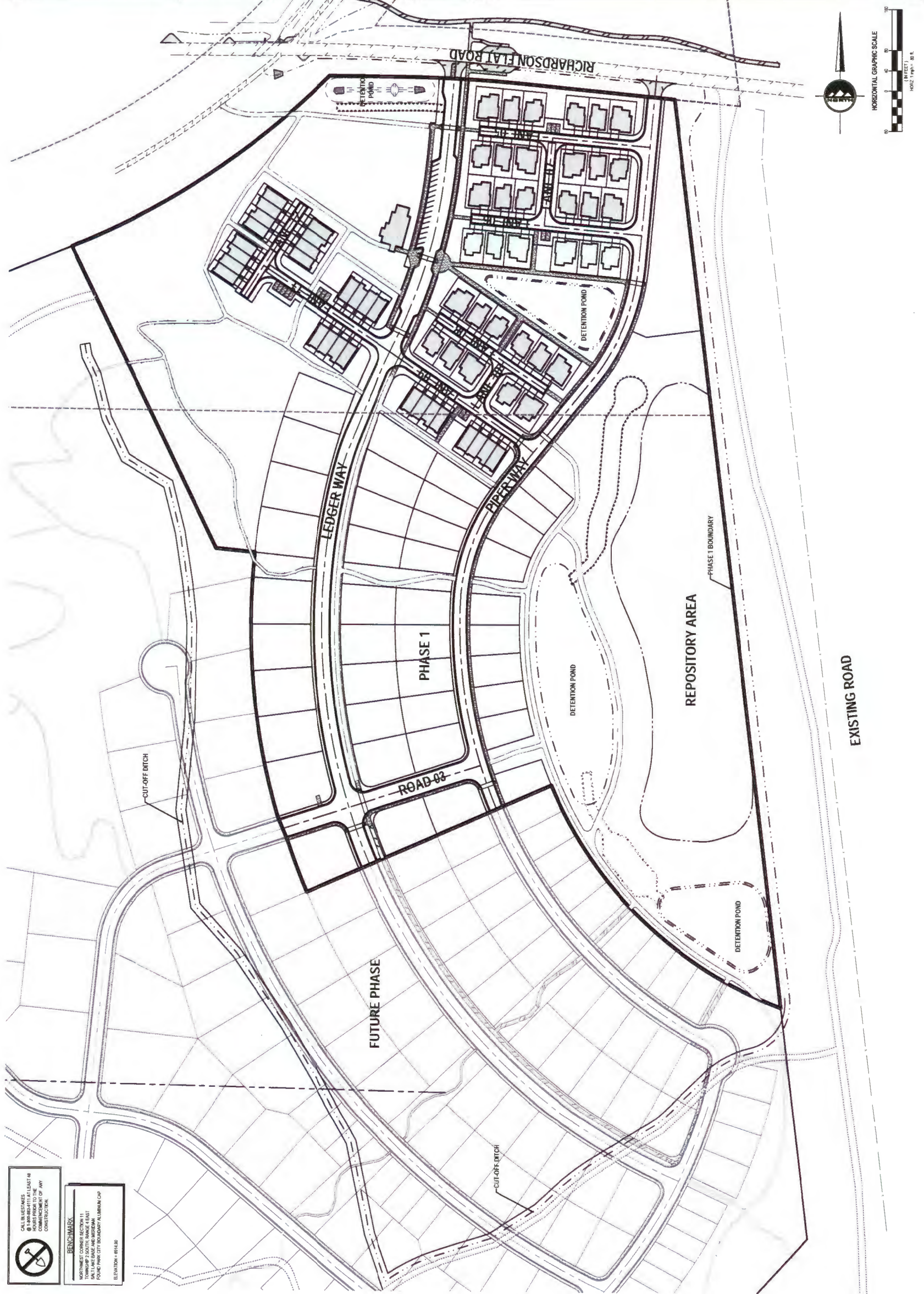
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

PHASE 1 SITE PLAN

DATE: 12/23/13
DRAWN BY: J. SMITH
CHECKED BY: B. MORGAN
SCALE: AS SHOWN

C1.0



CALL BESTIMES
@ 5:00PM AT LEAST 48 HOURS BEFORE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
NAD 83
TOWNSHIP 2 SOUTH, RANGE 18 EAST
SALT LAKE BASIN AND MERRIAM
FOOTING CITY DOCUMENTAL LIBRARY COP
ELEVATION: 6944.80



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

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TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNUTAH.COM

FOR MORE INFORMATION
CONTACT:
SALT LAKE CITY, UTAH (41)
BRAD MOODY
PHONE: 801.590.0187
FAX:

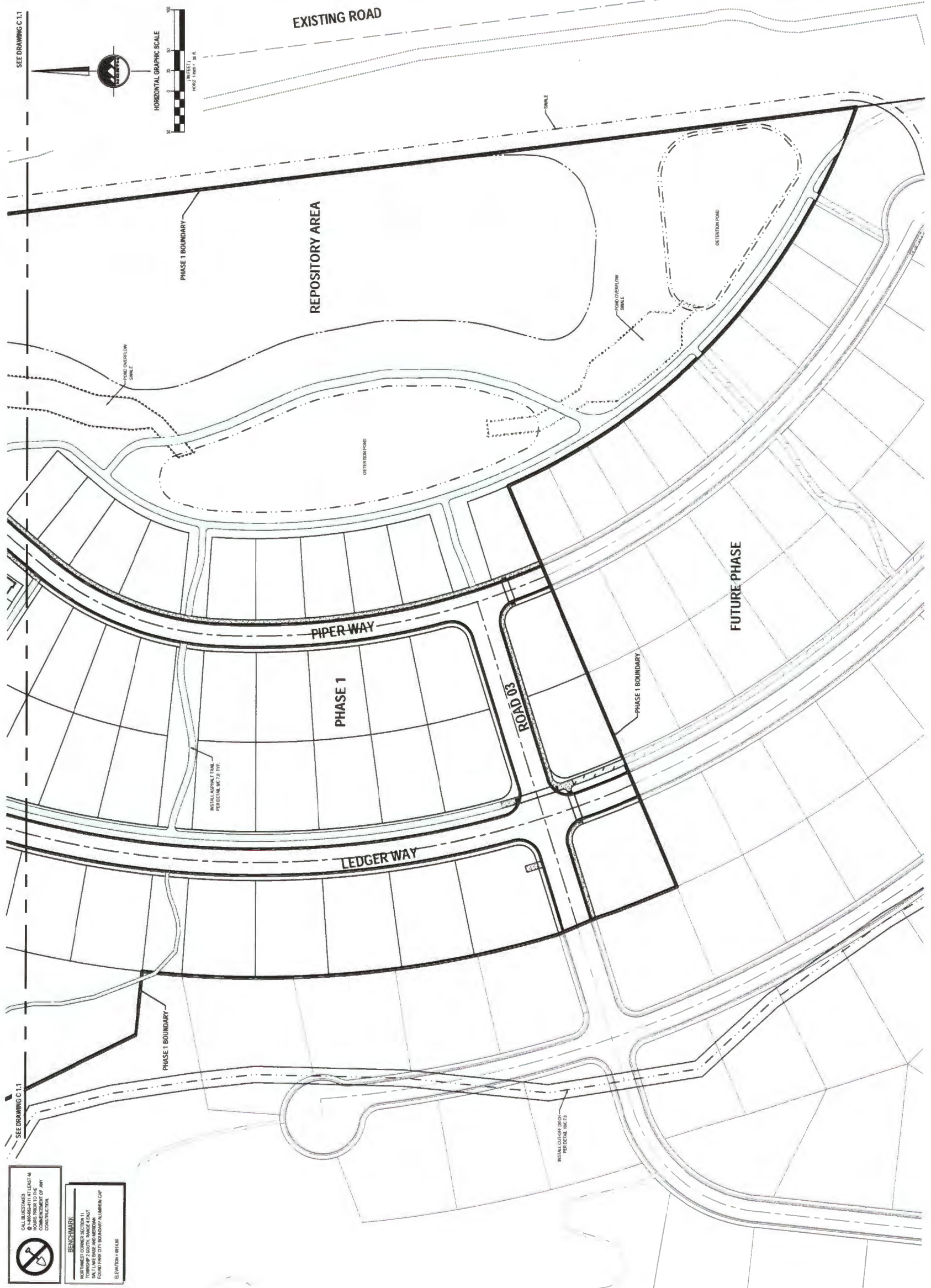
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET
DATE: 12/23/13
BY: J. SMITH
FOR REVIEW

SITE PLAN


PROJECT NUMBER: 2013-013
DATE: 12/23/13
DRAWN BY: J. SMITH
CHECKED BY: B. MORGAN
SCALE: AS SHOWN

C1.2



CALL SURVEYOR
@ 1-800-441-1111 AT LEAST 48
HOURS BEFORE THE
CONSTRUCTION OF ANY
CONSTRUCTION.

BENCHMARK
NORTHWEST CORNER SECTION 11,
TOWNSHIP 36N, RANGE 11E, DISTRICT
SALT LAKE AND WASHINGTON
COUNTY, UTAH
ELEVATION: 8141.8



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0229
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TORRELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
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PARK CITY HEIGHTS
PARK CITY, UTAH

2013-12-23 REVIEW SET

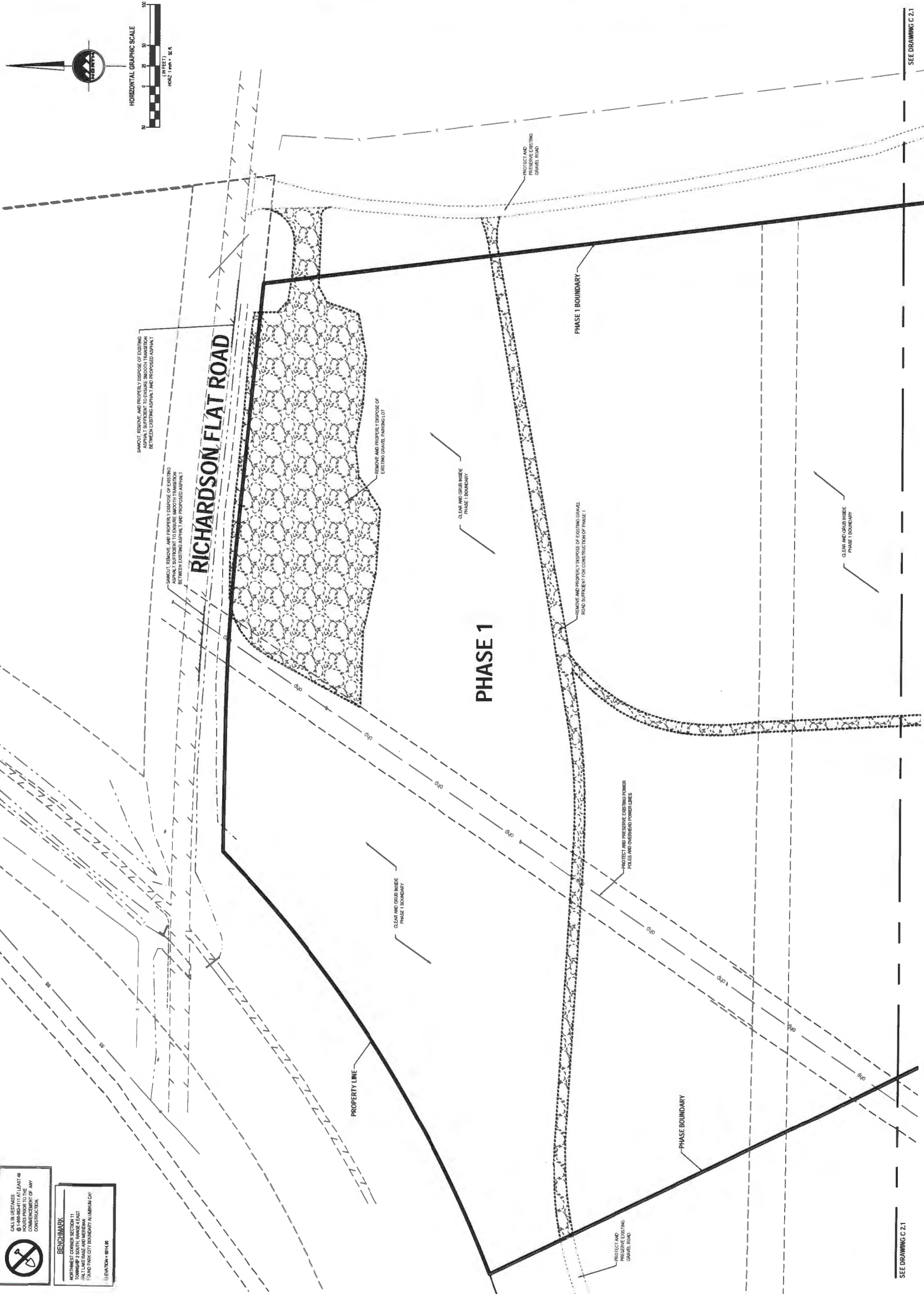
NO. 103 45.000 10.000 10.000

FOR REVIEW

DEMOLITION PLAN

DATE: 11/14/13
PROJECT: 132117
DRAWN BY: E. SMITH
CHECKED BY: E. MORGAN
IN CHARGE: E. MORGAN

C 2.0




CALL IN SERVICES AT LEAST 48 HOURS PRIOR TO THE BEGINNING OF ANY CONSTRUCTION.

BENCHMARK
NORTHWEST CORNER SECTION 11 TOWN OF PARK CITY, UTAH
ELEVATION: 8148.4

SEE DRAWING C 2.1

SEE DRAWING C 2.1



SALT LAKE CITY
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RICHFIELD
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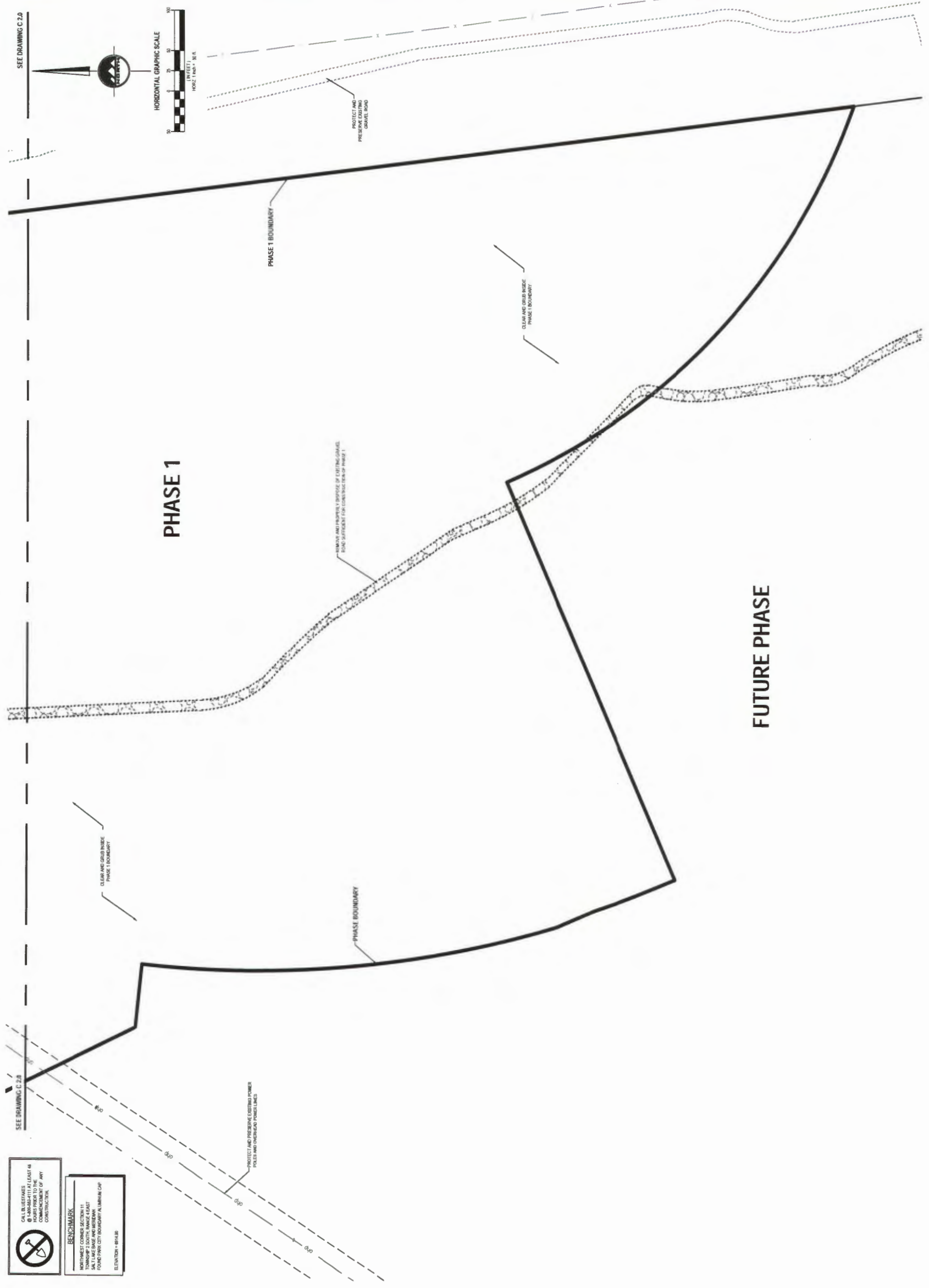
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET


DATE: 12/23/13
BY: JSM/BJM

PROJECT: 13-0013
CLIENT: 4820
DESIGNER: J. SMITH & B. MORGAN
PROJECT MANAGER: B. MORGAN

C2.1




SEE DRAWING C.2.0



HORIZONTAL GRAPHIC SCALE
IN FEET
1" = 100'

CALL BENCHMARKS @ 3-SECOND INTERVAL AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
NORTHWEST CORNER SECTION 11
SALT LAKE AND RICHFIELD
FOURTH PARK CITY BOUNDARY PLUMBING CAP
ELEVATION = 8148.8



SALT LAKE CITY
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CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSGNUTAH.COM

PARK CITY HEIGHTS

RICHARDSON FLAT ROAD

PARK CITY, UTAH

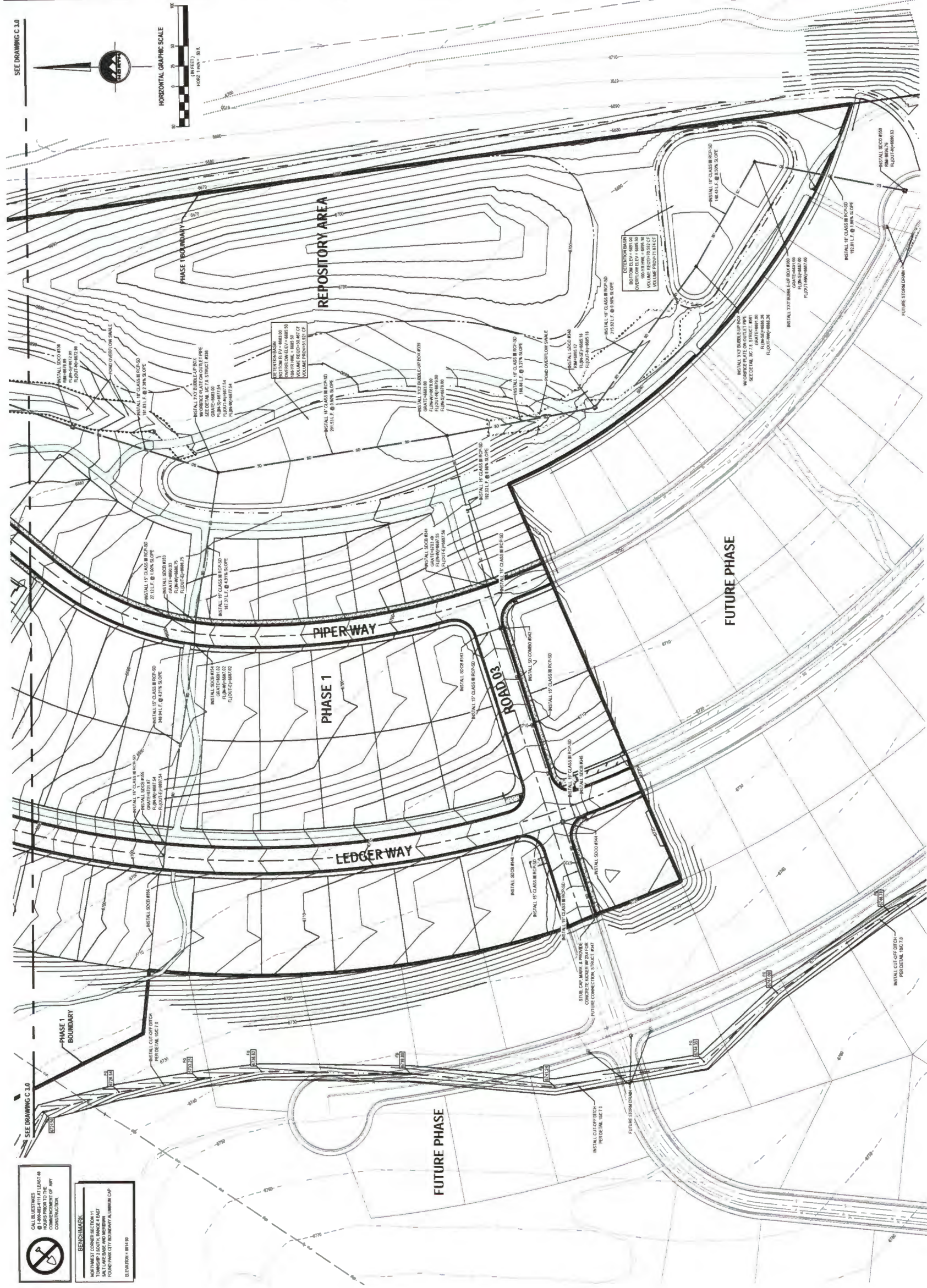
2013-12-23 REVIEW SET

DATE: 12/23/13
BY: J.S.M.
FOR REVIEW

GRADING & DRAINAGE PLAN

PROJECT NO: 2013-03
DATE: 12/23/13
DESIGNED BY: J. SMITH
CHECKED BY: E. MORGAN
DRAWN BY: E. MORGAN

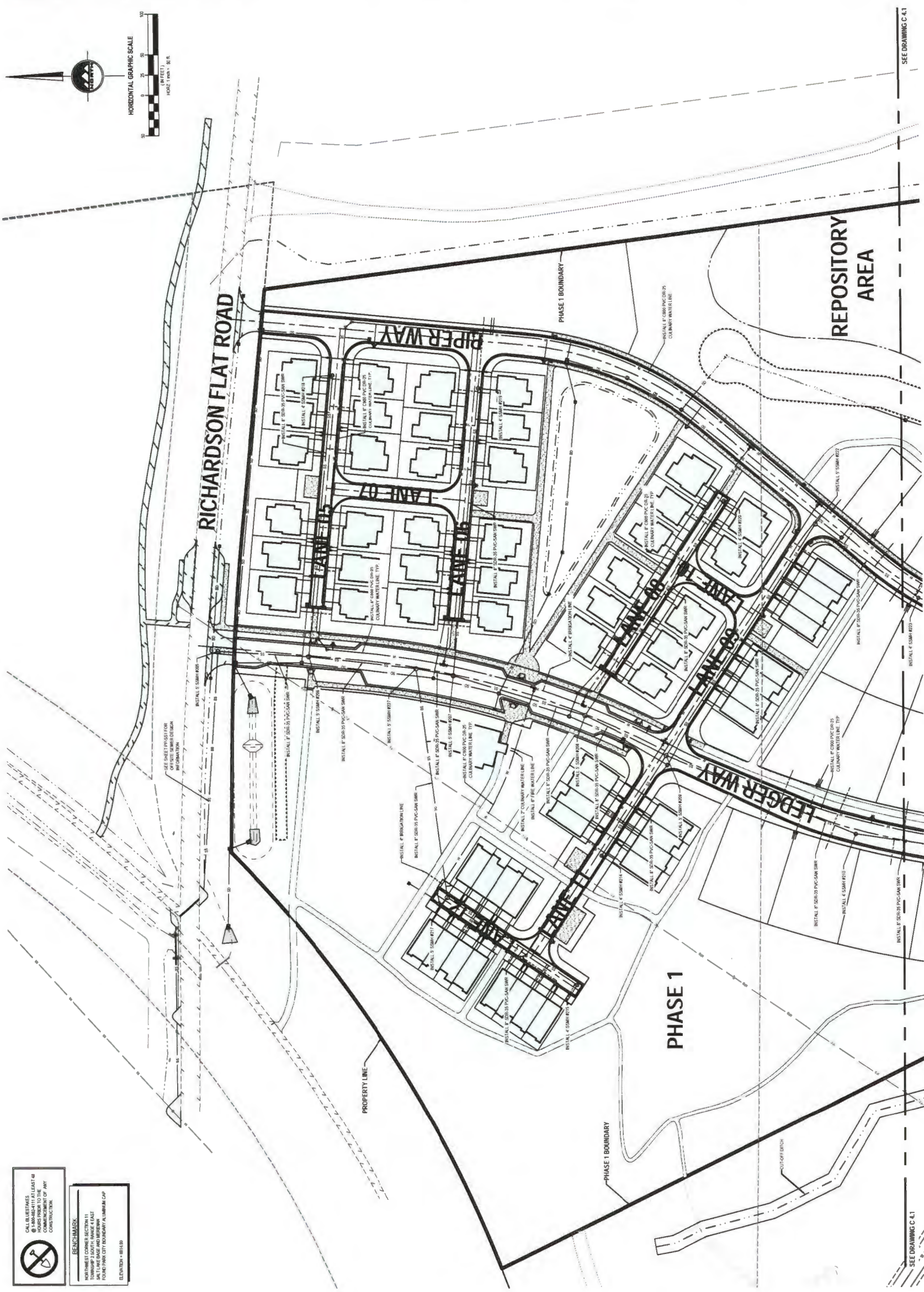
C 3.1



CALL SURVEYING BUREAU TO LOCATE BENCHMARKS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARKS:
NORTHWEST CORNER SECTION 11
TOWNSHIP 3 SOUTH, RANGE 4 EAST
SALT LAKE COUNTY AND HERRING
COUNTY PROJECT BOUNDARY LUMBER CAP
ELEVATION = 8141.89

	SALT LAKE CITY 45 W. 10000 S., Suite 500 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449	LAYTON Phone: 801.547.1100 TOOELE Phone: 435.643.3590 CEDAR CITY Phone: 435.665.1453 RICHFIELD Phone: 435.590.0187 WWW.ENSIGNUTAIL.COM	PARK CITY HEIGHTS RICHARDSON FLAT ROAD PARK CITY, UTAH	2013-12-23 REVIEW SET BY: [Signature] DATE: [Signature]	UTILITY PLAN	PROJECT NUMBER: 1234567 PROJECT NAME: [Project Name] DESIGNER: J. SMITH CHECKER: E. MORGAN PROJECT MANAGER: E. MORGAN	C4.0
	100' SCALE 1" = 100' 0 10 20 30 40 50						




CALL SURVEYOR TO VERIFY ALL DIMENSIONS AND LOCATIONS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK:
 NORTHWEST CORNER SECTION 11
 TOWNSHIP 2 NORTH, RANGE 4 EAST
 FOUND PARK CITY BOUNDARY ALUMINUM CAP
 ELEVATION = 8141.89

SEE DRAWING C-41

SEE DRAWING C-41



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.4449
Fax: 801.255.4449

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TOOELE
Phone: 435.843.3590

GEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNITAL.COM

PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

NO. DATE BY REVIEW

1 12/23/13 S.MORGAN

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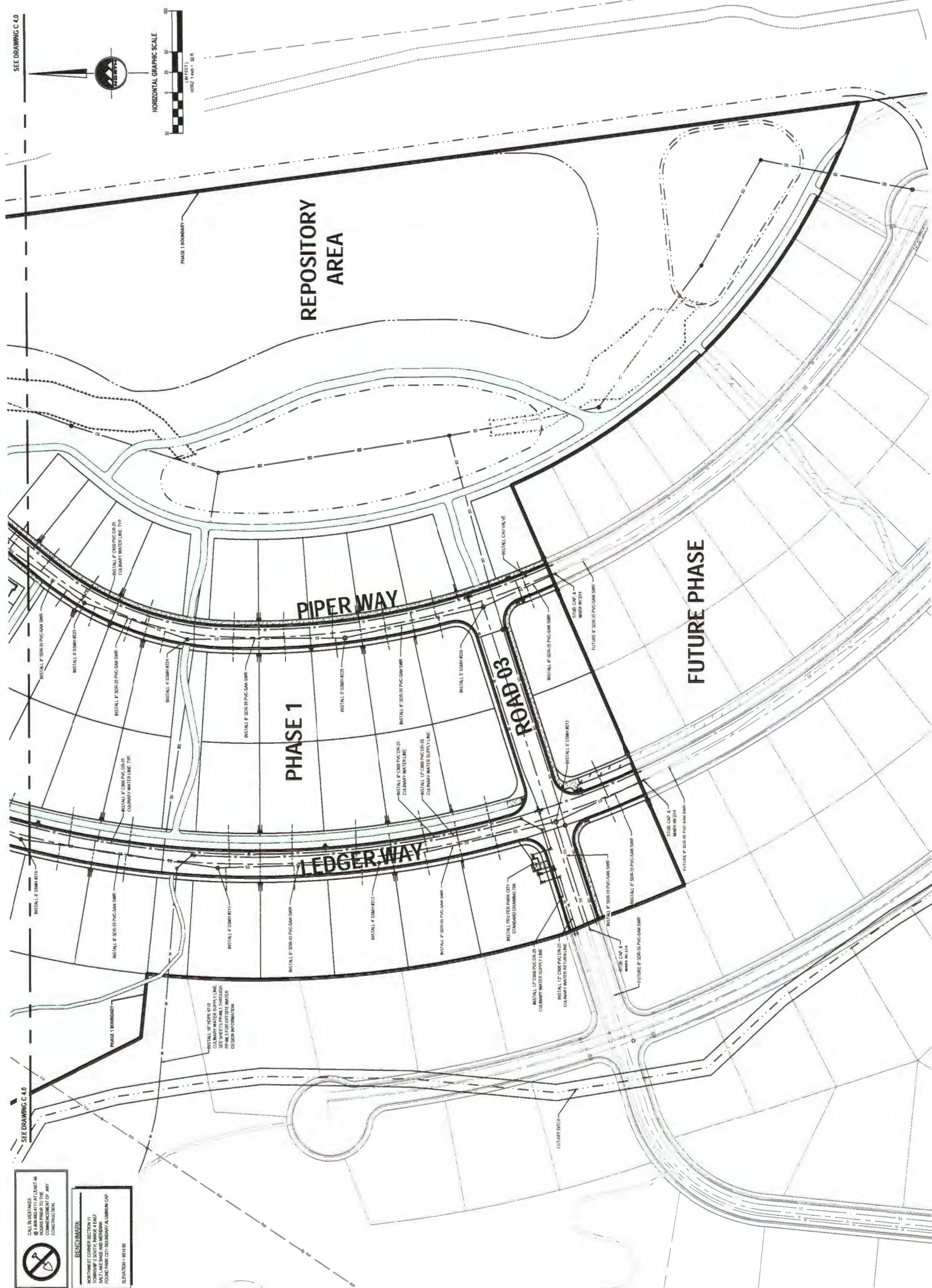
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100 12/23/13 S.MORGAN




CALL BUSTAKES
MINIMUM 48 HOURS BEFORE CONSTRUCTION

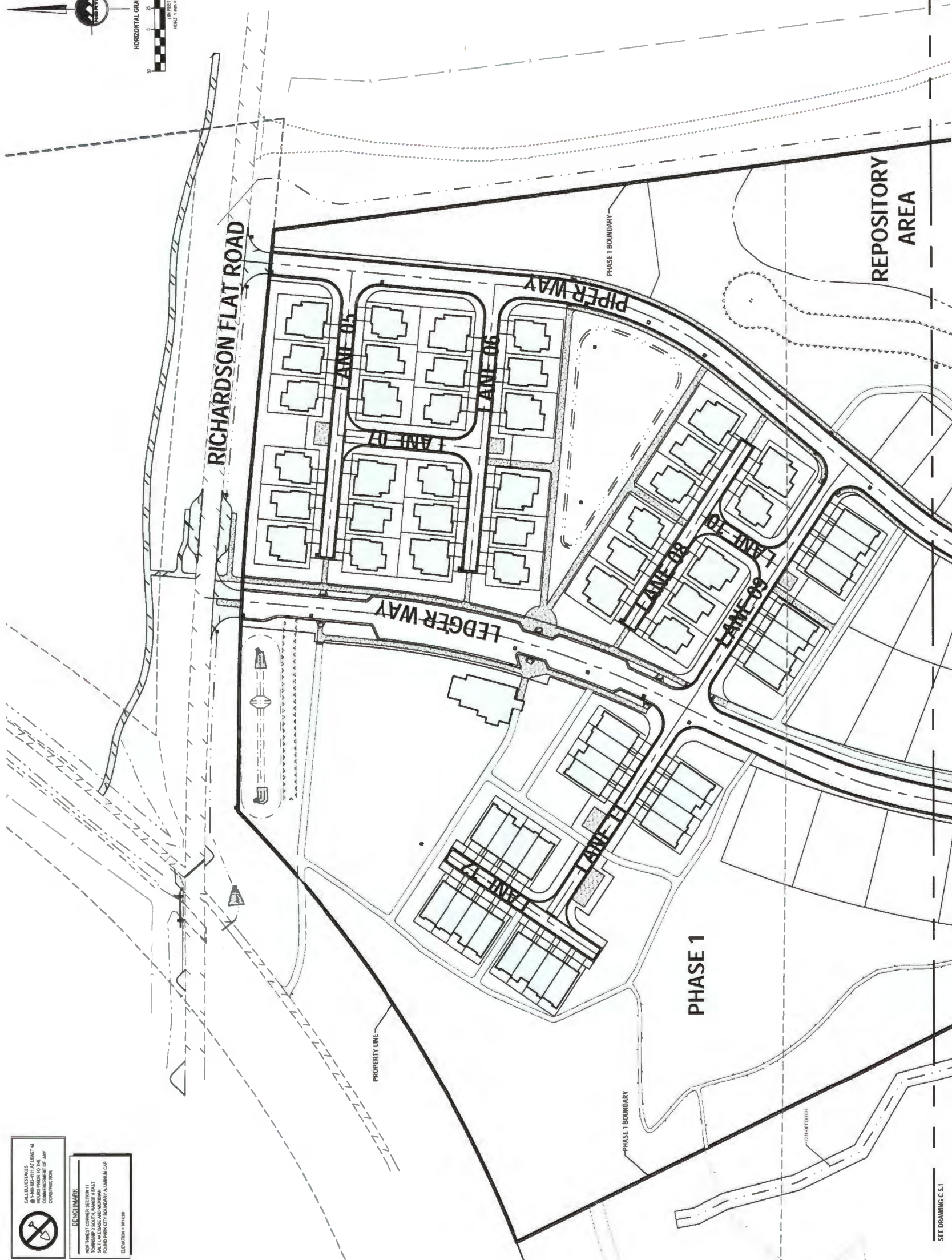
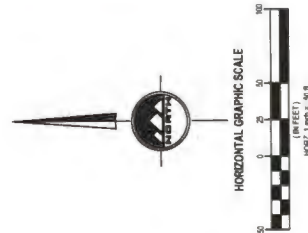
BENCHMARK
SALT LAKE AND MORGAN
FOUND TO THE CITY BOUNDARY/LUMBER CAP
ELEVATION: 4048

SEE DRAWING C.4.0



HORIZONTAL GRAPHIC SCALE
1" = 40' (HORIZONTAL)
1" = 8' (VERTICAL)

 <p>SALT LAKE CITY 45 W. 1000 S., Suite 500 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449</p>	<p>LAYTON Phone: 801.547.1100</p>	<p>TOOELE Phone: 435.843.3590</p>	<p>CEDAR CITY Phone: 435.865.1453</p>	<p>RICHFIELD Phone: 435.590.0187 WWW.ENSIGNTABLE.COM</p>	<p>PARK CITY HEIGHTS PARK CITY, UTAH</p>	<p>2013-12-23 REVIEW SET</p>	<p>EROSION CONTROL PLAN</p>	<p>C 5.0</p>
	<p>PROJECT: 1000 S. 45 W. 1000 S. SUITE 500 SALT LAKE CITY, UTAH 84070</p> <p>CONTRACT: BRAD MCKAY 801-581-8111 PHONE: 801-581-8111 FAX: 801-581-8111</p>	<p>DATE: 12/23/13 DRAWN BY: J. SMITH CHECKED BY: E. MORGAN PROJECT MANAGER: E. MORGAN</p>						




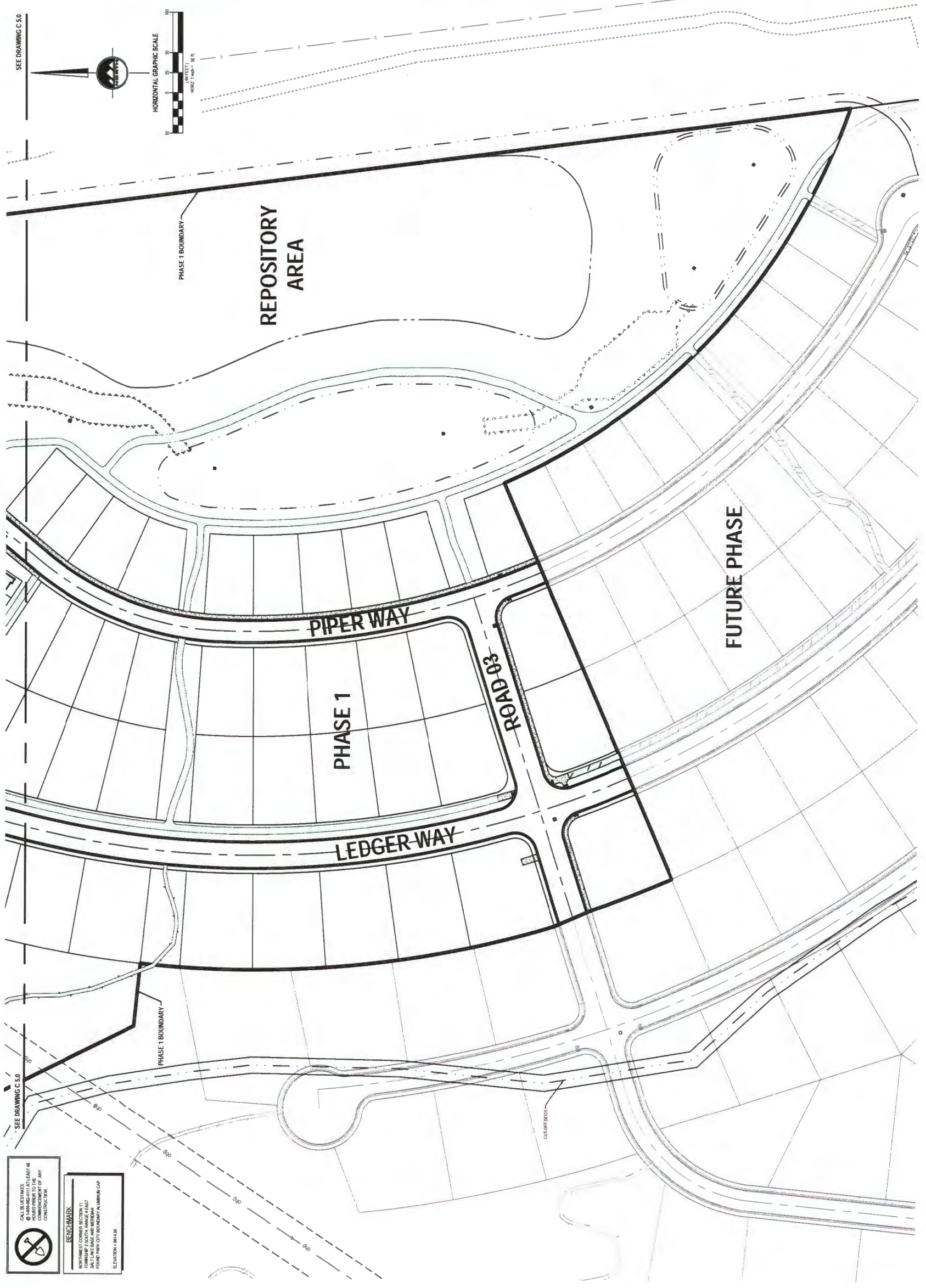
CALL LISTENERS @ 800-841-1111 AT LEAST 48 HOURS BEFORE THE COMMENCEMENT OF ANY CONSTRUCTION.


BENCHMARK
1000 S. 45 W. 1000 S. SUITE 500
SALT LAKE CITY, UTAH 84070
ELEVATION: 4942.00

SEE DRAWING C.5.1

SEE DRAWING C.5.1

 <p>SALT LAKE CITY 45 W. 10000 S., Suite 500 Sandy, UT 84070 Phone: 801.255.4429 Fax: 801.255.4449</p>	<p>LAYTON Phone: 801.547.1100</p>	<p>TOOELE Phone: 435.843.3590</p>	<p>CEDAR CITY Phone: 435.865.1453</p>	<p>RICHFIELD Phone: 435.590.0187 WWW.ENSIGNUTAH.COM</p>	<p>PARK CITY HEIGHTS RICHARDSON FLAT ROAD PARK CITY, UTAH</p>	<p>2013-12-23 REVIEW SET NO. 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 046 047 048 049 050 051 052 053 054 055 056 057 058 059 060 061 062 063 064 065 066 067 068 069 070 071 072 073 074 075 076 077 078 079 080 081 082 083 084 085 086 087 088 089 090 091 092 093 094 095 096 097 098 099 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000</p>	<p>EROSION CONTROL PLAN</p>	<p>C5.1</p>
	<p>CALL BLUEPRINTS FOR INFORMATION AT LEAST 48 HOURS BEFORE COMMENCEMENT OF ANY CONSTRUCTION.</p>	<p>BENCHMARK NORTHWEST CORNER SECTION 11 TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE COUNTY AND MERIDIAN FIRST QUARTER 2007 UTAH PLANNING MAP ELEVATION = 8114.8</p>	<p>DATE: 12/23/13 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]</p>					





SALT LAKE CITY
46 W. 10000 S. Suite 500
Standy, UT 84070
Phone: 801.255.0229
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNUTAH.COM

PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

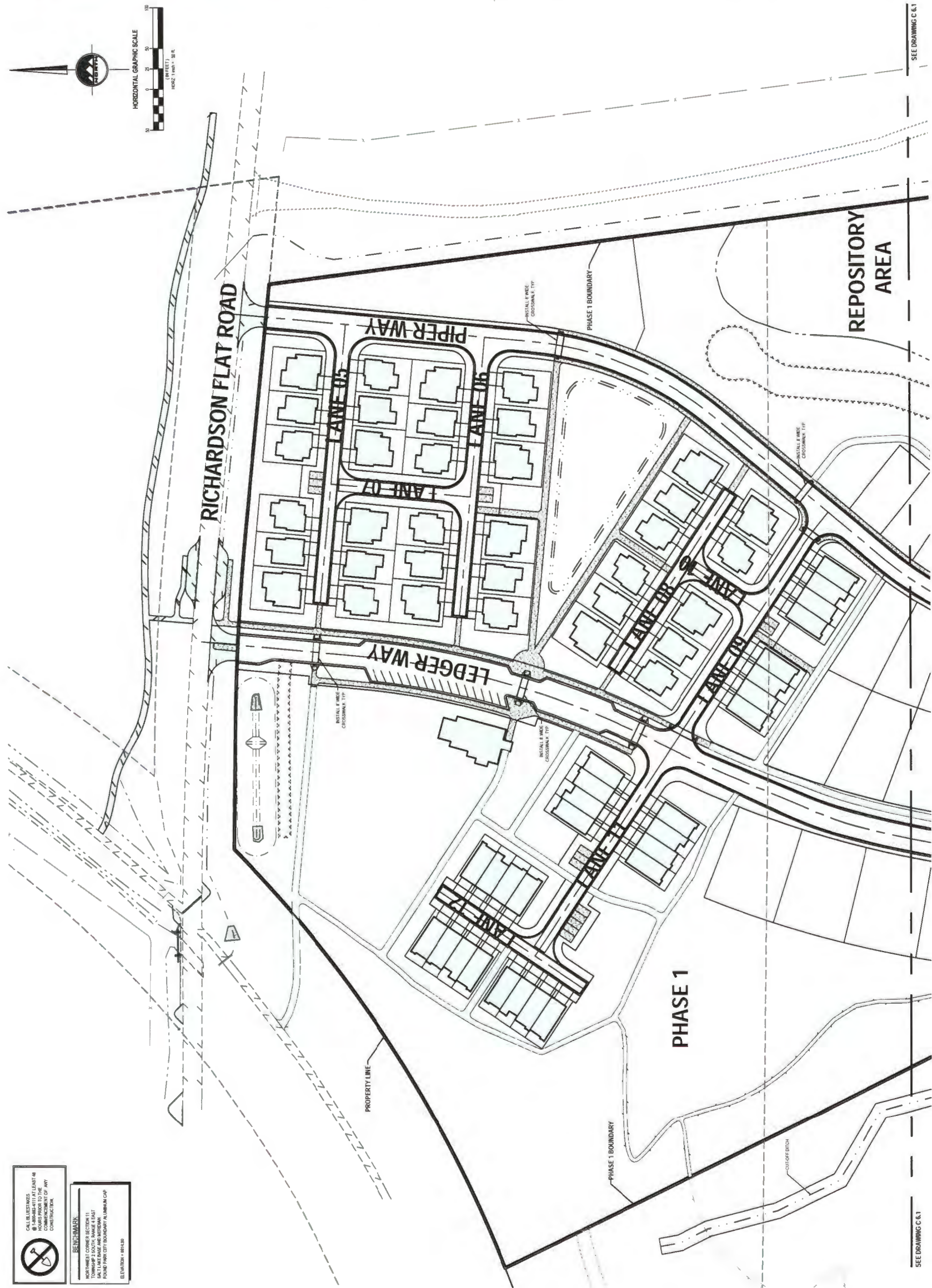
2013-12-23 REVIEW SET

DATE: 12/23/13
BY: [Signature]
FOR: [Signature]

SIGNING & STRIPING PLAN

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DRAWN BY: [Signature]
DATE: 12/23/13

C 6.0




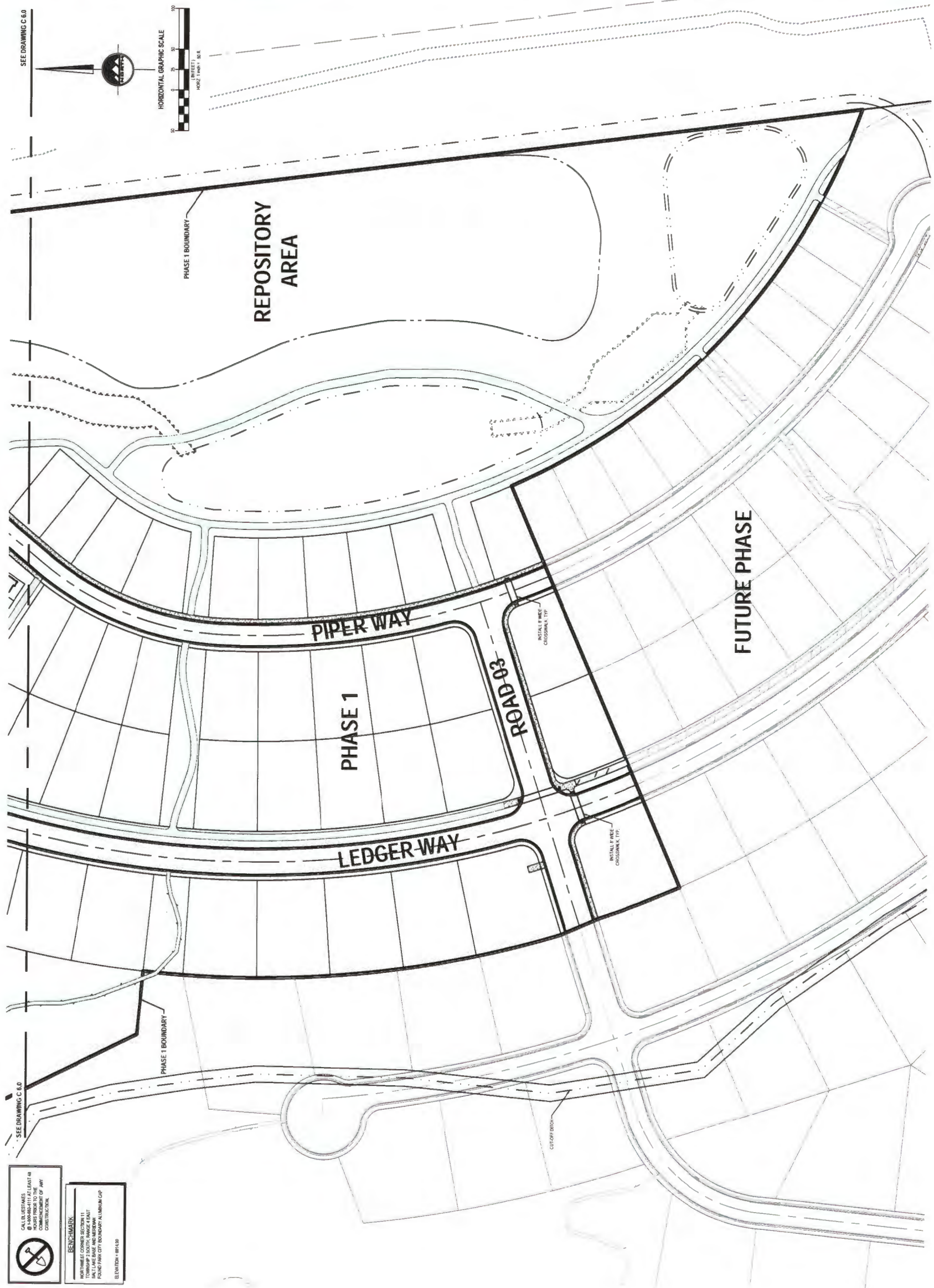
CALL SURVEYING
ENGINEERING
OR ARCHITECTURE TO OBTAIN
A PERMIT TO CONSTRUCTION
COMMITMENT OF ANY
CONSTRUCTION.

BENCHMARK:
NORTHWEST CORNER SECTION 11
TOWNSHIP 1 SOUTH, RANGE 1 EAST
SALT LAKE COUNTY, UTAH
ELEVATION: 8945.00

SEE DRAWING C 6.1

SEE DRAWING C 6.1

 <p>SALT LAKE CITY 45 W. 1000 S. STE 300 Sandy, UT 84070 Phone: 801.255.9279 Fax: 801.255.4449</p> <p>LAYTON Phone: 801.547.1100</p> <p>TOOELE Phone: 435.843.2590</p> <p>CEDAR CITY Phone: 435.865.1453</p> <p>RICHFIELD Phone: 435.590.0187 WWW.ENSGNUTAH.COM</p>	<p>PARK CITY HEIGHTS RICHARDSON FLAT ROAD PARK CITY, UTAH</p>	<p>2013-12-23 REVIEW SET DATE: 12/23/13 BY: [signature]</p>	<p>SIGNING & STRIPING PLAN</p>	<p>PROJECT NUMBER: 48780 DATE: 12/23/13 DRAWN BY: J. SMITH CHECKED BY: E. BERGMAN APPROVED BY: E. BERGMAN</p>	<p>C 6.1</p>
	<p>MOY HOMES 312 EAST WOODROW LANE SALT LAKE CITY, UTAH 84117 COMMUNITY: PARK CITY HEIGHTS PHONE: 801-428-8891 FAX:</p>				



CALL BEST PRACTICES @ 11:00 AM AT LEAST 48 HOURS BEFORE CONSTRUCTION.

BENCHMARK
NORTHWEST CORNER SECTION 11
SALT LAKE BASIN AND MOUNTAIN
FOUND PARK CITY BOUNDARY ALUMINUM CUP
ELEVATION: 8945.00

ENSIGN
 SALT LAKE CITY
 45 W. 10000 S., Suite 500
 Sandy, UT 84070
 Phone: 801.255.0529
 Fax: 801.255.4449

LAYTON
 Phone: 801.547.1100

TOOELE
 Phone: 435.843.3590

CEGAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.590.0187
 WWW.ENSIGNTEAM.COM

HOYI BONES
 281 EAST WOODROW WALK
 SALT LAKE CITY, UT 84111

OWNER:
 SALT LAKE COUNTY
 PHONE: 801.400.8111
 FAX:

PARK CITY HEIGHTS
 RICHARDSON FLAT ROAD
 PARK CITY, UTAH

2013-12-23 REVIEW SET
 1" = 100' HORIZONTAL
 1" = 10' VERTICAL

**PLAN & PROFILE
 KEY MAP**

DATE: 12/23/13
 DRAWN BY: J. SMITH
 CHECKED BY: B. LINDSON
 PROJECT MANAGER:
 B. LINDSON

PP-0



CALL BENCHMARKS AT LEAST 48 HOURS BEFORE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
 BENCHMARK POINTS ARE LOCATED AT THE CORNERS OF THE LOTS AND AT THE INTERSECTIONS OF THE LOTS. THE BENCHMARK POINTS ARE IDENTIFIED BY A BENCHMARK SYMBOL AND A BENCHMARK NUMBER.



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0528
Fax: 801.255.4449

LAYTON
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TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSGNUTAH.COM

1000 W. 10000 S.
SALT LAKE CITY, UTAH 84119
OWNER: LAYTON
PHONE: 801.547.1100
FAX: 801.547.1100

PARK CITY, UTAH
RICHARDSON FLAT ROAD

PARK CITY HEIGHTS

LEDGER WAY
PLAN & PROFILE

2013-12-23 REVIEW SET

PROJECT NAME: LEDGER WAY
SHEET NO: PP-2
DATE: 12/23/13

DESIGNED BY: J. SMITH
CHECKED BY: B. MORGAN
DRAWN BY: B. MORGAN

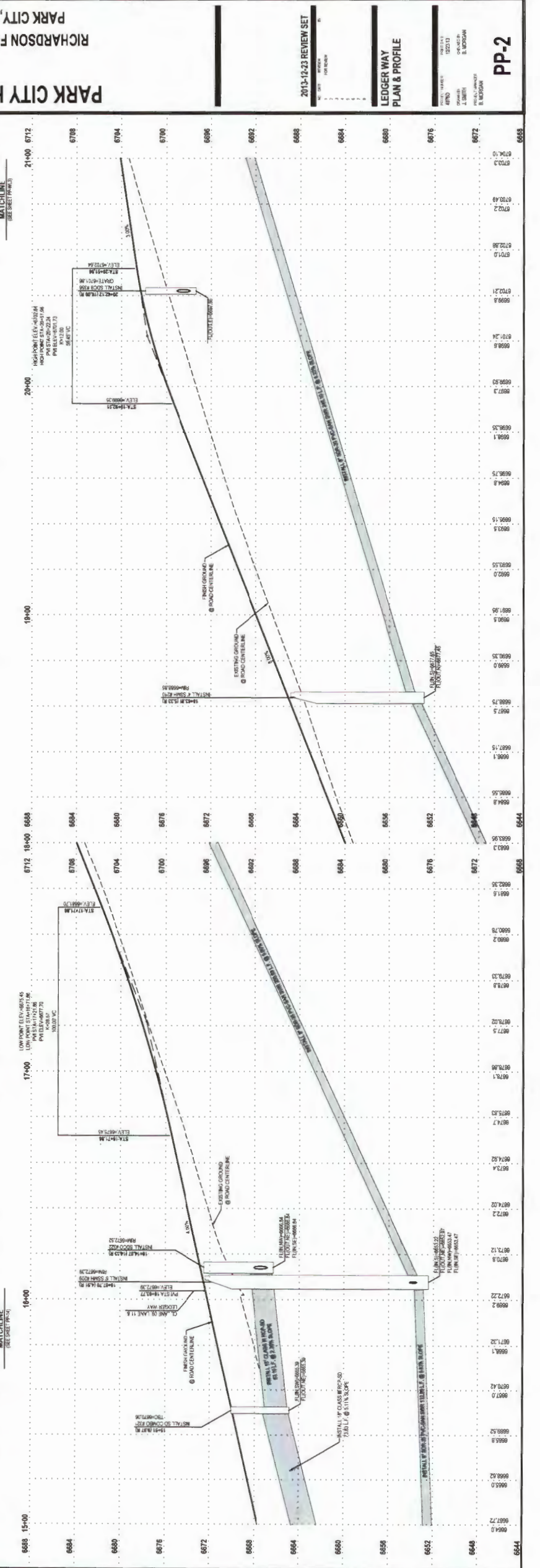
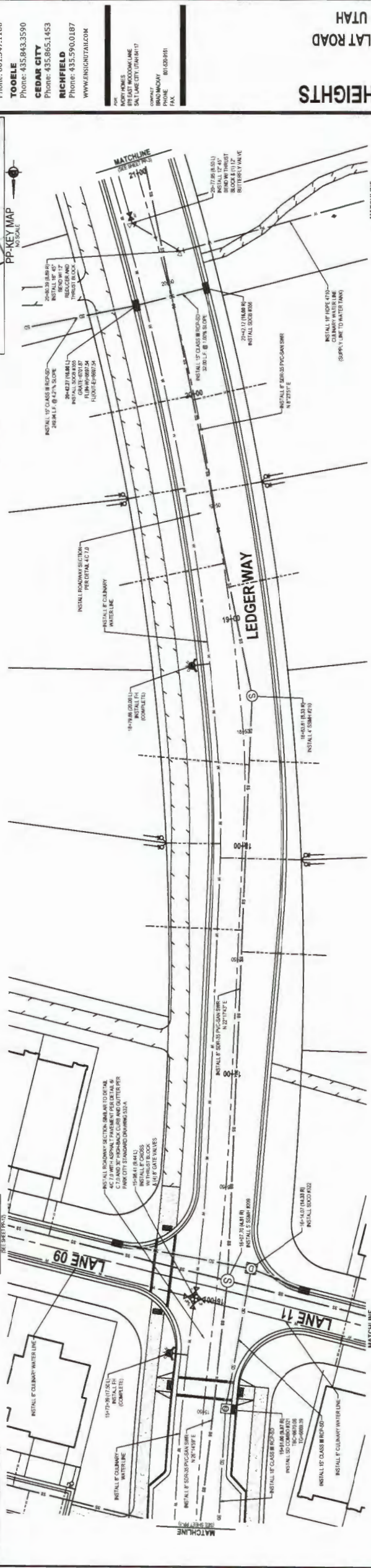
SCALE: AS SHOWN

PP-KEY MAP
NO SCALE

HORIZONTAL GRAPHIC SCALE
1" = 20'
1" = 100'

CALL SURVEYS
SHOWS AT LEAST 48 HOURS PRIOR TO THE START OF ANY CONSTRUCTION

BENCHMARK
NORTHWEST CORNER SECTION 11
SOUTH 1/4 SECTION 11
FOURTH PARK CITY BOUNDARY ALUMINUM CAP
ELEVATION = 8181.8



ENSGN
 SALT LAKE CITY
 45 W. 10000 S., Suite 300
 Sandy, UT 84070
 Phone: 801.255.4499
 Fax: 801.255.4499
 WWW.ENSGN.COM

LAYTON
 Phone: 801.547.1100

TOOELE
 Phone: 435.843.3590

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.590.0187
 WWW.ENSGN.COM

FOR THE
 CITY OF
 SALT LAKE CITY
 111 EAST WOODLAWN
 SALT LAKE CITY, UT 84117

PROJECT
 BRICKMAYER
 PARKWAY
 PARK
 801.509.9181

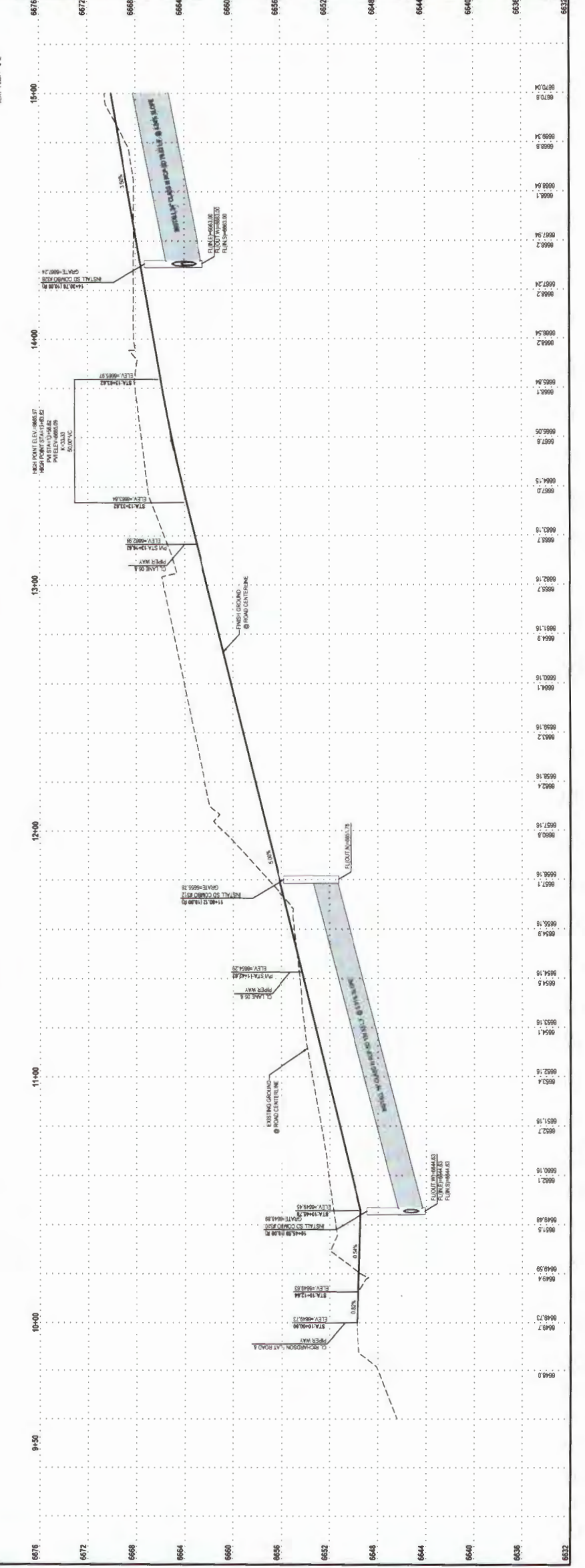
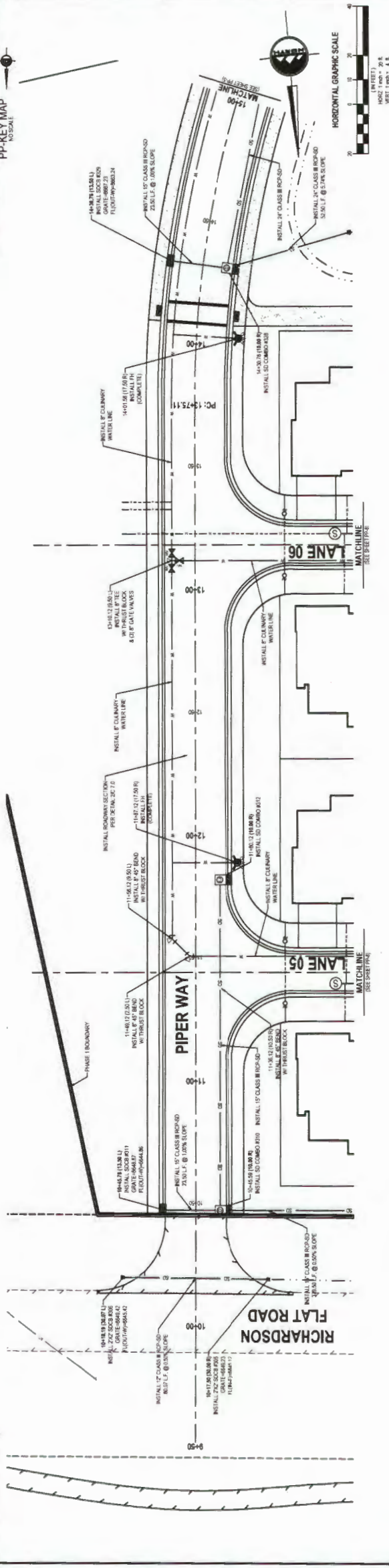
PARK CITY HEIGHTS
 RICHARDSON FLAT ROAD
 PARK CITY, UTAH

2013-12-23 REVIEW SET

**PIPER WAY
 PLAN & PROFILE**

DATE: 12/21/13
 DRAWN BY: J. SMITH
 CHECKED BY: E. MORGAN
 PROJECT: BRICKMAYER PARKWAY

PP-4



CALL ALL INTERSECTIONS
 48 HOURS PRIOR TO THE START OF ANY CONSTRUCTION.

BENCHMARK
 NORTHWEST CORNER SECTION 11
 SALT LAKE BASIN AND MOUNTAIN
 FOUND PARK CITY BOUNDARY ALUMINUM CAP
 ELEVATION = 6648



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CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNUTAH.COM

FOR MORE INFORMATION
CONTACT:
SALT LAKE CITY, UTAH 84117
8000 MACAY
801.433.8181
FAX

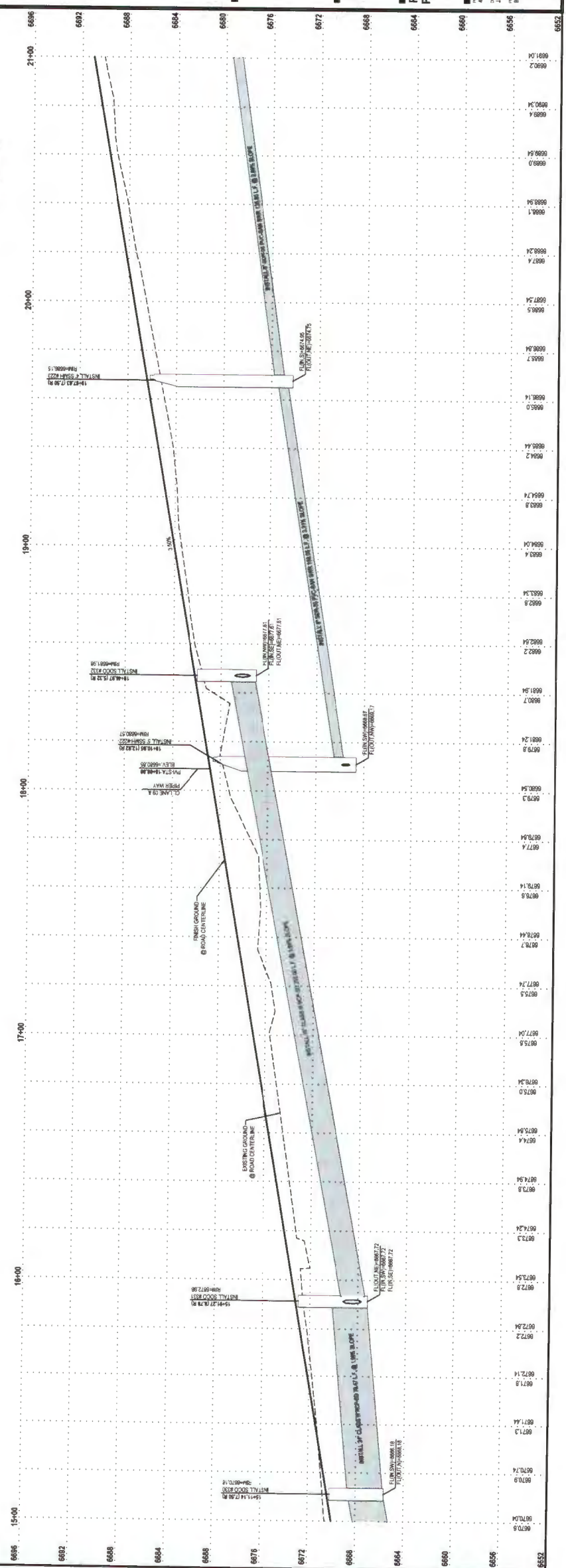
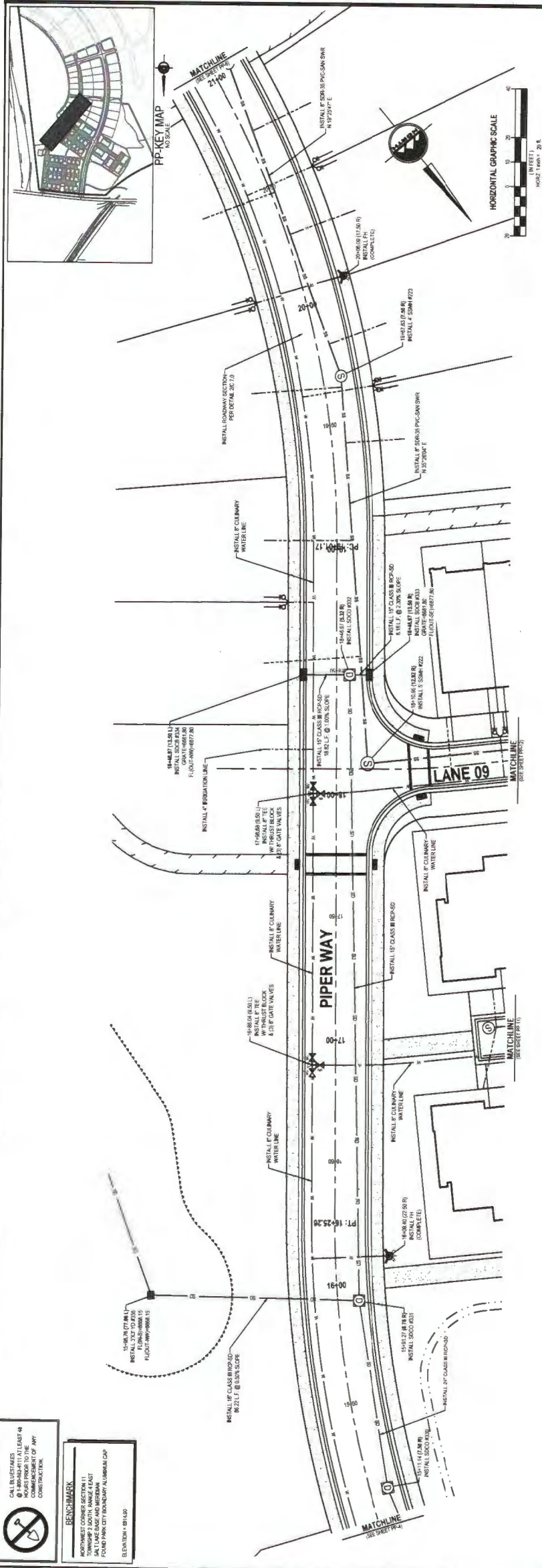
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

PIPER WAY
PLAN & PROFILE

DESIGNED BY: J. SMITH
CHECKED BY: B. MORGAN
DATE: 12/23/13

PP-5



CALL BUREAUX AT LEAST 48 HOURS BEFORE CONSTRUCTION TO VERIFY LOCATION AND DEPTH OF ANY UTILITIES.
BENCHMARK: 841430
SALT LAKE COUNTY ENGINEERING DIVISION
FOURTH FLOOR CITY BUILDING ALUMINUM CIP
ELECTRICAL: 841430



SALT LAKE CITY
 45 W. 10000 S., Suite 500
 Sandy, UT 84070
 Phone: 801.255.0029
 Fax: 801.255.4449

LAYTON
 Phone: 801.547.1100

TOOELE
 Phone: 435.843.3590

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.590.0187
 WWW.ENSIGNUT.COM

FOR MORE INFORMATION CONTACT:
 1000 WEST WOODLARK LANE
 SALT LAKE CITY, UTAH 84117
 PROJECT NO. 1500000000
 BRAD MCKAY
 PHONE 801.500.8151
 FAX 801.500.8151

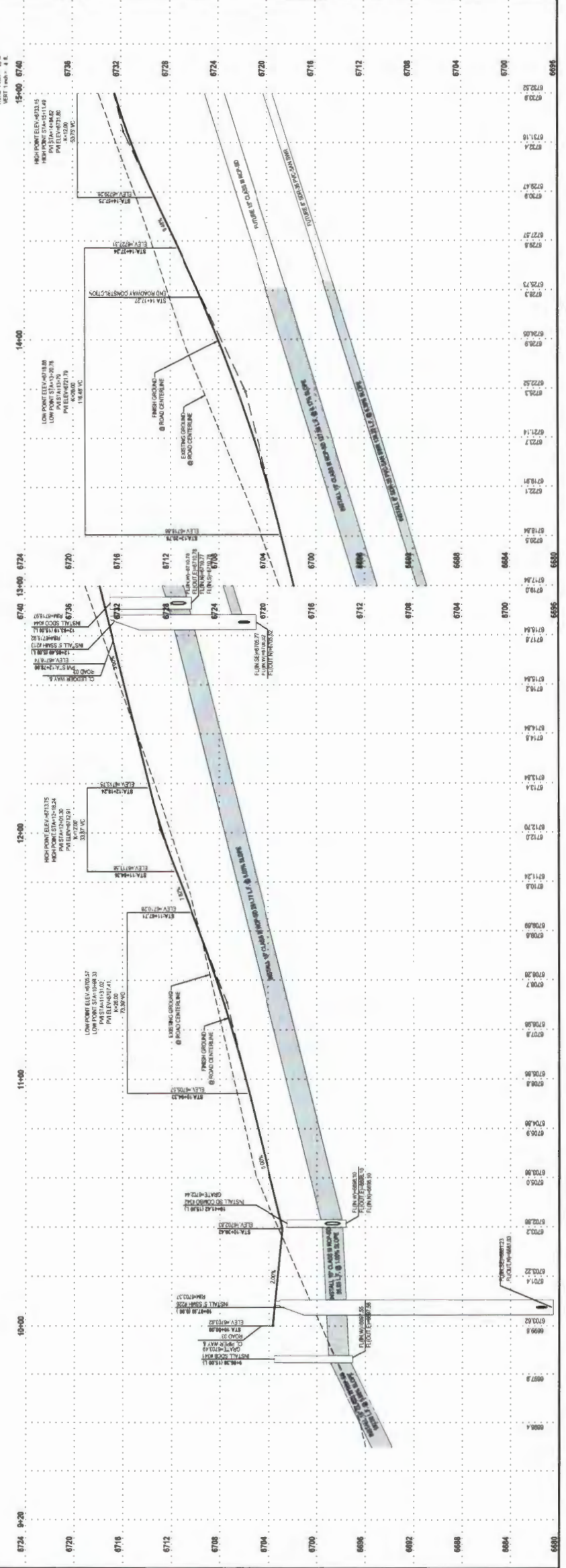
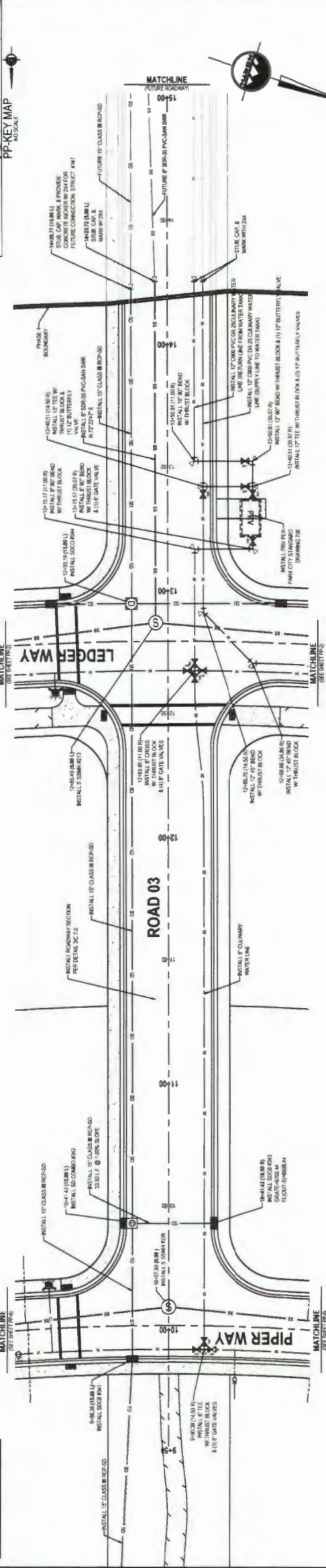
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

ROAD 03
PLAN & PROFILE

DATE: 12/23/13
 DRAWN BY: J. SMITH
 CHECKED BY: E. WOODMAN
 DESIGNED BY: E. WOODMAN

PP-7



CALL BIDDERS TO VISIT SITE AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
 NORTHWEST CORNER SECTION 11
 TOWNSHIP 2 NORTH, RANGE 4 EAST
 FOUND PARK CITY BOUNDARY ALUMINUM CAP
 ELEVATION = 8814.80



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
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CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
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FOR MORE INFORMATION
CONTACT YOUR LOCAL
SALT LAKE CITY OFFICE
OR VISIT US ONLINE
WWW.ENSIGNUT.COM
PHONE: 801.255.0529
FAX: 801.255.4449

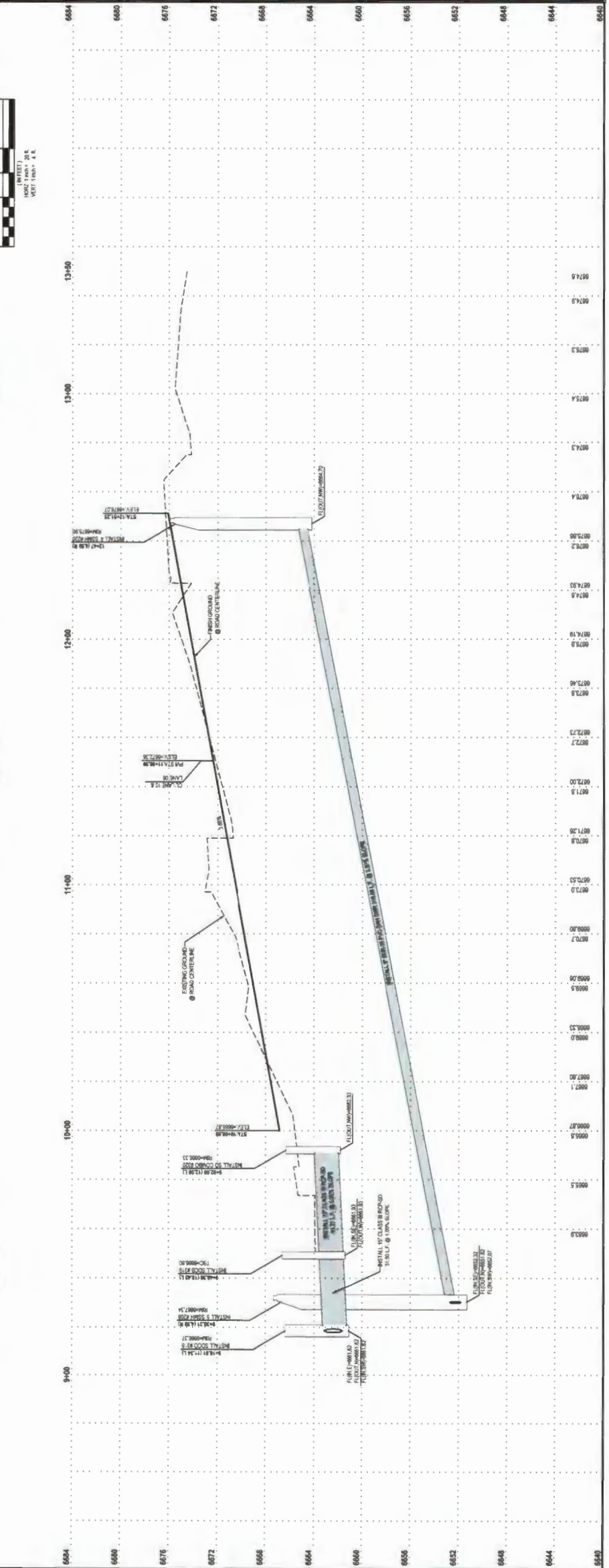
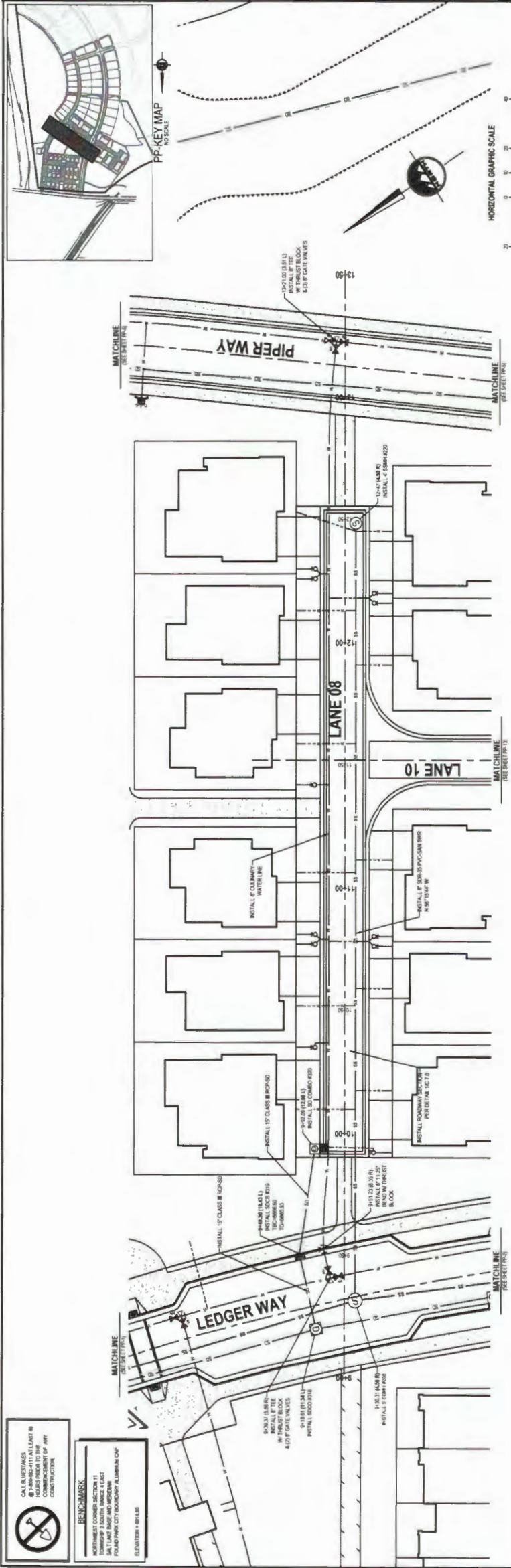
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

LANE 08
PLAN & PROFILE

PROJECT NUMBER: 130311
DATE: 12/23/13
DRAWN BY: B. MCKAY
CHECKED BY: B. MCKAY
PROJECT MANAGER: B. MCKAY

PP-11



BENCHMARK
WESTMOST CORNER SECTION 11
TOWNSHIP 36N RANGE 10E
FOURTH PRINCIPAL MERIDIAN ALUMINUM COP
ELEVATION: 4814.89

CALL SURVEYORS
FOR SUBMITTALS AT LEAST 48
HOURS PRIOR TO THE
START OF CONSTRUCTION.



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNUTAH.COM

FOR MORE INFORMATION
CONTACT:
BRAD MACKAY
PHONE: 801.408.9111
FAX: 801.408.9111

PROJECT:
RICHARDSON FLAT ROAD
SALT LAKE CITY, UT 84117

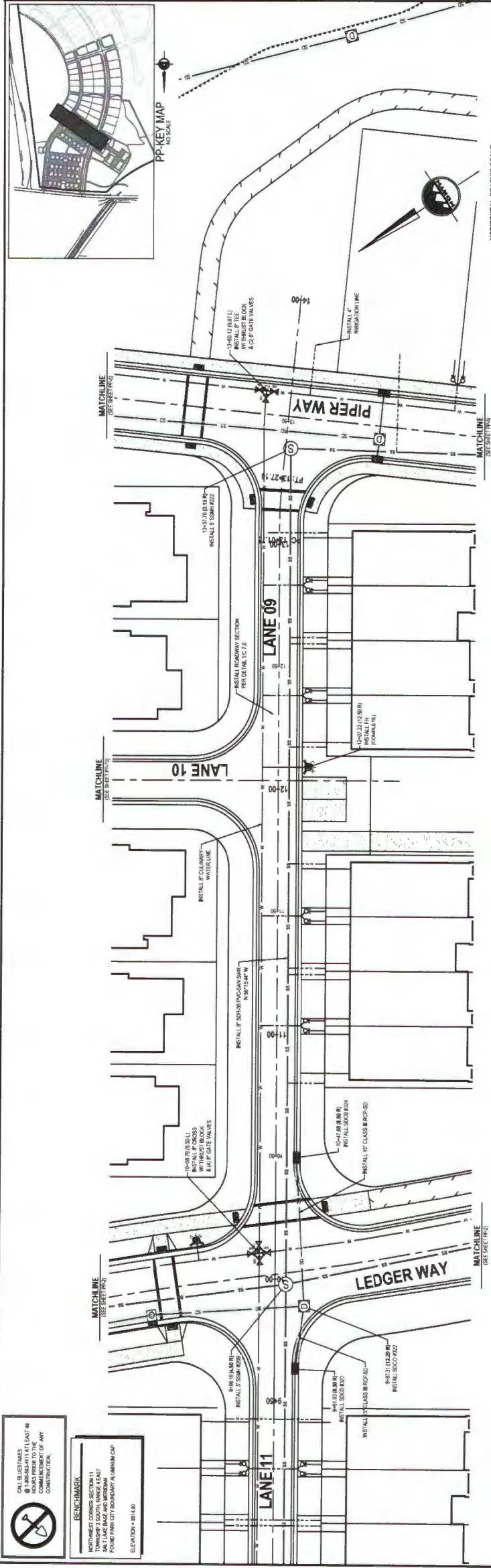
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

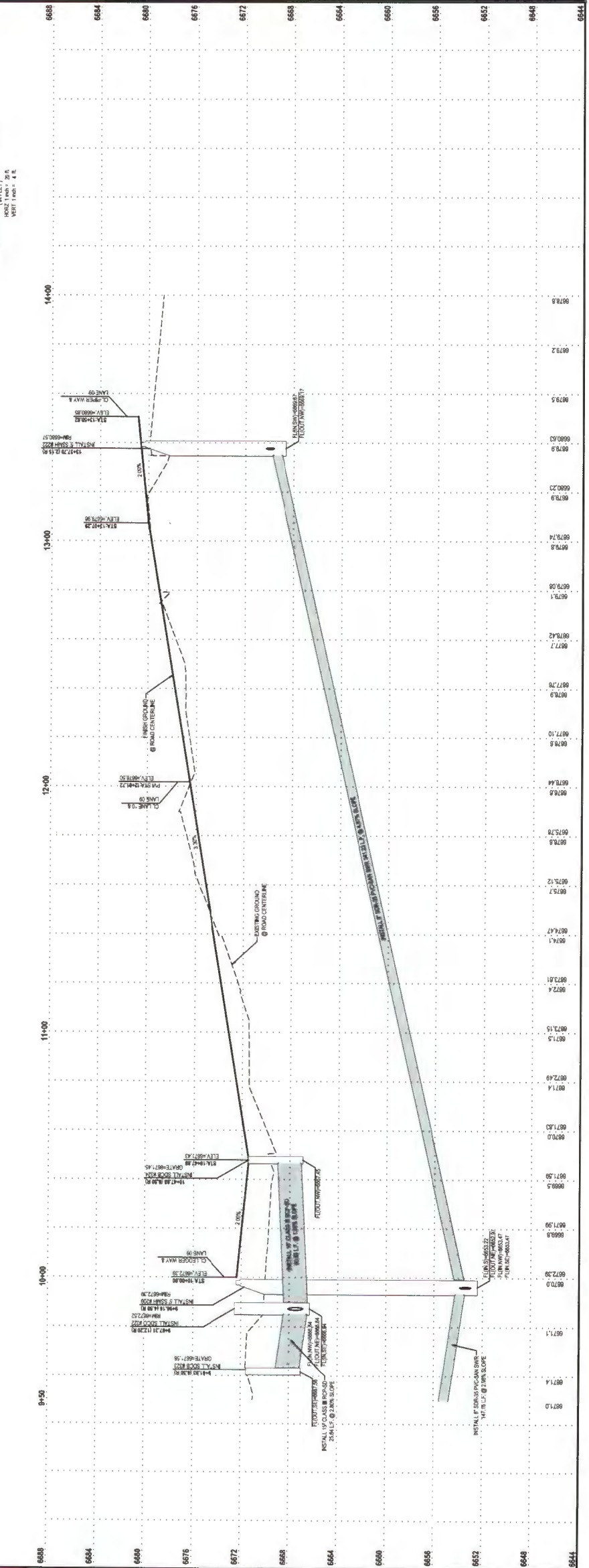
LANE 09
PLAN & PROFILE

PROJECT:
RICHARDSON FLAT ROAD
DESIGNED BY:
L. SMITH
CHECKED BY:
B. MORGAN
PROJECT MANAGER:
E. MORGAN

PP-12



BENCHMARK
NORTHWEST CORNER SECTION 11
TOWNSHIP 2 SOUTH, RANGE 1 EAST
SALT LAKE BASIN AND MORGAN
PLANNING COMMISSION PROPERTY ALUMINUM CAP
ELEVATION = 8118.0





SALT LAKE CITY
 45 W. 10000 S., Suite 500
 Sandy, UT 84070-8229
 Phone: 801.255.4449
 Fax: 801.255.4448

LAYTON
 Phone: 801.547.1100

TOOELE
 Phone: 435.843.3590

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.590.0187
 WWW.ENSIGNUTAH.COM

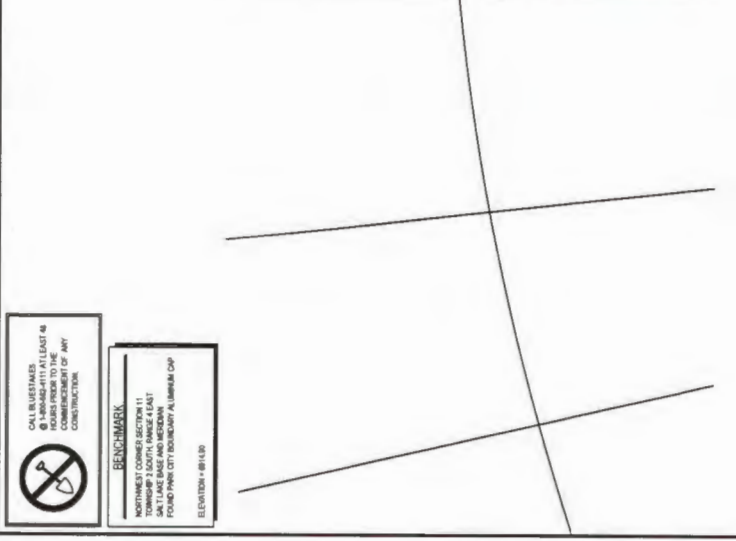
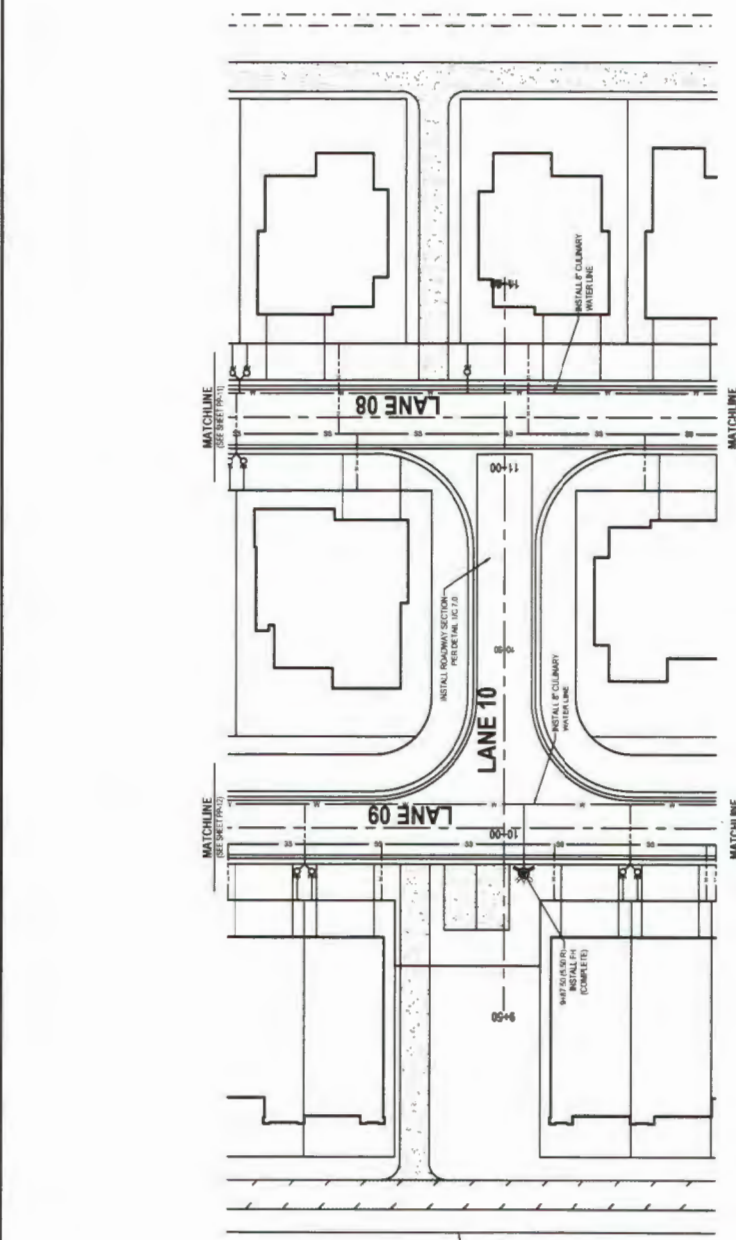
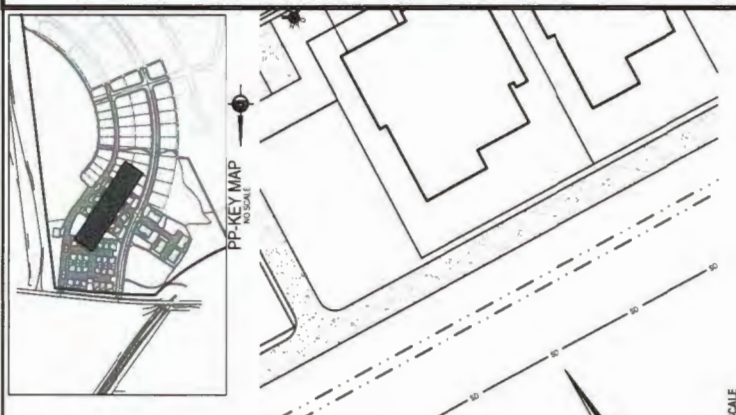
PROFESSIONAL ENGINEER
 8001 HANCOCK
 890 EAST WOODLARK LANE
 SALT LAKE CITY, UT 84117
 COMPANY: ENSIGN
 PROJECT: RICHFIELD
 PHONE: 801.255.4449
 FAX: 801.255.4448

PARK CITY HEIGHTS
 RICHARDSON FLAT ROAD
 PARK CITY, UTAH

2013-12-23 REVIEW SET

LANE 10
 PLAN & PROFILE

PP-13



CALL TO INVESTIGATE
 @ 10' HORIZONTAL AT LEAST @
 COMMENCEMENT OF ANY
 CONSTRUCTION

BENCHMARK
 1. 10' HORIZONTAL AT LEAST @
 COMMENCEMENT OF ANY
 CONSTRUCTION
 2. SALT LAKE BAGG AND MESSNER
 3. FLOODPLAIN CITY BOUNDARY
 4. BENCHMARK - 81145



SALT LAKE CITY
45 W. 1000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
WWW.ENSIGNUTAH.COM

BY: MARY HONES
391 EAST WOODLAND LANE
SALT LAKE CITY, UT 84147

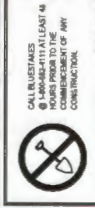
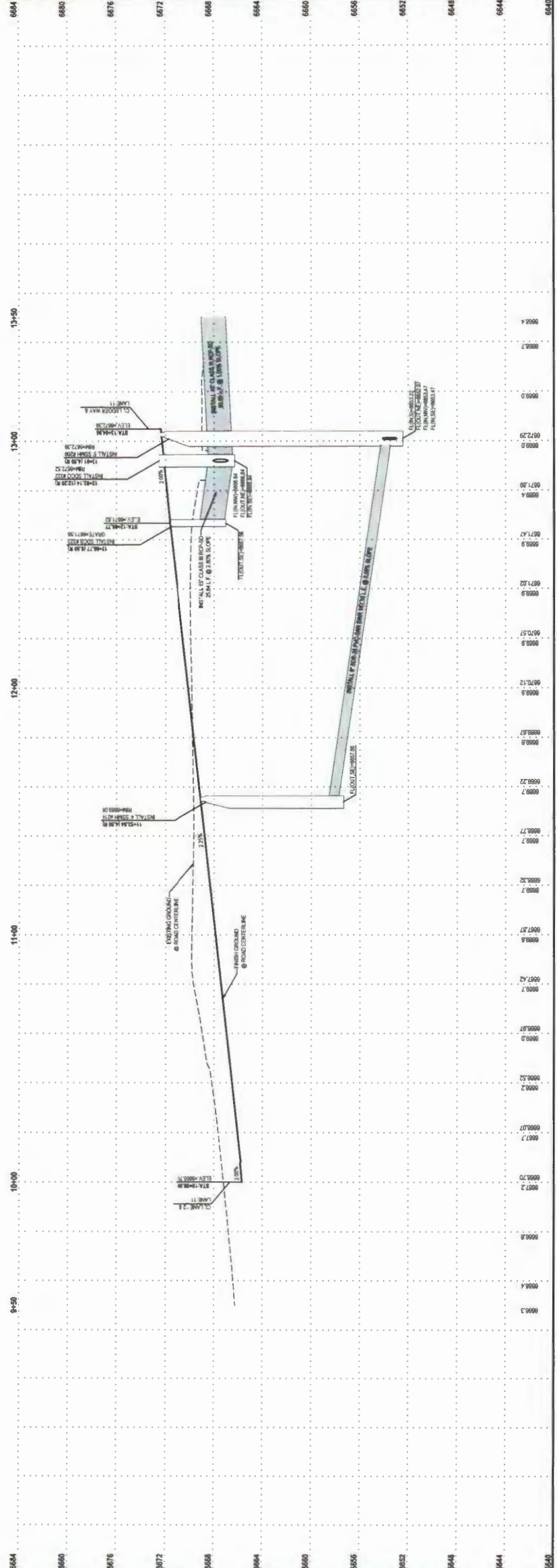
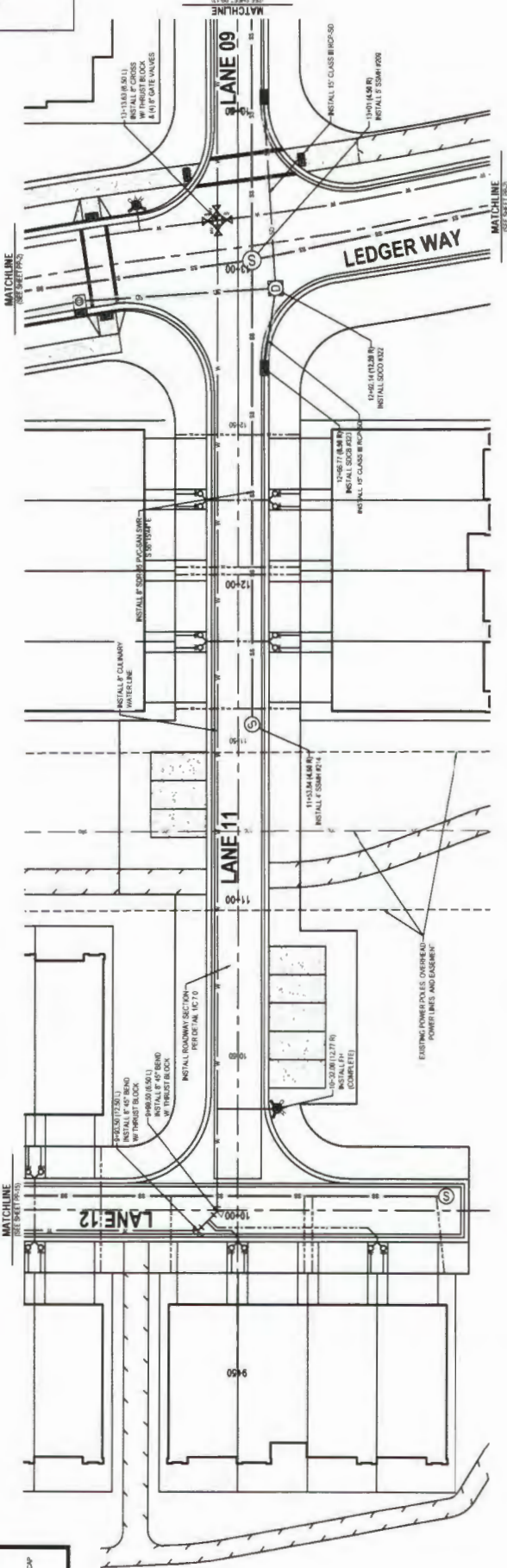
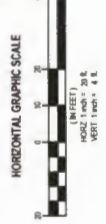
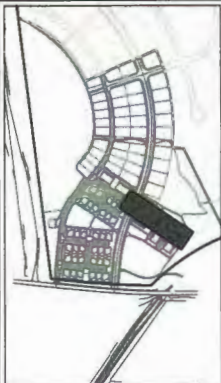
DATE: 01/20/11
PHONE: 801.529.8191
FAX:

PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

LANE 11
PLAN & PROFILE

PP-14



CALL BENCHMARKS @ 1:4000 SCALE TO VERIFY ELEVATION AT COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
TOWNSHIP 2 SOUTH, RANGE 10 EAST
SOUTH 1/4 SECTION 14, T40N R10E
ELEVATION: 6664.88



SALT LAKE CITY
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Fax: 801.255.4449

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Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187
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FOR MORE INFORMATION CONTACT:
SALT LAKE CITY URBAN 17
SANDY URBAN 17
TOOELE URBAN 17
RICHFIELD URBAN 17
WWW.ENSIGNUTL.COM

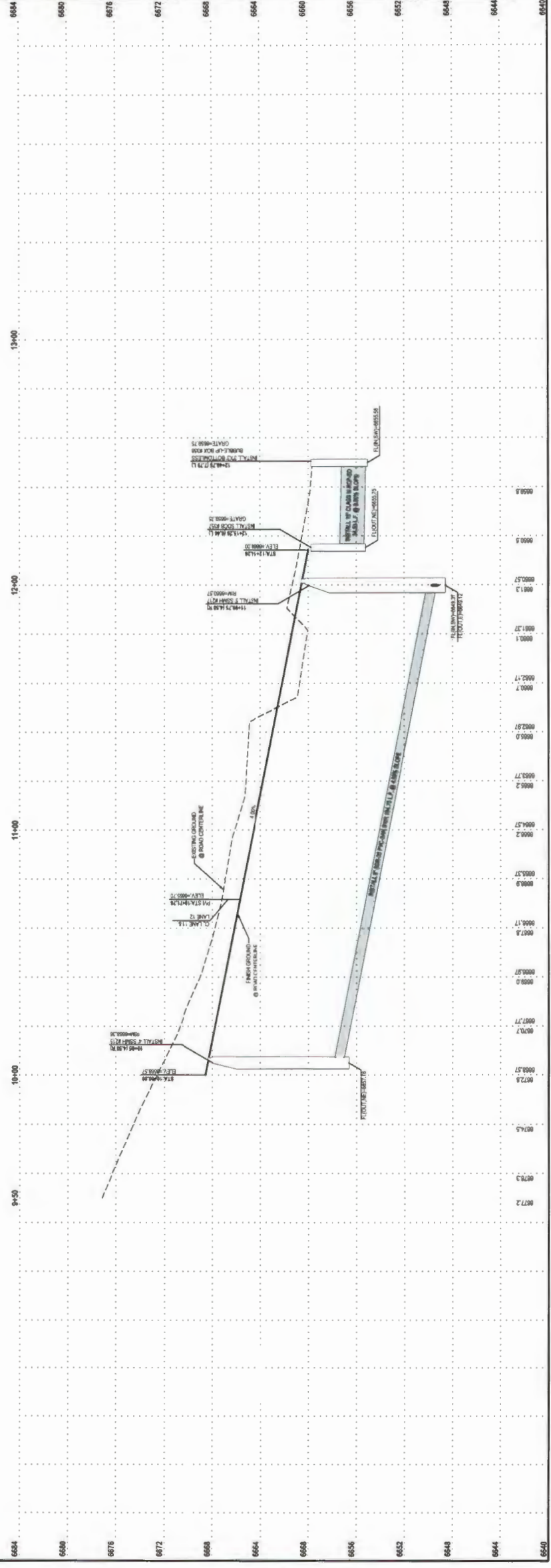
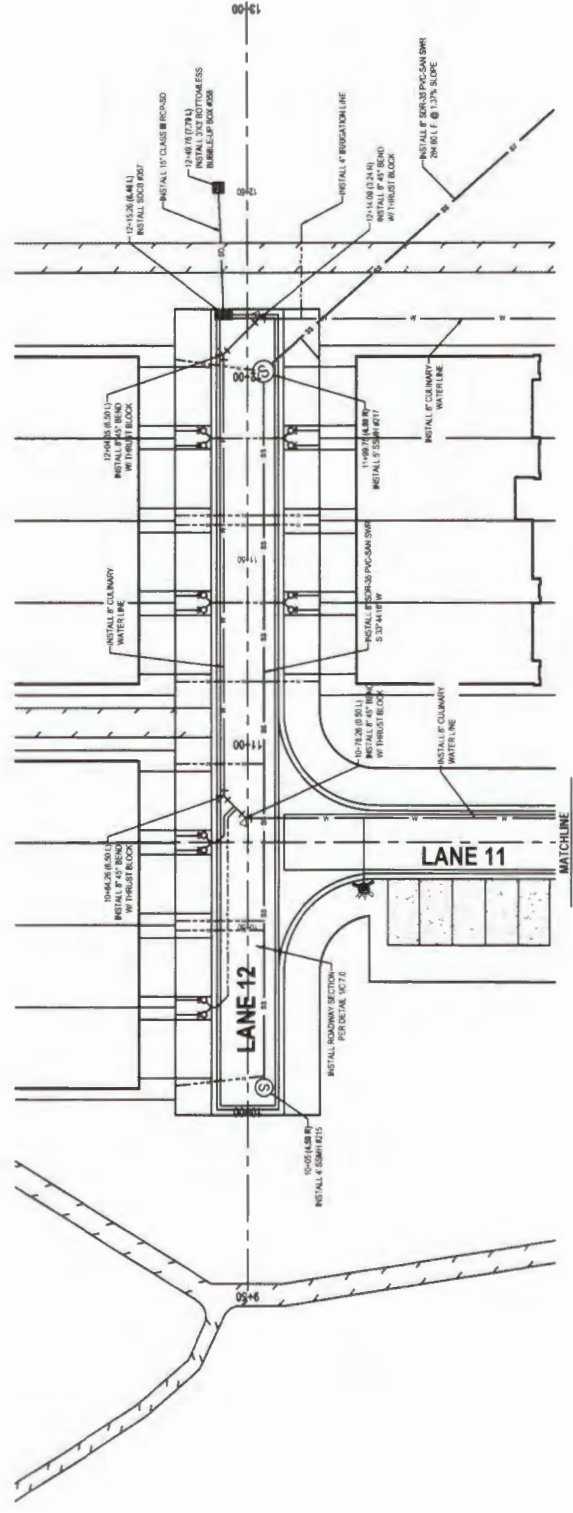
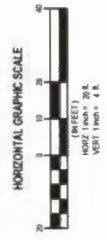
PARK CITY HEIGHTS
RICHARDSON FLAT ROAD
PARK CITY, UTAH

2013-12-23 REVIEW SET

LANE 12
PLAN & PROFILE

DATE: 12/23/13
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

PP-15



CALL & VERIFY
ALL UTILITIES AT LEAST 48 HOURS BEFORE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
BENCHMARK LOCATION: [Location]
ELEVATION: [Elevation]

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Green Park Cohousing
Authors: Francisco Astorga, Planner
Anya Grahn, Historic Preservation Planner
Project Number(s): PL-13-01831
Date: February 12, 2014
Type of Item: Administrative - Conditional Use Permit Application

Summary Recommendations

Staff recommends that the Planning Commission review the proposed Conditional Use Permit request at 1450 / 1460 Park Avenue and consider approving it based on the findings of fact, conclusions of law, and conditions of approval as found in this staff report.

Description

Applicant: Green Park Cohousing represented by Jeff Werbelow
Architect: Craig Elliott, Elliott Workgroup Architecture
Location: 1450 / 1460 Park Avenue
Zoning: Historic Residential Medium Density (HRM) District
Adjacent Land Uses: Residential condominiums, as well as park and open space
Reason for Review: Conditional Use Permits require Planning Commission review and approval.

Proposal

The proposed project consists of ten (10) residential units including eight (8) units within the proposed multi-unit dwelling and one (1) unit in each of the two (2) existing historic structures facing Park Avenue. The proposed multi-unit dwelling is sited behind the two (2) existing historic structures.

The proposal requires a Conditional Use Permit (CUP) as a Multi-Unit Dwelling as a conditional use in the HRM District. The LMC also indicates that for additions to Historic Buildings and new construction on sites listed on the Historic Sites Inventory and in order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback upon approval of a CUP.

The applicant will have a minimum of six (6) units being sold at or below affordable levels, 80% of AMI (average mean income). At least one (1) unit will be sold at an attainable level (120% of AMI). The remaining three (3) units will be sold at market rates. Prospective buyers of affordable or attainable units must show through an income/asset test that they are eligible at stated income levels. Those units will also be deed restricted at 3% annual appreciation.

Background

In 2009, Park City Municipal Corporation (the City) purchased the properties at 1450 / 1460 Park Avenue with Lower Park Redevelopment Agency funds with the intent of an eventual affordable housing project. A Request for Proposal (RFP) was sent out in 2011 to solicit bids for the property and the bidding process was completed in early 2012. In March 2012, the City Council directed Staff to proceed with negotiations with Green Park Cohousing, LLC on the purchase of the property following their selection in the RFP process. The two sites are listed on Park City Historic Sites Inventory as Significant sites.

On February 7, 2013, the City received a Plat Amendment, a CUP, and Historic District Design Review (HDDR) applications. The HDDR and Plat Amendment applications are concurrently being reviewed by Staff. On March 15, 2013, these applications were deemed complete as all the submittal requirements were fulfilled.

A Planning Commission work session was held on May 8, 2013, to discuss the project. Many adjacent property owners at the Struggler Building shared their concerns with the proposed project regarding density, parking along Sullivan Road, compliance with the Historic District Design Guidelines, etc. See Exhibit D. The applicant explained that raising the structures was necessary because of their location in the flood plain; furthermore, the developers have elected to keep contaminated soil on site due to the expense of moving contaminated soils to Tooele, Utah. The Planning Commission commented on vehicle access off Sullivan Road including City Park access during the summer, west elevation treatment as a secondary façade, history of Sullivan Road, new construction compatibility, addressing snow storage and trash, and flat roofs regarding open space.

Another Planning Commission work session was held on June 26, 2013. During this meeting the Planning Commission addressed open space requirements relating to flat roofs, usable open space and how it is defined, parking requirements regarding parking lots/driveways; and Sullivan Road Access criteria outlined in the LMC. During this meeting public input was also shared. See Exhibit E.

In September 2013 the Planning Commission and City Council amended the LMC in the HRM District, which affected this site. The HRM District is bifurcated by the Park Avenue street corridor and consists of a diverse mix of residential housing, ranging from historic single family dwellings to multi-unit condominiums. In order to encourage the rehabilitation of existing historic structures, provide for affordable housing, and create new development along an important corridor that is compatible with historic structures in the surrounding area, the City amended the LMC HRM District affecting open space requirements for multi-unit dwellings, setbacks affecting historic structures and sites, and Sullivan Road Access regarding affordable housing requirements.

Purpose

The purpose of the Historic Residential Medium Density (HRM) District is to:

- A. allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- B. encourage new Development along an important corridor that is Compatible with Historic Structures in the surrounding Area,
- C. encourage the rehabilitation of existing Historic Structures,
- D. encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- E. encourage Affordable Housing,
- F. encourage Development which minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas, and
- G. establish specific criteria for the review of Neighborhood Commercial Uses in Historic Structures along Park Avenue.

Analysis

Section I: Conditional Use Permit Review - LMC § 15-2.4-3

LMC § 15-2.4-3 indicates that the Planning Director shall review any CUP Application in the HRM District and shall forward a recommendation to the Planning Commission regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites. The Planning Director is making a positive recommendation to the Planning Commission as outlined below. The Planning Commission shall review the Application according to CUP criteria set forth in LMC § 15-1-10, as well as the following:

- A. Consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites. **Complies.**

This project is consistent with the Design Guidelines for a number of reasons:

- *The historic structures at 1450 and 1460 Park Avenue will be used as they were historically. The applicant will remove non-historic additions that do not contribute to the historical significance of the structures, and missing historic elements that have been lost will be reproduced based on physical and photographic evidence. The applicant intends to assess the size of historic window and door openings once the asbestos siding has been removed. Deteriorated and damaged historic elements will be repaired, rather than replaced, based on recognized preservation methods.*
- *As proposed, the applicant has provided approximately nine feet (9') of separation between the two (2) historic structures and the new multi-unit dwelling. Deciduous trees will be planted to provide additional shielding of the new structure behind the historic structures, and limit its visibility from the Park Avenue right-of-way. This will help preserve the spatial relationships that characterize these two (2) historic sites.*

- *Staff finds that the applicants' intent to alter the topography of the site by three feet (3') with infill and raising the historic structure at 1460 Park Avenue more than two feet (2') will not substantially change the historic context of the site.*
- *The contemporary design of the new multi-unit dwelling does not radically conflict with the character of Park City's historic sites. The exterior elements of the new development—roofs, entrances, eaves, windows, and doors, are of human scale and are compatible with neighboring historic sites.*
- *Moreover, the Design Guidelines support locating parking areas within the rear yard. Staff finds that the parking area's location along Sullivan Road will not detract from the two (2) historic structures and is in keeping with the Design Guidelines. Trees and shrubs will be planted to buffer these driveways and parking spaces.*

- B. The Applicant may not alter the Historic Structure to minimize the residential character of the Building. **Complies.**

The applicant does not propose to alter the historic structures on site but to rehabilitate the two (2) so that non-contributing historic elements are removed. The residential character of the buildings will remain. Both structures will be used as individual co-housing units.

- C. Dedication of a Façade Preservation Easement to assure preservation of the Structure is required. **Complies as conditioned.**

Staff will recommend a condition of approval of the CUP that will indicate that the dedication of a Façade Preservation Easement for the two (2) existing historic structures shall be filed with the City to assure preservation of both of the aforementioned historic structures.

- D. New Buildings and additions must be in scale and Compatible with existing Historic Buildings in the neighborhood. Larger Building masses should be located to rear of the Structure to minimize the perceived mass from the Street. **Complies.**

The surrounding neighborhood contains historic and non-historic dwellings. Many of the historic residential structures have out-of-period additions constructed prior to the adoption of the 2009 Design Guidelines. To the north and south of the property, large multi-unit dwellings exist.

The multi-unit co-housing dwelling complements the mass and scale of the two (2) historic cottages, while not directly imitating the existing historic structures.

The Design Guidelines also specify that the scale and height of new structures should follow the predominant pattern of the neighborhood with special consideration given to Historic Sites; moreover, the size and mass of the structure should be compatible with the size of the property so that lot coverage, building bulk, and mass are compatible with Historic Sites in the neighborhood.

The size, mass, and height of the new construction, as well as its proximity to the historic cottages, will not overwhelm the historically significant structures. On the north wing, the design steps down to meet the height of the historic structures and the use of glazing creates greater transparency in the design. The massing of the new structure is proportional to that of the historic structures. Furthermore, window and door opening visible from the Park Avenue right-of-way will be similar in scale to those on the historic structures at 1450 and 1460 Park Avenue.

Greater separation between the historic structures and the new construction has been provided. Staff finds that the increased separation of approximately nine feet (9') will provide greater differentiation between the two (2) structures as well as be more sympathetic to the historic integrity of the structures. Additional landscaping and trees will further isolate the historic structures from the new development and preserve the look and feel of the historic residential structures from the Park Avenue right-of-way.

- E. Parking requirements of Section 15-3 shall be met. The Planning Commission may waive parking requirements for Historic Structures. The Planning Commission may allow on-Street parallel parking adjacent to the Front Yard to count as parking for Historic Structures, if the Applicant can document that the on-Street Parking will not impact adjacent Uses or create traffic circulation hazards. A traffic study, prepared by a registered Engineer, may be required.

The applicant intends to provide six (6) garage parking spaces at the rear of the property, facing Sullivan Road. An additional two (2) parking spaces are requested adjacent to the driveways leading to the garages. The two (2) existing Park Avenue parking spaces are to remain:



§ 15-3, see each individual subsection for specific analysis under Section II: Off-Street Parking.

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

All of the vegetation will be either removed or affected by construction. The applicant shall submit a landscape plan in conjunction to the Historic District Design Review which is currently being reviewed by the Planning Department and shall mitigate the impacts of removed or removed vegetation.

- G. Required Fencing and Screening between commercial and Residential Uses is required along common Property Lines. **Not Applicable.**

The applicant does not change the use of the site from residential. The site is surrounded by residential uses except for off Sullivan Road where the City Park is located.

- H. All utility equipment and service Areas must be fully Screened to prevent visual and noise impacts on adjacent Properties and on pedestrians. **Complies as mitigated.**

The exact location of utility equipment has not been identified yet. This is normally completed at building permit stage. The site shall be required to meet this criterion to prevent visual and noise impacts on adjacent Properties and on pedestrians.

Section II: Off-Street Parking - LMC § 15-3

LMC § 15-3-3 General Parking Area and Driveway Standards

A. Grading and Drainage. **Complies as conditioned.**

The City Engineer shall review and approve all appropriate grading and drainage plans for compliance with the City Standards precedent to building permit issuance. Grading and drainage shall comply with LMC § 15-3-3(A). According to the City Engineer, the submitted concepts do not address drainage; however, it appears that the site may be able to take water out to Park Avenue storm drain or it may be accommodated on site.

B. Surfacing. Parking Areas and driveways must be Hard-Surfaced, maintained in good condition, and clear of obstructions at all times.
Complies.

The current plans call for concrete parking areas/driveways.

C. Parking Area Lighting. **Not Applicable.**

If the owner requests to add parking area lighting in the future it shall comply with any applicable criteria outlined within this specific provision.

D. Parking Area Landscaping.

1. Size of parking area. A parking area is defined as five (5) spaces or more. Underground parking or parking structures are excluded from these provisions.

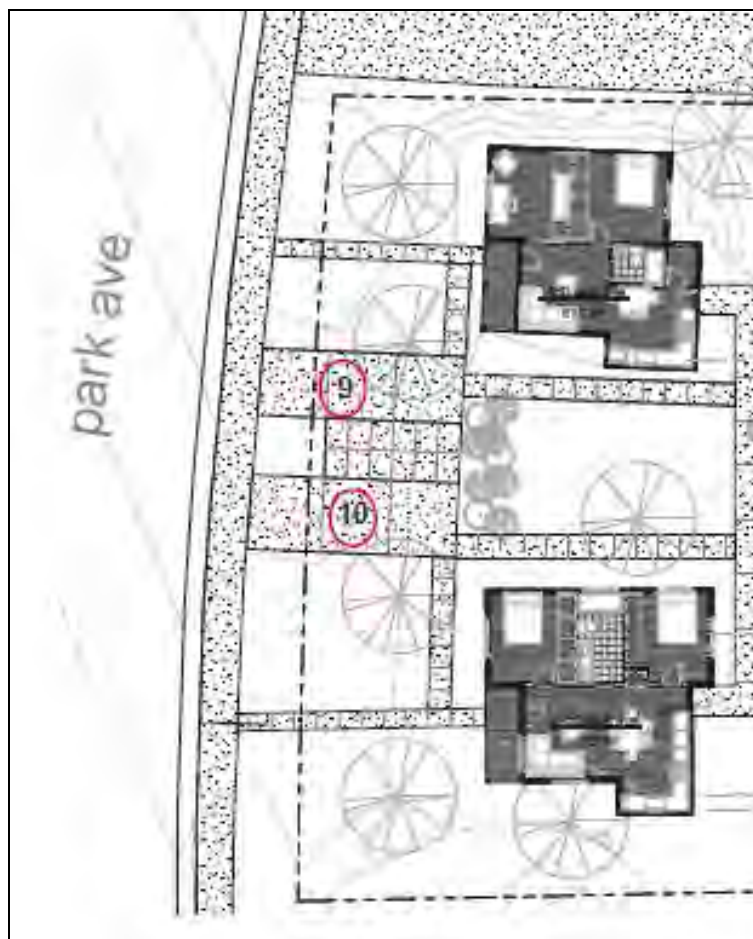
The applicant intends to provide six (6) garage parking spaces at the rear of the property, facing Sullivan Road. An additional two (2) parking spaces are requested adjacent to the driveways leading to the garages. The two (2) existing Park Avenue parking spaces are to remain.

The applicant has noted that the layout the rear of the site does not contain a parking area of 5 or more parking spaces due to the fact that as shown below, there are six (6) driveways and two (2) parking spaces (parking space no. 1 and no. 2). After careful consideration, including the newest layout shown below, the Planning Department agrees with this assessment; however, it needs to be noted that the City Engineer, does consider this layout a parking area containing 5 or more parking spaces:



From north to south, the proposed design intends to have an approximately 7' landscaped area, a 9' parking space, an 18' double driveway, a 7.5' landscape area, an 18' double driveway, a 9' parking space, and a 6' landscaped area.

The front Park Avenue area contains two (2) parking spaces:



2. Calculation of parking area. The parking area includes all spaces, aisles, and drives, as defined by the top-back of curb or edge or pavement.

For calculation of parking area, see section LMC 15-3-6 Parking Ratio Requirement for Specific Land Use Categories below.

3. Interior landscaping requirements in the GC, RCO, CT, and LI Zoning Districts. **Not applicable.**

The site is not located within these Zoning Districts.

4. Interior Landscaping in other Zones. Parking should generally be located to the rear of Buildings or screened so it does not dominate the Streetscape. Landscaped areas shall generally not be less than five feet (5') wide. **Complies.**

The applicant proposes to locate two (2) parking spaces accessed from Park Avenue and in existing location. Two (2) other parking spaces are located behind the building off Sullivan Road. The applicant proposes four (4) landscaping areas adjacent to the driveway/parking spaces. From north to south, these areas are as follows: 7', 7.5', 7.5', and 6'.

5. Perimeter Landscaping. **Not applicable in the Historic District.**

E. Snow Storage.

Where parking availability will be affected by weather conditions, the Owner must provide adequate non-Hard Surfaced and landscaped snow storage Areas. Said snow storage Areas must be on-Site and equivalent to fifteen percent (15%) of the total Hard-Surfaced Area; including, Parking Spaces, aisles, driveways, curbing, gutters, and sidewalks adjacent to each surface Lot in a usable, readily accessible location. Landscaping of these Areas shall accommodate snow removal and storage on-Site.

Complies.

The site contains approximately 1,541 square feet of total hard-surfaced areas. The 425 square feet of interior landscaped areas equates to 27.8% of readily accessible snow storage.

F. Parking Space Dimensions.

1. [Exterior] Parking Spaces must be at least nine feet (9') wide by eighteen feet (18') long. **Complies.**

The six (6) exterior spaces in or adjacent to the driveways comply with this requirement, measuring ten feet (10') by twenty-five (25'). The four (4) remaining exterior spaces measure nine feet (9') by eighteen feet (18').

2. ADA Parking Space width requirements vary and shall be consistent with current International Building Code standards.

Complies as conditioned.

The applicant shall work with the Building Department towards ADA parking space width requirements.

G. Street Access and Circulation.

Off-Street Parking Areas must have unobstructed Access to a Street or alley. The Parking Area design for five (5) or more vehicles must not necessitate backing cars onto adjoining public sidewalks, parking strips, or roadways. With the exception of permitted Tandem Parking, Parking Spaces shall be independently accessible and unobstructed. **Complies.**

The existing parking layout requires that two (2) vehicles back up onto Park Avenue. The applicant requests to keep these two (2) parking spaces. The proposed parking layout towards the rear of the site has access to Sullivan Road which then takes the vehicles to either Park Avenue or Deer Valley Drive. Sullivan Road is not considered by the City, including the City Engineer a public street. It's considered an internal drive for City Park and also an area to accommodate parking for the park. The Sullivan Road City Park parking is also designed to back onto Sullivan Road.

H. Driveway Widths and Spacing.

Residential Multi-unit dwellings and five (5) or more parking spaces require a minimum driveway width of eighteen feet (18'). The maximum driveway width is thirty feet (30'). **Complies.**

From north to south the driveway widths are 27', 18', and 27', respectively.

In the Historic District, a minimum of ten feet (10') Spacing between driveways is recommended. Shared driveways are strongly recommended.

The northern-most driveway is eight feet (8') from the existing driveway of the Struggler Building. The other three (3) driveways are separated by a landscaped area of five feet (7.5') in width. These driveway widths are all less than the recommended minimum ten feet (10') of separation; however, this is a recommendation and not a standard. Staff finds that the provided provide spacing is appropriate.

I. Tandem Spaces.

Parking designs, which necessitate parking one (1) vehicle directly behind another, not perpendicular to each other, are permitted only for Single Family Dwellings, Accessory Apartments, and Duplex Dwellings in all zoning districts. In any Zoning District where the Front Yard is twenty feet (20') or less, both Parking Spaces must be perpendicular to the Street, unless there is an adequate landscaped buffer between the Street and Parking pad, subject to review by the Planning Director.

LMC § 15-2.4-8(A) further clarifies that Tandem Parking is allowed in the Historic District. **Not applicable.**

Tandem parking is not requested.

J. Clear view of Intersecting Streets.

In all Zoning Districts, no obstruction is allowed in excess of two feet (2') in height above Street Grade on any corner Lot within the Site Distance Triangle.

A reasonable number of trees with lower branches pruned to six feet (6') to permit automobile drivers and pedestrians an unobstructed view of the intersection may be allowed by Administrative Permit. **Not applicable.**

K. Signs. **Not applicable.**

The applicant does not request any signage. Any future signs will be required to meet the sign code (Title 12 of the LMC).

L. Permit.

A Building Permit is required for construction of all non-bearing concrete flatwork, asphalt, and/or any Impervious Surface, regardless of area or amount of paving. This includes any repairs, alterations, modifications, and expansion of existing flatwork. **Complies as mitigated.**

Any work described herein shall be subject to its appropriate permit with the City.

LMC § 15-3-4 Specific Parking Area and Driveway Standards for [...] Parking Areas with 5 or more space, [...]. **Not applicable.**

B. Parking Areas with Five (5) or More Spaces:

1. All Parking Lots shall maintain the required Front and Side Yard as would be required for any Structure.
2. Wherever a Parking Lot or driveway to a Parking Lot is proposed to abut a Residential Use, the Applicant must Screen the Lot or drive.
3. Adjacent driveways must be separated by an island of the following widths: Multi-Unit Dwelling a minimum width of eighteen feet (18'); Commercial a minimum width of twenty-four feet (24').
4. Driveways must be at least ten feet (10') from any intersecting Right-of-Way (ROW).
5. A geotechnical report must be submitted to the City Engineer providing recommendations on Parking Lot design and construction parameters.

As indicated by the applicant and as shown on the exhibit below the applicant does not request to provide five or more parking spaces. As they designed the parking off Sullivan Road to have six (6) garages and two (2) parking spaces next to the driveways leading to the garages:



The end of LMC § 15-3-4 indicates that the City Engineer may approve minor spacing and width deviations. At this time no deviations have been made by the City Engineer.

LMC § 15-3-5 [...] Private driveways within unbuilt [...] Streets. Not Applicable.

LMC § 15-3-6 Parking Ratio Requirement for specific Land Use Categories.

This section requires the following parking spaces per the size of each unit as found on the table below:

Use: Multi-Unit Dwelling	Parking Ratio (no. of spaces)
Apartment/ Condominium not greater than 1,000 sf. floor Area	1 per Dwelling Unit
Apartment/ Condominium greater than 1,000 sf. and less than 2,000 sf. floor Area	1.5 per Dwelling Unit
Apartment/ Condominium 2,000 sf. floor Area or greater	2 per Dwelling Unit

The site contains the corresponding unit size and parking ratio:

Unit	Size of unit	Parking Ratio
A	1,111 sf.	1.5

B	623 sf.	1.0
C	623 sf.	1.0
D	622 sf.	1.0
E	760 sf.	1.0
F	1,188 sf.	1.5
G	1,443 sf.	1.5
H	1,439 sf.	1.5
1450 Park Ave.	675 sf.*	-
1460 Park Ave.	611 sf.*	-
Total no. of parking spaces		10

*LMC § 15-2.4-6 indicates that Historic Structures that do not comply with Off-Street parking are valid Non-Complying Structures.

The LMC requires a minimum of ten (10) parking spaces. **Complies.**

The applicant intends to provide six (6) garage parking spaces at the rear of the property, facing Sullivan Road, two (2) parking spaces adjacent to the driveways leading to the garages, and the two (2) existing Park Avenue parking spaces.

LMC § 15-3-7 Parking in Master Planned Developments and CUPs.

In MPDs and in review of CUPs, the initial parking requirement is determined by referring to the requirements for the Use and the underlying zone. The Planning Commission may reduce this initial parking requirement to prevent excessive parking and paving. The Applicant must prove by a parking study that the proposed parking is adequate. **Not requested.**

The applicant does not request a parking reduction.

LMC § 15-3-8 Parking in the Historic District.

To encourage the location of parking in the Rear Yard and/or below Grade, the City allows common driveways along shared Side Yards to provide Access to parking if the Owner restricts the deeds to both Properties to preserve the shared drive in perpetuity. **Not requested.**

The applicant does not request the use of common driveway along shared side yards.

LMC § 15-3-9 Bicycle Parking Requirements.

New construction of Multi-Unit Dwellings must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. **Complies as conditioned.**

Staff recommends that the applicant provides at least three (3) bicycle parking spaces.

LMC S 15-3-10 Off-street Loading spaces. **Not Applicable.**

Section III: Standard Conditional Use Review Criteria - LMC § 15-1-10(E)

Per LMC § 15-1-10(E) Review, the Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use mitigates impacts of and addresses the following items:

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

The existing site is 18,294.438 square feet (0.42 acres). The proposal consists of ten (10) units, including the two (2) historic structures, which require a minimum lot area of 11,625 square feet. In terms of density, staff finds that the area is suitable for the number of units proposed.

The existing site is located on Park Avenue, which is a major residential collector street. The site is immediately surrounded by multi-family dwellings; however, there are a number of single-family historic structures within this neighborhood. The City Park is adjacent to the site to the east.

2. Traffic considerations including capacity of the existing Streets in the Area. **No unmitigated impacts.**

To lessen traffic congestion along Park Avenue, the applicants have chosen to locate most of the parking at the rear of the lot along Sullivan Road.

3. Utility capacity, including Storm Water run-off. **No unmitigated impacts.**

The applicant will have to accommodate the necessary utility capacity for a functioning project. The applicant is responsible for making these necessary arrangements. The applicant shall also be accountable for working with the many utility companies and City Engineer related to utility capacity. The utility capacity shall not adversely affect the project in a way that causes an unreasonable aesthetic look and feel.

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

Emergency vehicles can easily access the project off Park Avenue and/or Sullivan Road and no additional access is required.

5. Location and amount of off-Street parking. **Complies as mitigated.**

Please refer to Section II: Off Street Parking above - LMC § 15-3.

6. Internal vehicular and pedestrian circulation system. **No unmitigated impacts.**

The applicant requests that most of the direct access to the site come from Sullivan Road. There are two (2) existing parking spaces off Park Avenue that the applicant requests to keep on site.

7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses. **Complies as conditioned.**

Fencing, screening, and landscaping have not been proposed. Staff does not recommend adding fencing and screening. The landscape plan landscaping through the project. The landscape plan calls for four (4) trees along each landscaping area adjacent to Sullivan Road which helps breaking up the three (3) driveways on this Road. Staff recommends that these four (4) trees to have a four inch (4") diameter breast height (DBH) caliper.

8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots. **No unmitigated impacts.**

The surrounding neighborhood contains historic and non-historic dwellings. Many of the historic residential structures have out-of-period additions constructed prior to the adoption of the 2009 Design Guidelines. To the north and south of the property, large multi-unit dwellings exist.

Due to the approximately nine feet (9') of separation between the historic cottages and the new multi-unit dwelling, much of the bulk and mass of the new construction will be hidden from view from the public right-of-way. As previously described, the design steps down on the north wing, creating a second level patio area that creates a transition in height from the historic cottages to the two (2) story new development. The use of glazing to create greater transparency also breaks up the massing of the structure. Moreover, much of the new development will be screened with landscaping to provide greater visual separation between the historic structures and the new multi-unit building. Due to this increase in separation, the proximity of the new structure no longer appears to overwhelm the historically significant structures at the front of the property, adjacent to Park Avenue.

9. Usable Open Space. **No unmitigated impacts.**

Please refer to Section IV: LMC § 15-2.4-5 - Special Requirement for Multi-Unit Dwellings, open space.

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

No signs and lighting are associated with this proposal. All future lighting will be subject to the LMC development standards related to lighting and will be reviewed for compliance with the LMC and Design Guidelines at the time of the building permit review. Any existing exterior lighting will be required, as part of this application, to be brought up to current standards.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing. **No unmitigated impacts.**

The surrounding neighborhood contains historic and non-historic dwellings. Many of the historic residential structures have out-of-period additions constructed prior to the adoption of the 2009 Design Guidelines. To the north and south of the property, large multi-unit dwellings exist.

As previously noted, the mass and scale of the new multi-unit dwelling reflects the smaller proportions of the massing seen on the two (2) historic structures, and much of the bulk has been mitigated by further separating the historic structures from the new development. The proposed use of materials on the new structure as well as the human scale of the window and door openings mimic those of the historic structures and create a more cohesive design.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site. **No unmitigated impacts.**

The proposed use does not provide noise, vibration, odors, steam, or other mechanical factors that are not already associated within the HRM District.

13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas. **No unmitigated impacts.**

Trash storage and recycling pick areas have been identified within the two (2) hallways extending from the courtyards toward the parking area off Sullivan Road.

14. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities. **No unmitigated impacts.**

Expected ownership of the entire project is anticipated as a single entity (the Green Park Cohousing LLC) until the applicant files a Condominium Record of Survey to be able to sell each private unit individually.

Nightly rentals are an allowed use within the District.

15. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site. **Complies as mitigated.**

The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance. The site is not on any steep slopes and the proposal is appropriate for its topography.

Section IV: Special Requirements for Multi-Unit Dwellings - LMC § 15-2.4-5

- A. The Front Yard for any Multi-Unit Dwelling is twenty (20') feet. All new Front-Facing Garages shall be a minimum of twenty-five feet (25') from the Front Property Line. All Yards fronting on any Street are considered Front Yards for the purposes of determining required Setbacks. [...] **Complies.**

The proposed front yard setback off Park Avenue is twenty feet (20').

The proposed front yard setback off Sullivan Road is twenty feet for the lower and garage level. The proposed front yard setback off Sullivan Road is fourteen feet (14') for the building at the second and third levels.

LMC § 15-2.4-6(A) indicates the following exception:

In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings and new construction on sites listed on the Historic Sites Inventory:

- (1) Upon approval of a Conditional Use permit. **Complies.**

The project complies with the CUP criteria outlined as indicated on section III of this staff report.

- (2) When the scale of the addition is Compatible with the Historic Structure. **Complies.**

As previously noted on criterion 7, section III, the mass and scale of the new multi-unit dwelling reflects the smaller proportions of the massing seen on the two (2) historic structures, and much of the bulk has been mitigated by further separating the historic structures from the new development. The proposed use of materials on the new structure as well as the human scale of the window and door openings mimic those of the historic structures and create a more cohesive design.

- (3) When the addition [or new construction] complies with all other provisions of Chapter 15-2.4 HRM of the LMC. **Complies.**

The proposed building complies with all other provisions of LMC Chapter 15-2.4 HRM District.

- (4) When the addition complies with the International Building and Fire Codes. **Complies.**

The project shall comply with applicable International Building and Fire Codes.

The front yard setback reduction off Sullivan Road shall be reduced for the current proposal. Future expansions are not anticipated as part of this review and any future additions expanding onto the minimum setback shall be reviewed by the Planning Commission as a conditional use.

- B. The Rear yard for a Multi-Unit Dwelling is ten feet (10'). [...] **Not applicable.**

This site is considered a double frontage lot per LMC 15-4-17 (D) which indicates the following: On those Lots, which border a Street on both the back and the front, both sides must have a front Setback, unless otherwise an exception by this Code.

- C. The Side Yard for any Multi-Unit Dwelling is ten feet (10'). [...] **Complies.**

The proposed multi-unit dwelling meets the minimum side yard setbacks of ten feet (10').

- D. The Applicant must provide Open Space equal to at least sixty percent (60%) of the total Site for Multi-Unit Dwellings. [...] Parking is prohibited within the Open Space. See Section 15-15 Open Space. In cases of redevelopment of existing historic sites on the Historic Sites Inventory and containing fifty percent (50%) deed restricted affordable housing, the minimum open space requirement shall be thirty percent (30%).

The LMC defines Landscaped Open Space as Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Building or Structures.

Applicant provided specific open space calculations which include the following:

Area	Size in square feet	Percentage
<i>Landscaped</i>	<i>6,920</i>	<i>37.8%</i>

<i>Walkways</i>	<i>2,766</i>	<i>15.1%</i>
Total	8,961	52.9%

*The site consists of 52.9% open space. **Complies.***

Section V: LMC § 15-2.49 - Sullivan Road Access

The Planning Commission may issue a Conditional Use permit (CUP) for Limited Access on Sullivan Road (“Driveway”). “Limited Access” allowed includes, but shall not be limited to: An additional curb cut for an adjoining residential or commercial project; paving or otherwise improving existing Access; increased vehicular connections from Sullivan Road to Park Avenue; and any other City action that otherwise increases vehicular traffic on the designated Area.

A. Criteria for Conditional Use Review for Limited access.

Limited Access is allowed only when an Applicant proves the project has positive elements furthering reasonable planning objectives, such as increased Transferred Development Right (TDR) Open Space or Historic preservation in excess of that required in the zone. **Complies.**

The applicant has shown positive elements furthering reasonable planning objectives in terms of the required affordable housing. Green Park Cohousing development satisfies a crucial need in the community—affordable housing. The applicant will have a minimum of six (6) units being sold at or below affordable levels (80% of AMI). At least one (1) unit will be sold at an attainable level (120% of AMI). Remaining units will be sold at market rates. Prospective buyers of affordable or attainable units must show through an income/asset test that they are eligible at stated income levels. Units will also be deed restricted at 3% annual appreciation.

B. Neighborhood Mandatory Elements Criteria. **Does not apply (see below).**

The Planning Commission shall review and evaluate the following criteria for all projects along Sullivan Road and Eastern Avenue:

1. Utility Considerations.
2. Enhanced Site Plan Considerations.
 - a) Variation in Front Yard and Building Setbacks to orient porches and windows onto Street fronts.
 - b) Increased Front Yard Setbacks.
 - c) Increased snow storage.
 - d) Increased Transferred Development Right (TDR) Open Space, and/or preservation of significant landscape elements.
 - e) Elimination of Multi-Unit or Triplex Dwellings.
 - f) Minimized Access to Sullivan Road.
 - g) Decreased Density.

3. Incorporation of Pedestrian and Landscape Improvements along Park Avenue, Sullivan Road, and Eastern Avenue.
4. Parking Mitigation.

C. Affordable Housing Applicability. **Complies.**

When the Development consists of fifty percent (50%) or more deed restricted Affordable Housing Units, per the City's most current Affordable Housing Resolution, Section 15-2.4-9 (B) above does not apply. *The development meets this criteria since more than 50% of the units will be deed restricted (7 out of 10) and therefore the criteria B above does not apply and access off Sullivan Road is permitted.*

Process

The applicant will have to submit a Building Permit application for the Multi-unit Dwelling and the rehabilitation of the historic structures. The applicant will also have to submit a Condominium Record of Survey application to be reviewed by the Planning Commission and reviewed and approved by the City Council. 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.

Department Review

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

Notice

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

Public Input

Adjacent property owners at the Struggler Building shared their concerns during the May 8, 2013 and June 26, 2013 Planning Commission work sessions. See Exhibit D & E, respectively. Staff has received several comments from adjacent property owners regarding the HDDR application. See Exhibit C.

Summary Recommendation

Staff recommends that the Planning Commission review the proposed Conditional Use Permit request at 1450 / 1460 Park Avenue and consider approving it based on the findings of fact, conclusions of law, and conditions of approval as found in this staff report.

Findings of Fact

1. The site is located at 1450 / 1460 Park Avenue.
2. The site is located in the HRM District.
3. The two sites are listed on Park City Historic Sites Inventory as Significant sites.

4. The proposed project consists of ten (10) residential units including eight (8) units within the proposed multi-unit dwelling and one (1) unit in each of the two (2) existing historic structures facing Park Avenue.
5. The proposed multi-unit dwelling is sited behind the two (2) existing historic structures.
6. The proposal requires a Conditional Use Permit (CUP) as the LMC lists a Multi-Unit Dwelling as a conditional use in the HRM District.
7. The LMC also indicates that for new construction on sites listed on the Historic Sites Inventory and in order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback upon approval of a CUP.
8. This project is consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites.
9. The Applicant does not alter the Historic Structures to minimize the residential character of the Building.
10. Dedication of a Facade Preservation Easement to assure preservation of the Structure is required.
11. The New Building is scale and compatible with existing Historic Buildings in the site and neighborhood and the larger building mass is located to rear of the historic structure to minimize the perceived mass from Park Avenue.
12. The yards are designed and to be maintained in a residential manner. Existing mature landscaping shall be preserved wherever possible. The Use of native plants and trees is strongly encouraged
13. All utility equipment and service Areas must be fully Screened to prevent visual and noise impacts on adjacent Properties and on pedestrians.
14. The City Engineer shall review and approve all appropriate grading and drainage plans for compliance with the City Standards precedent to building permit issuance.
15. The current plans call for concrete parking areas/driveways.
16. The applicant intends to provide six (6) garage parking spaces at the rear of the property, facing Sullivan Road. An additional two (2) parking spaces are requested adjacent to the driveways leading to the garages. The two (2) existing Park Avenue parking spaces are to remain.
17. The layout towards the rear of the site does not contain a parking area of 5 or more parking spaces due to the fact that as shown below, there are six (6) driveways and two (2) parking spaces.
18. The proposed rear parking layout design intends to have (from north to south) a 7' landscaped area, a 9' parking space, an 18' double driveway, a 7.5' landscape area, an 18' double driveway, a 9' parking space, and a 6' landscaped area.
19. The site contains approximately 1,541 square feet of total hard-surfaced areas. The 425 square feet of interior landscaped areas equates to 27.8% of readily accessible snow storage.
20. The six (6) interior parking spaces measure ten feet (10') by twenty-five (25').
21. The four (4) exterior parking spaces measure nine feet (9') by eighteen feet (18').

22. The applicant shall work with the Building Department towards ADA parking space width requirements.
23. The existing parking layout requires that two (2) vehicles back up onto Park Avenue. The applicant requests to keep these two (2) parking spaces.
24. The proposed parking layout towards the rear of the site has access to Sullivan Road which then takes the vehicles to either Park Avenue or Deer Valley Drive. Sullivan Road is not considered by the City, including the City Engineer a public street. It's considered an internal road for City Park and also an area to accommodate parking for the park. The Sullivan Road City Park parking is also designed to back onto Sullivan Road.
25. Along Sullivan Road the three (3) driveway widths range from 18' to 27'.
26. The applicant does not request to provide five or more parking spaces. As they designed the parking off Sullivan Road to have six (6) garages and two (2) parking spaces next to the driveways leading to the garages.
27. The LMC requires a minimum of ten (10) parking spaces.
28. The applicant does not request a parking reduction.
29. New construction of Multi-Unit Dwellings must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles.
30. Staff recommends that the applicant provides at least three (3) bicycle parking spaces.
31. The existing site is 18,294.438 square feet (0.42 acres). The proposal consists of ten (10) units, including the two (2) historic structures, which require a minimum lot area of 11,625 square feet.
32. The existing site is located on Park Avenue, which is a major residential collector street. The site is immediately surrounded by multi-family dwellings.
33. To lessen traffic congestion along Park Avenue, the applicants have chosen to locate most of the parking at the rear of the lot along Sullivan Road.
34. The applicant will have to accommodate the necessary utility capacity for a functioning project. The applicant is responsible for making these necessary arrangements. The applicant shall also be accountable for working with the many utility companies and City Engineer related to utility capacity. The utility capacity shall not adversely affect the project in a way that causes an unreasonable aesthetic look and feel.
35. Emergency vehicles can easily access the project off Park Avenue and/or Sullivan Road and no additional access is required.
36. The applicant requests that most of the direct access to the site come from Sullivan Road. There are two (2) existing parking spaces off Park Avenue that the applicant requests to keep on site.
37. The landscape plan calls for four (4) trees along each landscaping area adjacent to Sullivan Road which helps breaking up the three (3) driveways on this Road. Staff recommends that these four (4) trees to have a four inch (4") diameter breast height (DBH) caliper.
38. No signs and lighting are associated with this proposal. All future lighting will be subject to the LMC development standards related to lighting and will be

reviewed for compliance with the LMC and Design Guidelines at the time of the building permit review. Any existing exterior lighting will be required, as part of this application, to be brought up to current standards.

39. The proposed use does not provide noise, vibration, odors, steam, or other mechanical factors that are not already associated within the HRM District.
40. Trash storage and recycling pick areas have been identified within the two (2) hallways extending from the courtyards toward the parking area off Sullivan Road.
41. Expected ownership of the entire project is anticipated as a single entity (the Green Park Cohousing LLC) until the applicant files a Condominium Record of Survey to be able to sell each private unit individually.
42. The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance. The site is not on any steep slopes and the proposal is appropriate for its topography.
43. The Front Yard for any Multi-Unit Dwelling is twenty (20') feet.
44. All new Front-Facing Garages shall be a minimum of twenty-five feet (25') from the Front Property Line.
45. The proposed front yard setback off Park Avenue is twenty feet (20').
46. The proposed front yard setback off Sullivan Road is twenty feet for the lower and garage level. The proposed front yard setback off Sullivan Road is fourteen feet (14') for the building at the second and third levels.
47. In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback location standards for additions to Historic Buildings and new construction on sites listed on the Historic Sites Inventory:
 - a. The project complies with the CUP criteria outlined as indicated on section III of this staff report.
 - b. The mass and scale of the new multi-unit dwelling reflects the smaller proportions of the massing seen on the two (2) historic structures, and much of the bulk has been mitigated by further separating the historic structures from the new development. The proposed use of materials on the new structure as well as the human scale of the window and door openings mimic those of the historic structures and create a more cohesive design.
 - c. The proposed building complies with all other provisions of LMC Chapter 15-2.4 HRM District.
 - d. The project shall comply with applicable International Building and Fire Codes.
48. The Side Yard for any Multi-Unit Dwelling is ten feet (10').
49. The proposed multi-unit dwelling meets the minimum side yard setbacks of ten feet (10').
50. In cases of redevelopment of existing historic sites on the Historic Sites Inventory and containing fifty percent (50%) deed restricted affordable housing, the minimum open space requirement shall be thirty percent (30%).

51. The site consists of 52.9% open space.
52. The applicant will have a minimum of six (6) units being sold at or below affordable levels (80% of AMI). At least one (1) unit will be sold at an attainable level (120% of AMI).
53. The applicant has shown positive elements furthering reasonable planning objectives in terms of the required affordable housing.
54. Green Park Cohousing development satisfies a crucial need in the community—affordable housing.
55. The analysis section of this Staff Report is incorporated herein.

Conclusion of Law:

1. The proposed application as conditioned complies with all requirements of the Land Management Code.
2. The use as conditioned will be compatible with surrounding structures in use, scale, mass, and circulation.
3. The use as conditioned is consistent with the Park City General, as amended.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval shall continue to apply.
2. The Dedication of a Façade Preservation Easement for the two (2) existing historic structures shall be filed with the City to assure preservation of both of the aforementioned historic structures prior to Certificate of Occupancy.
3. The City Engineer shall review and approve all appropriate grading and drainage plans for compliance with the City Standards precedent to building permit issuance. Grading and drainage shall comply with LMC § 15-3-3(A). The site may be able to take water out to Park Avenue storm drain or it may be accommodated on site.
4. The applicant shall work with the Building Department towards ADA parking space width requirements.
5. The site shall provide at least three (3) bicycle Parking Spaces for the temporary storage of bicycles.
6. The applicant shall accommodate the necessary utility capacity for a functioning project. The applicant is responsible for making these necessary arrangements. The applicant shall also be accountable for working with the many utility companies and City Engineer related to utility capacity. The utility capacity shall not adversely affect the project in a way that causes an unreasonable aesthetic look and feel.
7. The landscape plan calls for four (4) trees along each landscaping area adjacent to Sullivan Road which helps breaking up the three (3) driveways on this Road. Staff recommends that these four (4) trees to have a four inch (4") diameter breast height (DBH) caliper.
8. The setback reduction shall be reduced for the current proposal. Future expansions are not anticipated as part of this review and any future additions

expanding onto the minimum setback shall be reviewed by the Planning Commission as a conditional use.

9. The proposed addition shall comply with all other provisions outlined in LMC Chapter 2.4 HRM.
10. The proposed addition shall comply with all application International Building and Fire Codes.

Exhibits

Exhibit A – Project Description

Exhibit B – Proposed Plans

Exhibit C – HDDR Public Comments

Exhibit D – 05.09.2013 Planning Commission Minutes

Exhibit E – 06.26.2013 Planning Commission Minutes

PROJECT DESCRIPTION

This project provides for the historic renovation of 2 existing (611 SF-one bedroom/ 675 SF-two bedroom) single story residential units fronting on Park Avenue; and for the new construction of 3 one bedroom, 1 two bedroom, 2 three bedroom, two story; and two second floor, two story, 3 bedroom residential units around a central “courtyard”. Five on Street parking spaces are available on the East side of Park Avenue and 5 garages and 8 uncovered parking spaces are accessible by Sullivan Road at the western perimeter of the Site.

The existing “historic” frontage on Park Avenue will be modified to its historic footprint, the exterior envelopes and landscape will be renewed. The scale, massing, proportion and form of the new construction units will be appropriate to the visual character of the historic district.

This project will provide affordable housing ownership for a diverse population and has convenient access to the existing community infrastructure.

There is no disparity or conflict between this projects and either the current or projected zoning or land use in this district.

The proposed residential use of this property is compatible with other use in the district.

Undue noise, glare, dust pollutants or odor are not anticipated by the proposed development and improvements.

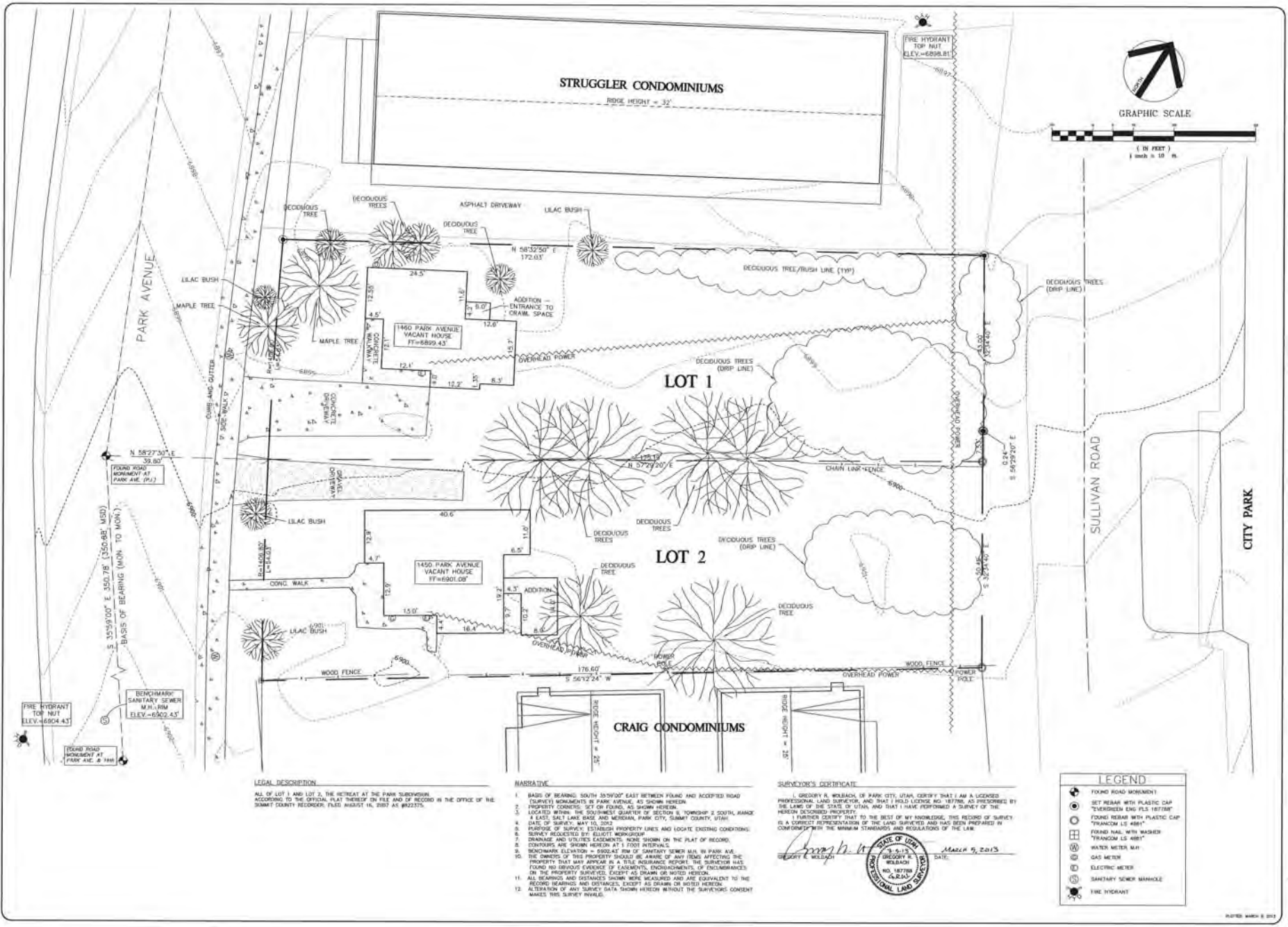
This project is intended only for normal, full-time, single family residential use and would require, no mitigation of other special issues.

green park cohousing park avenue

february 4, rev. october 25, 2013

- HDDR-001 cover sheet
- HDDR-002 survey
- HDDR-003 existing conditions
- HDDR-004 existing conditions
- HDDR-005 existing views
- HDDR-006 adjoining properties
- HDDR-007 area analysis
- HDDR-008 site plan
- HDDR-009 lower & main level floor plan
- HDDR-010 second level floor plan
- HDDR-011 third level
- HDDR-012 roof plan
- HDDR-013 elevations
- HDDR-014 elevations
- HDDR-015 sections
- HDDR-016 sections
- HDDR-017 3d views
- HDDR-018 3d views
- HDDR-019 3d views
- HDDR-020 historic building details
- HDDR-021 streetscapes
- HDDR-022 park avenue views
- HDDR-023 parking study





Evergreen Engineering, Inc.
 2240 W. 2000th Street, Suite 100, Provo, UT 84601
 Phone: 435-468-8877 Fax: 435-468-8228
 Website: www.evergreeneng.com

DATE	BY	COMMENTS



SURVEYED BY: GRW/ADM
 DRAWN BY: GRW
 CHECKED BY: GRW

PROJECT NO.: 1206

**RECORD OF SURVEY - LOT 1 & 2
 THE RETREAT AT THE PARK**

DATE: MARCH 9, 2015

BY: ELLIOTT WORKGROUP

LEGAL DESCRIPTION
 ALL OF LOT 1 AND LOT 2, THE RETREAT AT THE PARK SUBDIVISION ACCORDING TO THE ORIGINAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, FILED AUGUST 16, 2007 AS #22375.

- NARRATIVE**
1. BEARS OF BEARING: SOUTH 33°59'00" EAST BETWEEN FOUND AND ACCEPTED ROAD CORNER MONUMENTS BY PARK AVENUE, AS SHOWN HEREON.
 2. PROPERTY CORNERS: SET ON FOUND, AS SHOWN HEREON.
 3. LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.
 4. DATE OF SURVEY: MAY 10, 2015.
 5. PURPOSE OF SURVEY: ESTABLISH PROPERTY LINES AND LOCATE EXISTING CONDITIONS.
 6. SURVEY REQUESTED BY: ELLIOTT WORKGROUP.
 7. DRAINAGE AND UTILITIES EXISTENCES: NONE SHOWN ON THE PLAT OF RECORD.
 8. CONTIGUOUS ARE SHOWN HEREON AT 1 FOOT INTERVALS.
 9. BENCHMARK ELEVATION = 6902.45' RM OF SANITARY SEWER MAIN IN PARK AVENUE.
 10. THE OWNERS OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE REQUIRING REPORT. THE SURVEYOR HAS FOUND NO EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR DISCONTINUANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
 11. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT AS DRAWN OR NOTED HEREON.
 12. ALTERATION OF ANY SURVEY DATA SHOWN HEREON WITHOUT THE SURVEYOR'S CONSENT MAKES THIS SURVEY INVALID.

SURVEYOR'S CERTIFICATE

I, GREGORY R. WELLS, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187786 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THIS RECORD OF SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.

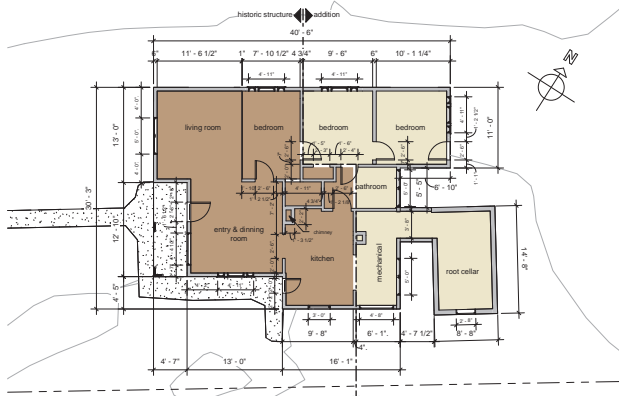
Gregory R. Wells
 GREGORY R. WELLS
 LICENSE NO. 187786
 STATE OF UTAH
 PROFESSIONAL LAND SURVEYOR

DATE: MARCH 9, 2015

LEGEND

	FOUND ROAD MONUMENT
	SET REBAR WITH PLASTIC CAP
	TRANSCON LS 481
	FOUND NAIL WITH WASHER
	TRANSCON LS 481
	WATER METER W/H
	GAS METER
	ELECTRIC METER
	SANITARY SEWER MANHOLE
	FIRE HYDRANT

PLATTED MARCH 9, 2015



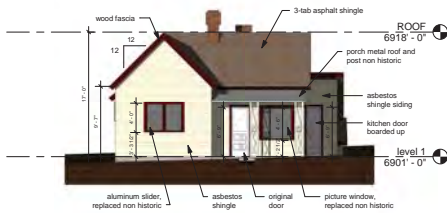
3. existing floor plan
0 4' 8' 16' 32'



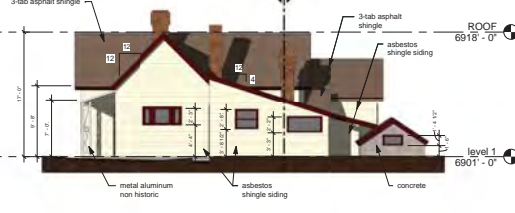
2. 1929 Sanborn
0 4' 8' 16' 32'



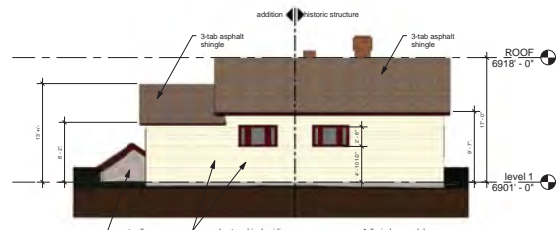
1. 1907 Sanborn
0 4' 8' 16' 32'



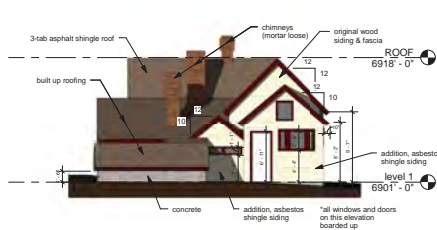
W west elevation
0 4' 8' 16' 32'



S south elevation
0 4' 8' 16' 32'

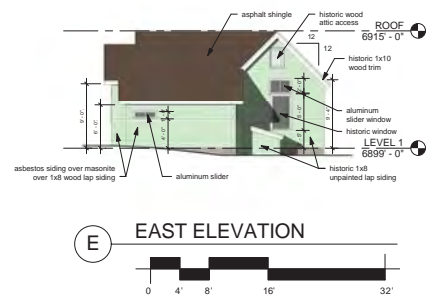
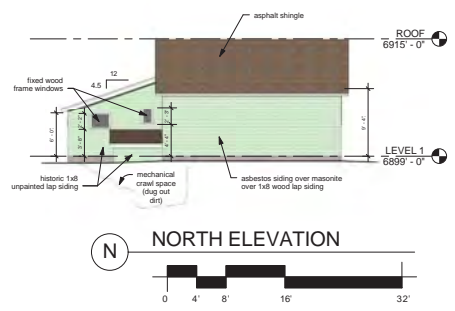
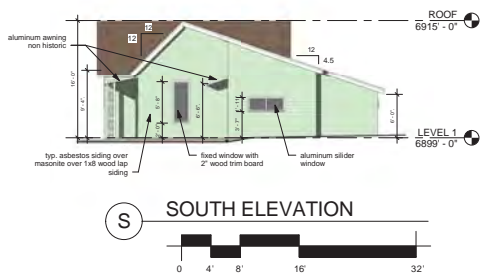
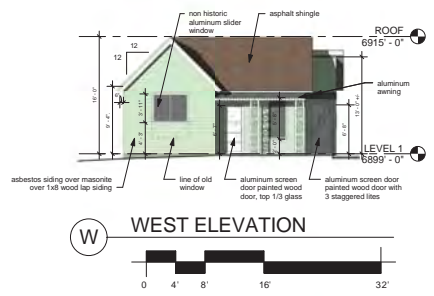
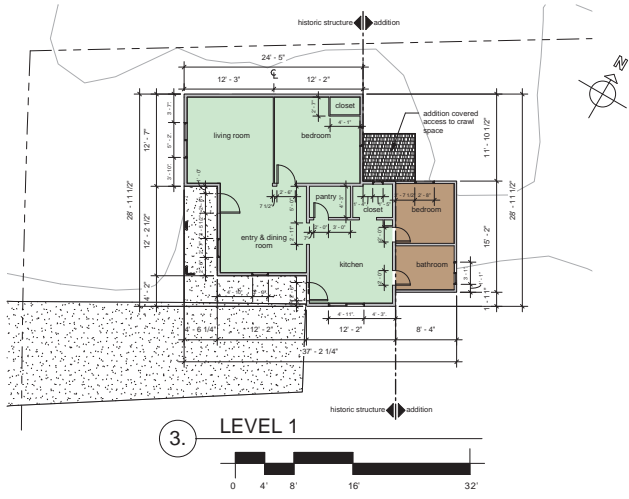


N north elevation
0 4' 8' 16' 32'



E east elevation
0 4' 8' 16' 32'





**elliott
workgroup**
architecture

existing conditions
HDDR-004
february 4, rev. october 25, 2013

green park cohousing
1460 park ave.
park city, utah 84060



① aerial view
SCALE: 1" = 50'-0"



④ view down park avenue
SCALE: N.T.S.



⑤ view up park avenue
SCALE: N.T.S.



⑥ view down sullivan road
SCALE: N.T.S.



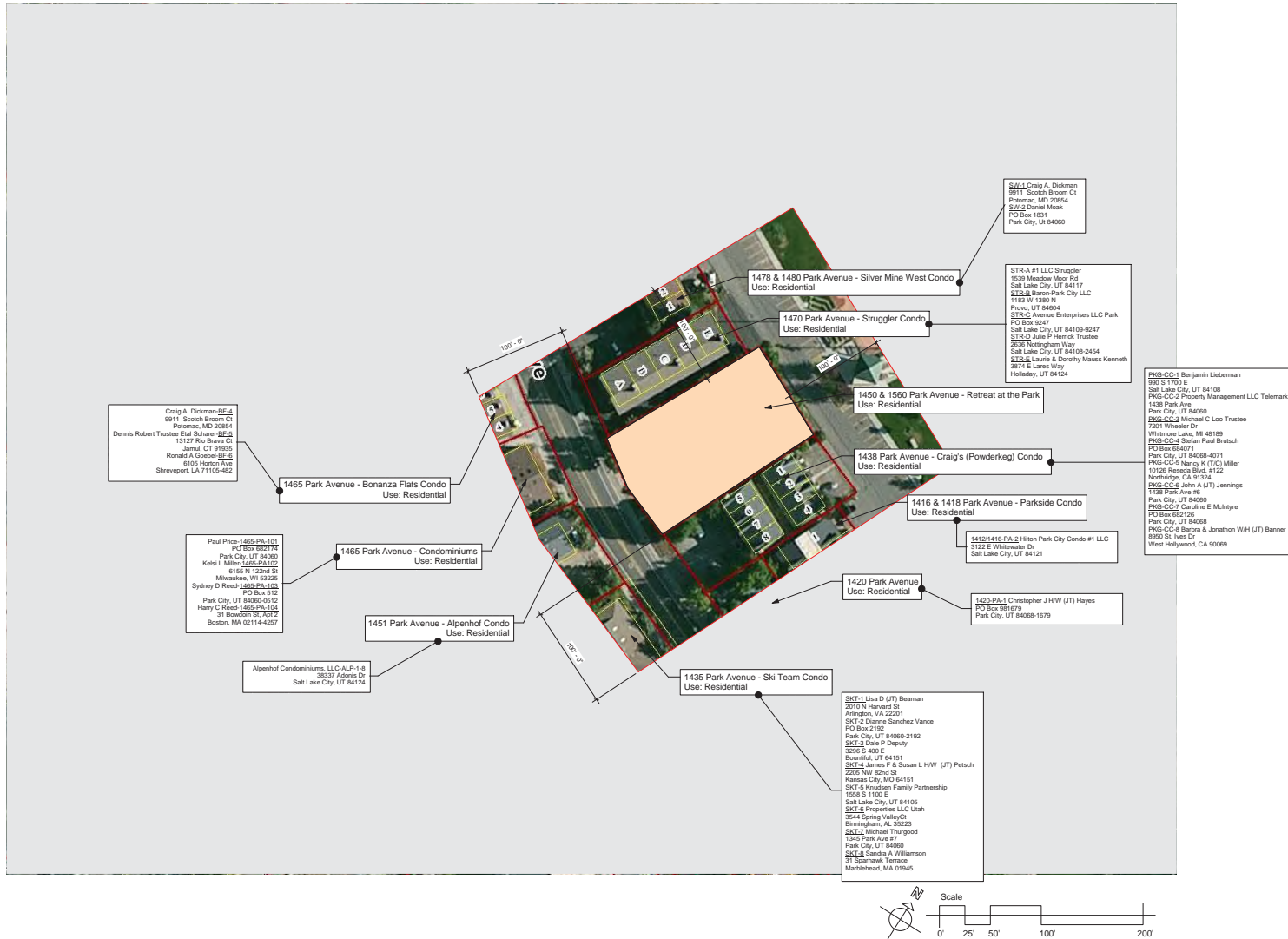
⑦ view up sullivan road
SCALE: N.T.S.



② park avenue streetscape
SCALE: N.T.S.

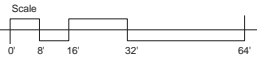


③ sullivan road streetscape
SCALE: N.T.S.





main level



second level



floor area analysis

areas schedule (gross building)			
name	level	area	comments
Area	level 1B	658 SF	
Area	level 1B	734 SF	
Area	level 1B	2340 SF	
Area	level 1B	2274 SF	
Area	level 1B	517 SF	
Area	level 2B	5961 SF	
Area	level 3C	1107 SF	
Grand total		13591 SF	

site area analysis

area schedule (site area)		
name	area SF	percentage

site area	18, 298 SF	100%
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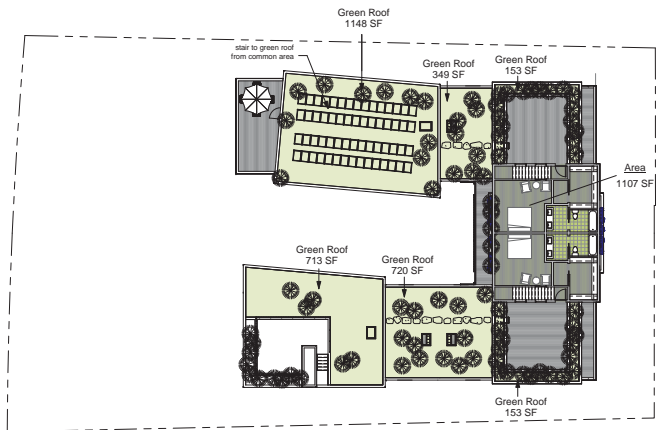
area schedule (building)		
name	area	percentage

building	6677 SF	36.5%
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area schedule (open space)		
name	area	percentage

landscape	6920 SF	37.8%
walkways	2766 SF	15.1%

total	9861 SF	52.9%
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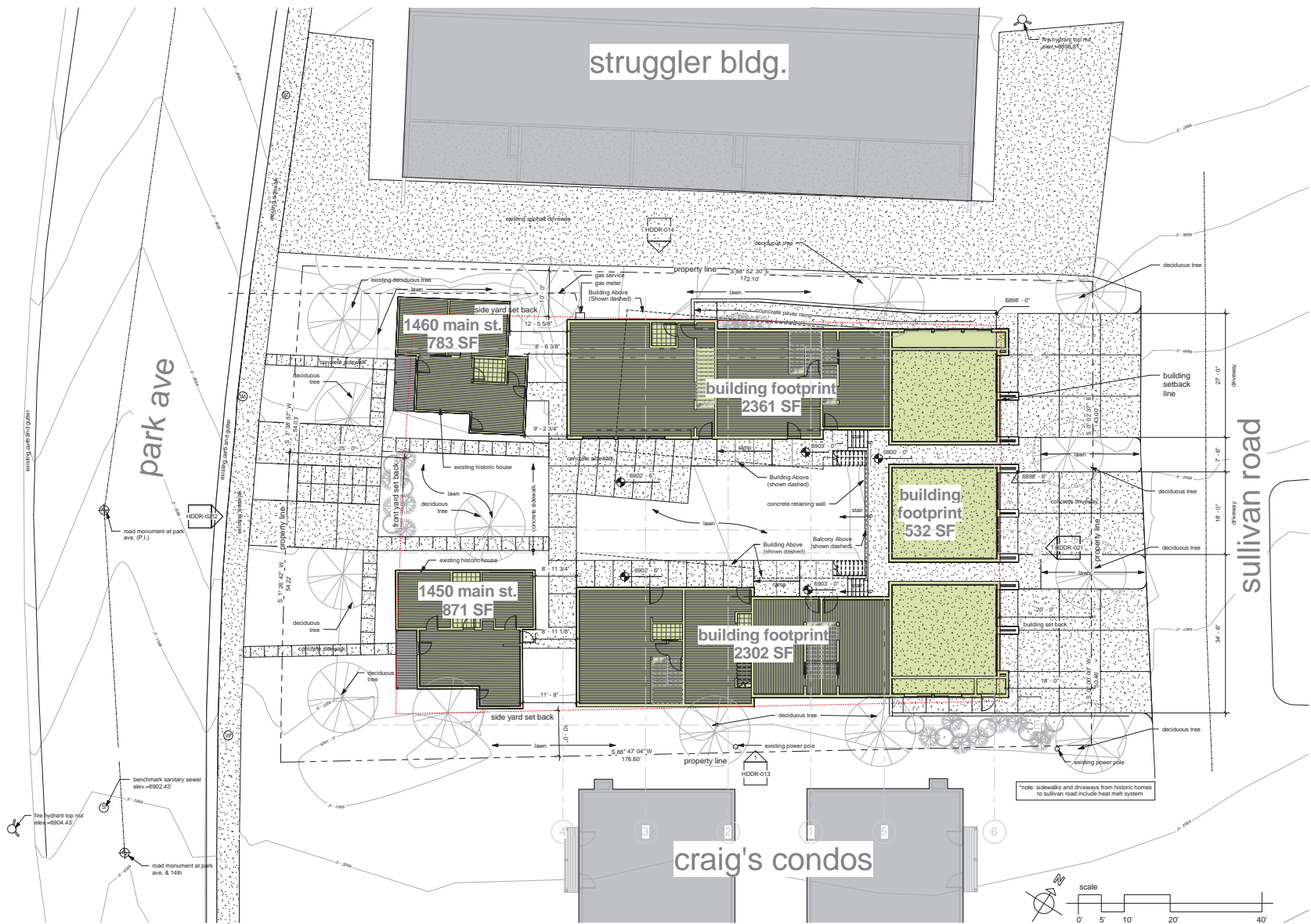


third level



site analysis



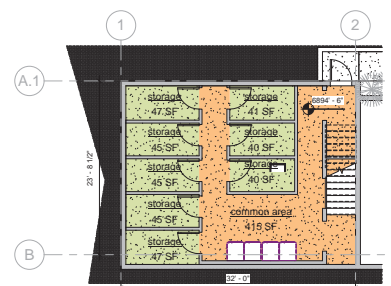


park ave

sullivan road

craig's condos

lower & main level floor plan
HDDR-009
february 4, rev. october 25, 2013



lower level
Scale 0 4' 8' 16' 32'

dwelling unit area analysis

area schedule (net building)				
color	name	level	area	parking ratio
Light Green	1450 park ave.	level 1B	675 SF	exempt
Light Green	1450 park ave.	level 1B	675 SF	
Light Green	1460 park ave.	level 1B	611 SF	exempt
Light Green	1460 park ave.	level 1B	611 SF	
Orange	common area	level 1B	776 SF	
Orange	common area	level 1B	85 SF	
Orange	common area	level 2B	535 SF	
Orange	common area	basement	415 SF	
Orange	common area	level 1B	85 SF	
Orange			1897 SF	
Light Green	garage	level 1B	459 SF	
Light Green	garage	level 1B	459 SF	
Light Green	garage	level 1B	459 SF	
Light Green			1377 SF	
Light Green	storage	basement	47 SF	
Light Green	storage	basement	45 SF	
Light Green	storage	basement	45 SF	
Light Green	storage	basement	45 SF	
Light Green	storage	basement	47 SF	
Light Green	storage	basement	41 SF	
Light Green	storage	basement	40 SF	
Light Green	storage	basement	40 SF	
Light Green			348 SF	
Light Green	unit A	level 1B	509 SF	
Light Green	unit A	level 2B	602 SF	1.5 parking spaces
Light Green			1111 SF	
Light Green	unit B	level 1B	299 SF	
Light Green	unit B	level 2B	324 SF	1 parking space
Light Green			623 SF	
Light Green	unit C	level 1B	299 SF	
Light Green	unit C	level 2B	324 SF	53
Light Green			623 SF	
Light Green	unit D	level 1B	297 SF	
Light Green	unit D	level 2B	324 SF	52
Light Green			622 SF	
Light Green	unit E	level 1B	356 SF	
Light Green	unit E	level 2B	403 SF	1 parking space
Light Green			760 SF	
Light Green	unit F	level 1B	554 SF	
Light Green	unit F	level 2B	634 SF	1.5 parking spaces
Light Green			1188 SF	
Light Green	unit G	level 2B	1001 SF	
Light Green	unit G	level 3C	459 SF	1.5 parking spaces
Light Green			1461 SF	
Light Green	unit H	level 2B	997 SF	
Light Green	unit H	level 3C	459 SF	1.5 parking spaces
Light Green			1457 SF	
Light Green			12751 SF	10 parking spaces

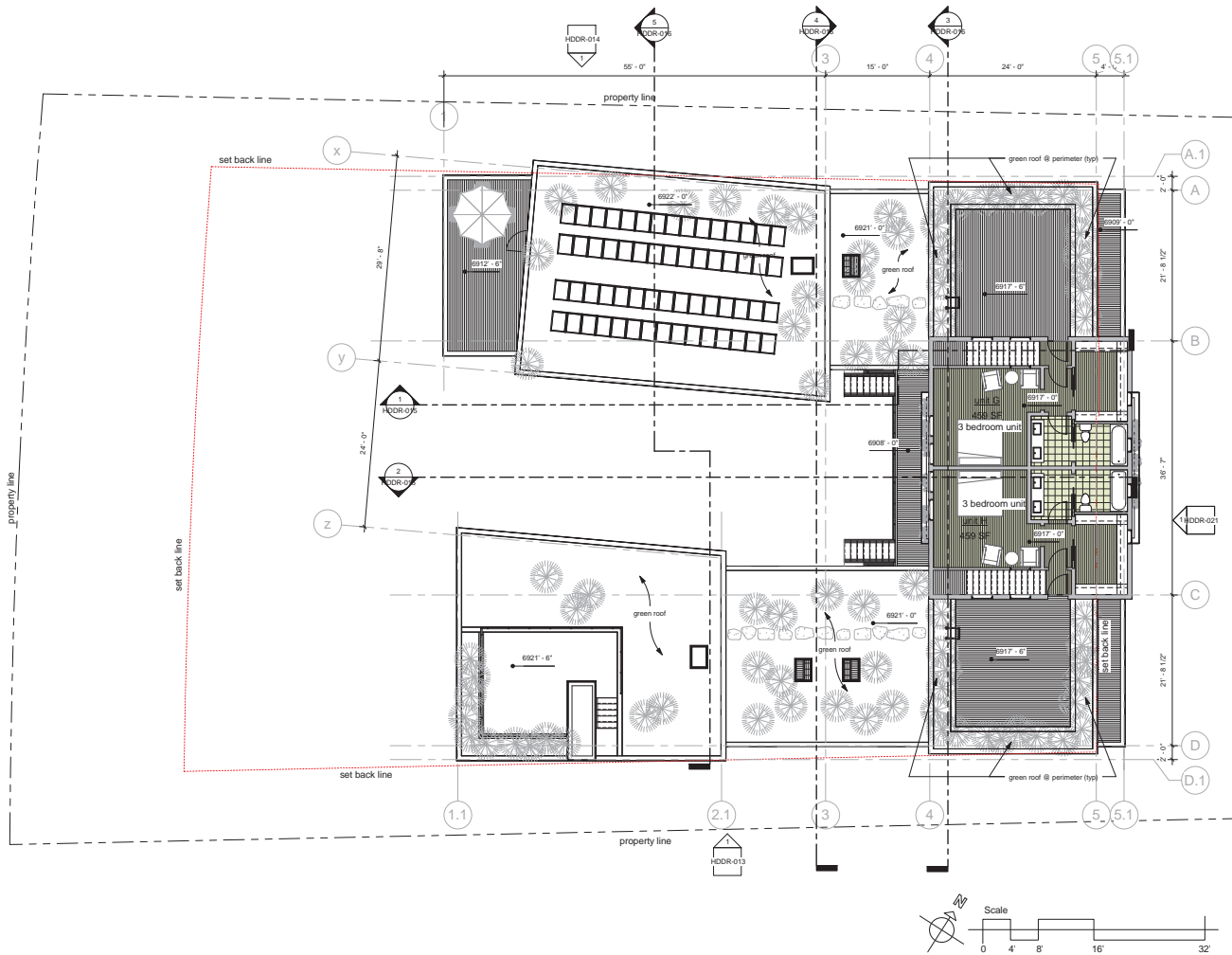




dwelling unit area analysis

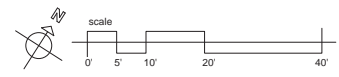
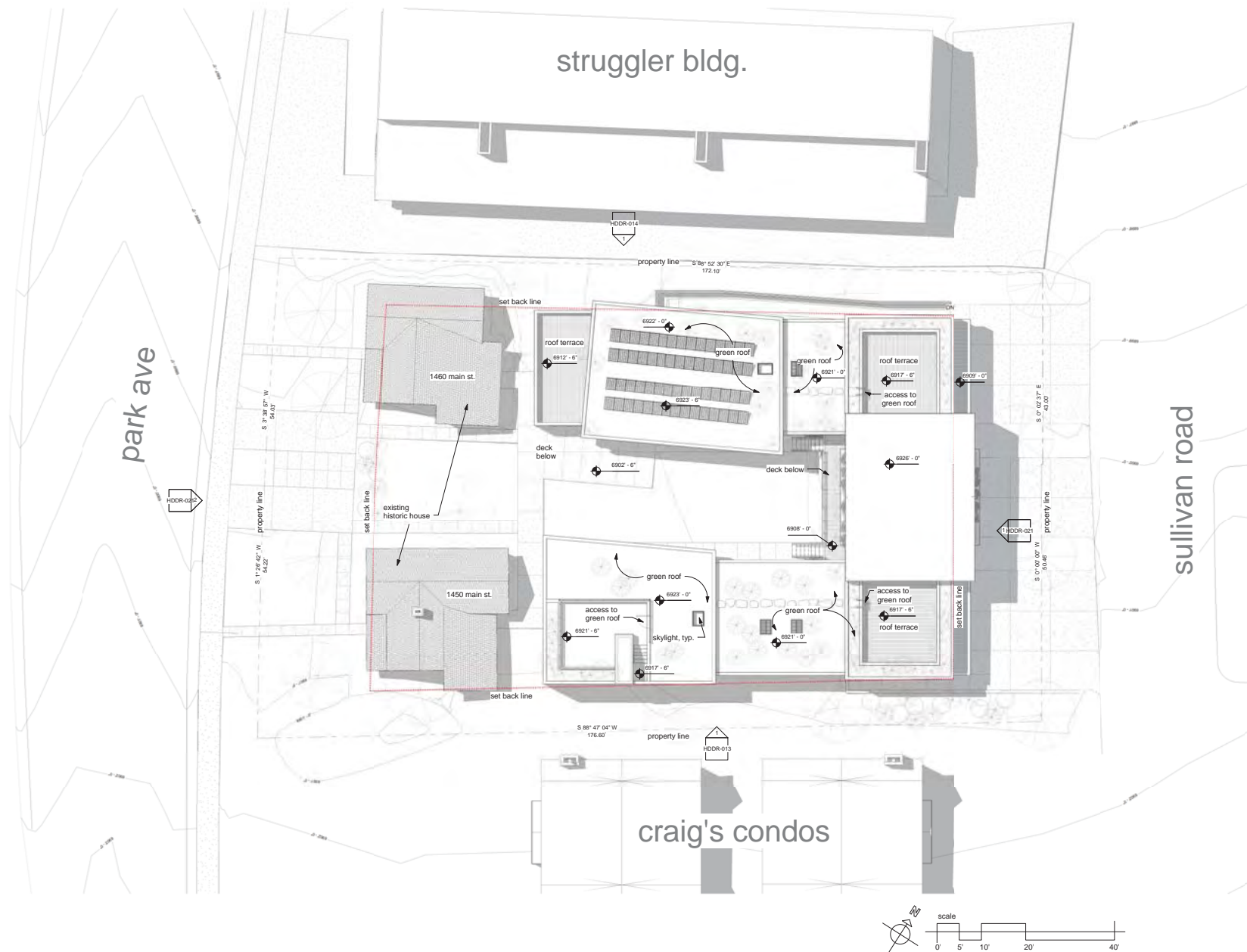
area schedule (net building)				
color	name	level	area	parking ratio
	1450 park ave.	level 1B	675 SF	exempt
			675 SF	
	1460 park ave.	level 1B	611 SF	exempt
			611 SF	
	common area	level 1B	776 SF	
	common area	level 1B	85 SF	
	common area	level 2B	535 SF	
	common area	basement	415 SF	
	common area	level 1B	85 SF	
			1697 SF	
	garage	level 1B	459 SF	
	garage	level 1B	459 SF	
	garage	level 1B	459 SF	
			1377 SF	
	storage	basement	47 SF	
	storage	basement	45 SF	
	storage	basement	45 SF	
	storage	basement	45 SF	
	storage	basement	47 SF	
	storage	basement	41 SF	
	storage	basement	40 SF	
	storage	basement	40 SF	
			348 SF	
	unit A	level 1B	509 SF	
	unit A	level 2B	602 SF	1.5 parking spaces
			1111 SF	
	unit B	level 1B	299 SF	
	unit B	level 2B	324 SF	1 parking space
			623 SF	
	unit C	level 1B	299 SF	
	unit C	level 2B	324 SF	53
			623 SF	
	unit D	level 1B	297 SF	
	unit D	level 2B	324 SF	52
			622 SF	
	unit E	level 1B	356 SF	
	unit E	level 2B	403 SF	1 parking space
			760 SF	
	unit F	level 1B	554 SF	
	unit F	level 2B	634 SF	1.5 parking spaces
			1188 SF	
	unit G	level 2B	1001 SF	
	unit G	level 3C	459 SF	1.5 parking spaces
			1461 SF	
	unit H	level 2B	997 SF	
	unit H	level 3C	459 SF	1.5 parking spaces
			1457 SF	
			12751 SF	10 parking spaces

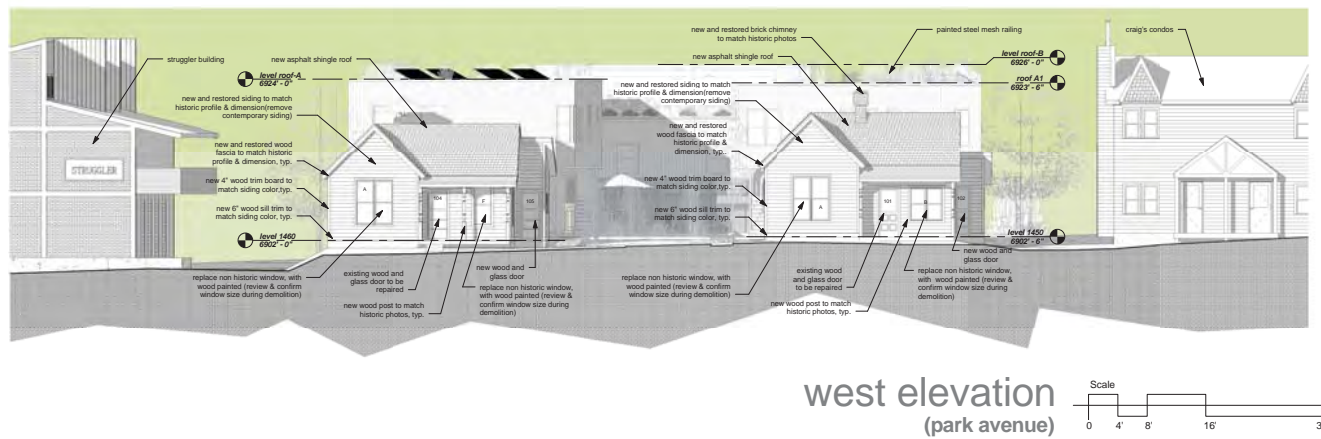
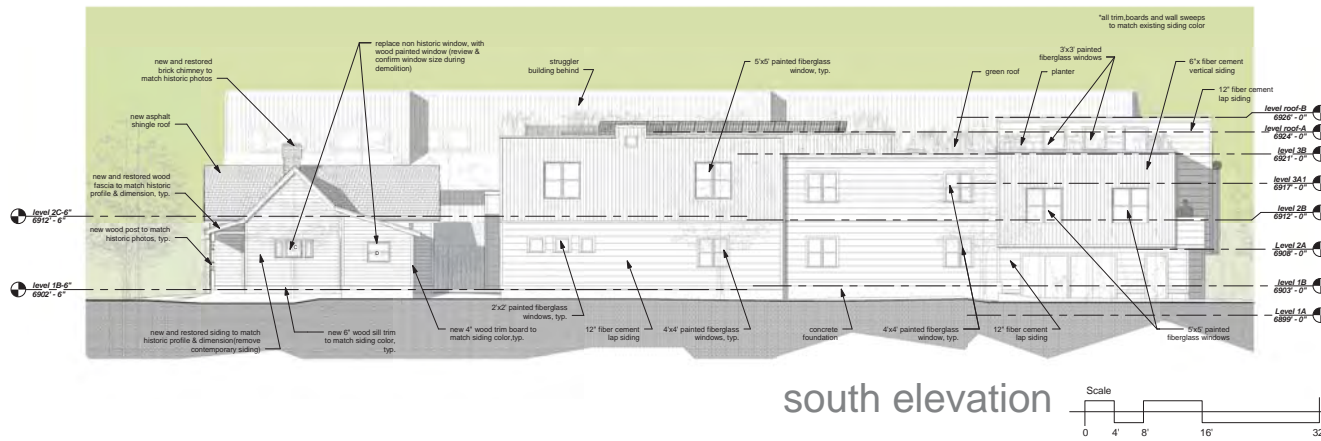
second level floor plan
HDDR-010
february 4, rev. october 25, 2013

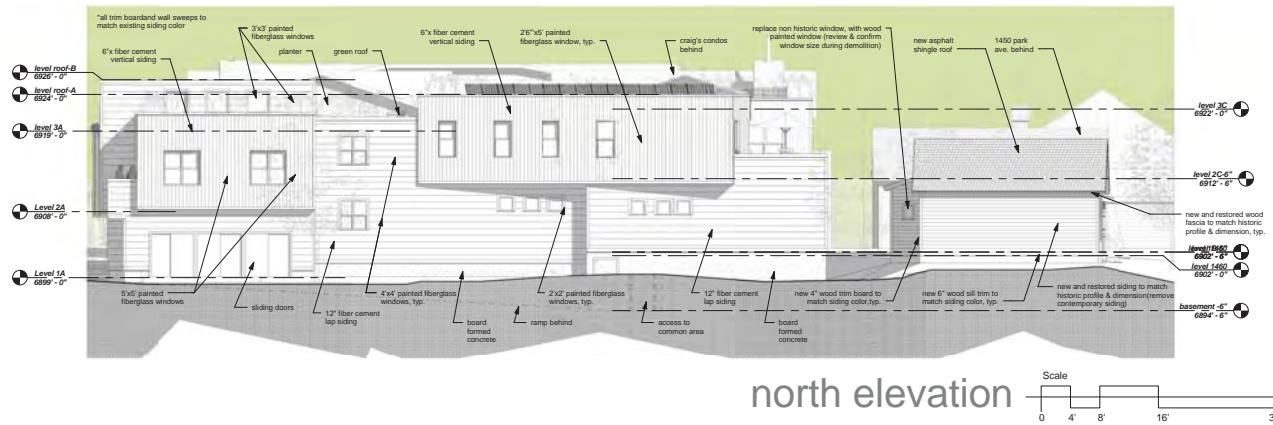


dwelling unit area analysis

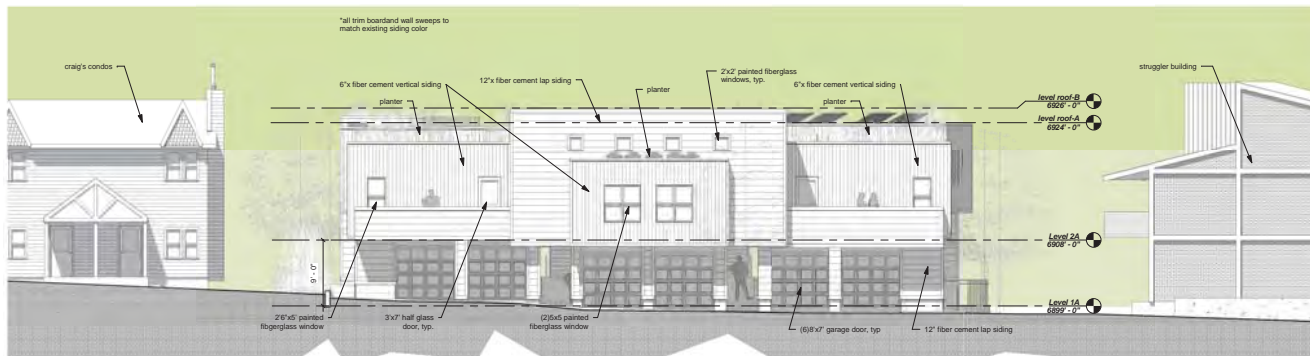
area schedule (net building)				
color	name	level	area	parking ratio
	1450 park ave.	level 1B	675 SF	exempt
			675 SF	
	1450 park ave.	level 1B	611 SF	exempt
			611 SF	
	common area	level 1B	776 SF	
	common area	level 1B	85 SF	
	common area	level 2B	535 SF	
	common area	basement	415 SF	
	common area	level 1B	85 SF	
			1897 SF	
	garage	level 1B	459 SF	
	garage	level 1B	459 SF	
	garage	level 1B	459 SF	
			1377 SF	
	storage	basement	47 SF	
	storage	basement	45 SF	
	storage	basement	45 SF	
	storage	basement	45 SF	
	storage	basement	47 SF	
	storage	basement	41 SF	
	storage	basement	40 SF	
	storage	basement	40 SF	
			348 SF	
	unit A	level 1B	509 SF	
	unit A	level 2B	602 SF	1.5 parking spaces
			1111 SF	
	unit B	level 1B	299 SF	
	unit B	level 2B	324 SF	1 parking space
			623 SF	
	unit C	level 1B	299 SF	
	unit C	level 2B	324 SF	53
			623 SF	
	unit D	level 1B	297 SF	
	unit D	level 2B	324 SF	52
			622 SF	
	unit E	level 1B	356 SF	
	unit E	level 2B	403 SF	1 parking space
			760 SF	
	unit F	level 1B	554 SF	
	unit F	level 2B	634 SF	1.5 parking spaces
			1188 SF	
	unit G	level 2B	1001 SF	
	unit G	level 3C	459 SF	1.5 parking spaces
			1461 SF	
	unit H	level 2B	997 SF	
	unit H	level 3C	459 SF	1.5 parking spaces
			1457 SF	
			12751 SF	10 parking spaces



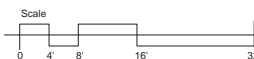


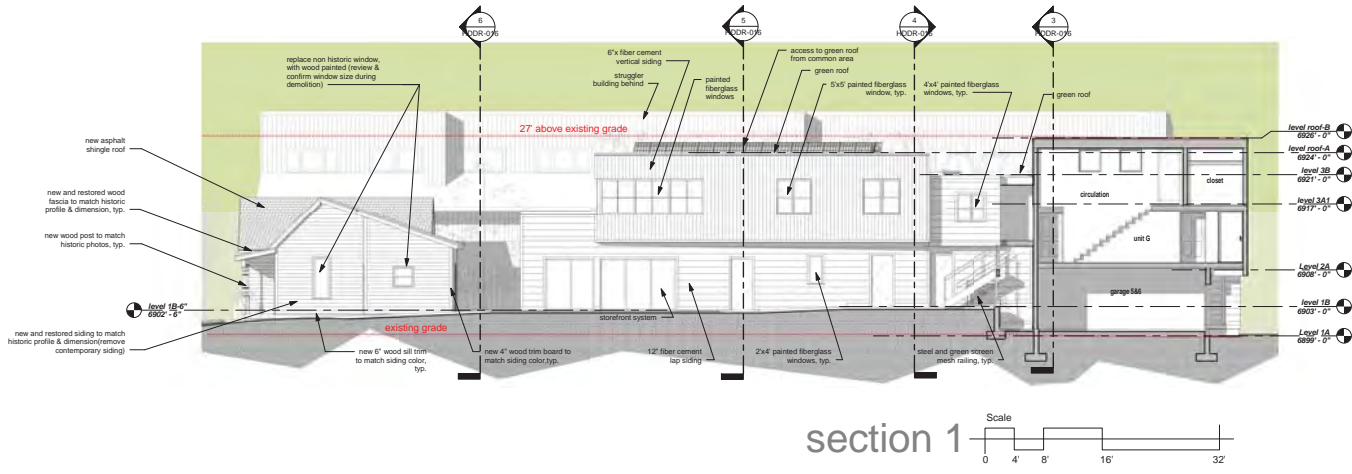


north elevation

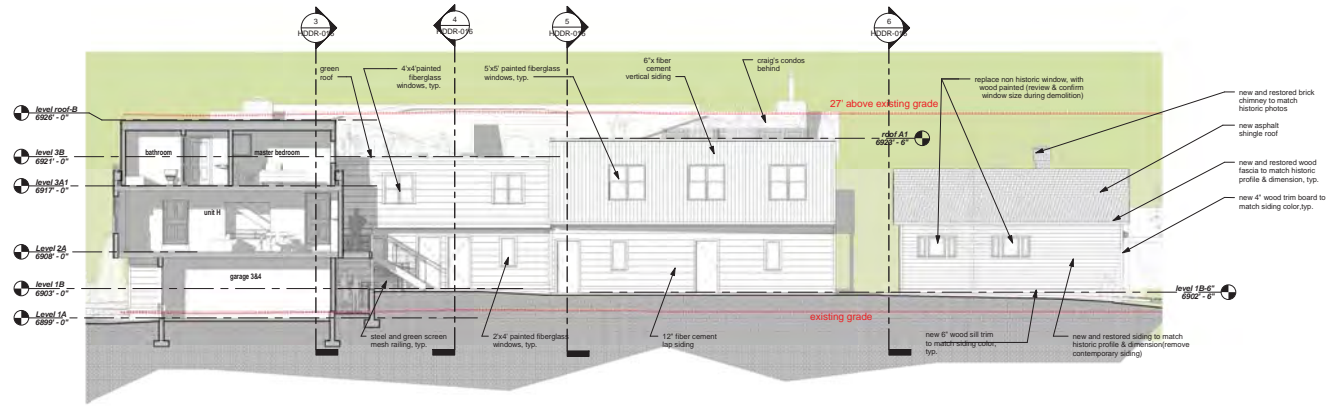


east elevation
(sullivan road)

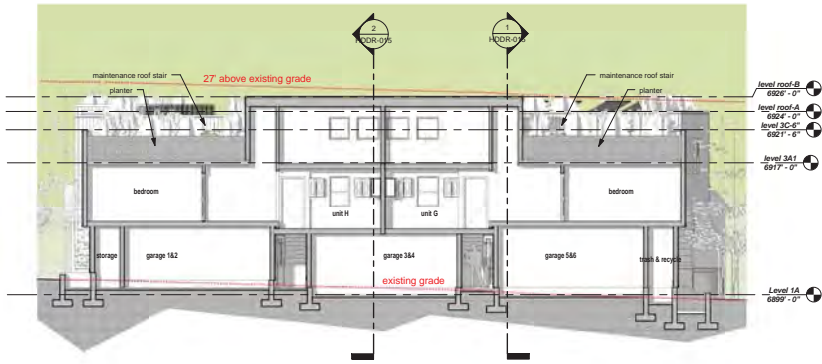




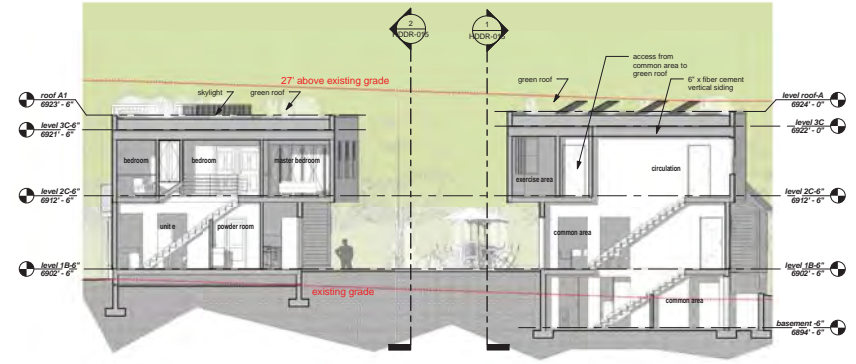
section 1
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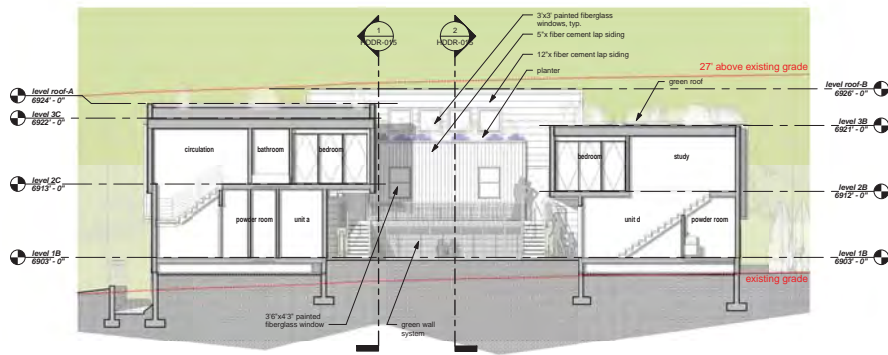
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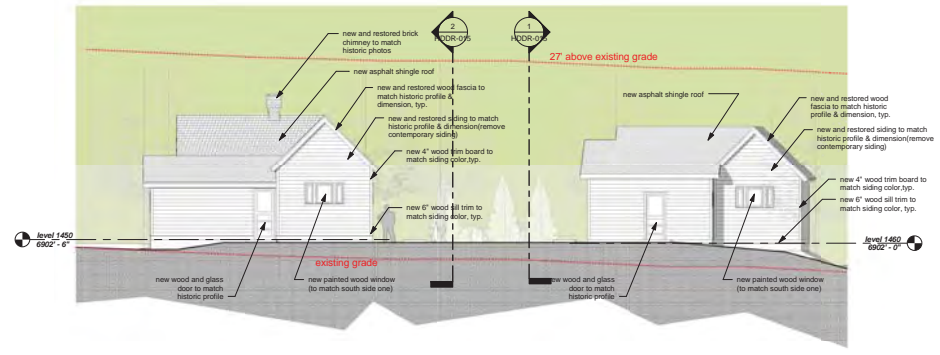
section 3
Scale 0 4' 8' 16' 32'



section 5
Scale 0 4' 8' 16' 32'



section 4
Scale 0 4' 8' 16' 32'



section 6
Scale 0 4' 8' 16' 32'



view from park ave. looking northeast

view from park ave. looking into courtyard





view from sullivan road

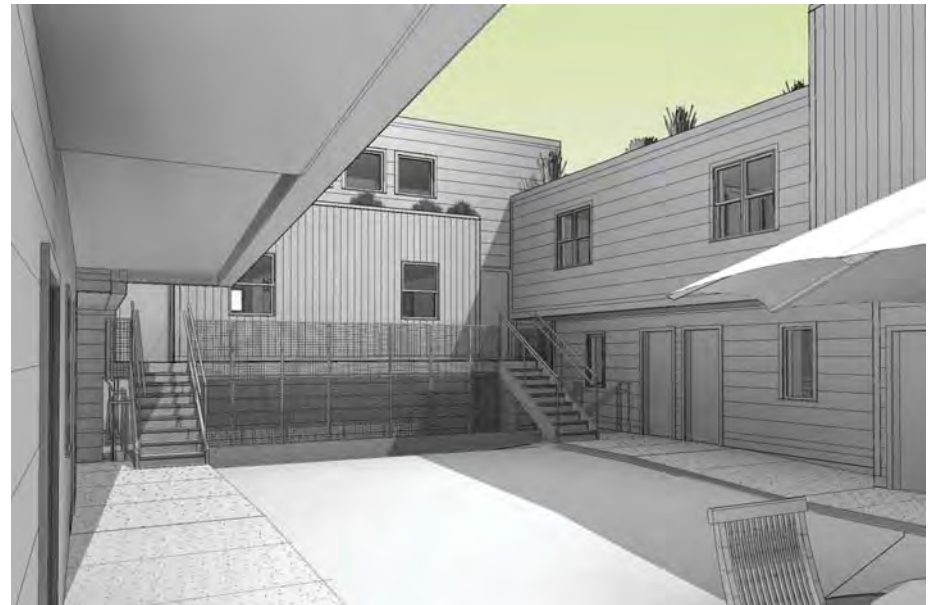
view from sky looking northeast

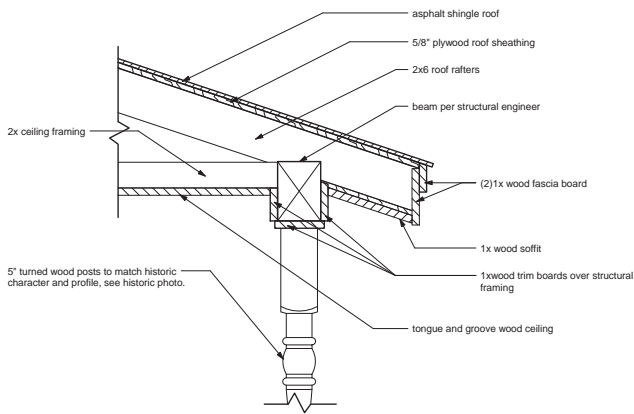




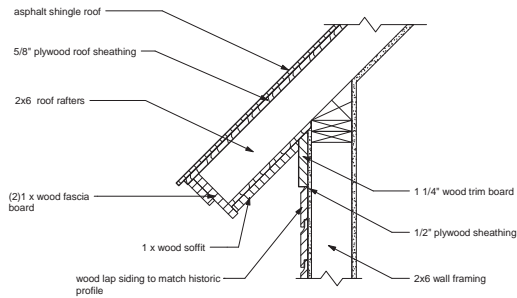
view courtyard looking towards park ave.

view courtyard

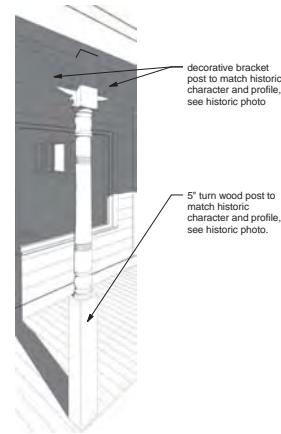




porch roof detail
1 1/2" = 1' - 0"



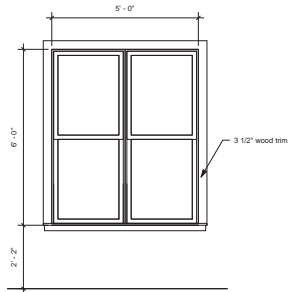
roof eave detail
1 1/2" = 1' - 0"



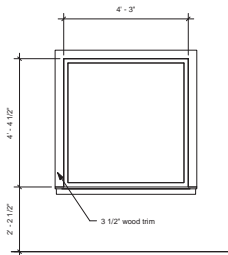
porch post detail



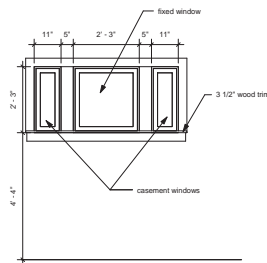
historic photo



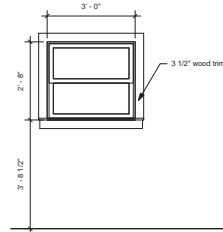
type A
double double hung window



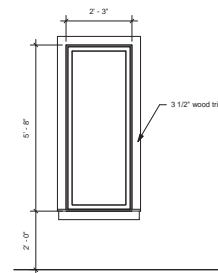
type B
fixed window



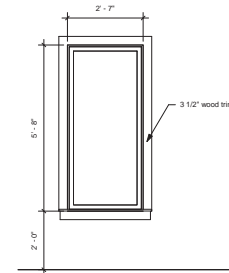
type C
fixed and casement window



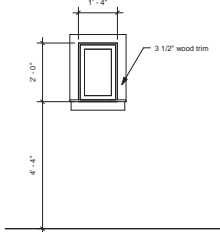
type D
double hung window



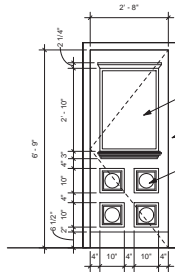
type E
fixed window



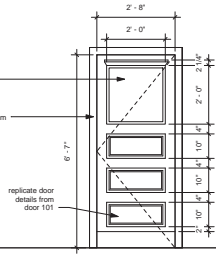
type F
fixed window



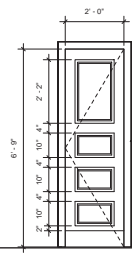
type G
fixed window



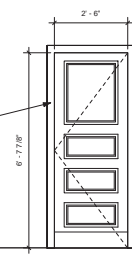
door 101
wood & glass entry door
(replicate existing)



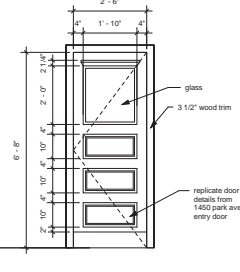
door 104
wood & glass entry door
(replicate existing)



door 102
wood door
(blocked behind)



door 105
wood door
(blocked behind)



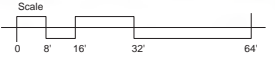
door 103/106
wood door back door



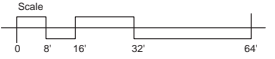
entry door photo

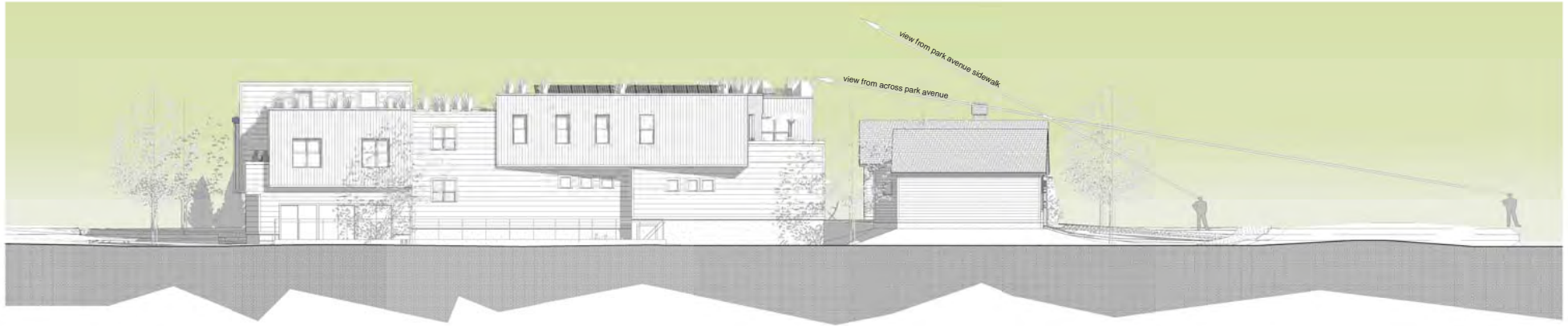


sullivan road streetscape



park ave. streetscape





view from across park avenue



view from park avenue sidewalk



dwelling unit area analysis

area schedule (net building)				
color	name	level	area	parking ratio
	1450 park ave.	level 1B	675 SF	exempt
			675 SF	
	1460 park ave.	level 1B	611 SF	exempt
			611 SF	
	common area	level 1B	776 SF	
	common area	level 1B	85 SF	
	common area	level 2B	535 SF	
	common area	basement	415 SF	
	common area	level 1B	85 SF	
			1897 SF	
	garage	level 1B	459 SF	
	garage	level 1B	459 SF	
	garage	level 1B	459 SF	
			1377 SF	
	storage	basement	47 SF	
	storage	basement	45 SF	
	storage	basement	45 SF	
	storage	basement	47 SF	
	storage	basement	41 SF	
	storage	basement	40 SF	
	storage	basement	40 SF	
			348 SF	
	unit A	level 1B	509 SF	
	unit A	level 2B	602 SF	1.5 parking spaces
			1111 SF	
	unit B	level 1B	299 SF	
	unit B	level 2B	324 SF	1 parking space
			623 SF	
	unit C	level 1B	299 SF	
	unit C	level 2B	324 SF	53
			623 SF	
	unit D	level 1B	297 SF	
	unit D	level 2B	324 SF	52
			622 SF	
	unit E	level 1B	356 SF	
	unit E	level 2B	403 SF	1 parking space
			760 SF	
	unit F	level 1B	554 SF	
	unit F	level 2B	634 SF	1.5 parking spaces
			1188 SF	
	unit G	level 2B	1001 SF	
	unit G	level 3C	459 SF	1.5 parking spaces
			1461 SF	
	unit H	level 2B	997 SF	
	unit H	level 3C	459 SF	1.5 parking spaces
			1457 SF	
			12751 SF	10 parking spaces



Francisco Astorga

From: Joyce Baron <baronsbest@comcast.net>
Sent: Saturday, March 30, 2013 3:32 PM
To: Francisco Astorga
Cc: 'Joyce Baron'; 'Ann Henderson'
Subject: Concerns regarding Green Park Cohousing PL-13-01832

Francisco,

We received a Notice of Review of Administrative Action regarding the Green Park Cohousing project located at 1450/1460 Park Ave.

I own one condo in the Struggler condos at 1470 Park Ave.

First of all, I applaud your efforts to restore the original homes at 1450 and 1460 Park Ave.

I do have some concerns regarding the plans that were attached to the Notice. My concerns are:

1. Considering the size of the property, restoring the two homes and adding eight additional living units to the back of the property makes the back portion of the property much too high density for the neighborhood.
2. The six single car garages show on the back of the property are inadequate for eight units. Each unit should have at least two parking stalls dedicated to each condo/apartment. The struggler project has 3 parking spaces per unit. Even if you park one car in the garage with a second directly behind it (a very poor plan), you still have only 12 parking places for 8 units.
3. Placing the back of a two story complex with a 10 foot setback directly in the front of struggler units 4 and 5 will totally block their front window view and have a negative impact on their property value.

We are asking Park City to reconsider this project because of the high density of the back part of the property, extreme lack of adequate parking, and the negative impact it will have on adjacent properties. This property should be re designed for perhaps four new living units with adequate parking and open space.

Thank you for sharing our concerns with others in the planning department.

Clark and Joyce Baron
1470 Park Ave, #2
Park City.

Joyce Baron

~Artist~

www.JoyceBaron.com

1183 West 1380 North

Provo, Ut 84604

Home 801.375.4933

Mobile 801.367.1011

Francisco Astorga

From: Ann Henderson <hsales@xmission.com>
Sent: Monday, April 08, 2013 3:36 PM
To: Francisco Astorga
Cc: Lisa Draxler
Subject: APPLICATION # PL-13-01832 - 1450/1460 PARK AVENUE

Francisco,

I have received a Notice of Review of Administrative Action regarding the Green Park Cohousing projected as noted above. I, along with two others own one of the units in The Struggler Condominiums located at 1470 Park Avenue, which is directly north of the referenced project at 1450/1460 Park Avenue.

I have gone on to a website and read about co-housing and I am very concerned that a project of this type would not be suitable for the area where it is planned to be built.

1. I think the size of the property intended to house the Co-Housing project is not sufficient. The restoration of the two homes is very justified and welcomed, however the rest of the project is not appropriate.

The project is very high density for the lot and surrounding neighborhood.

2. The height of the buildings in the back part of the lot are high enough that the view of units 4 and 5 will be blocked totally from their deck window. This would have a negative impact on property value should

any of the units want to sell their property, especially units 4 and 5. The value of the entire condominium building would be devalued. I would say this would be a concern of the condos on the south as well.

3. The parking situation is undesirable in that there are only 12 parking places for 8 units. I can't imagine that a multi-unit structure with inadequate parking would be approved to be constructed. If there is ever

an empty parking space at the back of the building the people that visit the park use it and it is very hard to enforce, even with towing signs up. Therefore, the people that lived on this property would have to find parking

elsewhere, and that would create a problem with the city. None of this is appropriate.

Park City should reconsider this project for the above reasons and for the negative impact that it will have on the the properties to the north and south and consider building something with less living units with adequate parking and perhaps some open space.

Please feel free to share my concerns with members of the planning committee. I would be appreciated if we were to receive notification of planning department meetings concerning this project.

Thank you,

ANN HENDERSON - STRUGGLER #1 LLC
1470 PARK AVENUE # 1
PARK CITY, UT

MAILING ADDRESS:
1539 MEADOW MOOR ROAD
SALT LAKE CITY, UT 84117
PHONE: 801-550-2931

Jane G. Crane
4435 Loren Von Dr.
Salt Lake City, UT 84124

April 5, 2013

Francisco Astorga
Park City Planning Department
445 Marsac Avenue
PO Box 1480
Park City, UT 84060

Re: Notice of Review of Administrative Action; Application #PL-13-01832; Property location 1450/1460 Park Avenue.

I am an owner of a Struggler Condominium unit located at 1470 Park Avenue, and adjacent to the application (PL-13-01832) property. After reviewing available information regarding the application I have a few concerns

1. The historic renovation of the two homes on the front of the property seems to be an appropriate proposal. The addition of eight new units, however, on the remaining back portion of the property makes the proposal density much too high for the available space and surrounding area. This is not the right piece of property to develop a high density, communal living space.
2. The parking for all units is very inadequate. The front houses originally had a drive in space that would allow for 2 cars and they were always used. The plans don't even show parking for the front 2 houses. There appears on the plans only 6 garages for the back eight units. This is inadequate for six units, let alone 8 to 10. The Struggler has parking for 2 cars at each unit plus an additional 3 spaces in front and 6 spaces in back of the units. I have a huge concern that the density of this plan will make our parking areas seem too enticing for neighbors that don't have enough parking to use. Especially in the front and back where Struggler parking is already used by non-Struggler residence or guests because of the existing high neighborhood density and general lack of adequate residential parking. The heavy use due to the proximity and lack of adequate parking at the City Park exacerbates this situation. I don't think there is a plan in any town that permits new dwellings to be built without adequate parking for the residence. Plus this is a town that needs to plow streets and side walks continually in the winter months.
3. The size and placement of the back proposed units next to the Struggler Condominiums will make it so units 4 & 5 and possibly unit 3 have absolutely no view and result in a very negative impact on their property value. Again I think the density of this proposal is too high and that fewer units with green space around the development would be more enhancing to the neighborhood.
4. The plans shows no access to the back units from Park Avenue and only one outside entry to the eight units from Sullivan. How does one expect these

potential residents to even move their household in and out with such limited access? I suspect again that the Struggler private driveway will be their alternative because of lack of planning in this proposed plan.

In summary I would like to say we have a beautiful park across the street from the proposed development and what more is communal than that access and green space. Park City is a beautiful area and allowing a closed, high density development at this location seems very detrimental to the surrounding neighborhood. I am asking the Park City Planning Department to reconsider this project for all of the reasons stated above.

Sincerely,

Jane G. Crane
(janegcrane@aol.com)

Francisco Astorga

From: Dan Mauss <danmauss@yahoo.com>
Sent: Monday, April 08, 2013 5:00 PM
To: Francisco Astorga
Subject: 1450 / 1460 Park Avenue proposed project

April 08, 2013

Dear Mr. Astorga,

As an owner of one of the units in the Struggler Condominium complex located at 1470 Park Avenue, I am writing this e-mail to voice some concerns about the Green Park Cohousing development that is proposed on the adjoining lots next door to us.

We have enjoyed the beauty and tranquility of this prized location for nearly fifty years now. It has been a second home to us, one that we have come to love dearly over the years and decades. Though Park City has grown up over the years, our neighborhood has retained its quaint personality and not given way to over-development as can be found in other areas. We have come to love the ability to look out our windows and off our balcony at the beauty of the mountains that surround us. Imagine our horror to pick up the paper and see this proposed project which would relegate us to looking out our windows and off our balcony to the backside of a multi-story building that will house ten residential units on land that used to facilitate a mere two small homes. This kind of over-development and high density development is exactly what Park City needs less of, not more of.

With Park City guaranteeing the loan before the project receives approval and additionally selling to the developers the land at a price that represents a loss to the tax payers, this type of "behind the doors planning" smacks of collusion at the highest level. Those of us who have done our best to maintain the integrity of the neighborhood through the years, are disappointed at the apparent lack of foresight in moving this project through the approval process. Surely there must be a better location than the very gateway to the city itself for what appears to be experimental government subsidized housing.

Of extreme concern, is the lack of adequate parking. Our development requires 2-3 covered parking spaces per unit. It appears that these ten units are only providing six parking stalls for the entire complex...far fewer than housing projects built over the years of our ownership next door. Those parking areas that we have provided for our guests when they come, will surely be taken over by residents of this project who have no where else to park creating an ongoing hardship for us and for our guests.

The very concept of this complex espousing cohabitation with shared common areas, is new and unproven in this area and dictates that it should be located in an area that is more suited for an experimental project. At the very least, consideration needs to be given to the number of units proposed, the amount of parking available and the impact to the neighbors based on its current design. Moreover, there appears to be a conflict of interest at the city level since it is both the owner of the land, and in control of the planning approval process. We respectfully request that this project be put indefinitely on hold while the neighbors and owners of property are provided a due process of comment in a public hearing process.

Thank you for taking the time to hear our concerns.

Dan Mauss and Family
Unit #5 Struggler Condominiums
1470 Park Ave.
801-580-8050

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**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
May 8, 2013**

PRESENT: Nann Worel, Brooke Hontz, Stewart Gross, Mick Savage, Charlie Wintzer, Thomas Eddington, Francisco Astorga, Anya Grahn, Polly Samuels McLean

WORK SESSION ITEMS

1450/1460 Park Avenue - Conditional Use Permit (Application PL-13-01831)

1450/1460 Park Avenue - Plat Amendment (Application PL-13-01830)

Commissioner Thomas recused himself on the Park Avenue project due to a prior involvement with the project. Commissioner Thomas left the room.

Commissioner Hontz recused herself from the 1450/1460 Park Avenue discussion because she had submitted an RFP for this project. Commissioner Hontz left the room.

Craig Elliott with the Elliott Work Group represented Green Park Cohousing. Mr. Elliott presented a slide looking at properties on Park Avenue between Park Avenue and Sullivan adjacent to the ball fields at City Park. He stated that when Elliott Work Group works on a project and design concepts they initially do a context analysis. He walked the Planning Commission through the context of the site and the design concepts and finish with the submittal they have so far. Mr. Elliott felt it was important for the Commissioners to understand the thought process they went through to locate the building and the design of it.

Mr. Elliott stated that the property extends between Sullivan and Park Avenue. There are two historic homes on the lower part of the site. He noted that until he started working on this project he always thought Sullivan Road was a parking lot. Once they learned that it was a road it was important to understand how it works and functions and how this site fits into that context. Mr. Elliott stated that the two historic homes were shown in orange. There was another historic home to the north and two historic homes to the south. The farthest structure to the left was the 7-Eleven and City Park was on the right. The green area shown was the new construction project.

Mr. Elliott remarked that this project was in the HRM zone, even though there were historic homes on the entire area between the 7-Eleven and the Miners Hospital. Understanding the requirements within the HRM zone is important when doing a submittal for this type of project.

Mr. Elliott stated that the next part of their analysis was to look at the site and the existing development. He noted that the orange boxes represented condominiums with the exception of the re-construction and the 7-Eleven. He noted that there are five historic homes and 100-plus condominium units in the immediate adjacent area, most of which front onto Sullivan Road. The mass and scale of those buildings are significantly greater than the historic homes in the neighborhood. Mr. Elliott stated that this information helped them understand the massing, the actual construction and how it works.

Mr. Elliott stated that even though Park Avenue is a historic street in many ways, it is almost an arterial road because of the traffic load that comes through that area. Sullivan Road is much more of a neighborhood street and its primary intent is to service both the Park and the residential units

adjacent to it.

Mr. Elliott noted that the purple color represented the parking area. He stated that all of Sullivan Road, with the exception of this site on this block, is parking. Mr. Elliott pointed out that what remains on the block would be considered open space in this district. Properties are between a little under 5% open space to a little over 26% open space in those existing properties. He stated that this project is required to provide 60% open space per Code. Mr. Elliott noted that two driveways come in off of Park Avenue to the two historic homes.

Mr. Elliott explained that once they have all the information they apply the Code. However, more importantly, they needed to apply the principles of cohousing for this site. Mr. Elliott stated that ten units are proposed in this project. All ten units were spoken for and there is a waiting list. He noted that cohousing design is different. Ten owners come together to build and design their own place to live. Their goal is to live as a community. They generally require green and sustainable principles in their architecture and construction. They create gathering spaces to interact. They integrate into the community. A simple principle of cohousing is to park your car and walk from your car into the common areas of the project and interact with your neighbors before going into your unit. In addition, cohousing is an intergenerational type of living, and it includes everyone from small children to retirees.

Mr. Elliott provided an overlay of the 1929 Sanborn Map to how what was on the site historically. It showed peripheral structures in the center of the site towards the back. He had photographs showing sheds that went from the back of the house to Sullivan Road. Mr. Elliott indicated a darker L-shaped orange area on the map. He noted that the 1929 Sanborn map had an overlay. Underneath the overlay was one of the previous Sanborn maps. Mr. Elliott had seen the 1907 map. He noted that somewhere in between 1907 and 1929 something was on the property because you can see the image. Mr. Elliott provided a brief history of Sullivan Road and the subject property. He felt the thought that this property has always been a green, lush lawn area is out of context with the history of the site.

Mr. Elliott stated in designing cohousing they tried to create a massing of a new building that respects the two historic homes by allowing the visual to go in between those homes as they have for many years. The horseshoe shaped was responding to the massing of the larger buildings along Sullivan Road. They tried to keep those within the context of the larger structures that exist today along the entire block. Mr. Elliott remarked that the shape of the building as shown was designed in a way that represents what cohousing does. The center space of the horseshoe is the common area. Everyone comes from the parking on the perimeter on Sullivan Road, through the building through a walkway into the common space and then enter their units.

Mr. Elliott noted that the gray areas on the top represented three driveways and how they would work with the site. The two driveways were moved from the historic homes primarily for safety reasons. Mr. Elliott had requested the opportunity for parallel parking along Park Avenue but they had not heard positive comments from the City Engineer. He believed it was an interesting concept for providing additional parking spaces along Park Avenue and safer access than 90 degree parking in a driveway. Mr. Elliott stated that it was not a deal-killer on the project, but he felt it was appropriate. Mr. Elliott pointed out that the parking is very consistent with the remaining properties surrounding the site.

Mr. Elliott presented a 3-D representation of the project looking at it from the sky. He noted that the roofs are green roofs and they step back from the historic homes. In the context of the streetscape, the building in the center was the project they were proposing. Mr. Elliott explained how they tried to be consistent with the massing along the streetscape.

Mr. Elliott presented a slide of a required image in the historic district going through the HDDR process. It shows the sight line over the historic structures. Mr. Elliott reviewed the section drawings. They tried to step back from the historic homes with the massing and provide a gradual approach to the existing conditions and site parameters. Mr. Elliott identified the grade and height. He noted that the 3-D image was a massing model to help them understand the context of the site. They had shown trees between each of the breaks between the garages based on the thought that maybe long term on Sullivan, a tree could be placed wherever there is an opportunity for a green bulb-out, to create a sense of scale along the entire street. Mr. Elliott believed it was a way to improve Sullivan Road without having to do curb and gutter.

Mr. Elliott reviewed a slide from the perspective of looking at the project on the opposite side of Park Avenue, looking back at the two historic homes. Mr. Elliott noted that trees were shown as a goal to create a buffer for the horseshoe shaped common area. Mr. Elliott presented a slide from the interior perspective.

Mr. Elliott presented a slide of the overall context that dealt with some of the zoning issues. He noted that the zoning was created to encourage taking the accesses off of Park Avenue and moving them to Sullivan Road. Mr. Elliott stated that for this project the access was taken off of Park Avenue and moved to Sullivan Road. They tried to be consistent, but improve upon the concepts that already exist.

Chair Worel called for public comment.

Clark Baron stated that he owns one of the Struggler condominiums on the left of this project located at 1470 Park Avenue. Mr. Baron appreciated the work that the Park City Planning Commission has done to help maintain the historic look and feel of Park City. He understands that there is a lot of parking there now and that these condos were built prior to 2009. These projects all met the Code when they were constructed. Mr. Baron met with the Planning Department and reviewed the documents. They found them to be very professional and accurate. Mr. Baron agreed with the findings outlined in the Staff report. The Staff has done a good job identifying major issues with the project.

Mr. Baron commented on four concerns he had regarding the proposed project at 1450/1460 Park Avenue. The density of the project is concentrated on Sullivan Road. He felt this was excessive for the size of the lot. The Code requires 60% open space. This is not met by the project. He admitted that open space requirement was not met by previous project, but the Code has changed since then and it was changed to try to maintain as much open space as possible. Mr. Baron stated that Sullivan Road is the front yard for eight of the condos, yet it has minimal open space on that end of the project. With only four or five feet between the historic homes and the large multi-unit dwelling, he believed the density was too high.

Mr. Baron agreed with the Staff report that the addition should be subordinate to the historic structure. He did not believe the proposed plan complies with that requirement.

Mr. Baron stated that the design proposed is not consistent with the look and the feel of the historic lots in the neighborhood. A square box with a flat roof is very different in style from the surrounding buildings. Based on the Staff report, this project is not compatible with the surrounding structures in mass, scale, style and design.

Mr. Baron noted that the proposed plan shows that the historic structures are being raised approximately 2-feet higher than their present grade, and the bulk of the dwelling is also raised 3-feet above present grade. He believed this distracts from the look of the project and is not consistent with the Park City Design Guidelines for Historic Sites. Mr. Baron stated that the project has serious parking issues due to its design and scale. The only parking is off of Sullivan Road which is designed for limited access only. Having a main entrance, eight condo units and all six garages with separate driveways with cars backing on to Sullivan Road is limited access. Mr. Baron also questioned space for snow removal because it appears to be marginal. Access to the front doors of the condos will be through the building at that point. As noted, the driveways do not meet the Code.

Mr. Baron stated that if this project is approved, the visitors and residents to the Park will no longer have a tree-lined area back in there with smaller condos or little homes. They will see another large structure. Mr. Baron preferred to maintain a cottage type look since it is one of the few remaining historic areas. Mr. Baron urged the Planning Commission to follow the recommendations that were outlined in the Staff report and send this project back to the drawing board for major revisions and a significant reduction in scale and change in style to match the buildings in this historic neighborhood.

Mary Wintzer stated that she attended early meetings about cohousing and she was very excited about it. Since the City was partnering with this effort, she was surprised that it had gone off track a little with the areas where it does not comply. Ms. Wintzer understood that the goal of cohousing was to integrate into the community to create community. It is not to be separate or put off on the existing community. She noted that affordable housing has to comply with the LMC as much as possible. The City has spent months looking at the LMC and trying to correct some of the problems that exist in the slides Mr. Elliott presented this evening. Ms. Wintzer referred to Mr. Baron's comment that the existing buildings were built under the old Code. She noted that they were trying to improve on that a not repeat the same mistakes. Ms. Wintzer believed that if the City is partnering, they have an obligation to the citizenry to send the right message and help Mr. Elliott's team create a project that is more in line with the LMC. If the City believes in this project they should help reduce the number of units that have to be built by subsidizing this project. They should not send the wrong message to the design community, and the majority of citizens who follow the Code would not understand that a project that the City is partnering with does not have to follow the same rules. Ms. Wintzer supported the cohousing project but it needs some tweaking.

Jane Crane, a part-owner of one of the Struggler Condominiums, understood that a number of people supported the cohousing program. She believed parking was a huge issue with this design.

Ms. Crane asked the people who were in partner ownership of this project to stand. She asked how many of them only had one car.

Chair Worel asked Ms. Crane to direct her comments to the Planning Commission.

Ms. Crane reiterated that parking is a huge issue and there is a green space that juts out from the Park that happens to be right in front of this cohousing unit. People have to get off the sidewalk in the Park and come out on to the street. She agreed with the comments made by Mr. Baron and Ms. Wintzer. With the City being in partnership with this project she believed they needed to look at the size and make their best effort into making it more compatible with the rest of the area.

Audrey Hardy stated that she is part of the LLC of Green Park Cohousing and she plans on living there. She had read a book about green roofs and urban roof top gardening. She thought the green roofing on top of the building should be counted as green space in many urban setting it is the only room people have for gardening and green space. Ms. Hardy stated that the point of the green roofing on top is for environmental purposes as well as building community. It will insulate the building and it will help refresh the air.

Sara Werbelow, a member of the proposed cohousing community, stated that a lot of issues were raised that she would like to talk about, but this is a work session and she thought they would be able to dialogue about the plan before them this evening and come up with solutions. Ms. Werbelow stated that in terms of the height and density allowed on that particular site, they are not asking for a variance because they are within the allowed height per Code on that site. She noted that the project was under the allowed density for that particular site. Ms. Werbelow believed those were critical issues. She remarked that the intent is to work within the Code and to have a discussion to address any issues.

Ethel Preston stated that she was also in the LLC. Ms. Preston had noticed a very large condo on the other side of Park Avenue that has a flat roof. Therefore, the flat roof is not out of context in that area.

Darrel Finlayson, President of the Green Park Cohousing, asked Mr. Elliott for the slides of Sullivan Road. Mr. Finlayson stated that he currently lives in Wasatch Condominiums, which consists of four buildings. He has lived there for ten years. His personal experience with living on Sullivan Road in terms of traffic flow and parking is that there are 120 uncovered open parking spaces along Sullivan Road for City Park, as well as parking spaces available for all the other existing condominiums. In terms of safety, Mr. Finlayson noted that the posted speed limit on Sullivan Road is 10 miles per hour, which reflects the density of use in that area. Additionally, in the summer time speed bumps are put in, which reflects the City's goal of reducing the speed of traffic through that zone. Mr. Finlayson personally believed that having more parking consistent with the rest of the parking along that side of Sullivan will help influence the speed of the traffic. Mr. Finlayson pointed out that they were not building an addition. The new construction is a separate structure from the historic homes. He felt it was important to note that it was incorrectly referenced as an addition in the Staff report.

Dan Moss, an owner of a Struggler Condominium unit, shared the concerns expressed by Mr. Baron and Ms. Wintzer. He was relieved of some of those concerns when he saw the Staff report and how it identified some of the areas where the projects does not comply and some of the problems it represents. He encouraged the Commissioners to study the report carefully and address each concern raised in the Staff report to make sure compliance is met. His unit fronts Sullivan Road and he has watched the evolution of that road. Mr. Moss stated that it is already congested and there is

a shortage of parking. This particular construction would diminish what little parking is available and it would add to the current congestion. Mr. Moss was concerned that the general character of the area would be compromised by this high density housing project.

Chair Worel closed the public hearing.

Craig Elliott stated that he has worked on this property for two years and this was the first time he had the opportunity to give a presentation. He has had the opportunity to meet with the Staff and to respond to their review. Mr. Elliott remarked that the plan submitted was capable of being compliant within the ordinance. In response to the comments about the grade, Mr. Elliott explained that they are required to raise the historic buildings on this site because it is in a flood plain. He noted that the building to the south is within the height compliance generally accepted in the Historic District Guidelines. The building to the north is slightly above what is generally accepted, but it could be lowered within the 2-foot range. It would meet the criteria but it may not be the best solution for the project. Mr. Elliott stated that the site is also within the boundaries of the soils ordinance. Since there is no nearby repository, they would have to truck any soils from excavation to Tooele. That cost would be impossible for an affordable housing project to absorb. Mr. Elliott pointed out that the excavation from the foundations would be placed in the center of the site where nobody could see it. All the grading change was done within the requirements of the Code. Mr. Elliott noted that the project provides over 60% open space; 53% is on the ground and 10% is shown as green roofs. Mr. Elliott stated that he was prepared to discuss architecture and style or address other issues if the Planning Commission had questions.

Planner Astorga noted that because the Staff report was lengthy, it was separated into sections. Section 1 was specific Conditional Use Permit Review criteria specifically for the HRM District, as outlined on pages 8-10 of the Staff report. Section 2 addressed parking. The project must meet the parking requirement and a small portion of that section indicates the number of parking spaces they must provide. The Staff report contained the Staff findings. Section 3 was the Standard Conditional Use Review Criteria 1-15 as outlined on page 16 of the Staff report. Planner Astorga noted that this criteria is the standard that is used throughout and it is tied to the State Code. Section 4 addressed Special Requirements for Multi-Unit Dwelling as reflected on page 19 of the staff report. The Staff interpretation is that the project as submitted falls under a multi-unit dwelling. Cohousing is not listed as a use in the Code. Cohousing is considered a social component of how someone lives. Section 5 is the criteria in the Code for access off of Sullivan Road as outlined on page 20 of the Staff report.

Planner Astorga requested input from the Planning Commission on five discussion points. The first was compliance with the design guidelines. He noted that the applicant had submitted an application for HDDR, a CUP and a plat amendment. He explained that the Staff has the review and decision on the HDDR, Planning Commission has the final say on the CUP, and the City Council makes the final decision the plat amendment. Planner Astorga explained why the Planning Commission should not focus too heavily on the design guidelines. In the event an appeal is submitted, the appeal would be heard by the Historic Preservation Board as the body who reviews appeals of HDDR applications.

Planner Astorga noted that the second discussion point was compliance with the parking requirements. The third point related to the second point in terms of whether the Planning

Commission considers the parking area to be five or more spaces. Planner Astorga stated that the applicant disagreed with the Staff analysis that there are five or more spaces at the rear, based on specific criteria that was applied.

Planner Astorga pointed out that there could possibly be three conditional permits for review. The first is the use of a multi-unit building, the second would be limited access off of Sullivan Road, and the third would be a parking area containing five or more parking spaces.

Planner Astorga stated that the fourth discussion was the open space requirement. Per Code, multi-unit buildings require 60% open space; however, the Code is not specific as to whether or not a green roof could be counted as part of the open space requirement. Planner Astorga thought it was a gray area and he requested Planning Commission input.

Planner Astorga noted that the last discussion point was limited access on Sullivan Road. The Code indicates that specific criteria must be met before the Planning Commission could grant limited access off Sullivan Road. The Staff did not believe the applicant had met all of the criteria.

Commissioner Wintzer complimented Planner Astorga on a great Staff report and a good presentation. Regarding the design guidelines, Commissioner Wintzer was comfortable with the bulk of the building and the number of units. However, he had major concerns with the east elevation. He noted that the design guidelines talk about diminishing the visual effect of the garage and the automobile. Commissioner Wintzer pointed out that the back elevation is actually a front elevation because this property has two front yards. He was not in favor of the garages with cars parked in front. Commissioner Wintzer emphasized the importance of reworking the Sullivan Road access. He understood that other buildings in the area were not sensitive to design or use of land. There was nothing they could do about the existing buildings, but new buildings should be designed to be more compatible and more presentable. Commissioner Wintzer felt that a minimum, the City should be held to the same standards as all other developers.

Commissioner Wintzer needed to see a parking plan to adequately address the parking issue. He understood that there would be six cars parked in a garage and six cars parked behind those cars and a couple more on the side. He was unsure if stacking the cars meets the Code. At the bare minimum, each unit has to move one car to back out another car. Commissioner Wintzer stated that he is a neighbor to the Affordable Housing project on Deer Valley Drive. That project has limited parking and there is at least eight cars parked on the street every night from that project. Commissioner Wintzer believed the cohousing homeowners were the most sensitive to cars in town, but they would still have a minimum of one car per person. They will be parking in City Park and taking up the limited parking.

Commissioner Wintzer agreed with the comment that if this project is too big to accommodate the parking, and the City believes that cohousing or affordable housing is an important element, they need to make the land more affordable so the number of units can be reduced to make it fit. Commissioner Wintzer did not think they should downgrade the Code or the standards to achieve affordable housing units for one project because it would carry through to every other project on the street and held up as an example.

Commissioner Wintzer was unsure how to address the open space issue. He noted that one day the City Council gave direction for flat roofs in Old Town, but they did not follow through with guidelines regarding open space and what could be done with a flat roof. He personally believed a flat roof was an appropriate use, even though it is not historically compatible. The building is a separate structure from the historic homes and he thought Mr. Elliott did a great job separating the buildings. Commissioner Wintzer understood the argument Mr. Elliott made for raising the buildings.

Commissioner Wintzer agreed with the Staff report on the Sullivan Road access, but he was not convinced that putting the access on Park Avenue was a better solution. City Park is a jewel of the City and one of the most popular open spaces in town. It needs to be protected, but he still thought it was better to have the access off of Sullivan Road, especially with the historic houses in the front. He is a strong believer in the Code and when they do not honor the Code it weakens the Code. The biggest problem in old town is that everyone wants to do it because their neighbor did it.

Commissioner Wintzer thought there was a problem with snow storage on the site, primarily due to the size of the site. He also thought trash was a problem. Making the site as tight as it was proposed leaves no room for auxiliary uses. Commissioner Wintzer stated that he is a follower of the Code, but he also believes it is important to have these types of housing opportunities in the community to be a complete community. He was not willing to ignore the Code, but there are gives and gets that could make this project possible. However, the applicant needs to make that argument because he did not want it to appear that the Planning Commission ignored the Code to make this project work.

Planner Astorga stated that when he started working on this project he found out from the City Engineer that Sullivan Road is not a platted road. It was simply built as a way for people to get to the Park. If the Commissioners had questions, they could look to the City Engineer for answers. Planner Astorga clarified that the Staff did not disagree with Mr. Elliott's comment about a sea of parking. He would like to see an aerial photograph of all the parking spaces to find out which ones have been approved by the City. Planner Astorga stated that he would like to know how many are legal parking spaces and how many were asphalted over a weekend without permits or approvals. The Staff did not have time for that research and he encouraged Mr. Elliott to work with the Building Department to locate the site plans so they could do the exercise. Commissioner Wintzer pointed out that this was an existing condition and he thought the City needed to map Sullivan Road for future reference. He did not believe finding the information suggested by Planner Astorga would change the appearance of Sullivan Road. Planner Astorga clarified that he was only looking for site plans to see how many of the parking spaces for the existing condos were actually legal and approved.

Commissioner Savage stated that this was an interesting discussion where they were trying to solve a heavily constrained problem. He noted that it could be approached from the point of view of content of the LMC, or from the point of view of context and how to implement this community benefit. He believed this cohousing facility was a community benefit because it can nucleate other good things to happen around the community. As a Commissioner and as a citizen, he supports that kind of activity. Commissioner Savage thought the context should drive their discussion.

Commissioner Savage did not have a solution for the parking and he thought it required more

detailed analysis and creative thinking, and he support Commissioner Wintzer's comments. Commissioner Savage stated that the idea of gives and gets as it relates to the open space requirement and green roofs was acceptable in his opinion. He drives Park Avenue every day and that neighborhood is a hodgepodge. Commissioner Savage remarked that a constructive attitude would be to find the right solution to allow this to be implemented in a way that helps people in the heart of Park City achieve their objective, rather than nit-picking the content.

Commissioner Gross thought it was a terrific project and Mr. Elliott did a great job of putting it together. If the project could comply with Code, it was something the Planning Commission should support. Commissioner Gross was unsure how the parking issue could be resolved. He commented on parking issues throughout Old Town and other affordable housing projects. He thought it was commendable that the Struggler Condos have 3 spaces per unit, but that was not possible on this site. Commissioner Gross stated that at a minimum they should try to achieve a one to one ratio for this cohousing project. He noted that Park Avenue is not a friendly street and being able to park on Sullivan Road would help make Park Avenue more walkable.

Commissioner Wintzer did not agree that parking on the street was the answer. Trying to reserve the parking for the units would be difficult, and the street is already over parked because there are cars everywhere. Parking is especially tight in the summer from Park users and they could not take away that parking.

Chair Worel stated that she loves the cohousing concept and she wanted to see it work in Park City. She shared the concerns of her fellow Commissioners regarding the LMC and finding a way to make the LMC work with this concept. Chair Worel asked if she was correct in understanding that seven units were required and ten were proposed.

Mr. Elliott replied that seven affordable units are required. Ten units are proposed on site to provide housing for the cohousing group, which is six less than what is allowed.

Chair Worel asked if all ten units were spoken for and purchased. Mr. Elliott answered yes. Chair Worel clarified that it would present a significant problem if the number of units was decreased. Chair Worel was comfortable using the green roofs as part of the open space; however, in looking at the plans it appears that a ladder would be the roof access. Mr. Elliott replied that it can be accessed from several different places. The areas that are all green have a step up over a terrace. The other terraces were not counted as green, even though green spaces are associated with them.

Commissioner Wintzer suggested that for the next presentation, the applicants submit a parking plan and color code what they intend to count for open space.

Chair Worel asked how people would access the green roof open space. Mr. Elliott indicated doors that would be used for access. It was called out as a ladder on the drawings but it could be stairs or something else. He noted that solar panels were not included in the open space calculation.

Commissioner Savage stated that his direction would be that the idea of counting the roof towards the green space calculation would be acceptable, particularly if the applicant can demonstrate that it

is a community benefit for the people who live in that project.

Planner Astorga asked for input from the Commissioners on the issue of five or more parking spaces. He presented a slide of the site and explained how the Staff determined the number of spaces. Based on the calculation, the Staff determined 8 spaces aside from the six garages, which triggers a CUP. The applicant disagreed with that determination.

Commissioner Wintzer agreed that it was eight parking spaces. Commissioner Gross clarified that it was all part of the same project, which made it difficult to split the parking. Commissioner Savage explained how it could be considered two separate parking areas. He believed the parking issue was again the question of interpretation. He reiterated that the discussion should be driven by the context of the design that adds value to the nature of the property and is compatible with an interpretation, rather than trying to figure out the interpretation.

Commissioner Wintzer stated that there was no room to improve the parking and he was seeing six garage doors and eight cars parked in front of them as the streetscape of this project. Mr. Elliott and Commissioner Wintzer discussed the parking. Mr. Elliott explained different parking options and how it could be accomplished.

Planner Astorga clarified that the requirement is ten parking space but it is not triggered because of the ten units. It is triggered because the two historic structures do not have a parking requirement, and four of the units trigger just one parking space because of their size, and the other four trigger 1.5 spaces for a total of 10 spaces.

Planner Astorga thought the Staff could work with the legal department on the gives and get, specifically address the limited access off Sullivan Road. He believed the Staff could also work with the applicant on fine-tuning this project. Planner Astorga noted that the Planning Department supports this type of use, but they have the responsibility to make findings for every criteria in the LMC for a CUP. Commissioner Wintzer appreciated the Staff's position. He noted that the role of the Planning Commission is to enforce the Code and to make sure the Staff has made the appropriate findings.

Commissioner Savage applauded Mr. Elliott and his team for the approach they have taken with this project.

2024 Sidewinder Drive – Discussion of Conditions of Approval for Conditional Use Permit for a church. (Application GI-12-00205)

Commissioner Gross was excused from the meeting for a short time due to another commitment.

Commissioners Hontz and Thomas returned.

Planner Evans stated that the Staff was seeking guidance from the Planning Commission regarding the condition use issues at 2024 Sidewinder Drive. He reported that the conditional use was issued in 1995 for a church. The zoning is General Commercial and a church is a conditional use within that District. It is unknown how the long church existed in that building. The upper portion has stayed intact as originally constructed. No building permits have been issued since 1995 at this

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
JUNE 26, 2013**

PRESENT: Nann Worel, Brooke Hontz, Stewart Gross, Jack Thomas, Mick Savage, Adam Strachan, Charlie Wintzer, Thomas Eddington, Francisco Astorga, Kirsten Whetstone, Anya Grahn, Polly Samuels McLean.

WORK SESSION ITEMS

1450/1460 Park Avenue - Conditional Use Permit (Application PL-13-01831)
1450/1460 Park Avenue - Plat Amendment (Application PL-13-01830)

Due to conflicts of interest, Commissioners Thomas and Hontz recused themselves and left the room.

Planner Francisco Astorga stated that this was the second work session for the Green Park Co-housing project at 1450/1460 Park Avenue. He provided an overview of the conditional permit for a multi-unit dwelling, a parking area with five or more spaces, and limited access off Sullivan Road. During the last meeting the Planning Commission clarified that due to the number of parking spaces they considered the parking area to be a parking lot. Planner Astorga clarified that the limited access requires a conditional use permit.

Planner Astorga stated that in addition to the CUP, the applicant had submitted applications for an HDDR, which is reviewed and approved by Staff, as well as a plat amendment to remove a lot line. He noted that the plat amendment would not make sense if the CUP is not approved for the uses.

Planner Astorga read the language from the Code stating, "A conditional use permit for limited access on Sullivan Road must be approved by the Planning Commission. He reported on a disagreement between Staff and the applicant. The applicant finds that the project meets all the applicable aspects of the conditional use permit. The Staff differed from that opinion as outlined in the Staff report. He requested input from the Planning Commission on some of the items outlined in the Staff report and the Staff interpretation. Planner Astorga stated that the Planning Commission would eventually have to make findings of fact and conclusions of law and applicable conditions of approval per the three requested uses.

Planner Astorga stated that the Planning Commission could either agree with the Staff interpretation, require the applicant to redesign the project or submit for a variance to the Board of Adjustment, or they could direct the Staff to begin a LMC amendment. If they choose the LMC amendment, it must be for the entire HRM district and not one particular site.

Planner Astorga noted that the Staff report was divided into five different sections. He stated that the Staff was not against the co-housing project and the seven affordable units proposed reflect the Park City values. He clarified that he was not against the co-housing principle, but his job was to interpret the LMC and create findings for the Planning Commission to approve in the future.

Planner Astorga stated that the first item for discussion was a special requirement for a multi-unit building. The Code requires 60% open space. However, in order to meet this criteria the applicant has to count the open space on the roof. The Staff would like to count the green roof as open space if it can be made accessible to everyone in the project. Planner Astorga pointed out that if the green

roof is not counted, the open space would only be 53%, which is less than the Code requirement.

Commissioner Gross asked if there was a special requirement for the roof to be green or whether it could be an open patio area. Planner Astorga replied that it would need to meet the green roof definition in the LMC, which requires vegetation.

Craig Elliott, the project architect, explained that the applicant was proposing a vegetated roof. Other areas with access had not been counted as open space. If those areas were counted the project would provide 85% open space. Commissioner Gross noted that many projects they have seen recently proposed green roofs and he wanted to make sure if more than just a reclaimed roof area with mechanical equipment on one side and patio tables on the other side.

Planner Astorga remarked that the Code uses the term "usable" in relation to open space. A requirement for a multi-unit building is to provide 60% open space.

Commissioner Wintzer noted that at the last meeting he had stated that he would consider approving the green roof as open space. However, this is a housing project that will have children and they were counting the setbacks as open space. In his opinion, it was not enough open space to make it work, but if someone wanted to squeeze it in under the definition, that would be their choice. Commissioner Wintzer emphasized that the City needed a definition for a green roof that works. The City Council decided that green roofs were acceptable, but they never went back to analyze the details of a green roof, what makes it work and whether it fits in the Historic District.

Commissioner Strachan asked if "usable" means access or whether it has to be useful, such as a garden or a recreation area. Planner Astorga explained that "usable" means that everyone in the project must have access to it without going through a private unit. It also means that it has to meet the definition of a green roof and have vegetation. Commissioner Strachan wanted to know how people would use the roof once they gain access. If there was nothing to do on the roof, he could not understand why they would need access.

Mr. Elliott concurred with Commissioner Strachan. He pointed out that there were a lot of reasons to have open space and green roofs count towards open space for several reasons. One is the opportunity to reduce runoff. It also reduces the heat load of the buildings. Green roofs do a lot of things that open space in general can do, and that was what they were trying to accomplish.

Planner Astorga reiterated that based on the Staff analysis, without the green roof there would only be 53.1% of open space, which would not comply with the open space requirement in the LMC. He asked if the Planning Commission agreed with the analysis, whether the applicant should redesign or submit a variance, or if the Planning Commission was willing to recommend that the Staff change the Code to lower the requirement.

Mr. Elliott remarked that people put bark, flowers and bushes and planting in the open space in their own yards. It is still open space but not space that people walk on and have access to. Commissioner Wintzer stated that the difference is that people can see it and it contributes to the community as open space. For that reason, he was having a hard time considering a roof as open space. Mr. Elliott commented on other elements in the community that is considered open space but it not used as a playground.

Director Eddington noted that Planner Astorga was interpreting usable as accessible. He agreed that there is open space in side, front and rear yards that is not overly usable, but it counts as open space. It is not the ideal and they tried to change that in the General Plan and come back with new definitions for open space. Currently, he believed that open space is basically green and not all of it is accessible. Gardens and landscaping is usable in terms of being visible and what it contributes. Director Eddington agreed that the current definition is not grand in out open space is counted. Side yards in Old Town are not that usable, and he believed the proposed green roof would fall under that category. You may not be able to play on the green roof but someone could walk around it.

Commissioner Savage understood that the developers, in conjunction with the homeowners, would have the right, but not the obligation, to turn the roof into a patio area and treat it however they wanted as long as it was accessible and complied with the requirements.

Commissioner Gross suggested that the green roof could be qualified similar to a landscaping plan on a house, where it is tied to the occupancy permit and must be completed in a certain manner.

Commissioner Savage stated that at the last meeting, his support of the green roof included the concept that it would be designed and developed in a way that would be green, accessible and desired to be accessed. He suggested that the applicant should come back with a preliminary plan indicating that the accessibility of the roof is meritorious. Chair Worel understood that the roof was accessible through private units. Mr. Elliott stated that it was no different from a typical condominium project where there is limited common space. Commissioner Wintzer pointed out that if a resident leaves town for a month, the open space would not be accessible if their unit is locked. Mr. Elliott explained that open space in a condominium project frequently is limited common area that would be accessible to that unit only and not to the entire project.

Jeff Werbelow, representing the applicant, stated that that this was not a typical project where no one is allowed in the units. It is a project where everyone shares everything in the project and everyone would have access to the green roofs. He explained that the original vision was to have an open space green roof similar to KPCW. They had not envisioned it as a playground.

Commissioner Gross understood that KPCW was not required to build the green roof. Director Eddington stated that it was negotiated into the building at the time as part of the CUP.

Planner Astorga understood that Commissioner Savage was suggested a re-design. He asked if the Planning Commission agreed with his assessment. Planner Astorga noted that if the Planning Commission did not follow the Staff recommendation, the open space would only be 53.1%. The options would be a variance or a re-design. Commissioner Strachan was unsure if the applicant could obtain a variance. Planner Astorga replied that the applicant would still have the right to apply for a variance.

Commissioner Strachan believed a third option was to change the LMC. In reading the definition of open space in the LMC, he noted that there are two types of open space; Open Space Landscape and Open Space Natural. Natural is the Round Valley type open space. Landscape is publicly accessible landscape areas, such as areas adjacent to public government facilities, playground equipment, recreational amenities, etc. He did not think a green roof was close to meeting that

definition. He was not opposed to allowing green roofs, but the Code needed to be changed before they could do it. Commissioner Strachan believed the issue was whether or not to incentivize people to put in green roofs. He personally thought they should. If that was the general consensus and the Code hinders that, then the Code should be amended so they could count green roofs at their discretion if it enhances the project and the community interest. Commissioners Worel and Wintzer concurred.

Commissioner Strachan believed the applicant had the option to redesign the project and come in under the current definition of open space, or request a Code amendment. He pointed out that amending the Code would be a slow process.

Mr. Elliott stated that part of the goal was to create garden space; however, the project is within the soils boundary. Based on the soils condition, they have an opportunity to put gardens on the roofs. Mr. Werbelow remarked that the intention is to have gardens on the roof. Commissioner Wintzer stated that they could put gardens on raised beds to keep it out of the soils, which is the same process as putting a garden on the roof.

Commissioner Wintzer pointed out that the Planning Commission has the obligation to enforce the Code. They do not have the ability to ignore it and it is not their job to change it. He felt the issue was problematic.

Commissioner Savage referred to the definition Commissioner Strachan had read, and that was included on page 20 of the Staff report, "LMC defines landscaped open space as landscaped areas which may include things such as public landscape and hardscape plazas." He stated that if the applicant came back with a schema that showed public raised bed gardening as a community garden for this shared development, he believed it would comply with the definition. Commissioner Wintzer pointed out that it would still not be publicly accessible.

Commissioner Savage thought there were two different discussions. One was publicly accessible and the other was whether the use qualifies for the definition of open space. In terms of the use, he thought it would be consistent with the definition. Chair Worel did not think it complied with the last part of the definition which states, "...but excluding buildings or structures." Commissioner Savage argued that it was a roof; not a building. It is a flat surface.

Mr. Elliott presented a slide showing the solar panels on the building. He noted that that end of the building had common area. There was a stairway that was common to everyone for access. Mr. Elliott stated that he could extend the stair to the roof and make that part green. He believed it would only require approximately 8% additional total square footage to meet the Code, if that was all that was required. In his opinion it would be a simple solution to resolve the open space access issue. Mr. Elliott was willing to make that change if the Planning Commission was willing to accept it as a solution. He clarified that it would not be a public access for anyone outside of the Green Park Co-Housing project.

Commissioner Strachan was not sure that the stair extension would meet the definition. Mr. Elliott noted that it would be privately held open space and no different from private courtyards or side yards. Commissioner Savage pointed out that where he lives he has the right to use the common space. However, "Joe Public" would not have that same right because he does not live there, but it

is still considered open space.

Commissioner Strachan thought the stair extension was a reasonable solution that comes close enough to meeting the definition. He recognized that it would not fit cleanly, but that was typical of most applications. Commissioner Wintzer concurred.

Chair Worel thought the issue made it clear that the LMC needed to be amended. Commissioner Strachan agreed that the definition needs to be revised if they want to incentivize green roofs in the future. Commissioner Wintzer reiterated his previous requests for the Staff to research a green roof definition. Director Eddington stated that the Staff has already drafted new definitions for open space, the different kinds of open space and green roofs for the General Plan. Once the General Plan process is completed, the LMC would be amended.

Director Eddington clarified that the Planning Commission would be comfortable with the green roof as open space with accessibility via the stairway; and there is no pre-exclusion with the words “but excluding buildings and structures”, in the open space landscape definition. Director Eddington noted that a structure is typically defined as anything constructed and affixed to the ground. The Commissioners were comfortable with counting the green roof as open space as long as everyone in the co-housing development would have access to it.

Planner Astorga moved to the next issue of parking and interior landscaping. He noted that parking should generally be located to the rear of the buildings or screened so it does not dominate the streetscape. The Staff finds that the parking is not screened and therefore it does not comply.

Commissioner Strachan stated that a number of issues centered around the parking design. Planner Astorga replied that this section addresses the parking design. Commissioner Strachan recommended that Planner Astorga present all the parking related issues as one discussion rather than in pieces. The Commissioners concurred.

Mr. Elliott pointed out that Commissioner Strachan was absent from the last meeting and had not seen the full presentation of the projects. He requested the opportunity to briefly review his presentation because it shows the design concept, how it was put together, why they did it and what was done. He noted that it was the same presentation given at the last meeting with a few minor changes.

Mr. Elliott expressed disagreement with Planner Astorga’s interpretation of the parking because the project does not have a parking lot. The project was designed with four driveways that go to garages and a driveway cannot be screened. The back lots are four Old Town lots of width. If there were four houses the driveways may be narrower but they would still exist. Mr. Elliott pointed out that the limited access discussion has a lot to do with a number of reasons. He explained that the limited access on Sullivan Road was put in because there was no dedicated right-of-way. In order to have access to the properties there needed to be something in the Code that allows it. Mr. Elliott stated that as second reason was to discourage access from Park Avenue. He noted that their plan removed two driveways from Park Avenue.

Commissioner Wintzer recalled that the Planning Commission had determined at the last meeting that the parking was a parking lot. Mr. Elliott stated that a parking lot would require a drive aisle, an

access and turn-in. Those can be screened because there is only one drive lane into a parking lot, which is a large area dedicated to parking. He would argue that this project did not have a parking lot because there were four different parking spots that connect to the street.

Planner Astorga agreed with Commissioner Wintzer that all the Commissioners, with the exception of Commissioner Strachan who was absent, determined that this qualified under the use of a parking area with five or more spaces. Commissioner Strachan was interested in seeing Mr. Elliott's presentation, particularly if changes were made since the last meeting.

Mr. Elliott reviewed the proposed development, the surrounding existing developments, as well as the roadways and parking. He noted that the orange areas indicated the historic homes on the block.

Commissioner Strachan asked if the 14 parking spaces proposed met the minimum parking requirements. Mr. Elliott replied that it exceeded the minimum requirement by four spaces. He explained why they were proposing to use parking on Park Avenue and clarified that it was not to meet the parking requirement.

Mr. Elliott pointed out the revisions that were made since the last meeting. They brought the building mass out and created recessed area for the garage and balcony areas off of each unit looking back into the Park area. Windows were added to the corners and they created a doorway in place of a window. Mr. Elliott indicated areas where the storage for trash and recycling was increased. It is screened from the public and it covered up what would have been another door. Therefore, two doors were reduced on the building mass from the previous plan, and the texture was changed for better articulation on the façade.

Commissioner Wintzer referred to the parking plan and asked if parking in the setbacks was allowed. Mr. Elliott replied that on a driveway you can park in the setback. Planner Astorga disagreed, and read language from LMC Section 15-3-14 on page 13 of the Staff report. "All parking lots shall maintain the required front and side yard as would be required for any structure". Commissioner Wintzer felt the language goes back to the question of whether this was a parking lot.

Commissioner Savage understood that whether or not this was a parking lot was a separate issue. If it is a parking lot Planner Astorga was right and if it was not a parking lot Craig Elliott was right. Planner Astorga replied that this was correct. Director Eddington explained that the alternative to the parking lot would be a series of driveways.

Commissioner Savage remarked that the nature of a parking lot is a situation where there is a certain number of parking spaces and people who have the right to use that parking lot can park in any of the spaces that exist in the lot. A driveway is dedicated to a unit and the people who do not own or live in that unit do not have the right to park in the driveway. Commissioner Wintzer pointed out that Unit 1 is parked in the garage and Unit 2 parks behind him outside of the garage. Planner Astorga pointed out that that would be part of the parking management which the City does not regulate. Commissioner Savage asked for the criteria that discerns whether or not it is a parking lot. Planner Astorga stated that he determined it was a parking lot because there are more than five parking spaces.

Commissioner Gross ask if the number of parking spaces was the only determining factor. He pointed out that the proposed parking exceeded the minimum and that was creating the issue. Planner Astorga noted that he had added the definitions of parking in his presentation.

Mr. Werbelow stated that they spent a lot of time on their parking plan. He noted that each tandem space was a unit and the family would park in the garage and in a driveway behind it. Two of the garages have parking partners and only two individuals share that space. He explained that it was not random parking where people could park anywhere like they would in a parking lot.

Planner Astorga reviewed Section 2 of his presentation, which focused on the parking issues. The first was interior landscaping of five feet. The applicant proposes four landscaping areas adjacent to the driveway/parking spaces, which is a strip of 2-1/2 feet and then two strip of 5-feet, and then another one of 2-1/2 feet. He noted that they have provided strips of landscaped areas; however, it does not meet the minimum of 5-feet. Another issue is street access and circulation, specifically parking areas designed for five or more vehicles. The LMC language states, "Must not necessitate backing cars on to adjoining public sidewalks, parking strips or roadways. The third issue was driveway widths and spacing. He read, "Residential and multi-unit dwellings and five or more parking spaces requires a minimum drive width of 18-feet. The maximum driveway width is 30-foot". Per the Historic District Guidelines, in the Historic District the minimum spacing requirement is 10-feet. Planner Astorga pointed out the conflict between the LMC requirement and the Design Guidelines. He noted that whenever there is a conflict of regulation the more strict requirement applies. Therefore, the minimum width needs to be 10-feet and this proposal does not meet that requirement. He clarified that it meets the criteria for a multi-unit building, but not in the Historic District.

Commissioner Savage asked if it was possible to resolve the collection of issues by allowing the project the spaces they need on Park Avenue. He believed expanding the parking on Park Avenue would mitigate the problem. Mr. Elliott stated that expanding the parking would require the Planning Commission to interpret it as driveways. Commissioner Savage asked if it would solve the problem of having five parking spaces if they kept the two spaces on Park Avenue and moved the open space on the front to the back. Mr. Elliott answered no.

Commissioner Wintzer asked if parking spaces 13 and 14 were in the side yard setbacks. Mr. Elliott answered yes. Commissioner Wintzer reiterated that parking in the setback is not permitted. Mr. Elliott remarked that the driveway is in the setback and parking is allowed in the driveway on the property.

Commissioner Strachan asked if any of the driveways exceed 30 feet. Planner Astorga gave the widths of all the driveways to show that they were under 30 feet.

Planner Astorga stated that the next section for discussion addressed tandem spaces. He noted that one provision in the Code states that tandem parking is only allowed for single-family dwelling, accessory apartments and duplexes in all zoning districts. However, another provision indicates that tandem parking is allowed in the Historic District. The Staff found compliance with this regulation and asked if the Planning Commission concurred with that finding.

Planner Astorga noted that the next section states that all parking lots shall maintain their required

front and side yard as would be required for any structure. The Staff did not find compliance on this issue.

Planner Astorga remarked that there was no added screening for the parking lot or driveway, and therefore, it does not comply with the criteria.

Planner Astorga noted that adjacent driveways must be separated by an island of 18-feet for a multi-unit dwelling. The Staff did not find compliance with this criteria.

For the purposes of discussion, Commissioner Savage asked if they were talking about a driveway or a parking lot. Planner Astorga stated that the Staff finds that it is both because it has a dual purpose. Commissioner Savage questioned how they could hold an applicant accountable to the most rigorous scenario for a parking lot and the most rigorous scenario for a driveway simultaneously. Planner Astorga believed they could because the use of the space has a dual purpose. You drive through it to get to a parking space in the garage and then you park another vehicle behind it. Commissioner Savage stated that it was called tandem parking. In his opinion it was a driveway and not a parking lot.

Planner Astorga stated that in all the criteria identified in Section 2, only a few apply to a parking space of five or more. He referred to page 13 of the Staff report and noted that there was not compliance with Criteria 1, 2, and 3. Criteria 4 and 5 were not applicable.

Commissioner Strachan clarified that Mr. Elliott was of the opinion that it was not a parking lot because it was broken up by the islands. Mr. Elliott stated that it was designed as a driveway. Commissioner Strachan stated that the fact that it is broken by the islands did not answer his questions. Mr. Elliott explained that the islands break the driveways into separate pieces and going into a garage makes it a driveway. It is not an access way to a parking lot.

The Commissioners and Staff discussed the widths of the islands. Director Eddington stated that the Code did not particularly address this particular situation because this development was multi-family dwelling units. He felt it was unclear on whether or not it could be called a driveway. Director Eddington pointed out that the Planning Commission previously deemed the parking a parking lot because it contained five or more spaces. Based on that determination there were spacing restrictions that Planner Astorga had previously outlined. However, the applicant believed it was a series of driveways. Director Eddington stated that the conflict needed to be resolved and the Planning Commission needed to make a determination this evening.

Commissioner Savage thought this was a good project that would be good for a lot of people. He thought the Planning Commission needed to find a way to solve the problem and to decide if it was easier to solve as a driveway or a parking lot. Commissioner Wintzer remarked that there were problems with either scenario.

Assistant City Attorney McLean advised the Planning Commission that as much as they like the project, they still needed to go back to the Code. If the Code is wrong, it can be changed, but they have the obligation to follow the Code that is in place.

Commissioner Gross felt the unfortunate issue with the problem is that it has a major frontage along

Park Avenue and a major frontage along a recreational parking lot. He assumed ten parking spaces were required for the project and the applicant was proposing 14. He thought a possible solution might be to eliminate four parking spaces and widen the buffers in the back to make them less objectionable and closer to Code. Commissioner Wintzer stated that the problem with that solution is that it would push the cars out into the neighborhood.

Planner Astorga emphasized that the bigger issue is that they do not comply with the design guidelines that says the driveway shall be limited to ten feet. He believed the smaller ones could be reduced but it would be difficult to reduce the ones that are 28.5 feet. Mr. Elliott believed the larger ones could be reduced to 21 feet. Planner Astorga pointed out that the requirement was found in the Historic District Guidelines. It was not a requirement of five or more parking spaces. The requirement applies regardless of the number of parking spaces.

Commissioner Savage stated that as a hypothetical, if the Planning Commission agreed to accept the plan as presented, he wanted to know what would need to be done to implement it. Planner Astorga replied that the Planning Commission would have to direct the Staff to change the LMC. Commissioner Savage assumed the next option would be for the applicant to apply for a variance. He understood that there was no way to approve the plan as designed without changing the LMC. Planner Astorga believed that was the only way.

Director Eddington referred to the Note on page 14 of the Staff report. Astorga read, "The City Engineer may approve minor space and width deviations. At this time no deviations have been made by the City Engineer." Mr. Elliott stated that they had not had the opportunity to visit the site with the City Engineer. Planner Astorga stated that he had many conversations with the City Engineer, which included him reviewing the entire Staff report. When Mr. Cassel has an issue he tries to work it out with Staff. Planner Astorga reported that Mr. Cassel had made no comments, which indicates that he occurs with the current Staff recommendation. Mr. Elliott stated that neither the design professional nor the owners had met with the City Engineer.

Commissioner Savage recommended that the project be set in abeyance until the applicants have the opportunity for review with the City Engineer. If the City Engineer can come up with a solution he supports, the Planning Commission would have a different position to consider. Planner Astorga pointed out that the language he read was from the LMC. Unfortunately, the City Engineer does not have the purview to override the 10-foot requirement for driveways as indicated in the design guidelines. He wanted to make sure that the applicant understood that Mr. Cassel would not be able to change the requirement from 10 to 18 feet.

Commissioner Strachan noted that if the City Engineer finds that it is not a minor deviation, it would tie the hands of the Planning Commission.

Assistant City Attorney believed that part of the conflict was that the Staff was given direction at the last meeting to review it as parking for five or more, and that was the basis of the analysis. Since both meetings were work session, it would be appropriate to re-examine whether or not it is a parking lot or driveways. She believed whichever avenue they take has its own challenges.

Planner Astorga was unclear on whether there was a different interpretation this evening as to whether it is five parking spaces or more. If the Planning Commission were to change their

interpretation, there would still be challenges to overcome to comply with Code. Commissioner Strachan could see no way to bend the Code because it was too far outside of the requirements. In his opinion, it is clearly a parking lot as defined because it has more than five spaces. It is not driveways. Assistant City Attorney stated that the alternative was to direct the Staff to look at LMC amendments for this area. Commissioner Gross was comfortable with that alternative. Commissioner Wintzer was not opposed to changing the LMC, but he thought it would be a quicker process for the applicant to consider redesign work rather than wait for changes to the LMC. Commissioner Wintzer agreed with Commissioner Strachan that there was no way to get around the Code. Commissioner Savage thought the only choice was to follow Ms. McLean's suggestion.

Planner Astorga clarified that the Planning Commission was leaning towards changing the LMC. The Commissioners concurred.

Planner Astorga commented on the Sullivan Road access. The first criteria was to increase front yard setbacks. He noted that all the setbacks met the minimum requirements. Planner Astorga referred to page 21 of the Staff report and reviewed the list of Mandatory Elements Criteria outlined in the LMC. The Staff could not find compliance with 2(b) increased front yard setbacks; 2(d) increased TDRs, open space, and/or preservation of significant landscape elements; 2(f) minimized access to Sullivan Road; 3) Design review under the Historic District Guidelines, 4) Incorporation of Pedestrian and Landscape Improvements along park Avenue, Sullivan Road and Eastern Avenue.

Mr. Elliott commented on the increased setbacks and stated that in the original concept, before the garages, the setbacks were five feet greater than the 20-foot minimum. He pointed out that the setbacks are actually 21 feet, which is one foot greater than the minimum. Planner Astorga stated that there was a dual requirement for setbacks. For a front facing garage the minimum requirement is 25 feet, and everything else is 20 feet.

Mr. Elliott explained his interpretation of the intent of the Code. Commissioner Strachan agreed with Mr. Elliott.

Planner Astorga asked if the Planning Commission agreed with his analysis that it was a double frontage lot. Commissioners Strachan, Worel, and Wintzer agreed. Commissioner Savage stated that there was no ambiguity in his mind that the front of the building was on Park Avenue and the back was on Sullivan. Commissioner Strachan believed the Code was written with the understanding that all those properties were double frontage lots and they would need to give on the Sullivan Road side to get the increased setback on Park Avenue, or visa-versa. He did not think it was necessary to increase the setback on Sullivan Road as long as there was the necessary setback on Park Avenue. He pointed out that the structures is front were historic and did not need to move. Commissioner Strachan believed his interpretation applied to the increased snow storage and to the rest of the criteria in Section 15-2.4-9B. The Commissioners concurred.

Planner Astorga referred to criteria (d) increase TDR, open space and/or preservation of significant landscaped elements. The Commissioners were unaware of any significant landscape elements. Planner Astorga stated that the Staff could make the interpretation that there were no significant landscape elements and, therefore, this requirement was not applicable.

Planner Astorga requested discussion on criteria (e), the elimination of multi-unit buildings. Commissioner Strachan noted that the Code states that the Planning Commission shall review and

evaluate the criteria for all projects along Sullivan Road. The Code does not say that a multi-unit or triplex dwelling is not allowed. In his opinion, it was optional. Commissioner Savage thought the criteria would not apply because there was not a multi-unit or triplex dwelling that could be eliminated. The Commissioners concurred.

Planner Astorga stated that criteria (f), minimize access to Sullivan Road, was in conjunction with the parking analysis. In looking at the site plan, he was unable to interpret that this would be limited access off of Sullivan. Commissioner Strachan thought the Code encouraged minimizing the access, but it is not required. The Code only says that the Planning Commission has to evaluate it. He believed they had already evaluated it in the context of the parking discussion by determining that the access to Sullivan Road as currently designed was too intensive based on the number of parking spaces.

Mr. Elliott pointed out that they were proposing 10 units, which was less than the base density of 14 units. Therefore, they had minimized the access by reducing the density. Commissioner Strachan remarked that if the applicant was able to resolve the parking problem, the access would be minimized further.

Mr. Elliott asked for clarification from the Planning Commission on whether the issue was that the proposed parking was too intensive or that it did not meet Code. Commissioner Savage replied that it did not meet the criteria of the Code. Commissioner Strachan thought it was both issues. The purpose of the Code is to control the intensity of use and that can be done through various means, including parking requirements. Mr. Elliott stated that he did not look at it as being too intense. His interpretation was being able to find a way to apply the Code. Commissioner Savage encouraged Mr. Elliott to explore a way to resolve the Code issues, which would include a reduction in the number of parking spaces.

Assistant City Attorney McLean understood that because the applicant was not maximizing the density that could be on these lots, Commissioner Strachan interpreted that as minimizing the access to Sullivan Road. She asked if there was consensus among the Planning Commission on that interpretation. The Commissioners concurred.

Planner Astorga noted that the Staff interpretation was non-compliance with 4) Incorporation of Pedestrian and Landscape Improvements along Park Avenue, Sullivan Road and Eastern Avenue. However, based on the direction he received for the increased snow storage and the preservation of the significant landscape elements, he thought he could work on finding compliance with the criteria. Commissioner Strachan thought the project needed to have better pedestrian connections. Commissioner Gross agreed, and believed it was tied in with the parking in the back. Commissioner Strachan pointed out that the Code was more mandatory in this criteria because it says "the plans must save, preserve, or enhance...." Commissioner Strachan stated that if the project preserves or enhances the existing connections he thought that would be a reasonable interpretation. Commissioner Savage thought that would definitely be accomplished on the Park Avenue side because that perspective would be much more attractive than it is currently. Based on the final design, from an aesthetic standpoint he believed the back would be equivalent or superior to the adjacent projects.

Planner Astorga read criteria 5) Parking mitigation. Plans that keep the front yard setbacks clear of parking and minimize parking impacts near intensive uses on Sullivan Road are positive elements of

any site plan. He found that the project did not comply with this criteria. Commissioner Strachan stated that these were things that should occur, but he did not read it as mandatory.

Planner Astorga requested discussion on criteria 6) Preservation of Historic structures and landscape features. He noted that the Staff did not find compliance with the Design Guidelines and the CUP criteria in terms of mass, scale, and compatibility. The issue is that the separation between one historic structure and the new structure is 3-1/2 feet. The second historic structure has a separation of four feet. The interpretation is that it is extremely difficult to have a compatible addition when it is so close to the historic structure. He clarified that these were not additions because they are not connected; however, viewed from the public right-of-way, they would be seen as additions because of the close proximity.

Commissioner Savage asked if there was a provision in the Code that speaks to the specific issue of the distance between the buildings. Planner Astorga replied that the Code does not have a hard answer. However, the Staff finds that 3-1/2 feet is not enough distance and would recommend 8 to 10 feet of separation.

Mr. Elliott pointed out that they would be allowed to do additions to the historic structures. They felt this was a more appropriate way to maintain the historic structures and identify them as being separate; and at the same time keep them close enough to the rest of the units to be part of it. Mr. Elliott believed they had maintained the character of the existing structures and reduced the impacts of the structure behind. He felt the plan was very consistent with the Design Guidelines.

Commissioner Strachan clarified that the historic structures were part of this project. Mr. Elliott replied that they were two units in the project. He explained how the project was designed based on direction from Staff at the pre-application meeting. He reviewed the elevations showing the historic homes and the new building behind. Commissioner Savage thought the new building would need to be moved back a significant distance before the separation would be visible. Planner Astorga noted that the Staff was being strict on the interpretation of compliance with the Historic District Design Guidelines because the applicant had indicated that they would have the highest degree of historic preservation. Commissioner Savage thought the focus should be on questions related to the façade, colors and compatibility between the historic structures and the structures immediately behind them. In his opinion, the contrast of a modern building behind the historic structures would be more apparent than the distance between the buildings.

Mr. Elliott pointed out that they are encouraged not to mimic or replicate the historic structures. It is a delicate balance of design and they tried to place the building where it would have the least impact to the historic structure. As far as he could tell, they had not violated the Code or the Design Guidelines through the process, and they had designed the project with compatibility in mind.

Planner Astorga noted that the applicant would have to work with the Staff on the Historic District Design Review. The Planning Commission was not involved in the HDDR, but he encouraged their feedback and comments for consideration. Mr. Elliott was also interested in hearing the Commissioners comments. He would need to know if they did not find it compatible.

Commissioner Wintzer was uncomfortable with raising the two historic structures. He understood Mr. Elliott's reason for doing it, but it takes them out of the context of the streetscape. Mr. Elliott

stated that he could lower the one on the left by a foot, but they would have to take it out of the flood plain. The structure on the right fits the criteria in the zone and the design guidelines. Commissioner Wintzer suggested that Mr. Elliott look at taking the structures out of the flood plain.

Commissioner Strachan believed the applicant had a challenging battle meeting compatibility. The proposed structure was more modern than the adjacent multi-family structures, and he could not see a seamless transition with the two historic structures.

Chair Worel wanted to see the transition more seamless. She thought the new building was too modern to blend with the historic structures. Commissioner Gross agreed, particularly the view from Park Avenue looking east. Commissioner Strachan thought Mr. Elliott had the opportunity to revise the design to make it work.

Planner Astorga clarified that the Staff was not against co-housing and affordable units; however, they are charged with applying the Code.

Chair Worel called for public input.

Clark Barron, an owner in the Struggler condos adjacent to this project, agreed with the Staff report. In his opinion this project does not comply with Code on the issues of parking and compatibility. He recognized that some of the surrounding structures are very large, but they were built prior to the Historic District Design Guidelines. Mr. Barron remarked that the LMC and the guidelines are in place for a reason and this project should have to comply. Mr. Barron noted that the proponents of the property made them aware that these were the last two historic properties to be developed along Park Avenue. He believed that fact makes a stronger case for making sure it is developed in the right way. Mr. Barron believed the project as designed is not compatible with the surrounding structures. He agreed with the statement that new construction should be subordinate to the historic structures, and this structure is not. Mr. Barron did not agree with the discussion concerning two frontages. He noted that ten people live in the project and eight of the front yards front Sullivan Avenue and only two go the other direction. He was unsure how they could classify Sullivan Avenue as a back yard in terms of setbacks. Mr. Barron asked the Planning Commission to be cautious about counting the green roof as part of the open space. In his opinion it is a slippery slope. Another condo project could build property line to property line, cover the whole roof with grass and call it green space. That is not the intent of open space. Mr. Barron commented on the number of issues and problems with this project and noted that the reason is that it does not fit the lot. He believed there were better uses for this last historic green space.

Jane Crane, an owner in the Struggler condominiums, agreed with Mr. Barron on all the issues. She was concerned about water issues if the historic home next to the Struggler is raised. Her property already gets a lot of water from the snow and she worried about further problems if the elevation is changed.

Ethel Preston, one of the co-housing owners, was unsure what the Planning Commission was looking for in terms of compatibility. She noted that the two developments on either side of this project were built in the 1970's. Ms. Preston asked if the Planning Commission wanted the co-housing to look like a 1970's project. She did not understand their comments about looking more modern than the surrounding units.

Chair Worel explained that her comments was that she would like to see more seamless from Park Avenue so it flows with the historic structures as one property.

Ms. Preston pointed out that another person had said that the building looked too modern and it was not compatible with the surrounding structures. She asked what age they wanted the building to look like.

Commissioner Strachan noted that he had made the statement about being too modern. He could not define compatibility but he knows it when he sees it. Commissioner Savage told Ms. Preston that their comments addressed compatibility with the façade of the two historic buildings from Park Avenue. They were asking the applicant to find a way to make the façade of the new construction look harmonious and compatible with the look of the historic homes. He clarified that the Planning Commission was not recommending 1970 architecture.

Park City Heights – Possible amendments to Subdivision Plat (Application PL-11-01355)

Planner Whetstone reported that the purpose of the work session was to review contemplated changes to the subdivision plat for the Park City Heights Master Planned Development. The Master Planned Development was approved in 2011, along with a preliminary plat. The preliminary plat and the master planned development went through an extensive review over an extended period of time.

It was a concept plan with a master plan, and a lot of details were discussed before the master plan was approved with a series of conditions. Planner Whetstone noted that a number of different elements of the master plan and the preliminary plat were reviewed at the same time.

Planner Whetstone explained that due to the discovery of mine/waste and contaminated soils, the applicant felt it was necessary to create an area for an on-site repository for soils. It would require changing the configuration of the lots, but not the density. The density would remain at 239 units on 239 acres. The number of affordable housing units and market rate units would remain the same. Planner Whetstone recalled that there were eight affordable units that were not required but were being provided in the mix of 79 affordable units that were undefined. Those units have now been defined. She noted that the original neighborhood would be little smaller, but additional park areas were added.

Planner Whetstone stated that the applicant was working with the State on the Voluntary Cleanup Program; however, the remediation plan has not been approved. She had met with the applicant's representative to plan out a strategy and they felt that it was best to come back to the Planning Commission as a work session to determine the required process to address the issues. Planner Whetstone noted that the applicants would have to do a new preliminary plat for Phase 1 if the repository is approved to remedy the soils issues. The question was whether the applicants could come back to the Planning Commission with a new subdivision plat without re-opening the MPD.

Spencer White, representing the applicant, reiterated that the Park City Heights project went through a lengthy approval process and there was a significant amount of discussion between the Planning Commission and the applicants. They knew they would be coming back at each phase and they did not want to surprise the Planning Commission with a different layout. Mr. Spencer noted that they tried to keep everything as close to the original plan as possible. He not believe anything substantial



Planning Commission Staff Report

Subject: The Retreat at the Park First Amended
Author: Francisco Astorga, Planner
Project Number: PL-13-01830
Date: February 12, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for The Retreat at the Park First Amended Plat Amendment located at 1450 / 1460 Park Avenue and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant: Green Park Cohousing represented by Elliott Workgroup Architecture
Location: 1450 / 1460 Park Avenue
Zoning: Historic Residential Medium Density (HRM) District
Adjacent Land Uses: Residential condominiums and park/open space
Reason for Review: Plat amendments require Planning Commission review and recommendation to City Council

Proposal

The applicant requests to combine Lot 1 and Lot 2 of the “Retreat at the Park” Subdivision into one (1) lot of record in order to accommodate a proposed multi-unit co-housing project. The multi-unit dwelling is proposed to be constructed across the common lot line. A plat amendment is required to remove this property line to accommodate such structure.

The proposed project consists of ten (10) residential units consisting of eight (8) units within a multi-unit dwelling and two (2) existing historic structures facing Park Avenue. The applicant will have a minimum of six (6) units being sold at or below affordable levels, 80% of Average Median Income (AMI). At least one (1) unit will be sold at an attainable level, 120% of AMI. Remaining three (3) units will be sold at market rates. Prospective buyers of affordable or attainable units must show through an income/asset test that they are eligible at stated income levels. Units will also be deed restricted at 3% annual appreciation. Before any of the units can be sold individually the applicant will have to submit a Condominium Record of Survey request to be reviewed and approved by the City.

Purpose

The purpose of the Historic Residential Medium Density (HRM) District is to:

- A. allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- B. encourage new Development along an important corridor that is Compatible with Historic Structures in the surrounding Area,
- C. encourage the rehabilitation of existing Historic Structures,
- D. encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- E. encourage Affordable Housing,
- F. encourage Development which minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas, and
- G. establish specific criteria for the review of Neighborhood Commercial Uses in Historic Structures along Park Avenue.

Background

In 2009, the City purchased the properties at 1450 / 1460 Park Avenue with Lower Park Redevelopment Agency funds with the intent of an eventual affordable housing project. A request for proposal was sent out in 2011 to solicit bids for the property and the bidding process was completed in early 2012. In March 2012, the City Council directed Staff to proceed with negotiations with Green Park Cohousing, LLC on the purchase of the property following their selection in the RFP process.

In February 2013, the City received this Plat Amendment request, as well as a Conditional Use Permit (CUP) for a multi-unit dwelling and a Historic District Design Review (HDDR) application for the rehabilitation of the two historic structures and the construction of the multi-unit dwelling on the site. The CUP and HDDR applications are concurrently being reviewed by Staff.

Planning Commission work session discussions were held on May 8, 2013 and June 26, 2013 to discuss the Cohousing project specifically related to the Multi-unit dwelling and applicable Land Management Code criteria related to the proposed use. The Commission provided input and direction regarding the conditional use.

Analysis

The proposed plat amendment creates one (1) lot of record from the two (2) platted existing lots of record consisting of the two (2) lots of The Retreat at the Park Subdivision re-platted in 2007. Staff has reviewed the proposed plat amendment request and found compliance with the following Land Management Code (LMC) requirements for lot size and width:

- Lot size. Minimum lot areas for residential uses as follows:

Single Family Dwelling	1,875 square feet
Duplex Dwelling	3,750 square feet
Triplex Dwelling	4,687 square feet

Four-plex Dwelling	5,625 square feet
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Per Land Management Code (LMC) § 15-2.4-4 Lot and Site Requirements, developments consisting of more than four (4) Dwelling Units require a Lot Area at least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units. The proposed Plat Amendment combines the two (2) platted lots of record into one (1) lot totaling 18,294.43 square feet (0.42 acres). The proposal consists of ten (10) units which would require the minimum lot area to be 11,625 square feet.

- Lot width. The LMC requires minimum width of a Lot in the HRM to be 37.5 feet, measured fifteen feet (15') from the Front Lot Line. The proposed lot width along Park Avenue is approximately 109 feet and the proposed lot width along Sullivan Road is approximately 101 feet. The depth of the property varies from 172.1 feet along the north property line and 176.6 feet along the south property line.

The proposed plat amendment creates one (1) lot of record from two (2) platted lots of record consisting of The Retreat at the Park Subdivision, a two lot subdivision re-platted in 2007. Lot 1, 1460 Park Avenue, currently consists of 9,073 square feet. Lot 2, 1450 Park Avenue, currently consists of 9,212 square feet. As noted above, the lot combination complies with the LMC lot size area required for ten (10) units.

Staff finds good cause for this plat amendment as it facilitates an affordable housing project while at the same time ensuring the preservation of two historic structures. No remnant parcels of land are created with this plat amendment as all of Lots 1 and 2 are proposed to be combined into one lot.

Both sites are listed on Park City's Historic Site Inventory as Significant sites. They each contain a historic structure. Both structures currently meet development standards in terms of single family dwellings as they are both placed on a platted lot of record each with the exception that both historic structures do not meet the front yard setbacks of twenty feet (20'). The 1450 house is approximately 19.5 feet from the front property line. The 1460 house is approximately 16 feet from the front property line. Because of their historic status, both of these structures are considered legal compliant. There are no known violations or non-compliances found on these sites. The property owner will have to follow the adopted Design Guidelines for Historic District and Historic Sites and applicable LMC criteria pertaining to development in the HRM District. Development of multi-unit dwelling is subject to the Conditional Use Permit review process.

Process

Concurrently with this plat amendment request the applicant submitted a CUP for a Multi-unit Dwelling and a HDDR for the rehabilitation of the two (2) historic structures and construction of the Multi-unit Dwelling. Both of these applications are being respectively reviewed administratively by the Planning Commission and Planning Department. The applicant will also have to submit a Building Permit application.

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

Department Review

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

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input

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

Alternatives

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

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The platted lots would remain as is and no construction could take place across the existing lot line.

Recommendation

Staff recommends the Planning Commission hold a public hearing for The Retreat at the Park First Amended Plat Amendment located at 1450 /1460 Park Avenue and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft ordinance with Proposed Plat
- Exhibit B – Project Description
- Exhibit C – Record of Survey Map
- Exhibit D – The Retreat at Park Subdivision

Exhibit A – Draft ordinance with Proposed Plat

Draft Ordinance No. 14-XX

AN ORDINANCE APPROVING THE RETREAT AT THE PARK FIRST AMENDED PLAT LOCATED AT 1450 & 1460 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1450 & 1460 Park Avenue have petitioned the City Council for approval of The Retreat at the Park First Amended Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, to receive input on The Retreat at the Park First Amended Plat;

WHEREAS, the Planning Commission, on February 12, 2014, forwarded a recommendation to the City Council;

WHEREAS, the City Council, on _____ conducted a public hearing on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Retreat at the Park First Amended Plat.

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 Retreat at the Park First Amended Plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1450 / 1460 Park Avenue.
2. The property is located in the HRM District.
3. The proposed plat amendment creates one (1) lot of record from the two (2) platted existing lots of record consisting of the two (2) lots of The Retreat at the Park Subdivision re-platted and recorded in 2007.
4. Developments consisting of more than four (4) Dwelling Units require a Lot Area at least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units.

5. The proposal consists of ten (10) units which would require the minimum lot area to be 11,625 square feet.
6. The proposed Plat Amendment combines the two (2) platted lots of record into one (1) lot totaling 18,294.43 square feet.
7. The LMC requires minimum width of a Lot in the HRM to be 37.5 feet, measured fifteen feet (15') from the Front Lot Line.
8. The proposed lot width along Park Avenue is approximately 109 feet.
9. The proposed lot width along Sullivan Road is approximately 101 feet.
10. The depth of the property varies from 172.1 feet along the north property line and 176.6 feet along the south property line.
11. No remnant parcels of land are created with this plat amendment.
12. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. 10 foot side public snow storage along Park Avenue and Sullivan Road.

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

PASSED AND ADOPTED this _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat Amendment

Attachment 1 - Proposed Plat Amendment



THE RETREAT AT THE PARK FIRST AMENDED

— A ONE LOT SUBDIVISION —
A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION
LOTS 1 AND 2, THE RETREAT AT THE PARK SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE, FILED AUGUST 16, 2007 AS #522375).

NOTES
1. THIS PLAT REPRESENTS AN AMENDMENT OF "THE RETREAT AT THE PARK SUBDIVISION", ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE, RECORDATION NUMBER 822375
2. RESIDENTIAL FIRE SPRINKLERS ARE REQUIRED FOR ANY EXPANSION.
3. NO REMNANT PARCEL CREATED HEREBY IS SEPARATELY BULDBABLE.

OWNERS DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREINAFTER KNOWN AS "THE RETREAT AT THE PARK SUBDIVISION, FIRST AMENDED", CERTIFY THAT I HAVE CAUSED THIS SURVEY TO BE MADE AND THIS SUBDIVISION PLAT TO BE PREPARED. I DO HEREBY CONSENT TO THE RECORDATION OF THIS SUBDIVISION PLAT. ALSO, THE OWNER, OR HIS/HER REPRESENTATIVE(S), HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY, ALL THE STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND RECREATED UTILITIES AND EASEMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION. THE OWNER ALSO DEDICATES TO PARK CITY MUNICIPAL CORPORATION, SNYDERVILLE BASIN WATER RECLAMATION DISTRICT, PARK CITY FIRE PROTECTION DISTRICT, A NON-EXCLUSIVE EASEMENT OVER THE DRIVEWAYS AND UTILITY EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING ACCESS FOR UTILITY INSTALLATION, MAINTENANCE, USE AND EVENTUAL REPLACEMENT AND TO PROVIDE EMERGENCY SERVICES TO SAID "RETREAT AT THE PARK SUBDIVISION, FIRST AMENDED".

BY: DARRELL FINLAYSON
PRESIDENT

ACKNOWLEDGMENT
STATE OF UTAH) DARRELL FINLAYSON) PRESIDENT)
COUNTY OF SUMMIT)

ON THE _____ DAY OF _____, 2013, PERSONALLY APPEARED BEFORE ME DARRELL FINLAYSON, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (or proven on the basis of satisfactory evidence) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE REPRESENTATIVE OF GREENPARK CONDOING, LLC AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER ON BEHALF OF SAID PARTNERSHIP, BY AUTHORITY OF ITS BYLAWS OR RESOLUTION OF ITS BOARD OF DIRECTORS, AND SAID DARRELL FINLAYSON ACKNOWLEDGED TO ME THAT SAID PARTNERSHIP EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, STATE _____

* Signs in a Representative Capacity. An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity. The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

LEGEND

- ⊕ FOUND ROAD MONUMENT
- SET REBAR WITH PLASTIC CAP "EVERGREEN ENG PLS 187788"
- FOUND REBAR WITH PLASTIC CAP "TRANCOM LS 4861"
- ⊞ FOUND NAIL WITH WASHER "TRANCOM LS 4861"

XXX STREET ADDRESS



GREGORY R. WOLBACH DATE: _____

SHEET 1 OF 1
PLOT DATE: FEBRUARY 4, 2013
DRAWING: RETREAT-PLAT-AMENDED.DWG

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1670 Belmont Drive • Suite 104
P.O. Box 3981 • Park City, Utah • 84060
Phone: 435.649.4667 • Fax: 435.649.9219
E-mail: office@evergreen-eng.com

CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 2013.
CITY ENGINEER _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ AD 2013.
BY: _____
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 2013.
CHAIRMAN _____

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 2013.
CITY ATTORNEY _____

COUNCIL APPROVAL & ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2013
MAYOR _____

CERTIFICATE OF ATTEST
I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2013
CITY RECORDER _____

RECORDED
N° _____
STATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF: _____
COUNTY RECORDER _____

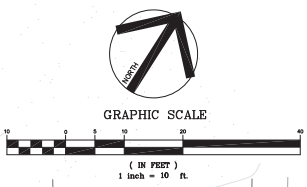
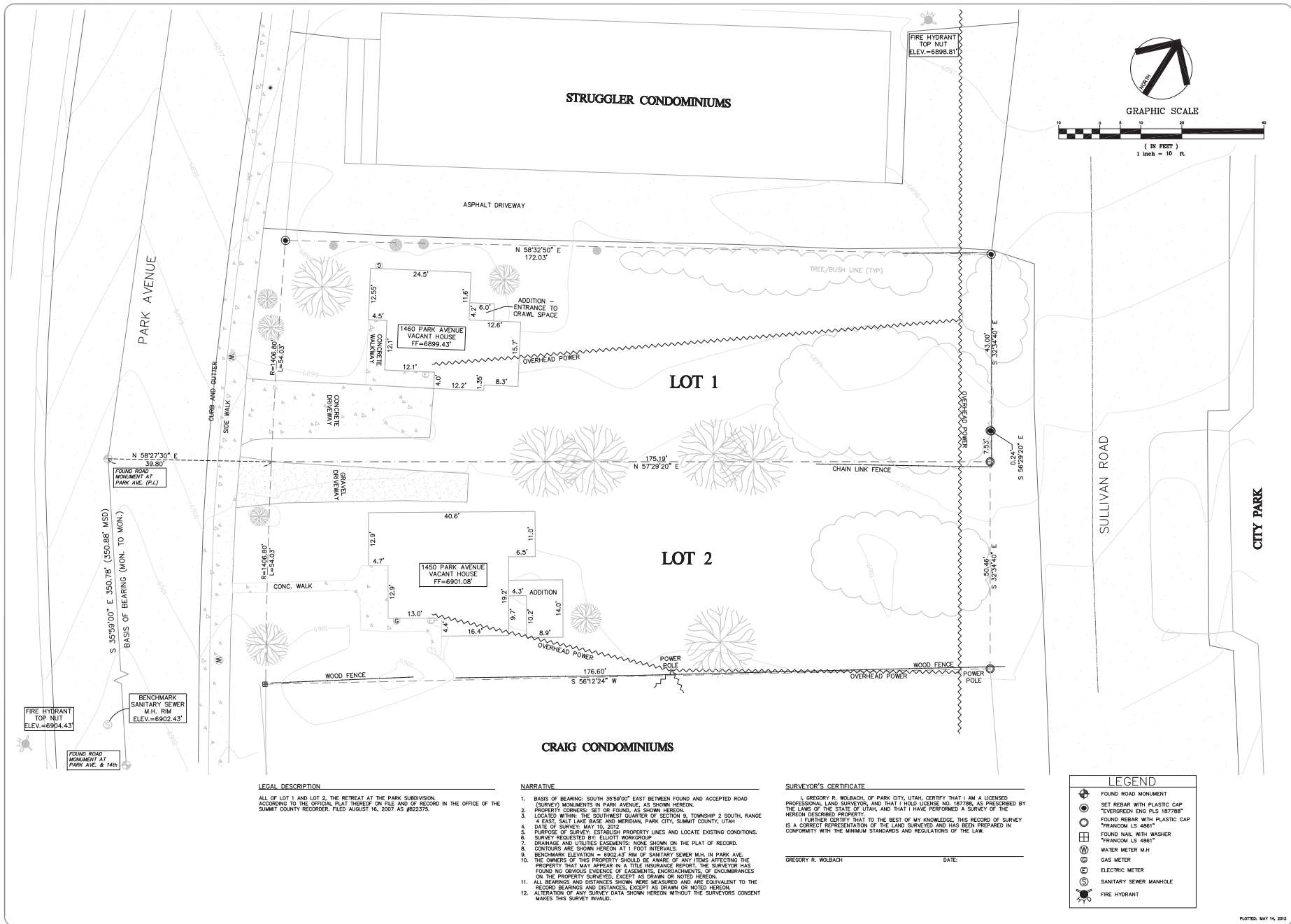


PROJECT DESCRIPTION

The intent of this project is to renovate a dilapidated but historically significant houses and to add a structure to house a co-housing group to the rear of the property. Currently, these houses sits on two single (Lot1 and Lot 2), long but narrow lots. The lots will be combined to create one lot for the entire project to reside in, effectively creating a multi-family housing project.

Original state restoration is the goal of the project. Several later, non-historic additions to the houses will be removed, as well as non-historic siding and decorative elements. Care will be taken to restore the existing houses to their original states, using as much material that can be reasonably salvaged from the restoration process. Many aspects of the original design of the houses will be determined upon restoration. Layers of additions and improvements have made it difficult to determine many aspects. Original location of the house will be preserved, however the elevation will be raised approximately two feet in conformance with a plan to mitigate flooding potential on the site.

Exhibit C – Record of Survey Map



LEGAL DESCRIPTION

ALL OF LOT 1 AND LOT 2, THE RETREAT AT THE PARK SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, FILED AUGUST 16, 2007 AS 002376.

NARRATIVE

1. BASIS OF BEARING: SOUTH 35°50'00" EAST BETWEEN FOUND AND ACCEPTED ROAD (SURVEY) MONUMENTS IN PARK AVENUE, AS SHOWN HEREON.
2. PROPERTY CORNERS: SET OR FOUND, AS SHOWN HEREON.
3. LOCATED WITHIN: THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.
4. DATE OF SURVEY: MAY 15, 2012.
5. PURPOSE OF SURVEY: ESTABLISH PROPERTY LINES AND LOCATE EXISTING CONDITIONS.
6. SURVEY REQUESTED BY: ELLIOTT WORKGROUP.
7. DRAINAGE AND UTILITIES EASEMENTS: NONE SHOWN ON THE PLAT OF RECORD.
8. CONTOURS ARE SHOWN HEREON AT 1 FOOT INTERVALS.
9. BENCHMARK ELEVATION = 6902.43' RM OF SANITARY SEWER M.H. IN PARK AVE. THE OWNERS OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT. THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OF ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
11. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT AS DRAWN OR NOTED HEREON.
12. ALTERATION OF ANY SURVEY DATA SHOWN HEREON WITHOUT THE SURVEYOR'S CONSENT MAKES THIS SURVEY INVALID.

SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HERON DESCRIBED PROPERTY.
 I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THIS RECORD OF SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.

GREGORY R. WOLBACH DATE: _____

LEGEND

	FOUND ROAD MONUMENT
	SET REPAIR WITH PLASTIC CAP
	EVERGREEN END PLUS 187788
	FOUND REPAIR WITH PLASTIC CAP
	FOUND NAIL WITH WASHER
	FOUND NAIL WITH WASHER
	FOUND NAIL WITH WASHER
	WATER METER M.H.
	GAS METER
	ELECTRIC METER
	SANITARY SEWER MANHOLE
	FIRE HYDRANT

PLOTTED: MAY 14, 2012

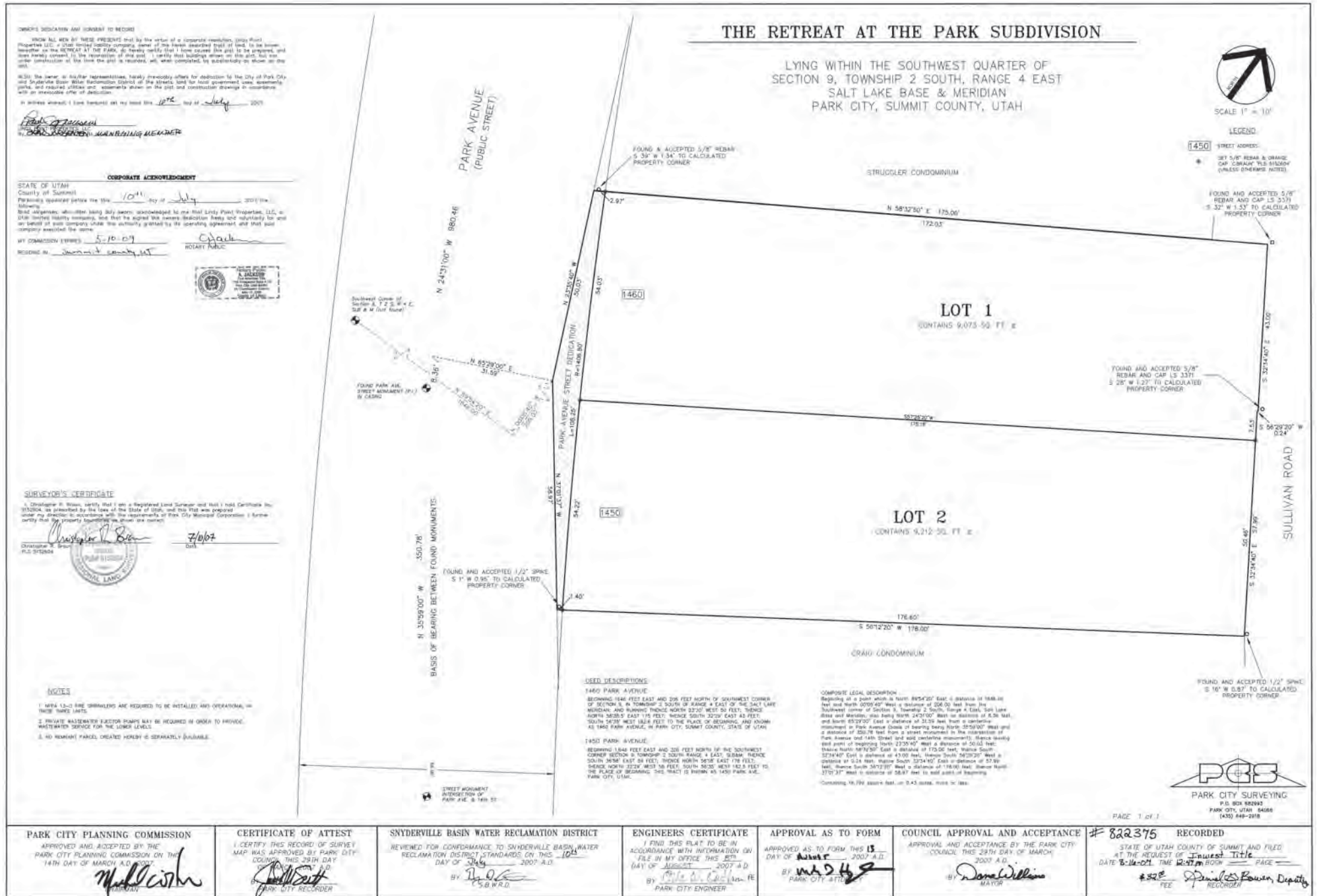
Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 P.O. Box 2081 • Park City • Utah • 84302

REVISIONS	COMMENTS
DATE	BY

SURVEYED BY: GRW/ADM
 DRAWN BY: GRW
 CHECKED BY: GRW

RECORD OF SURVEY – LOT 1 & 2 THE RETREAT AT THE PARK

Exhibit D – The Retreat at Park Subdivision



Planning Commission Staff Report



Project Number: PL-13-02034
Subject: Stein Eriksen Residences (formerly known as North Silver Lake Lodge)
Author: Francisco Astorga, Planner
Date: February 12 , 2014
Type of Item: Administrative – Conditional Use Permit Modification

Summary Recommendations

Staff recommends that the Planning Commission review the proposed Conditional Use Permit Modification request to allow for Nightly Rental Lockout Units at Stein Eriksen Residences, formerly known as North Silver Lake, and consider approving the requested use based on the findings of fact, conclusion of law, and conditions of approval as found in this staff report.

Description

Applicant: SR Silver Lake LLC represented by Rich Lichtenstein
Location: Lot 2B Subdivision of Lot 2, North Silver Lake
Zoning: Residential Development (RD) District
Adjacent Land Uses: Ski resort and residential
Reason for Review: Conditional Use Permit Modifications are required to be reviewed and approved by the Planning Commission

Proposal

In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) private total units: sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private units. The conditions of approval of CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future. At this time the applicant requests the use of 85 lockout units to be located within the four (4) stacked flats, condominium buildings and that nightly rental of those lockout units be allowed.

Background

Under the Deer Valley Resort Master Plan Development (MPD) the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space. The approved MPD did not specify a Unit Equivalent limitation other than the 54 residential units. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

The Planning Commission reviewed this application during a work session discussion held on November 06, 2013. During this meeting, the Planning Commission reviewed specific mitigation related to traffic and parking. See Exhibit D – 11.06.2013 Planning Commission work session minutes. The Planning Commission concurred with Staff findings that the proposed modification, the requested Lockout Units, does not require additional mitigation related to the remaining CUP standards which were already addressed in the originally approved CUP.

The Planning Commission reviewed this application again during their regular meeting held on December 11, 2013. A public hearing was also held during this date. See Exhibit E – 12.11.2013 Planning Commission Regular Meeting Minutes. The Planning Commission continued this item to today's meeting (February 12, 2014), a date that the Condominium Record of Survey would also be placed on the agenda. The Commission requested that to review the two items during the same night, the CUP for Lockout Units and the Condo Record of Survey as they found it more beneficial to allow the public to comment on what might be overlapping issues.

District 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

2009/2010 Conditional Use Permit

The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. During the July 8, 2009 review, the Planning Commission approved the application with a three to one vote. One Commissioner abstained.

On July 17, 2009, neighboring property owners submitted an appeal of the CUP approval for development of the North Silver Lake Subdivision Lot 2B. The City Council reviewed the appeal on October 15, 2009 and again on November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.

The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular

agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one vote on April 28, 2010. The applicant stipulated to additional condition of approval #19 that "Lockout units have not been included within the current conditional use permit application. The addition of lockout units would be a substantial deviation from the current plan and must be approved by the Planning Commission."

The approval was appealed by two (2) separate parties. On May 7, 2010, Mr. Eric Lee submitted an appeal on behalf of property owners in the neighborhood and on May 10, 2010, the City received an appeal from Ms. Lisa Wilson. The City Council reviewed both appeals on June 24, 2010. The Council did not find merit in the notice issues, the compatibility of revised design or other issues raised in Ms. Wilson's appeal. The Council added an additional requirement of an opportunity for neighborhood input prior to approval of the phasing plan(s), but found that the Planning Commission adequately addressed the issues of the remand. Accordingly, the City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010. The CUP approval included a condition that the approval would expire on July 1, 2011 if no building permits are issued within the development.

First CUP Extension

Land Management Code (LMC) § 15-1-10(G) allows for two (2) extensions of an approved CUP. On March 17, 2011, the Planning Department received a Request for Extension of the CUP approval. The Planning Director reviewed the extension request, Staff analyzed the application as provided within the administrative staff report, and public input was considered. On April 28, 2011, the Planning Director approved the Extension of the CUP for an additional year as conditioned.

The Planning Director's approval of the extension was appealed by Ms. Lisa Wilson and on June 8, 2011 the Planning Commission held a public hearing to consider the appeal. After hearing testimony from the appellant, the property owner, and Staff, the Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the CUP to July 1, 2012.

On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action of June 8, 2011, upholding the Planning Director's decision to approve an extension of the CUP for the North Silver Lake Lot 2B development. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 CUP. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.

The Building Department had previously collected a bond to ensure that the existing impacts of the site will be repaired at the time of first CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses,

planting eighteen (18') new trees that vary in height from ten to twelve feet (10' - 12'), and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work was completed by July 1, 2011 and complies with the July 1, 2010 City Council conditions of approval. The applicant has continued watering the trees and vegetation as required.

Second CUP Extension

On October 27, 2011, Staff received a complete application to extend the CUP for an additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013. After a public hearing, the Planning Commission voted 4-0 to approve the request for the one-year and final extension to the original CUP for North Silver Lake, Lot 2B.

On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013 of the CUP for the North Silver lake Lot 2B development.

The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:

1. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
2. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
3. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.

LMC Definitions

Dwelling Unit. A Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.

Lockout Unit. An Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.

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

Staff finds that the requested use meets the definition of a Lockout Unit which per the LMC definition above is an area of a dwelling unit and **not separate dwelling unit**. Staff does not classify the requested use to be hotel/motel:

Hotel/Motel. A Building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis that includes accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service. Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas, and on-site check-in lobbies. **Lockout Units or Bed and Breakfast Inns and Boarding Houses are not Hotels.** Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument[.] Hotel rooms may include a Lockout as part of the Unit.

Hotel Room. A Unit consisting of one (1) room, without a Kitchen, intended for temporary living and sleeping purposes and including a separate, exclusive bathroom.

Staff does not consider the proposed use to be a hotel due to the specific provision found in the Hotel definition which indicates that **Lockout Units are not Hotels**. The site will also have accessory facilities in the development: a spa, locker, and a dining area that were shown on the approved 2010 CUP plans. At this time the applicant has shown these three amenities on the CUP plans and their submitted Condominium Record of Survey plat. The use of these areas further reiterates that the use is not consistent with one of a hotel. These areas are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, ski rentals, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units. Staff recommends adding a condition of approval that indicates that the support commercial amenities shall be for the exclusive use of the owners, residents, and their guests at Stein Eriksen Residences (formerly known as North Silver Lake Lodge). Staff also recommends that no advertising of the amenities to the public is permitted.

The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community. Per the 2010 approved CUP the applicant requested to accommodate 5,140 square feet of support commercial space. At this time the updated CUP plans and Record of Survey indicates a combined area of support commercial of 4,883 square feet.

Analysis

Staff finds that the proposal is in substantial compliance with the approved 2010 CUP plans as the Lockout Units are designed within the existing floor area of each unit

formerly reviewed and approved, located in the stacked flats. Nightly rentals are an allowed use in the district. No Lockout Units are being requested within the sixteen (16) single family dwellings/duplexes. The number of requested Lockout Units within each unit ranges from one to three (1 - 3). The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved 2010 CUP plans. The applicant proposes the following:

- Three (3) units with one (1) lockout each (i.e. 2 keys)
- Twenty-three (23) units with two (2) lockouts each (i.e. 3 keys)
- Twelve (12) units with three (3) lockouts each (i.e. 4 keys)

The RD District indicates that a Lockout Unit is an allowed use. Nightly Rentals are also an allowed use. The Nightly Rental of a Lockout Unit requires a CUP to be reviewed and approved by the Planning Commission. In addition, because of COA #19 of the 2010 CUP, the request for lockouts also requires Planning Commission review.

Staff has reviewed the April 28, 2010 Planning Commission Meeting Minutes, see Exhibit K. An excerpt below clarifies the added condition of approval relating to the Lockout Units that the applicant was not requesting at that time:

Planner Cattan had drafted a condition of approval to address lock out units. "Lock out units have not been included within the current conditional use permit application. The addition of lock out units would be a substantial deviation from the current plan and must be approved by the Planning Commission." She clarified that she was unable to find the exact language but recollected that it was close to the wording drafted this evening.

Chair Wintzer clarified that lock outs would be allowed, but only with Planning Commission approval. Planner Cattan stated that the applicant would have to come back to the Planning Commission to request approval of lock out units. Commissioner Strachan asked if a request for lockout units would open the CUP for re-review. Assistant City Attorney McLean replied that it would be an amendment to the CUP. Without an actual application, it was difficult to comment on the scope of review. Commissioner Strachan stated that if a lockout would change the use, it would be different from what the Planning Commission approved. Ms. McLean clarified out that the request would be to amend the use. Commissioner Strachan pointed out that the project would already be built. Ms. McLean replied that Planning Commission could deny the amendment if it did not meet the criteria.

Planner Cattan noted that the amendment would need to occur prior to building the units to create lock out units. Therefore, it would come back to the Planning Commission before it was built.

Commissioner Strachan pointed out that nothing in the Staff report prohibits lock out units. Ms. McLean stated that the condition of approval drafted by Planner

Cattan states that lock out units cannot occur without coming back to the Planning Commission for an amendment to the CUP. If that occurred, the Planning Commission would evaluate it for the lock out units, but it would not re-open the entire project. The review would be limited to the scope of the lock out units and whether or not it met the criteria of the CUP.

Commissioner Pettit requested that Planner Cattan read the drafted condition again for the record. Planner Cattan read, "Lock out units have not been included within the current conditional use permit application. The addition of lock out units would be substantial deviation from the current plan and must be approved by the Planning Commission".

MOTION: Commissioner Pettit moved to APPROVE the North Silver Lake Lodges Conditional Use Permit in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended with respect to adding Condition of Approval #19 as read into the record. Commissioner Luskin seconded the motion.

[...]

[Finding of Fact] 19. Lock out units have not been included within the current conditional use permit application. The addition of lock out units would be substantial deviation from the current plan and must be approved by the Planning Commission.

This condition of approval was discussed during the City Council remand back to the Planning Commission on October 15, 2009 and November 12, 2009: See excerpts from the adopted minutes below:

October 15, 2009 CC Meeting:

[...]

The next discussion point was that the applicant has vested rights under the MPD and she stated that the applicant does have vested rights under the Master Plan and is not subject to adjusting density reallocation. The development is subject to the LMC and the Deer Valley MPD. There was also concern expressed about lockouts, allowed in the Deer Valley MPD, but no lockouts are proposed for the North Silver Lake Project. The appellant suggested a condition of approval prohibiting lockouts, but since they are allowed under the MPD, the following condition is recommended, "*The approved plans do not include lockout units. Any modification of the floor plans to include lockout units will require approval by the Planning Commission*".

[...]

November 12, 2009 CC Meeting:

[...]

The wording of a condition of approval should be clarified that no lockout units are permitted within North Silver Lake and would require Planning Commission approval but she clarified that they are allowed in the Deer Valley Master Plan. Ms. Cattan emphasized that staff recommends that the City Council deny the appeal in whole and support the conditional use permit approval based on the findings of fact, conclusions of law and amended conditions of approval.

[...]

The allotted density of this site, the NSL Subdivision Lot 2B, per the Deer Valley Master Plan is fifty four (54) dwellings units. Sixteen (16) units are to be built in the form of single family dwellings or duplexes around the perimeter of the site. The requested Lockout Units within the Multi-unit dwellings do not increase the density as they will be simply part of the units, which does not increase the number of unit equivalents. The Planning Commission must review each of the following items when considering whether or not the proposed conditional use mitigates impacts of and addresses the following items as outlined in LMC § 15-1-10(E):

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

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

The applicant has redesigned the interior layout of the units to accommodate the lockouts. Staff finds that the proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved.

2. Traffic considerations including capacity of the existing streets in the area. **No unmitigated impacts.**

Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013. This Analysis indicates that under the maximum trip scenario, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification. The conclusion/recommendations section of the analysis is as follows:

This updated traffic analysis assumes conservatively that 100% of the condominiums will be occupied and further assumes that 100% of the owners will exercise their options to lock out part of their units. In contrast, according to Stein Eriksen Lodge, occupancy during the peak week in 2012 (December 26-31) only reached 89%.

Assuming a maximum 100% occupancy and lockout utilization, along with the maximum number of resort shuttles, airport vans, and limousines, the peak number of additional trips will not exceed 200 per day. Even under

this worst case scenario, all traffic is projected to function at LOS (Level of Service) A, which is fully acceptable for a roadway of this classification.

All conclusions from the original study are valid for this revised development proposal.

Staff finds that based on the submitted Traffic Impact Analysis that additional traffic mitigation is not necessary based on the forecasted LOS A. The City Engineer explained that the City normally does not get concerned until we have indicators that the LOS drops to a lower level such as level D. See table 1 below:

Level of Service Descriptions – Unsignalized Intersections		
Level of Service	Description of Traffic Conditions	Average Delay (seconds/vehicle)
A	Free flow traffic conditions	0 < 10
B	Stable Operations/Minimum	> 10 and < 15
C	Stable Operations/Acceptable Delay	> 15 and < 25
D	Approaching Unstable Flow. Incidents can generate lengthy queues	>25 and < 35
E	Operating conditions at or near the roadway's capacity.	> 35 and <50
F	Breakdown in vehicular flow. Queues form quickly. Unpredictable and unacceptable.	> 50

Table 1

Staff also identifies that the Applicant needs to work with the City Engineer to ensure proper site distance. A 2009 Existing Traffic Counts and Traffic Projections indicated the following under Sight Distance conclusion and Recommendations:

Sight distance for the southwest bound, or right turning traffic out of the proposed development is over 500 feet, which meets AASHTO sight requirements.

Sight distance for the eastbound, or left turning traffic out of the proposed development was measured at 204 feet. This meets the AASHTO sight requirements for passenger cars (187 feet), but not for single unit trucks (228 feet) or combo trucks (288 feet). Clearing and/or grading the property across from the access could improve sight distance. This could also be accomplished by slightly raising the existing profile of the access. The grade of the roadway is less than 4% and does not affect the sight distance requirements at 25mph.

Based on surrounding area the access is typical. Engineering judgment should be used at the time of project opening to further evaluate the exact

and perceived sight distance. Actual distance can be affected by grade of access and light conditions.

Special warning signage is recommended during the construction period. Truck traffic should enter the project from the north along Silver Lake Drive, and exit south to Royal Street. This will minimize construction and delivery traffic through the neighborhood and avoiding crossing traffic entering and exiting the site.

Mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.

Staff recommends a conditional of approval that the applicant work with the City Engineer to ensure proper compliance with the recommendations outlined above related to site distance and special warning signage during the construction period.

3. Utility capacity, including storm water run-off. **No unmitigated impacts.**

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010). No additional utility capacity is required for this project from what was approved in 2010. The Lockout Units are simply accommodated by redesigning bedrooms to now serve as Lockout Units. The overall number of bedrooms/bathroom is not increasing.

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

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

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

Parking for the development, including all fifty four (54) units must be provided within the site. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval. The North Silver Lake development has a mix of single family dwellings/duplexes and multi-unit dwellings. When the development was approved in each single family dwelling required two (2) off-street parking spaces, multi-unit dwellings greater than 1,000 square feet and less than 2,500 square feet required two (2) parking spaces, and multi-family units greater than 2,500 square feet required three (3) parking spaces.

When the 2010 CUP was approved the Planning Commission requested that a reduction in parking be evaluated for the site. With the proposed unit configurations the applicant was required by the LMC to provide 106 spaces for the multi-unit dwellings within the stacked flats. The applicant proposed a 25% reduction in the parking for the stacked flats. This resulted in a total of 80 spaces

and approximately two (2) spaces per unit.

LMC § 15-3-7 allowed the Planning Commission the ability to reduce initial parking requirements to prevent excessive parking and paving if parking uses would overlap, support commercial spaces within the project would serve those residing within the project rather than the general public, or other factors that support the conclusion that the project would generate less parking than the LMC would otherwise require.

There is also support commercial space within the project. No parking is required for the support commercial area. The applicant proposed to limit each unit to (2) two parking spaces, rather than utilize a third (3rd) space for any unit over 2,500 square feet. Due to the single ownership of each unit, Staff and the Planning Commission found that the two (2) spaces per unit was adequate for the development. The Planning Commission made the final decision to allow the 25% percent deduction in the required parking. Staff included finding of fact #14 from the April 28, 2010 approval, each subsequent appeal denial stated that the Planning Commission supported the 25% reduction in the parking for the stacked flats within the development. This finding was based on the direction provided during the February 25, 2009 meeting.

Finding of Fact #14: The onsite parking requirements for the four stacked flat condominiums have decreased 25% in compliance with section 15-3-7 of the Land Management Code. The Planning Commission supports a 25% reduction in the parking for the stacked flats within the development.

In 2012 the City approved Ordinance 12-37, which reduced the number of parking spaces for multi-unit dwellings. See table 2 below:

Former parking standard for Multi-unit dwellings:		Current parking standard for Multi-unit dwellings (Ord. 12-37):	
Apartment/condo not greater than 650 sf floor area	1 per dwelling unit	Apartment/condo not greater than 1,000 sf floor area	1 per dwelling unit
Apartment/condo greater than 650 sf and less than 1,000 sf floor area	1.5 per dwelling unit		
Apartment/condo greater than 1,000 sf and less than 2,500 sf floor area	2 per dwelling unit	Apartment/condo greater than 1,000 sf and less than 2,000 sf floor area	1.5 per dwelling unit
Apartment/condo 2,500 sf floor area of greater	3 per dwelling unit	Apartment/condo 2,000 sf floor area of greater	2 per dwelling unit

Table 2

With the current standard for multi-unit dwellings, which per the dwelling unit definition includes the Lockout Unit, defined as an area and not a separate unit, the required parking for the multi-unit dwellings is actually seventy six (76) parking spaces without any parking reduction. The applicant proposed to accommodate the same eighty one (81) parking spaces, which is one more than what was originally approved. The applicant does not request to provide less parking than was originally approved consisting of a minimum seventy six (76). Exhibit H – Parking Requirement per Unit indicates a breakdown of the parking requirement.

6. Internal vehicular and pedestrian circulation system. **No unmitigated impacts.**
The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).
7. Fencing, screening and landscaping to separate the use from adjoining uses. **No unmitigated impacts.**
The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).
8. Building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots. **No unmitigated impacts.**
The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).
9. Usable open space. **No unmitigated impacts.**
The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).
10. Signs and lighting. **No unmitigated impacts.**
The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).
11. Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing. **No unmitigated impacts.**
The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).
12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site. **No unmitigated impacts.**

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

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

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

14. Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities. **No unmitigated impacts.**

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010). The applicant submitted a Tax Projections that further indicates how the form of ownership affects taxing entities.

15. Within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site. **No unmitigated impacts.**

The proposed use modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

Process

The approval of this Conditional Use Permit Modification Request by the Planning Commission constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

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

Notice

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

Public Input

Public input has been received. See Exhibit J1 – Public Comments supporting the requested use and Exhibit J2 – Public Comments against the requested use.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The property owner would not be allowed to have any Nightly Rental Lockout Units within this development.

Recommendation

Staff recommends that the Planning Commission review the proposed Conditional Use Permit Modification request to allow for Nightly Rental Lockout Units at Stein Eriksen Residences, formerly known as North Silver Lake, and consider approving the requested use based on the findings of fact, conclusion of law, and conditions of approval as found in this staff report.

Findings of Fact

1. The subject property is at 7101 North Silver Lake Drive, Lot 2B of the North Silver Lake Subdivision.
2. The property is known as Stein Eriksen Residences, formerly known as North Silver Lake Lodge
3. The proposed development is located within the Deer Valley Master Plan Development.
4. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
5. In 2010 the Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) total units; sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private units.
6. The conditions of approval for the CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future.
7. At this time the applicant requests the use of eighty five (85) Lockout Units to be located in the four (4) stacked flats, condominium buildings and that nightly rentals be permitted for the lockout units.
8. The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. The Planning Commission approved the CUP on July 8, 2009.
9. On July 17, 2009, the neighboring property owners submitted an appeal of the CUP approval. The City Council reviewed the appeal on October 15, 2009 and November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.
10. The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one (4 - 1) vote on April 28, 2010.
11. The April 28, 2010 CUP approval was appealed. The City Council reviewed the

appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that “no lockouts are permitted within this approval”. The City Council affirmed and denied in part the Planning Commission’s decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010.

12. The Land Management Code § 15-1-10(G) allows for two (2) extensions of an approved CUP.
13. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.
14. The Planning Director’s approval of the extension was appealed on June 8, 2011. The Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director’s decision and grant the extension of the Conditional Use Permit to July 1, 2012.
15. On June 20, 2011, the City Council received a written appeal of the Planning Commission’s final action upholding the Planning Director’s decision to approve an extension of the development.
16. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission’s decision to uphold the Planning Director’s issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director’s decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.
17. On October 27, 2011, Staff received an application to extend the CUP for an additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013.
18. On February 9, 2012, the City Council received a written appeal of the Planning Commission’s final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013.
19. The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant.
20. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:
 - a. All conditions of approval of the City Council’s July 21, 2011 order continue to apply.
 - b. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
 - c. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be

reviewed by the Planning Commission.

21. In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.
22. The LMC defines a dwelling unit as a Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.
23. The LMC defines a Lockout Unit as an Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.
24. The requested use meets the LMC definition of a Lockout Unit, which is an area of a dwelling unit and not a separate dwelling unit.
25. Staff does not consider the proposed use to be a hotel due to the specific provision found in the Hotel definition which indicates that Lockout Units are not Hotels.
26. The site will have accessory facilities in the development: a spa, ski rentals, and a dining area that were shown on the approved 2010 CUP plans. The use of these areas further reiterates that the use is not consistent with one of a hotel. These areas are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, ski rentals, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
27. The proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved, located in the stacked flats.
28. No Lockout Units are being requested within the sixteen (16) single family dwellings/duplexes.
29. The number of Lockout Units within each unit range from one to three (1 - 3).
30. The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved 2010 CUP plans.
31. The applicant proposes to accommodate three (3) units with one (1) lockout each, twenty-three (23) units with two (2) lockouts each, and twelve (12) units with three (3) lockouts each. Applicant wishes to be able to do nightly rentals in each of those lockouts.
32. The Planning Commission must review LMC § 15-1-10(E) when considering whether or not the proposed conditional use mitigates impacts.
33. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *size and location of the site* which was not already addressed in the originally approved CUP (2010).
34. Regarding traffic considerations including *capacity of the existing streets in the area*, Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013.
35. The updated 2013 traffic analysis indicates that under the maximum trip scenario with all of the lockouts occupied, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification.
36. The Applicant needs to work with the City Engineer to ensure proper site

distance per the 2009 Existing Traffic Counts and Traffic Projections which indicates the following under Sight Distance conclusion and Recommendations which indicates that special warning signage is recommended during the construction period. Also mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.

37. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to utility capacity, including storm water run-off which has already been addressed in the originally approved CUP (2010).
38. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *emergency vehicle access* which has already been addressed in the originally approved CUP (2010).
39. Regarding *location and amount of off-street parking*, parking for all fifty four (54) units must be provided within the North Silver Lake development.
40. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval.
41. The North Silver Lake development has a mix of single family dwellings/duplexes and multi-unit dwellings. There is also support commercial space within the project. No parking is required for the support commercial area.
42. The current LMC requires 1 parking space per dwelling unit if the apartment or condominium is not greater than 1,000 sf floor area.
43. The current LMC requires 1.5 parking spaces per dwelling unit if the apartment or condominium is greater than 1,000 sf and less than 2,000 sf floor area.
44. The current LMC requires 2 parking spaces per dwelling unit if the apartment or condominium is 2,000 sf floor area or greater.
45. The required parking for the multi-unit dwellings is 76 parking spaces without any parking reduction.
46. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *the internal vehicular and pedestrian circulation system* which has already been addressed in the originally approved CUP (2010).
47. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *fencing, screening and landscaping to separate the use from adjoining uses* which has already been addressed in the originally approved CUP (2010).
48. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots* which has already been addressed in the originally approved CUP (2010).
49. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *usable open space* which has already been addressed in the originally approved CUP (2010).
50. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *signs and lighting* which has already been addressed in the originally approved CUP (2010).
51. The proposed use modification, the requested Lockout Units, does not require

additional mitigation related to *physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing* which has already been addressed in the originally approved CUP (2010).

52. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site* which has already been addressed in the originally approved CUP (2010).
53. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas* which has already been addressed in the originally approved CUP (2010).
54. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities* which has already been addressed in the originally approved CUP (2010).
55. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to *within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site* which has already been addressed in the originally approved CUP (2010).

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences in Use or traffic have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.
3. Approval is based on plans reviewed by the City Council on June 24, 2010 and the Planning Commission on December 11, 2013. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
4. The support commercial amenities shall be for the exclusive use of the owners, residents, and their guests at Stein Eriksen Residences (formerly known as North Silver Lake Lodge). No advertising of the amenities to the public is permitted.
5. The applicant shall work with the City Engineer to ensure proper compliance with the recommendations outlined in this staff report regarding site distance and special warning signage during the construction period.

Exhibits

- Exhibit A – Applicant’s Project Description
- Exhibit B – Proposed Plans with Lockout Units
- Exhibit C – Approved 2010 CUP Plans
- Exhibit D – 11.06.2013 Planning Commission Work Session Minutes
- Exhibit E – 12.11.2013 Planning Commission Regular Meeting
- Exhibit F – Updated Traffic Study November 2013
- Exhibit G – Stein Eriksen TDM Program
- Exhibit H – Parking Requirement per Unit
- Exhibit I – Modification Analysis
- Exhibit J1 – Public Comments in support
- Exhibit J2 – Public Comments against
- Exhibit K1 – 4.24.2010 Planning Commission Minutes
- Exhibit K2 – 4.24.2010 Planning Commission Verbatim Excerpt
- Exhibit L – 4.24.2010 Planning Commission Action Letter
- Exhibit M – 7.21.2011 City Council Ratified Findings, Conclusion, and Conditions
- Exhibit N – 4.6.2012 City Council Action Letter
- Exhibit O – Tax Projections

August 15, 2013

Park City Municipal Corporation
Planning Department
445 Marsac Ave. PO Box 1480
Park City, Utah 84060

To Whom It May Concern:

Pursuant to the attached application, we hereby submit a request for modification of our Conditional Use Permit # PL-08-00392 (the CUP).

On April 28, 2010, the Planning Commission approved the CUP for Lot 2B of the North Silver Lake Subdivision. That approval allowed for the development of 54 units consisting of 16 detached houses and four condominium buildings containing 38 condominium units.

The Conclusions of Law at the hearing indicated that the application was:

1. Consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use, scale, mass and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences in Use or scale have been mitigated through careful planning.

The Conditions of Approval for the CUP reflect that lockout rooms were not requested at that time, and would require Planning Commission approval, if requested in the future. Therefore, at this time we hereby request that the Planning Commission modify the exiting CUP approval to include lockouts.

Specifically, our request to modify the CUP is to allow for the inclusion of 124 lockout rooms within the existing footprint of the project. Additional square footage will not be required, and the parking provided by the project will continue to exceed code requirements. As the attached drawings reflect, rooms within the existing 38 condominium units will be modified to allow for identified entrance and keyed independence from the balance of the units.



August 15, 2013

Park City Municipal Corporation
Planning Department

Page 2 of 2


At the time of our original CUP application, a management plan addressing the matter of lockouts was premature. Subsequently, Regent Properties has developed a management and branding arrangement with Stein Eriksen Lodge (SEL), which provides a unique and unusually qualified team to execute on-site management of the overall condominiums and homes including the lockouts, to be known as the Stein Eriksen Residences.

As you know, SEL has a proven track record and world-class reputation for resort and property management. They have agreed to work with Regent Properties to develop the project, and act as the on-site management team. Similar to the transportation management plan at the Stein Eriksen Lodge (the TDM), which significantly reduces the use of private vehicles with shuttle service, SEL is prepared to implement a TDM for the project for both owners and staff that will result in significant reductions to traffic and parking impacts.

Additionally, we have updated the project's traffic analysis. The result of this update indicate that even at full capacity, the level of service for all affected intersections and roadways remain at an A rating. That is the case even before factoring in the proven results of the TDM. Therefore, with the TDM in place the traffic impacts of the project will be significantly reduced further.

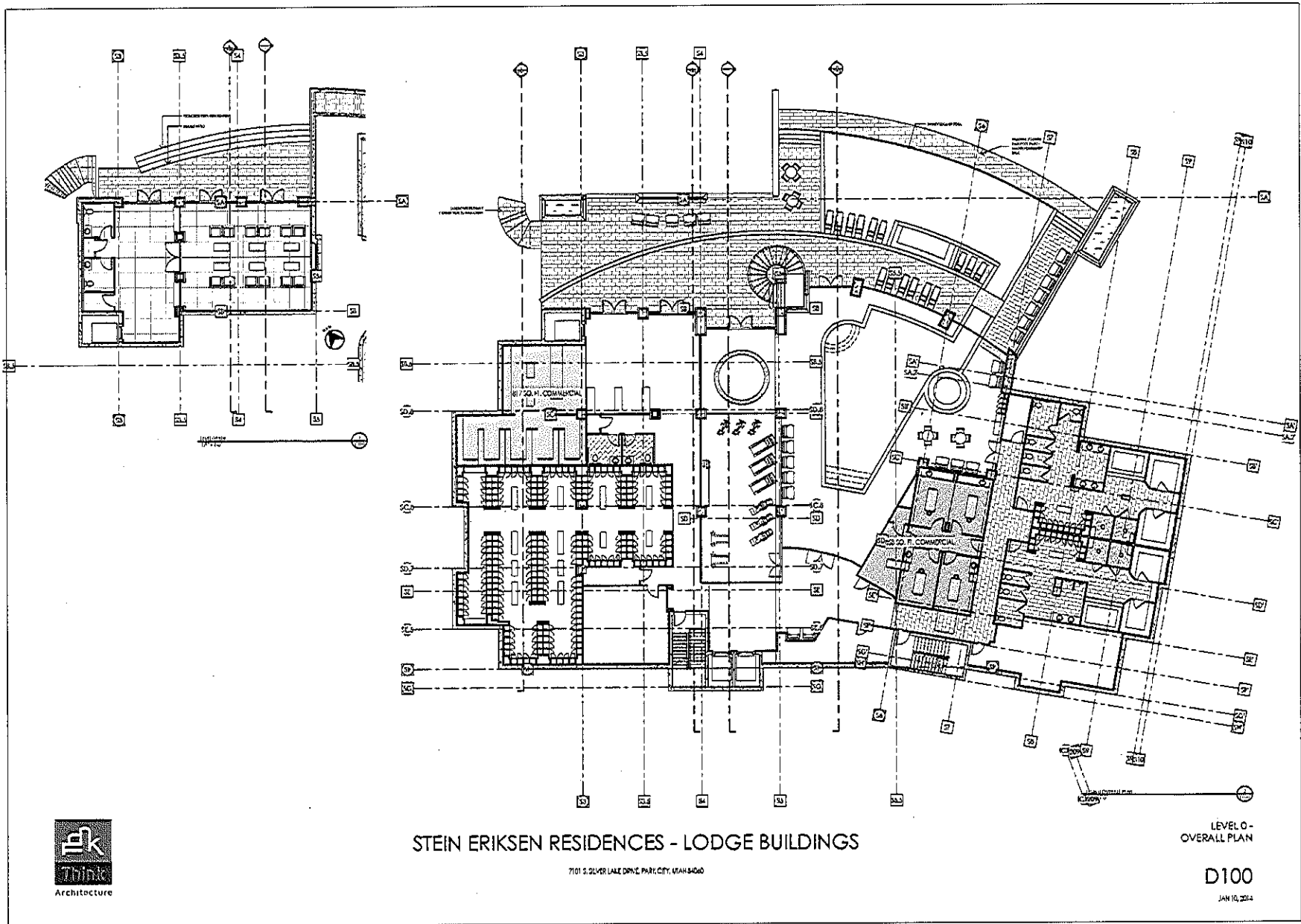
With SEL managing the project, we believe that this modification will allow for a more vibrant and stable development enhancing the public's access and enjoyment of the greater Park City, Deer Valley area.

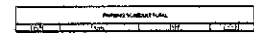
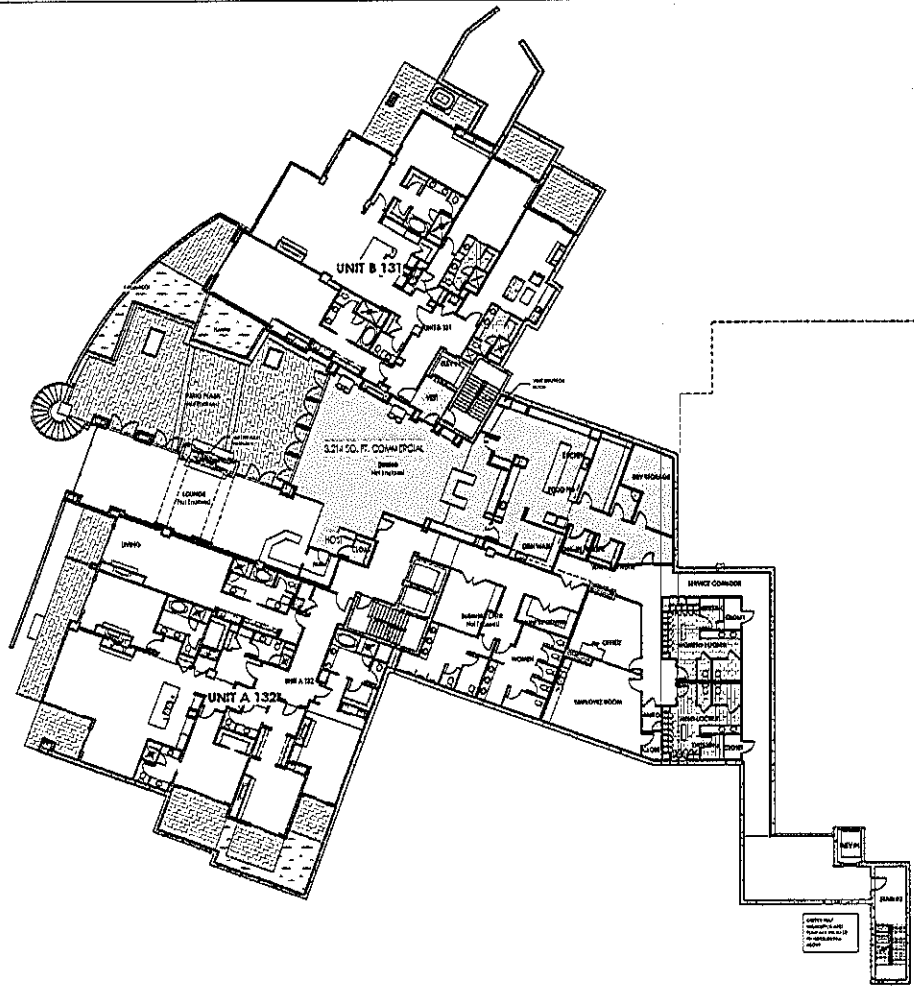
Respectfully submitted,



Richard Lichtenstein
Owner Representative

Exhibit B – Proposed Plans with Lockout Units





LEVEL 1 - OVERALL PLAN
 JAN 10, 2014



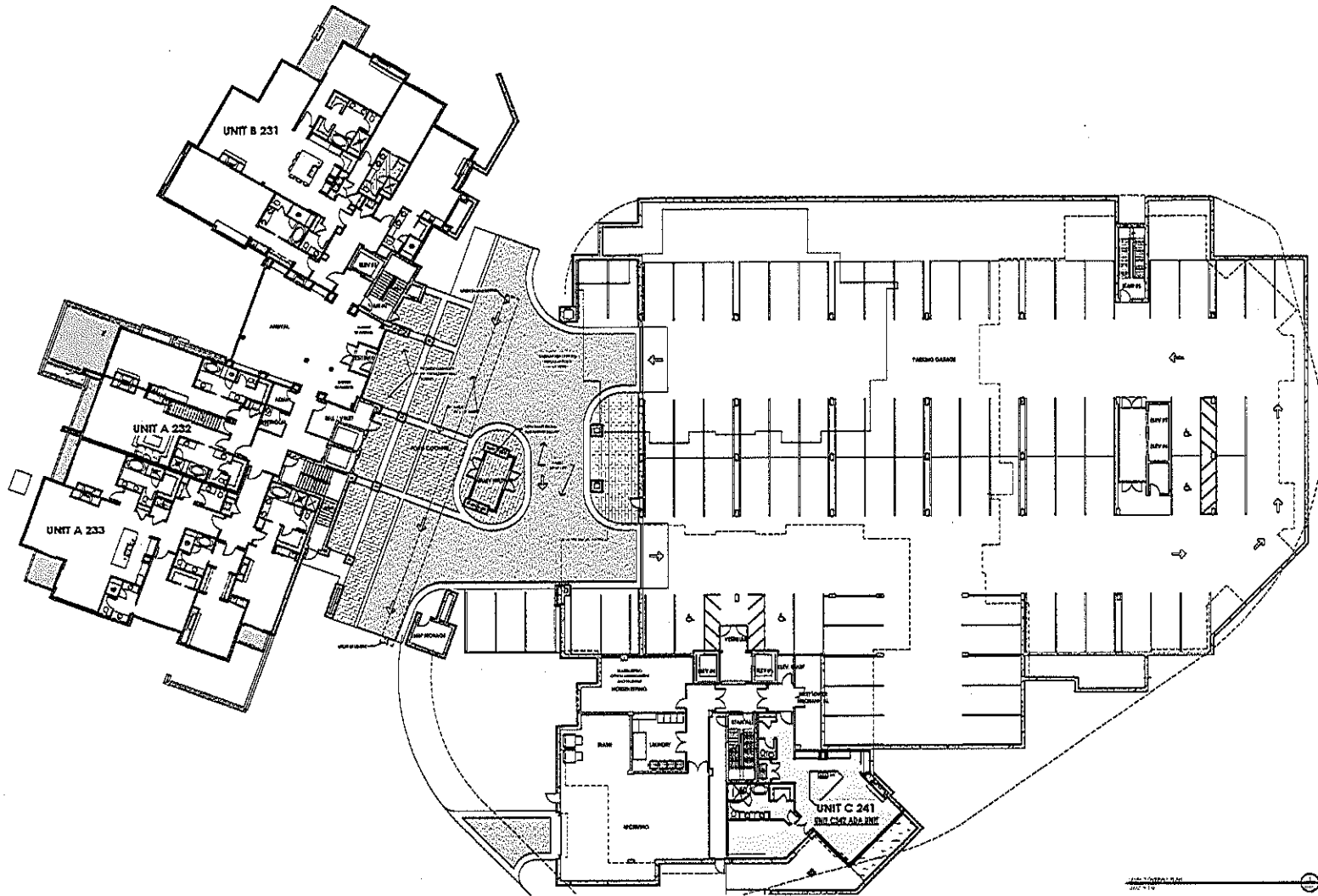
STEIN ERIKSEN RESIDENCES - LODGE BUILDINGS

7101 S. SILVER LAKE DRIVE PARK CITY, UTAH 84004

LEVEL 1 -
 OVERALL PLAN

D101

JAN 10, 2014



STEIN ERIKSEN RESIDENCES - LODGE BUILDINGS

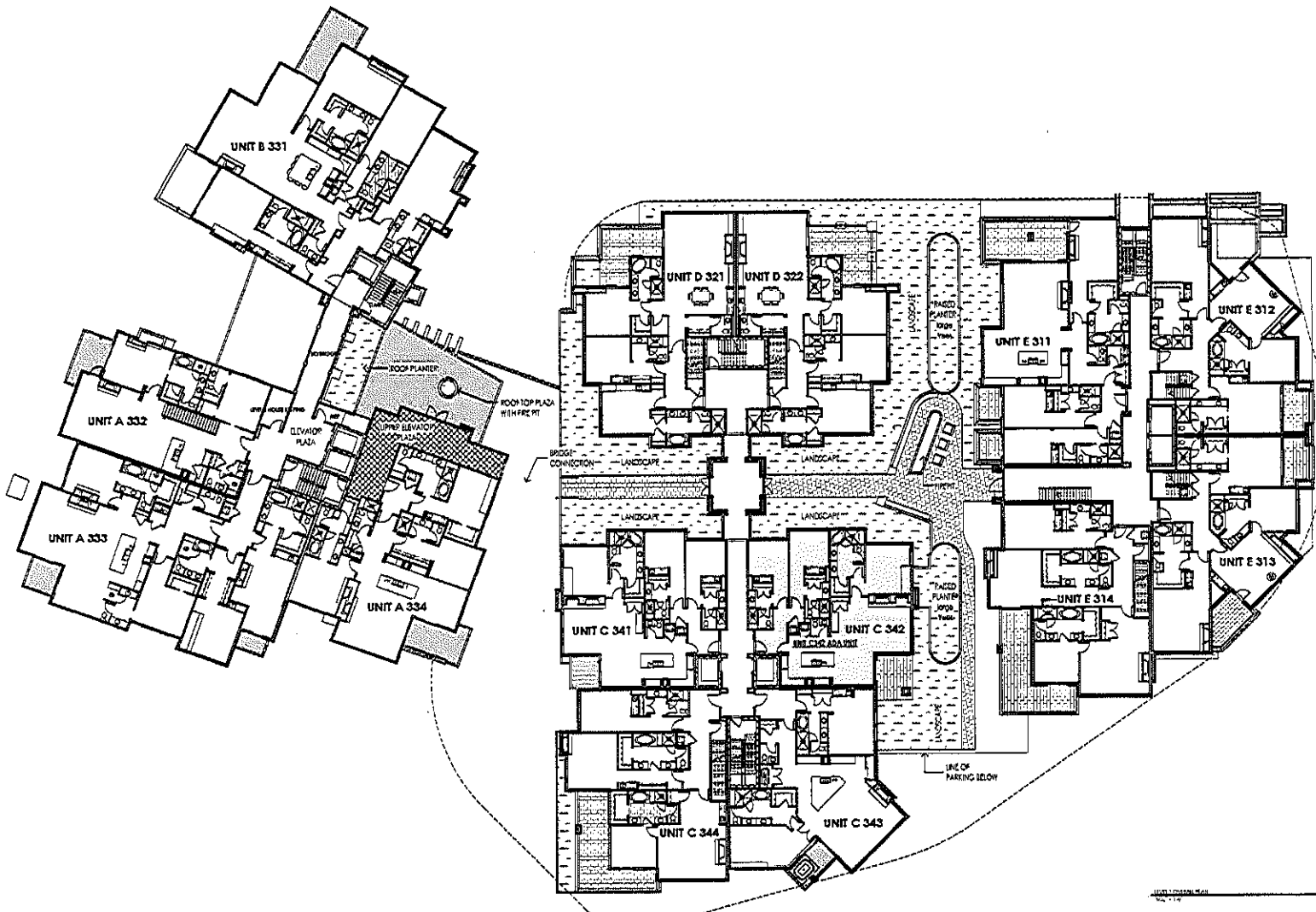
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LEVEL 2 -
OVERALL PLAN

D102

JAN 10, 2014



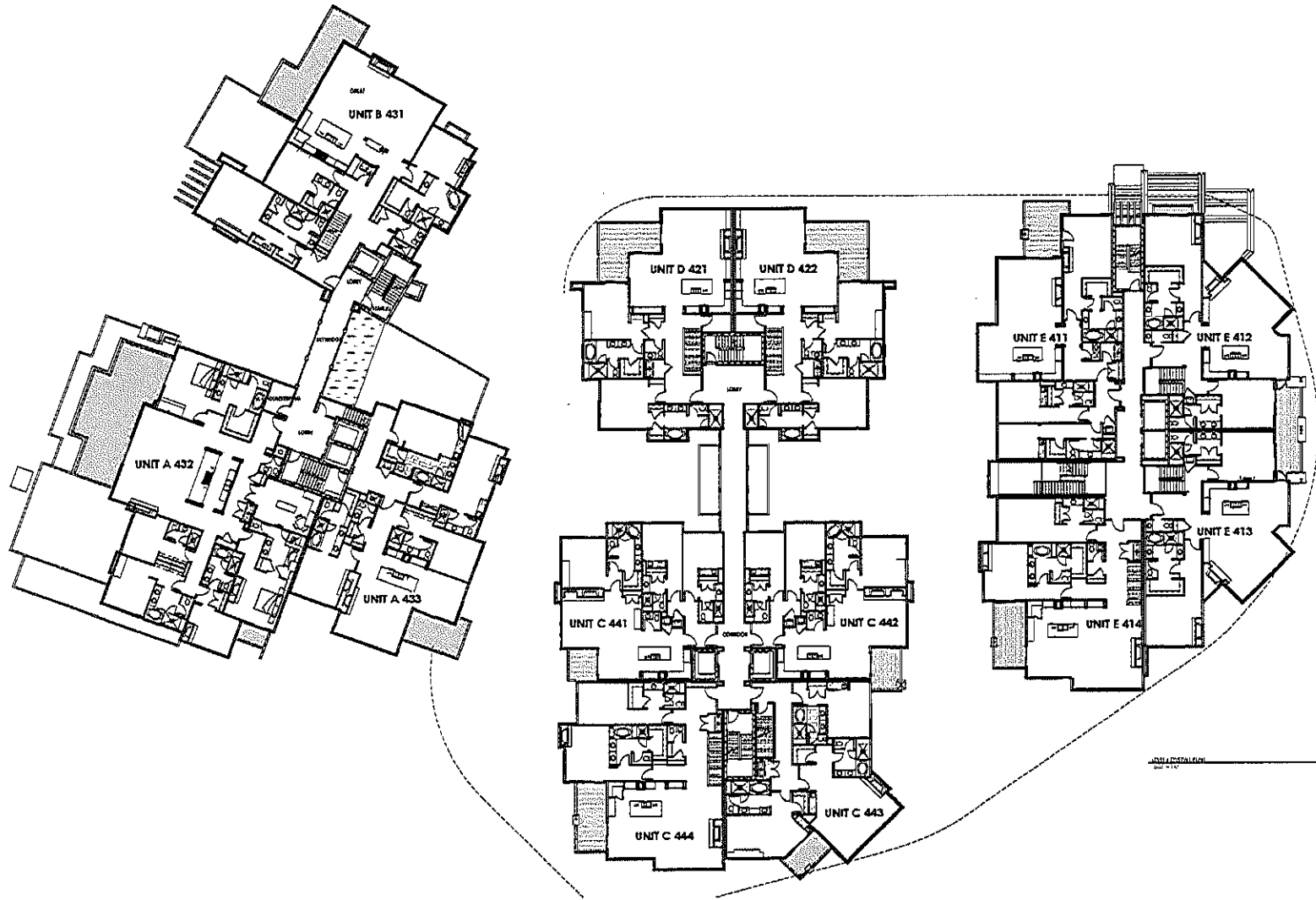
STEIN ERIKSEN RESIDENCES - LODGE BUILDINGS

7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84096

LEVEL 3 -
OVERALL PLAN

D103
JAN 10, 2014





STEIN ERIKSEN RESIDENCES - LODGE BUILDINGS

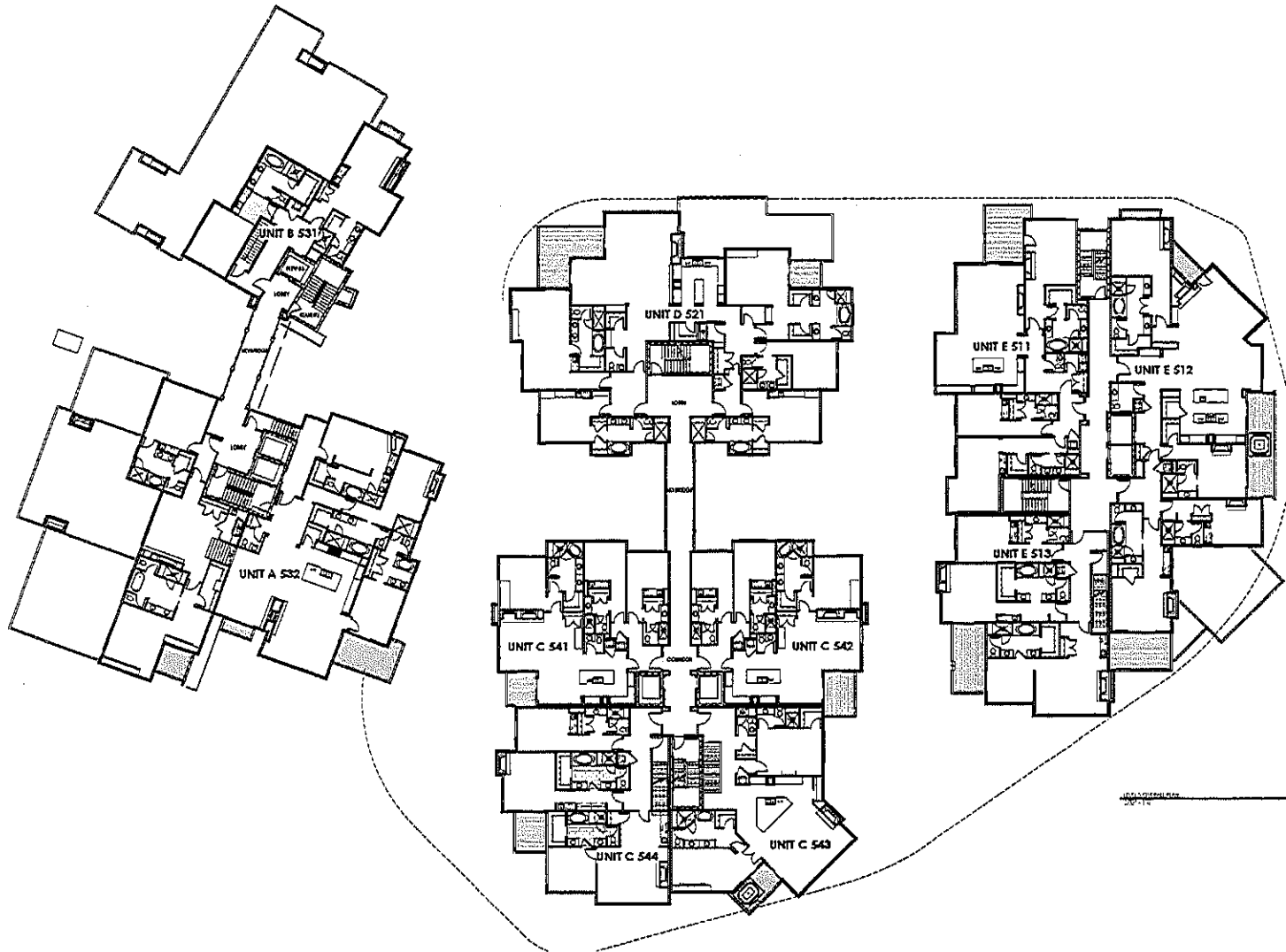
7101 S. DEVER LAKE DRIVE, PARK CITY, UTAH 84090

LEVEL 4 -
OVERALL PLAN

D104

JAN 10, 2014





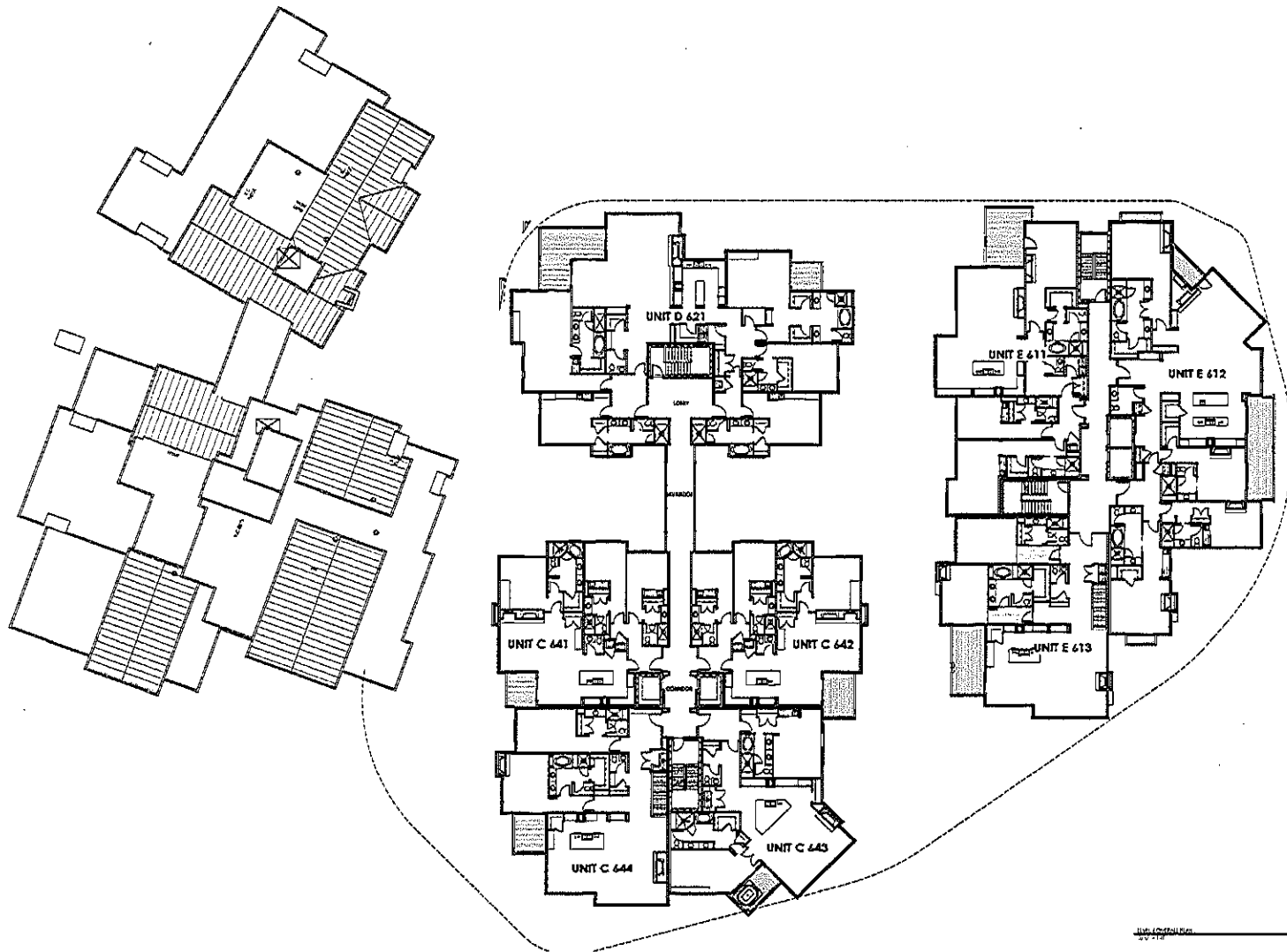
STEIN ERIKSEN RESIDENCES - LODGE BUILDINGS

750 S. OLYMPIA DRIVE, PARK CITY, UTAH 84096

LEVEL 5 -
OVERALL PLAN

D105

JAN 10, 2014



STEIN ERIKSEN RESIDENCES - LODGE BUILDINGS

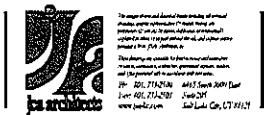
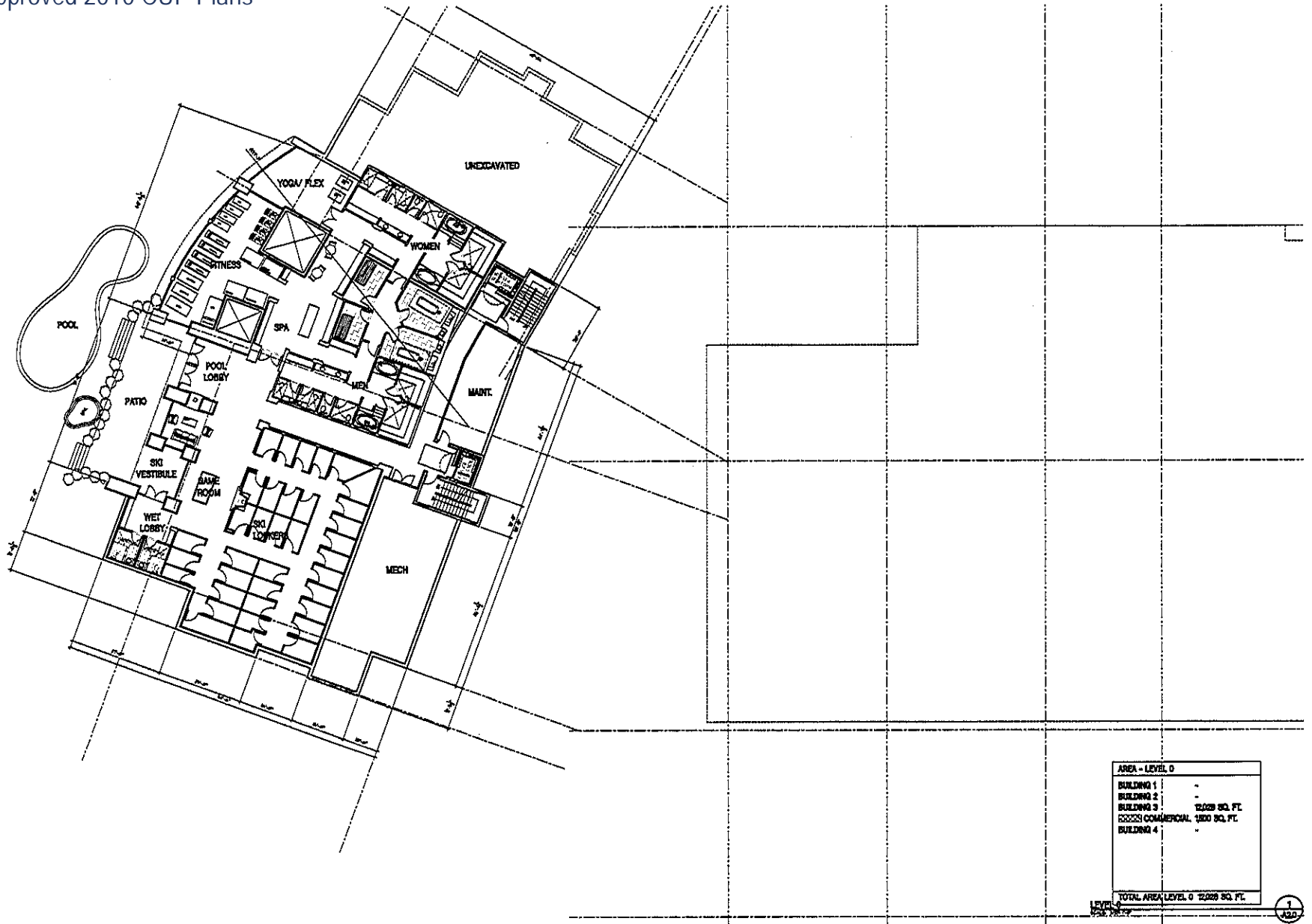
7701 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84004

LEVEL 6 -
OVERALL PLAN

D106

JAN 10, 2014

Exhibit C – Approved 2010 CUP Plans



CONSISTENT:

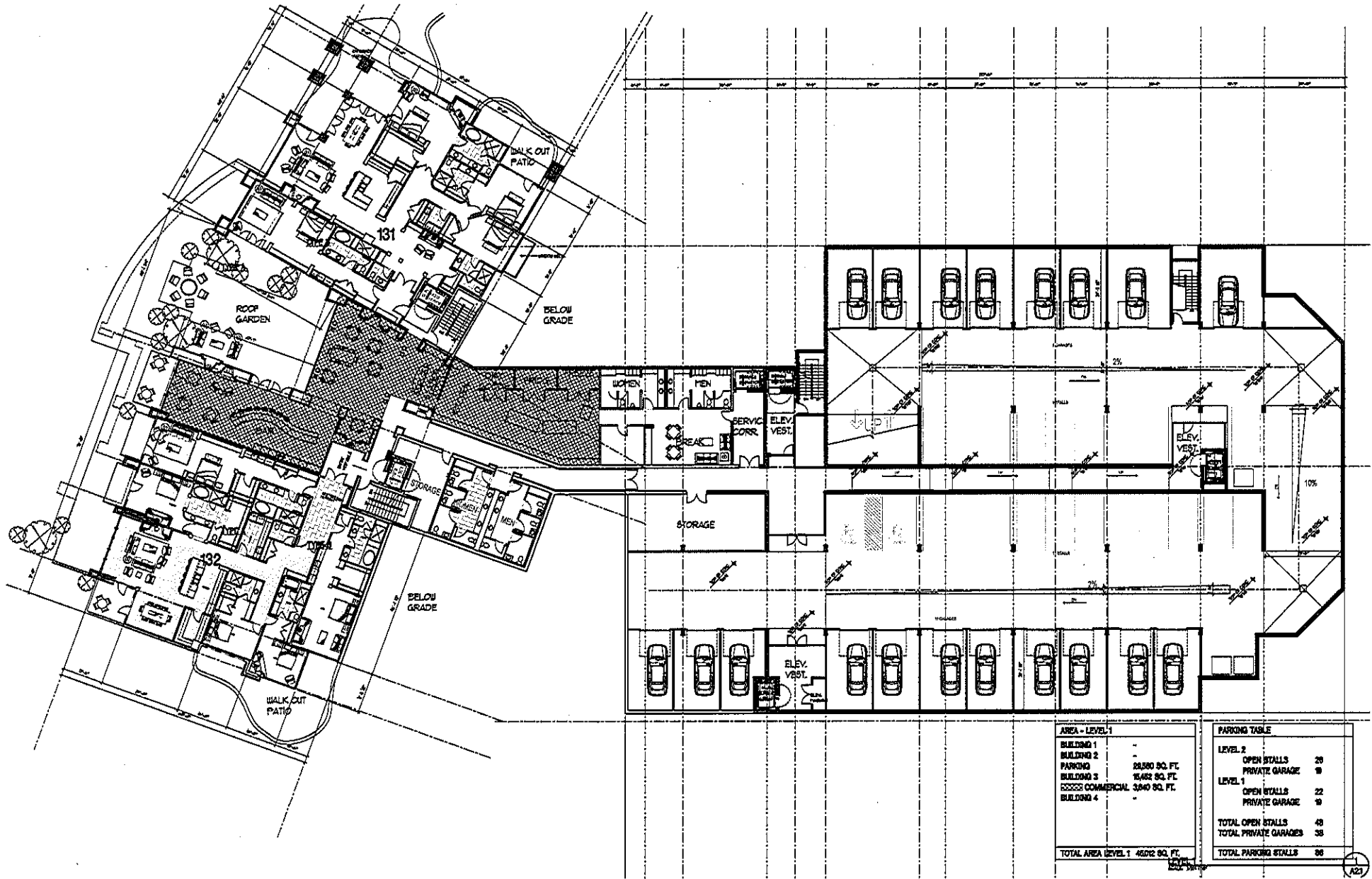
NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 26, DEER VALLEY, UTAH

OWNER:
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

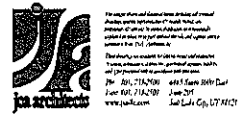
DESIGNER:
 CUP PLAN BY
 PARK CITY PLANNING DEPARTMENT
 DATE:
 2010 09 16 CUP SUBMITTAL
 SHEET NO:
 3021

SCHEMATIC PLAN
 LEVEL 00
 SD2.0



AREA - LEVEL 1	
BUILDING 1	-
BUILDING 2	-
PARKING	22,880 SQ. FT.
BUILDING 3	16,482 SQ. FT.
52222 COMMERCIAL	3,840 SQ. FT.
BUILDING 4	-
TOTAL AREA LEVEL 1	46,202 SQ. FT.

PARKING TABLE	
LEVEL 2	
OPEN STALLS	20
PRIVATE GARAGE	9
LEVEL 1	
OPEN STALLS	22
PRIVATE GARAGE	16
TOTAL OPEN STALLS	42
TOTAL PRIVATE GARAGES	25
TOTAL PARKING STALLS	67



CONTRACTOR:
 The design and construction services of J.A. Architects are provided on a contract basis. The client is responsible for obtaining all necessary permits and approvals from the local, state, and federal agencies. The design and construction services of J.A. Architects are provided on a contract basis. The client is responsible for obtaining all necessary permits and approvals from the local, state, and federal agencies.

NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

CLIENT: REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

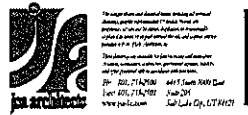
DESIGN: CUP SUMMITAL
 PARK CITY PLANNING
 2012 02 10 CUP SUMMITAL
 2012 02 10 CUP SUMMITAL
 2012 02 10 CUP SUMMITAL

SCHEMATIC PLAN
 LEVEL 01
 SD2.1



AREA - LEVEL 2	
BUILDING 1	-
BUILDING 2	32440 SQ. FT.
PARKING	1408 SQ. FT.
BUILDING 3	-
BUILDING 4	4876 SQ. FT.
TOTAL AREA LEVEL 2	48777 SQ. FT.

PARKING TABLE	
LEVEL 2	
OPEN STALLS	28
PRIVATE GARAGE	19
LEVEL 1	
OPEN STALLS	22
PRIVATE GARAGE	19
TOTAL OPEN STALLS	49
TOTAL PRIVATE GARAGES	38
TOTAL PARKING STALLS	88



CONTACT:

NORTH SILVER LAKE LODGE

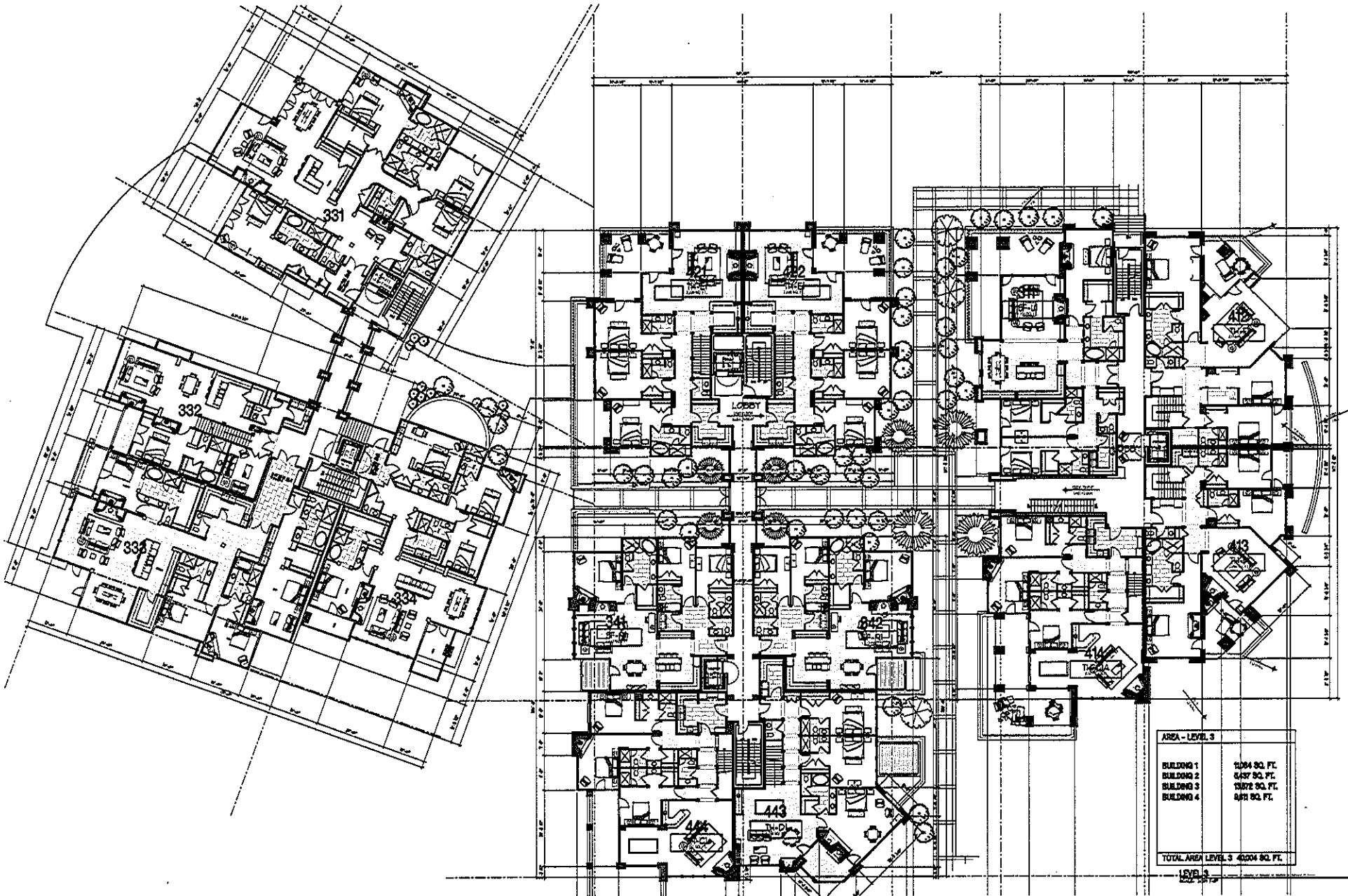
NORTH SILVER LAKE SUBDIVISION, LOT 38, DEER VALLEY, UTAH

OWNER:
REGENT PROPERTIES
11990 SAN VICENTE, SUITE 200
LOS ANGELES, CA 90049
310.806.9827

PROJECT:
CITY CENTER AT
PARK CITY PLANNING
DATE:
REVISED TO CIP 9/2014
PROJECT NO:
3797

SCHEMATIC PLAN
LEVEL 02

SD2.2



1
ADD



CONSISTING:

NORTH SILVER LAKE LODGE

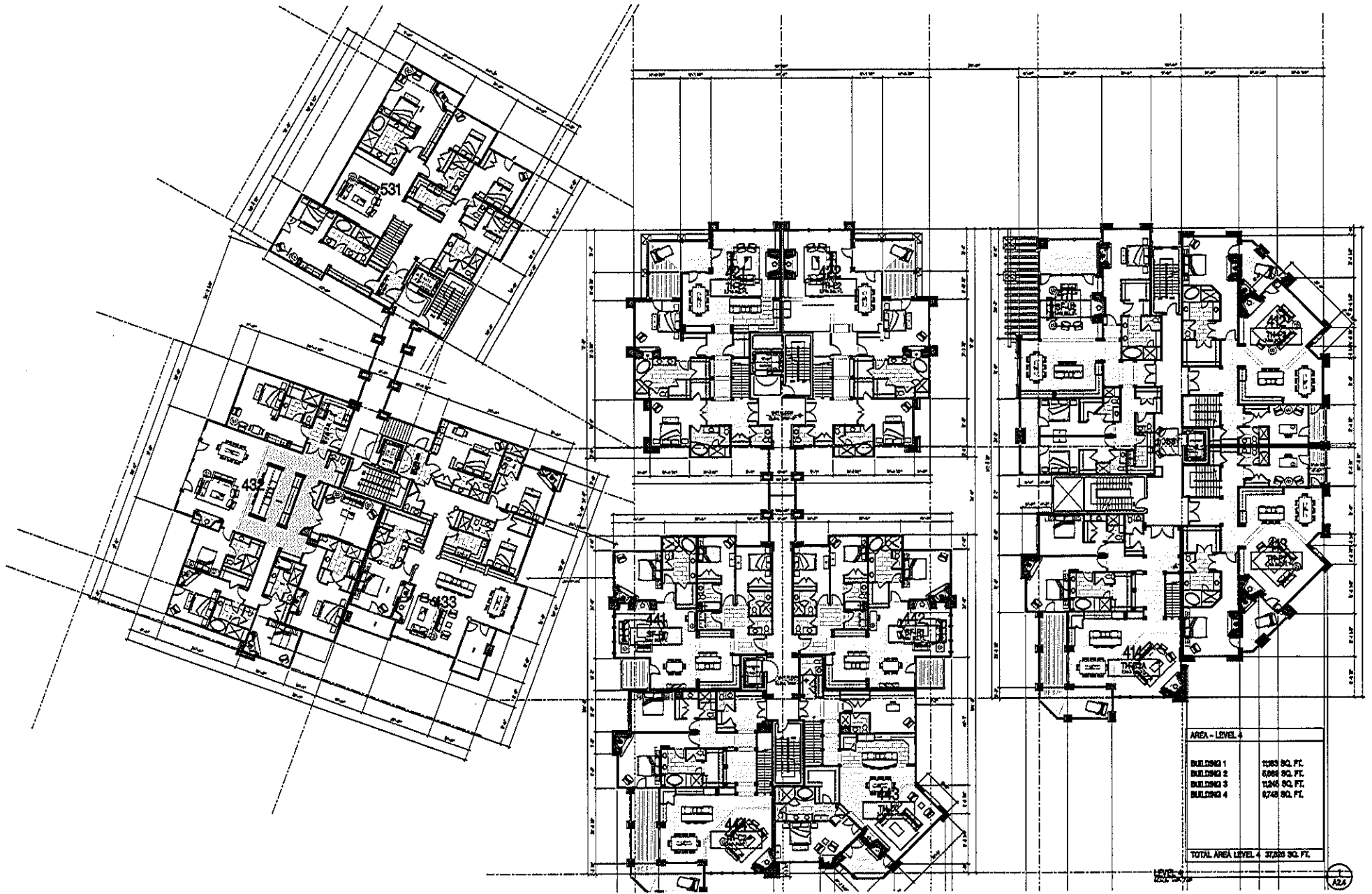
NORTH SILVER LAKE SUBDIVISION, LOT 2B, DEER VALLEY, UTAH

CLIENT
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

PROJECT
 CAPSULE HOTEL
 PARK CITY PLANNING
 DATE
 7/20/2010 (RUP PARAMETER)
 DRAWING NO.
 1009

SCHEMATIC PLAN
 LEVEL 03

SD2.3



CONDATE:

NORTH SILVER LAKE LODGE

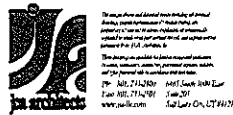
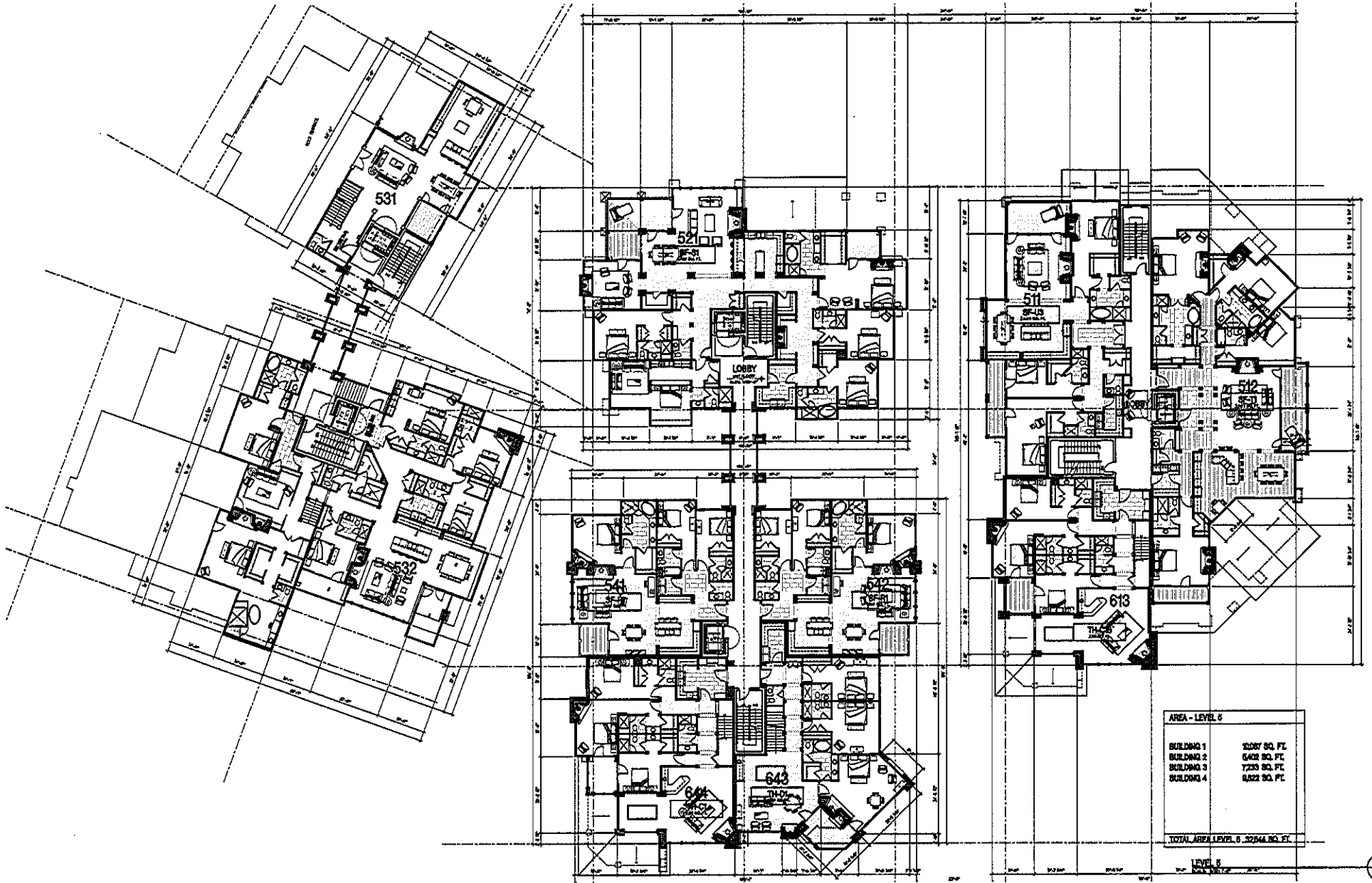
NORTH SILVER LAKE SUBDIVISION, LOT 2B, DEER VALLEY, UTAH

DATE: REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

PROJECT: CUP SUMMIT UT
 PARK CITY PLANNING
 DATE: 2010-03-10 CUP SUMMIT
 DRAWN BY: JAC

SCHEMATIC PLAN
LEVEL 04

SD2.4



CONSISTING:

NORTH SILVER LAKE LODGE

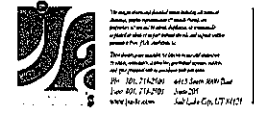
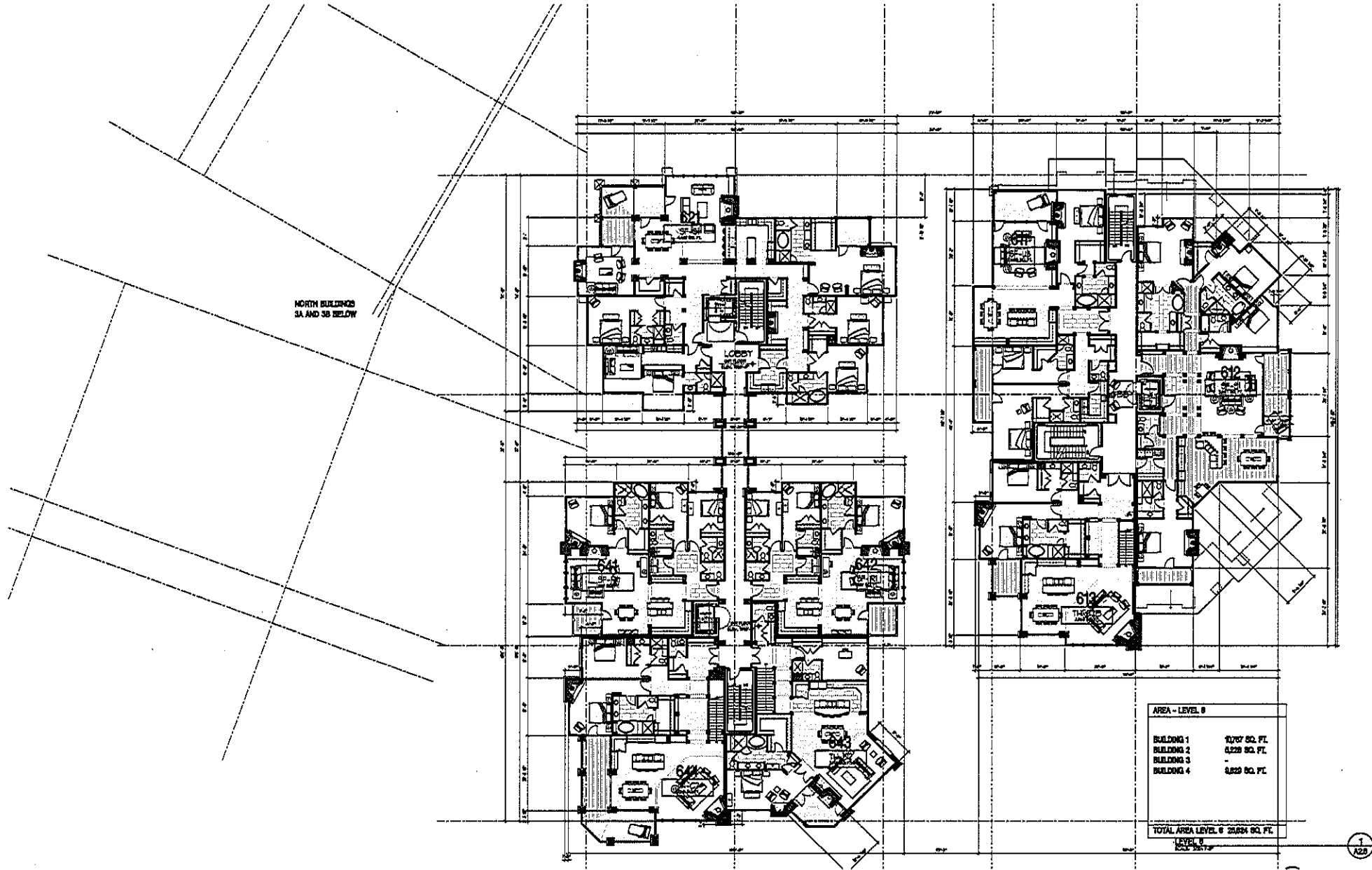
NORTH SILVER LAKE SUBDIVISION, LOT 23, DEER VALLEY, UTAH

CLIENT:
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

DATE:
 2012.03.10
 DRAWN BY:
 2012.03.10
 CHECKED BY:
 2012.03.10

SCHEMATIC PLAN
 LEVEL 05

SD2.5



CONSULTING:

NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 20, DEER VALLEY, UTAH

CLIENT:
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

DESIGNER:
 CWP SCHEMATA LTD
 PARK CITY, UTAH 84302
 2015 08-10 CWP SCHEMATA
 PROJECT NO:
 1707

SCHEMATIC PLAN
 LEVEL 06
 SD2.6

Work Session Minutes
November 6, 2013
Page 2

Exception would not change anything but the height of the sign. He was told that this was correct. Planner Alexander pointed out that the Special Exception for height would apply only if the Planning Director determines that it is feasible.

Commissioner Wintzer recognized that it was not a decision for the Planning Commission; but he was comfortable moving it forward to the City Council. Commissioners Worel, Gross and Hontz concurred. Commissioner Thomas stated that he would be comfortable moving it forward as long as the lighting was addressed.

Chair Worel called for public input.

Tom Bennett, the attorney for the developer of the St. Regis. Mr. Bennett felt it was important to understand that this amendment would not change any other provision of the sign code. It is strictly a height issue. He clarified that the St. Regis was only asking for a mechanism that was similar to a variance mechanism. The Special Exception opens the door for a situation where signage visibility is a problem, and it provides a mechanism to present your case to the Planning Director, if the sign meets all other requirements of the Municipal Sign Code.

7101 Silver Lake Drive, Lot 2B Subdivision of Lot 2 North Silver Lake – CUP for lockout units. (Application PL-13-02034)

Commissioner Thomas stated that due to his involvement with the conceptual design early in the project, he would be recusing himself from this discussion, as he has consistently done throughout the process. Commissioner Thomas left the room.

Planner Francisco Astorga noted that this was a work session discussion and the Staff and applicant were requesting input and direction from the Planning Commission.

Planner Astorga reviewed the application for a conditional use permit modification. The original CUP was approved in 2010. The original approval indicated that if the applicant requested a lockout unit in the future, it would require a conditional use permit request. The applicant has filed the required CUP application with the Planning Department. Planner Astorga noted that there was some discrepancy in the number of lockout units by the applicant. The applicant incorrectly interpreted the definition of a lock out unit and request 124 lockout units. After looking at the definition of a lockout unit, which consists of a habitable room that may include a kitchenette, but not a kitchen, the applicant reduced the number to 85 lockout units to coincide with the 38 approved main units. Planner Astorga wanted to clarify that mistake on the project description.

Planner Astorga stated that the conditional use permit authorized for 38 units. The applicant was requesting to add 85 lockout units to those 38 main units. The proposed plans were in substantial compliance with the original approval with a few modifications. The Staff did not believe the modifications were substantial enough to trigger a full review.

Planner Astorga noted that pages 26 and 27 of the Staff report outlined the details of the conditional use permit approval, the appeals and two extensions.

The Staff requested discussion this evening on two points that relate to the conditional use modification of the lockout unit, which is traffic and parking.

Rich Lichtenstein, representing the applicant, stated that he has been the owner's representative on this project since its inception. He introduced Russ Olsen, the CEO of Stein Eriksen, Steve Brown, the project consultant, and John Shirley, the project architect.

Mr. Lichtenstein stated that the project was approved in 2010 for 54 units; 16 detached homes and 38 condo units. On July 1, 2010, the City Council affirmed that approval. Due to the economic climate they were unable to break ground and came forth with two extensions that were approved. They were finally able to break ground the beginning of this year and expected to have the model home completed by the end of the year. At that point they would begin to take sales reservations for the ski season. Mr. Lichtenstein stated that besides breaking ground, they were also excited to announce a strategic alliance with Stein Erikson.

Mr. Lichtenstein noted that the original CUP did not include lockouts and it was very clear that any opportunity to build lockouts would require a CUP modification approved by the Planning Commission. He stated that the alliance with Stein Eriksen Lodge required them to make that request. Mr. Lichtenstein stated that they were prepared to show that there would be no further impacts or mitigation required on the property with the lockouts. The modification results in no additional square footage, not additional height, no reduction in open space, and the parking continues to be in excess of the Code requirement.

Russ Olsen, representing Stein Eriksen Lodge, was excited about this new project in North Silver Lake for the Stein Eriksen Residence project and the alliance that was formed. He stated that Stein Eriksen is not a developer and they do not have a financial interest in the development per se; however, they are involved because they are interested in the long term viability of the project and how it fits within the business plan and the model of future growth opportunities for Stein Eriksen Lodge. Mr. Olsen named other properties they manage in the North Silver Lake area. He noted that a positive for having Stein Eriksen involved was that they would be here managing the project for the long-term. They would not leave once the project is built. Mr. Olsen commented on parking, traffic and the shuttle service. He was convinced that the transportation service they provide currently for the Chateau and Stein's would translate directly to the Stein Eriksen Residences and eliminate the need for any of the guest to have cars.

In terms of the lockout situation, Mr. Olsen stated that the viability of a project is much greater with lockouts. He noted that a primary concern of having lockouts is the amount of traffic and parking generated, particularly during a large event. He pointed out that the Stein Eriksen Residences more of a country club where it is mainly for the owners who stay there and their guests. It will not have meeting spaces that would drive group business or a public restaurant. Stein Eriksen Residences is a more contained project and development, which is much different than the Chateau and the Stein Eriksen Lodge. Mr. Olsen stated that the impact of transportation would be minimal, but more importantly, the lockouts would help make the project more viable and more attractive to potential buyers. It was also critical in Stein Eriksen's decision to become involved in the project and to move forward with a successful long-term relationship with the owner of the project.

John Shirley, the project architect, reviewed the plans of a typical lockout unit. The areas in red were areas where interior hallways were added in order to create the lockout ability. Within the units themselves, minor changes were made where the kitchenettes were added. Mr. Shirley stated that in working with Mr. Olsen and his Staff in terms of creating the amenity level they needed to meet the Stein standards, the conversion to lockout was quite easy because the units were already close to those standards.

Planner Astorga clarified that the plan Mr. Shirley was presenting was the current condo layout versus the proposed.

Commissioner Wintzer understood that the unit would go from one key to three with the two lockout units. Planner Astorga replied that the units range from 1 to 3 lockouts. The smaller lockouts are 250 square feet and the larger lockouts can be up to 1,000 square feet.

Planner Astorga stated that the first discussion item related to traffic. He noted that the applicant had resubmitted their original traffic study and provided a new updated traffic study indicating the impacts of the lockout units. Per the newly updated document, shown as Exhibit F in the Staff report, in terms of traffic level of survey, it would remain Level of Service A, which is the free-flow traffic conditions best type of scenario. Planner Astorga reported that the Staff found no additional impacts to mitigate related to traffic.

Planner Astorga asked if the Commissioners concurred with the finding regarding traffic.

Mr. Lichtenstein pointed out that when the traffic study was updated they were considering up to 148 lockout units, which was due to a miscalculation. Since they were proposing less lockout units, he believed the traffic would show better if it was updated on the current number of 85 lockout units.

Chair Worel referred to page 69 of the Staff report which states that the study was evaluated assuming 110 additional keys. She asked if the traffic study assumed that everyone would drive rather than use public transportation. Mr. Shirley explained that the assumption on the traffic analysis was 100% occupancy at peak season. Commissioner Wintzer clarified that the study assumed a car for every key, but it was still a Level of Service A.

Commissioner Hontz noted that page 76 of the Staff report talks about not considering the lockouts because each key would cause a separate dwelling unit, which produced an artificially high trip projections. She asked if they had assumed the units as residential condos instead. Commissioner Hontz was confused over whether or not it reflected 100% off of the lockout units. She also recalled language in the Staff report, stating that it was based off of parking stalls rather than the occupancy of the actual rooms. Commissioner Hontz thought a better assumption would be to run at a certain percentage of the expected occupancy at its peak. She believed it would be significantly lower, as evidenced by all the hotels that provide that service. Commissioner Hontz stated that she was confused by some of the statements in the traffic study and if that could be rectified she was comfortable with the study. She reiterated her preference to base the assumption off of the assumed occupancy rather than parking stalls.

Commissioner Wintzer stated that he would like a matrix that identifies number of keys in the worst

case scenario. He thought it was important to know the worst case scenario and make a decision from that. Commissioner Wintzer also requested something that says per Code, how many parking spaces are required. He felt that information was important in order to make a good recommendation.

Planner Astorga stated that parking was the second point for discussion. He noted that the original CUP indicated that the project needed to provide 106 parking spaces, which was without lockouts. The Planning Commission made findings to reduce that by 25%, which took the number to 80 spaces. Planner Astorga stated that the approval also indicated that the parking would be determined per the LMC regulations. He pointed out that last year the City amended the LMC as indicated on page 30 of the Staff report, and the parking requirement was reduced. Planner Astorga stated that the challenge in addressing Commissioner Wintzer's request, is that the Land Management Code provides a parking standard for a lockout unit in terms of a single family dwelling and a duplex. It does not provide a parking ratio for a lockout unit within a multi-unit building. Because of the lack of clarity in the LMC, they were simply saying that the area for the lockout unit would be consumed by the area of the multi-unit dwelling as a whole. Therefore, they do not require additional parking for a lockout unit because it is already counted as part of a multi-unit dwelling. Given the current standard, the Staff's finding is that the lockout unit parking would be a portion of the multi-unit dwelling.

Commissioner Gross asked what the demand would be based on the ratio of one parking space per bedroom. Planner Astorga replied that it would be whatever parking was required for the first 38 main dwelling, and if it was one per bedroom, that would be an additional 85 parking spaces for a total of 123. He clarified that 123 would be assuming they could borrow the standard from a single-family and a duplex, but he was unsure whether that could legally be done because it was not specified in the Code. Assistant City Attorney McLean stated that it would also be the same standard for a hotel of one per room.

Commissioner Wintzer did not believe they needed that much parking and he applauded Stein Eriksen for what they were doing. However, he wanted to be able to justify whatever the Planning Commission does and point to the interpretations, particularly if they were willing to reduce the parking. Commissioner Wintzer thought it was important to take into consideration that all the rooms could be occupied by someone with a car. It becomes a problem for the applicant if parking is not allowed on the street and the project is under parked. He wanted something that would show the basis for a parking reduction.

Planner Astorga reported that the applicant was requesting to provide 96 parking spaces. The original plan had not changed and they were not requesting to reduce that number. Mr. Litchenstein stated that they could provide up to 96 parking spaces, but for many of the reasons being discussed this evening, he thought 80 parking spaces was an appropriate number. He concurred with Commissioner Wintzer on the need to provide justification for reducing the number. Mr. Litchenstein reiterated Mr. Olsen's comment that the Stein Eriksen marketing program discourages people from bringing cars because there is no parking and shuttles are provided. He pointed out that reduced parking to encourage less cars contributes to the City's goal of reducing the carbon footprint.

Commissioner Hontz concurred with Commissioner Wintzer in terms of not setting a precedent. She wanted the project to be successful and that the occupancy would be high. She also hoped the traffic system that Stein Eriksen employs would work and that the parking would not be needed.

Commissioner Hontz wanted justification to show how much was based off of a hotel use and how much they believe it would actually be generated. Commissioner Hontz also wanted conditions to have a successful travel demand system implemented and no office-street parking. She was comfortable considering a reduction because they want to discourage parking and encourage people to use other methods of transportation; however, she needed the requested analysis before she could make that decision.

Commissioner Wintzer stated that every time parking comes up in a project, he requests that the Staff look at the St. Regis, the Montage or other projects that had parking plans, to find out what they were required to build and how much of the parking is actually used. It would provide the Planning Commission with internal data from hard numbers to determine whether they were requiring too much or not enough.

Director Eddington stated that the Planning Commission had reviewed the parking analysis for the Montage and St. Regis four months and both were operating around 55-60% of occupancy. Despite the fact that the parking was reduced, they were still not operating above the 55-60%, even during Sundance and the holiday season. Commissioner Wintzer apologized for not remembering that the Staff had done that analysis. He requested that the Staff include that information in future Staff reports so the Commissioners would have the real data in front of them. Planner Astorga remarked that included in the General Plan is a section called "Rethinking parking", which indicates that most parking ratios are borrowed from suburban developments. They need to do in-house research and analysis related to parking demands as suggested in the General Plan, as well as taking the direction given this evening. Planner Astorga stated that the Staff was aware of the parking issues and they were trying to address that in the General Plan.

Director Eddington remarked that that part of the Best Practices with regard to parking was not management parking through additional asphalt, but rather managing parking through people.

Planner Astorga referred to page 31 of the Staff report and the criteria for a conditional use permit. When the application came in the professional recommendation and agreed to by the applicant, was to focus on traffic and parking related to the lockout units. Planner Astorga clarified that this section of the Staff report was not intended to reopen the approved conditional use permit. He explained that most of the CUP criteria did not apply to lockout units; however, the Staff reported listed the criteria to see if the Planning Commission had additional issues for review.

Commissioner Hontz referred to page 65 of the Staff report, Sight Distance, from the eastbound left turning traffic, and recommendations suggested by the traffic engineer to improve sight distance. She believed the lockouts would result in a traffic increase beyond the previously approved plan, and she could be problematic. Commissioner Hontz thought the recommendations were minor and insignificant, but it would make it easier to turn in and out of the project. She requested that the Staff research the recommendations further.

Chair Worel wanted to know more about the impacts on utility capacity. Planner Astorga noted that

the number of bedrooms was not changing. The only change was how the bedrooms are managed through the plan. The Sewer District did not have any issues with the lockouts because the number of bedrooms remained the same. Planner Astorga offered to do the additional review and provide a better recommendation for that specific criteria.

Chair Worel opened the public hearing.

Bob Dillon, a resident of American Flag, stated that in the past he was the attorney representing a number of neighbors and HOAs. Mr. Dillon stated that this project was not approved as a hotel. It is a multi-unit dwelling. If this is a hotel that has commercial space and support commercial that is open to the public, it is completely different from what was approved. Mr. Dillon explained that as they went through the process, it was presented to the neighbors as large condominiums and that was how the parking was formulated and the traffic plan. Those plans would be different if it is operated as a hotel and the public is allowed to come in and use the parking and the unknown commercial facilities. Mr. Dillon was surprised that condo documents, the plat and the declarations had not been submitted. The Legal Department authorized pulling a building permit on this project when five provisions of the LMC did not allow them to do it. He was surprised that they have to look at lockouts before they apply for a CUP for the condo project. Mr. Dillon wanted to know what this project really is and how it would be operated. He pointed out that he had done all the legal work for the Chateau. He knows how it is constructed and how it is operated. Stein Eriksen is a great manager, but this project is not the Chateau and it is not Stein Eriksen Lodge. Mr. Dillon stated that as soon as the lockouts are approved, it really begins to look like a hotel, and this project was not approved to be a hotel.

Lisa Wilson stated that she has lived in Deer Valley since 1993. She purchased her lot fully aware that there could be a large project someday. They were told it could be a small boutique hotel and that it would be 54 units. Ms. Wilson thought she knew what a unit was. During the public process there was a compatibility argument that went on for year, and the project was deemed compatible because the units were approximately 6,000. Ms. Wilson handed out a document that was written by Katie Cattan, showing that the units would be 6,000 square feet. At one point they were compatible when the project proposed 54 units. Ms. Wilson reiterated that she thought she knew what a unit was, but now the number is as high as 140, and she no longer knows how to define a unit. Ms. Wilson presented a copy of a trust deed.

Commissioner Wintzer informed Ms. Wilson that the issue this evening was the lockout units and not the history of the project.

Ms. Wilson replied that the lockout units would tremendously change the value of the property. Since 2005 the property according to Summit County has been valued at \$1.2 million. There is a trust deed on record for \$85 million. She pointed out that changing to 140 units increases the value far more than \$85 million. Ms. Wilson passed provided the Commissioners with copies of the trust deed. Ms. Wilson commented on the amount of property taxes that have been paid since 2005. He noted that 85% of the property tax revenue should have gone to the teachers, but it did not. Ms. Wilson believed the proposal and the discussion was truly unbelievable. She presented a tax bill prior to 2005 showing that the developer used to pay over \$100,000 in property taxes and now they pay \$6,000. Ms. Wilson remarked that the developer uses ten acres of Deer Valley ski in/ski out

property and their property tax is \$6,000. Deer Valley pays \$55 in property tax for the four acres that used to be a 54 unit condo project, and has now turned into 140 hotel rooms. Ms. Wilson was unsure how it reached this point, and she hoped the Planning Commission could do something to change it. She wanted to make sure that the school district and the City gets the money they lost over the years.

Nancy Dalaska stated that she and her husband live on Royal Street in Deer Valley. They are relatively new to Park City and she had two concerns about this development. When they purchased their property five years they understood that Deer Valley was relatively low density. Having moved from Chicago she know the difference between high and low density. They moved here looking for a place with low density. Ms. Dalaska was not adverse to development and understood that good, responsible development is necessary in order for the community to thrive and they need good operators like Stein's, who she considers to be a good neighbor. However, the master development plan says 54 units were approved. She thought that number was aggressive for the property, but to add in another 85 units basically doubles the size of the project from what was approved. Ms. Dalaska stated that even though this might not be adding additional density, she was concerned about the traffic and the parking. She commended places that have shuttles, however, she has yet to see a shuttle drive by that was actually going 25 miles an hour or slower. There were already traffic issues on a small, curvy two-lane road and the shuttles drive up and down Royal Street way too fast. In addition, since they cannot require their guests to not bring a car, she thought it was reasonable to look at the worst case scenario in terms of traffic. Ms. Dalaska was concerned about the safety issues that come from the traffic and the shuttles. She was also concerned about the precedent this sets. She has seen this project and others approved for a certain scope and number of units. If this were approved with lockouts that would be different; however, to change the nature of the project after it has started seems like a bait and switch. Ms. Dalaska believed that it sets a dangerous precedent for the community. In looking at previous minutes that talked about prohibiting lockouts, she questioned whether this project would have originally been approved in 2010 if it had been presented as a hotel with lockouts. Ms. Dalaska asked the Planning Commission to consider the existing neighbors, the safety on Royal Street and the economic viability of the entire neighborhood; and not just the people buying in to this new project.

Chair Worel closed the public hearing.

For the next meeting, Commissioner Wintzer asked Planner Astorga to talk about what the Deer Valley MPD approved and whether this proposal would change the original MPD in terms of number of units. Planner Astorga stated that he would research the Deer Valley MPD and provide that information. He explained that a lockout and nightly rental were allowed uses in the District. However, a lockout nightly rental requires a conditional use permit in the District. Planner Astorga pointed out that the 2010 approval indicated that if the applicant wanted a lockout, they would have to come back to the Planning Commission for a CUP.

The Work Session was adjourned.

Exhibit E – 12.11.2013 Planning Commission Regular Meeting

Planning Commission Meeting
December 11, 2013
Page 38

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)