

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY HALL, COUNCIL CHAMBERS
FEBRUARY 12, 2014**



AGENDA

MEETING CALLED TO ORDER – 5:30 PM

ROLL CALL

ADOPTION OF MINUTES OF JANUARY 22, 2014

PUBLIC COMMUNICATIONS - *Items not scheduled on the regular agenda*

STAFF AND BOARD COMMUNICATION/DISCLOSURES

CONTINUATIONS

Snyder's Addition to Park City Amended Lot 1, Block 15, located at 901

Norfolk Avenue – Plat Amendment

PL-13-02180

Public hearing and continuation to February 26, 2014

REGULAR AGENDA – *Public hearing and possible action*

1185 Empire Avenue – Plat Amendment

PL-13-02163

Public hearing and possible recommendation to City Council on March 06, 2014

The Fluter Subdivision, located at 225 Woodside Avenue – Plat Amendment

PL-13-02183

Public hearing and possible recommendation to City Council on March 06, 2014

115 Sampson Avenue Plat – Plat Amendment

PL-13-02035

Public hearing and possible recommendation to City Council on March 06, 2014

820 Park Avenue – Conditional Use Permit for Mixed-use

PL-13-01956

Public hearing and possible action

Park City Heights Phase I – Subdivision

PL-13-02189

Public hearing and possible recommendation to City Council on March 06, 2014

1450/1460 Park Avenue – Conditional Use Permit

PL-13-01831

Public hearing and possible action

1450/1460 Park Avenue – Plat Amendment

PL-13-01830

Public hearing and possible recommendation to City Council on March 06, 2014

7101 Silver Lake Drive – Conditional Use Permit for Lockout Units

PL-13-02034

Public hearing and possible action

7101 Silver Lake Drive – North Silver Lake Condominium Plat

PL-13-02225

Public hearing and possible recommendation to City Council on March 06, 2014

ADJOURN

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

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

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MINUTES
SPECIAL GENERAL PLAN MEETING
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JANUARY 22, 2014

COMMISSIONERS IN ATTENDANCE:

Nann Worel, Preston Campbell, Stewart Gross, John Phillips

EX OFFICIO:

Planning Director, Thomas Eddington; John Boehm, Planner; Mark Harrington, City Attorney

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ROLL CALL

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

ADOPTION OF MINUTES OF JANUARY 8, 2014

Chair Worel noted that the minutes reflect that Commissioner Phillips recused himself and left the room, but it did not show that he came back to the meeting for the next matter. She requested that page 8 be amended to reflect that Commissioner Phillips rejoined the meeting.

MOTION: Commissioner Gross moved to APPROVE the minutes of January 8, 2014 as amended. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

Jim Tedford stated that he had been reviewing the drawings for the addition to the Public Library. He had also been reading through the proposed General Plan to try and understand the terms and integrity. In looking at the pictures of the library addition, it occurred to him that some aspects of the additions were not compatible with the overall building. Mr. Tedford had comments to he wanted to submit regarding his ideas for compatibility and other issues but he was unsure where to submit it.

Director Eddington stated that if Mr. Tedford had specific concerns relative to the design of a historic preservation element and/or compatibility of the design, he should convey his concerns to the Planning Department so they could be considered when the project goes through the design review process. Director Eddington suggested that Mr. Tedford make an appointment to meet with either him or Planner Grahn.

City Attorney Mark Harrington asked Director Eddington to inform Mr. Tedford on what has already been approved and what could still be changed. Director Eddington stated that the Library project had already been reviewed by the Planning Commission. The Staff was currently in the process of finalizing the HDDR review, which he believed was the area of Mr. Tedford's concerns. He again encouraged Mr. Tedford to contact the Planning Department.

Mr. Tedford stated that he spent a considerable amount of time going through the General Plan and he had issues relative to policy items. He asked if he should pursue the same avenue with the Staff regarding those items.

Chair Worel informed Mr. Tedford that the Planning Commission would take public comment on the General Plan following their discussion this evening. He could either comment during the public hearing or make an appointment to meet with the Staff.

STAFF OR BOARD COMMUNICATIONS/DISCLOSURES

Director Eddington reported that the date for the Joint Meeting with the City Council was finalized and the meeting would be held on Wednesday, February 5th.

Director Eddington stated that the second public open house on the General Plan was originally scheduled for February 18th; however, they realized it was the day after President's Day and UEA work. Since many people could be away on vacation, the date was changed to February 25th. Director Eddington clarified that it was a public outreach meeting only.

Chair Worel stated that when she checked the website calendar yesterday the Planning Commission meetings on January 29th February 26th were not listed. Director Eddington offered to follow up to make sure those dates were on the calendar.

WORK SESSION – GENERAL PLAN (Discussion and Public Hearing)

Planner Boehm passed out copies of public input that was received today.

Director Eddington clarified that the information and direction given at the last General Plan meeting were incorporated into the General Plan document as redlines. He noted that the redlined version was not put on the website because the Staff was concerned that it might confuse the public. Following the final General Plan meeting, the updated document would be posted on the website reflecting the recent redlines. It would also be identified as the document discussed at the Joint Meeting.

Planner Boehm stated that at the last meeting they talked about changing the document format and there was consensus to have Volume I and Volume II. The Staff intended to have the document split into two volumes for this meeting, but due to technical problems that was not possible. The goal was to have it posted on the website the next day.

Planner Boehm recalled that another request from the Planning Commission was to insert a "How to Use Section" in the General Plan. He presented a slide showing the proposed language that describes Volume I and Volume II. He clarified that Volume I would have the goals, objectives and strategies of the core values. Volume II would contain the methodology recommended for accomplishing the strategies, the section on neighborhoods and the trends section.

Chair Worel read the last sentence from Strategies in Exhibit A, "The second set of strategies is designed to hold the City accountable in terms of implementing the projects necessary to accomplish this task at the ground level." She asked if there would be a set of benchmarks or an evaluation schedule to monitor how well the City accomplishes these strategies. Director Eddington stated that once the General Plan is finalized the Planning Department would create a set of indicators that the Staff could benchmark themselves against. He noted that the hope is to examine the General Plan on an annual or bi-annual basis, and the Planning Commission could look at the indicators to see how well they were implementing the strategies.

Commissioner Gross suggested that they move the mission to "Keep Park City Park City" at the top to emphasize its importance.

Planner Boehm commented on density. At the last meeting the Planning Commission determined that there were places in the City appropriate for additional density and other places that were not appropriate. The areas identified as appropriate were Bonanza Park, the commercial/mixed use portion of Prospector, Lower Park Avenue and the Resort areas of PCMR and Deer Valley Resort. It was also recommended that they remove any language in the individual neighborhoods that encourage additional density in the primary residential neighborhoods of Thaynes, Park Meadows, Masonic Hill and the portion of Prospector that is currently single family homes. Planner Boehm presented a slide showing that all the language was deleted in the Thaynes neighborhood that referenced accessory

dwelling units, detached units and multi-family because it encouraged possible density in those areas.

Planner Boehm noted that some of the language had previously been removed from the Park City neighborhood section. New language was not added because there was already wording indicating that the character of that community should remain the same.

Planner Boehm stated that language was added to the Prospector neighborhood section to clarify where in that neighborhood density would be appropriate and where it should not occur. Director Eddington clarified that the Planning Commission indicated at their last meeting that density would not be appropriate in the single-family residential section of Prospector, but it would be acceptable in the higher density and commercial sections. He felt the easiest way to follow that direction was to follow the General Commercial zone. Planner Boehm noted that language in the Prospector section also states that any mixed-use development would be appropriate in the areas of General Commercial, to emphasize that it was the only area where density would be appropriate in that neighborhood.

Planner Boehm remarked that Masonic Hill, another primary residential neighborhood, already contained language stating that it was not an appropriate area for additional density. Director Eddington noted that the Old Town section did not address an increase or decrease in density and that language was left as written.

The Commissioners were comfortable with the revisions as presented.

Director Eddington commented on a discussion at the last meeting with regard to the TDR zones, and a recommendation to remove the Huntsman property. The Planning Commission also preferred that the City not get involved with identifying locations in the County where density might be appropriate. The Staff recommended removing the County references from the General Plan and adding language indicating that it would be done as part of regional collaboration. Director Eddington noted that arrows showed that some density could be sent to the County. However, he suggested removing the arrows and enlarging the image to only show three primary nodes of PCMR, Lower Deer Valley and the Bonanza Park area.

Director Eddington asked if the Commissioners would be comfortable exploring other TDR receiving zones in the future. As they do more analysis, and since this General Plan could be a 20 year document, he wanted to know if it was acceptable to add a Principle to the bottom of page 210 that notes TDR opportunities in the future based on a thorough analysis as they look at potentially expanding the current TDR zone. The Commissioners were comfortable adding the Principle.

Planner Boehm stated that at the last meeting the Planning Commission discussed the Salt Lake City/Park City connectivity. At that time there was a difference of opinion among the Commissioners on the viability of some nodes of transportation. At the end of the discussion, the Commissioners agreed that it was worth investigating all options and alternatives.

Director Eddington provided a review on annexation to address some of the questions raised regarding the benefits of expanding the annexation area. Director Eddington summarized the reason to consider annexation as outlined in the Staff report. The considerations included expanded infrastructure, opportunities to control development, and opportunities to provide agricultural land, forests, recreational areas, wildlife management areas within the municipality. If an area is within the annexation expansion area, the surrounding County would be required to notify the City of a proposed development. Chair Worel found the benefits outlined in the Staff report to be very helpful.

In terms of more geographic specificity, Director Eddington reviewed a map of the annexation expansion area to help the Commissioners better understand the areas. He noted that the annexation expansion area to the northeast of the City includes property north of Round Valley and a lot of the land that the City purchased as open space. Moving further north and east of that, the Staff recommended crossing over SR40, including the triangle piece, and the gateway coming in from I-80 down SR40 to 248. The Staff believed that including that area in the annexation expansion boundary would give the City an opportunity to protect the wildlife corridors and the gateways.

Commissioner Gross stated that because the proposed areas were critical to wildlife and open space, it was important to look at moving the line presently shown on the east of SR40 out to the Eastern Summit County line, where Snyderville meets Eastern County. With all the densities immediately adjacent to Wasatch, it would give the City the option to be part of the conversation.

Commissioner Campbell concurred with Commissioner Gross. He also noted that if they did not include that piece to the east, it would become undevelopable or the City would lose control of what could connect on either side. Commissioner Gross gave Director Eddington a tax map to show the area he was talking about.

Commissioner Gross thought it was important to continue to have planning discussions with the adjacent counties; however, at the same expanding the annexation boundary assures the City the opportunity to be at the table when development occurs.

Director Eddington clarified that the Planning Commission was comfortable expanding the boundary to include the areas to the north and east to the Wasatch County line. The Commissioners concurred.

Director Eddington reported that the second area considered as the expansion area was the southeast section of the community and crossing over the County line into the Wasatch area, taking into account the area north of Deer Crest as a gateway coming into the south. As Jordanelle, Heber and Wasatch County continue to grow and develop, it is important to protect that gateway to Park City.

Commissioner Gross asked about the school district. Director Eddington stated that areas that are annexed would likely be within the Park City School District. He explained that typically an interlocal agreement is established when they cross over the County line and those decisions are made at that time. City Attorney Harrington clarified that an interlocal agreement between the City and the County would not address the school issue. That would be handled as a separate issue.

Commissioner Campbell understood that if the Planning Commission agreed to expanding the ADA boundary it would not mean they would absolutely annex. It would only put other jurisdictions on notice that the City could consider it in the future. Director Eddington replied that this was correct.

The Commissioners concurred with expanding the southwest section as suggested.

Director Eddington stated that the third expansion area was at the very southern end of Park City over the Wasatch County line in an area known as Brighton Estates and Bonanza Flat. He pointed out that there was entitled development in this area that has been entitled for a number of years. A lot of the area is open space and undeveloped, however, there are a number of lots for future development, as well as a number of existing cabins in that area. Director Eddington explained that the primary reason to consider this area is that it would have an impact on transportation and Guardsman Pass coming into Park City if that area were to develop. It is also an area that could impact resort development and what occurs in the resorts. Given its entitled development, the Staff felt it was appropriate to bring into the annexation expansion area. It would ensure that proposed development would be appropriate for that area and it could be a potential sending zone for TDRs to protect that area as open space and natural amenities.

The Commissioners concurred with including the southern area into the expansion boundary as proposed.

Director Eddington stated that the fourth and final area proposed was to the west of the current City boundary. This would clean up where the annexation expansion was and where it should be based on property lines. The previous ADA bifurcated properties and the Staff was recommending that it be cleaned up to follow property lines. The Commissioners concurred.

Director Eddington recalled previous concerns with regards to how the old General Plan relates to the proposed General Plan. He stated that from a fundamental standpoint the general plan provides goals, policy direction, strategies, and actions that were open to being utilized over the next 20 years. A number of the strategies are recommendations for overall planning strategies. Director Eddington noted that it was where the General Plan serves the most effectively. He remarked that this community tends to use the General Plan also as a barometer for compliance when they look at master planned developments and larger applications that come before the Planning Commission.

Director Eddington presented the Silver Star project that was a master planned development in 2003-2004, and explained how they used the old General Plan when reviewing this project and how the review would relate to the new General Plan format. Director Eddington pointed out that the new General Plan provided more direction and guidance in terms of development and it was a more finite review.

Director Eddington reviewed five major differences between the old General Plan and the new General Plan as outlined in the Staff report. He remarked that that neighborhood focus was one of the biggest differences from the old to the new. It was based on a strong commitment by the Planning Commission to focus on that sense of geography. He believed the ten neighborhoods that were identified as a result of the process was good and it helped to create mini area plans for each neighborhood.

Director Eddington stated that a second goal for the new General Plan was to make it an image driven document, as well as text. There was a strong push by the Planning Commission to make sure the new General Plan had a design focus. While being quantitative, the General Plan should also give a sense of character, community and a sense of place and design. Director Eddington believed that the images included in the new General Plan represented what the community wanted.

Director Eddington stated that inclusionary housing was an element that was strengthened in the new General Plan. It talks about opportunities to expand on affordable housing and middle income housing. It also looks at the complexity of aging in place in a single community.

The fourth major difference between the old and the new Plans was alternate modes of transportation. Director Eddington stated that currently Park City does not experience the same problems as Salt Lake, but as the Wasatch Front continues to grow he believed they would be more impacted and challenged by the issues. The new General Plan looks at transportation from a State level. It also looks at alternative modes from the standpoint of getting around locally and how to link transportation with the Snyderville Basin and Wasatch County in the future. Director Eddington believed that it would eventually be an issue and the City should commit to exploring it. Exploration was identified in the new General Plan.

The final item was the environmental and sustainable components of the new General Plan. He pointed out that the world has changed since the current General Plan was adopted in the 1990's in terms of how they view sustainability and the environment. There are more opportunities to address the environment and those issues were incorporated into the new General Plan.

Director Eddington stated that aside from the five major differences outlined, he did not think the two General Plans were that different. He clarified that the intent was not to take the General Plan into a completely new direction. The goal was to update the old General Plan to be more focused in meeting the current and future needs.

Chair Worel commended the Staff on doing a phenomenal job with the General Plan. However, one gap that she sees is the lack of discussion regarding the services associated with affordable housing and inclusionary house. No matter how much affordable housing they provide, it will mean nothing if they do not have affordable child care, affordable food sources and affordable transportation. Chair Worel thought they should do whatever they could to strengthen that part of the General Plan. She believed the City would be challenged to fill inclusionary housing with middle income families without the support services necessary to live there.

Director Eddington recalled that Chair Worel previously raised the same issue and in response the Staff incorporated opportunities into the General Plan to address those concerns. He agreed that affordable housing would be a challenge without those services.

Chair Worel had a received an email from Commissioner Joyce with his suggestions about trends. Director Eddington had received the same email. He noted that Commissioner Joyce had specific concerns with regard to case studies, and he requested input from the rest of the Commissioners on whether to leave them in or take them out of the appendices trends sections.

Chair Worel stated that Commissioner Joyce suggested removing all the case studies starting on page 24 that did not have relevance to the General Plan. Director Eddington remarked that four pages talk about case studies from cities in other states. He explained that the case studies were included because each one contained a development that was important to future planning trends. The Staff thought it was important to look at whether or not there were similar opportunities for Park City as either a city and/or region moving forward. Director Eddington explained why the Staff felt each case study was important or relevant.

Chair Worel clarified that Commissioner Joyce thought the case studies read as a tidbit without any relevance and no way to tie it back to Park City. If the case studies are important they need to be connected better.

Commissioner Gross suggested adding a narrative at the beginning of each one explaining the purpose for why it was included. Commissioner Phillips agreed that adding an explanation would help clarify why it was included. He did not disagree with the concept of trying to learn from the case studies, but the idea of comparing Park City to a large city scares people. Commissioner Gross thought it might be sufficient to add a narrative at the very beginning with an explanation of why the "following case studies" were included as examples. Commissioner Gross was not opposed to removing the case studies as suggested by Commissioner Joyce.

Commissioner Campbell thought one sentence before each case study example would be sufficient clarification. He requested that Director Eddington draft language this evening so the Planning Commission could approve it.

Director Eddington drafted the following language: 1) The Portland, Oregon benefits are looking at opportunities for growth boundaries to protect those areas that are developed versus those areas that should be utilized for open space and/or agricultural producing opportunities. 2) Pineland, New Jersey was looking at the opportunity to protect and preserve environmental resources for future generations and utilizing land use principles and protections. 3) King County, Washington is a good example in terms of measuring their carbon footprint and how to utilize additional partnership to not only measure carbon footprint but to actually reduce it, and to look at opportunities to improve produced and/or expanded carbon footprint. 4) The Sarasota, Florida plan was a good resource in terms of protecting open space and wildlife corridors via the incorporation of development. 5) The Atlanta and the Belt Line planning area was looking at opportunities to utilize historic rail lines, historic trails and road and other opportunities for trails and how to expand on them. It also looks at cultural tourism.

The Commissioners were comfortable with the language drafted by Director Eddington.

Chair Worel noted that Commissioner Joyce also had concerns in the Trend Section regarding formatting. Director Eddington was aware of the formatting issues and those could be easily addressed.

Chair Worel read from Commissioner Joyce's email, "The massing software used to generate a lot of the pictures uses a satellite view of streets overlay, and then whatever you're showing overlaid on top of that. I can't tell much about any of them. The charts are important. Could they be a page instead of half a page? Is there a way to do it with a street view instead of a satellite view? It would result in a lot less clutter on the pictures. I found that even with a nice color version I got very little from almost 100% of the maps and photos; too detailed, too cluttered and too small." Chair Worel thought it would be best if Commissioner Joyce worked directly with the Planning Department on those concerns.

Director Eddington stated that the Staff would be happy to speak with Commissioner Joyce. However, he asked Planner Boehm to show a particular map and he asked the Planning Commission for their opinion on how it could be more effective. He presented the nodal map that was shown at the last meeting, and outlined what he believed was Commissioner Joyce's concern. He asked the Commissioners if they thought it was too difficult to read and preferred to remove the satellite imagery. Director Eddington clarified that early in the process people requested more satellite imagery in the mapping because there was none in the old General Plan. The Staff incorporated satellite imagery where they could because some people find it difficult to identify roads and boundary lines and instead use landmarks on the ground to identify an area.

Commissioner Gross believed that once the electronic version is available, the mapping would be enlarged. He was comfortable with the satellite view, but he thought they needed to do a better job of labeling the main streets. Director Eddington noted that all of the maps would be hyperlinked on the website and people would have the ability to zoom in.

Director Eddington asked if there was general consensus to leave the maps as they were, but improve the labeling. The Commissioners concurred. Director Eddington would meet with Commissioner Joyce relative to his concerns.

Commissioner Campbell read from Goal 14, item 14.14 as listed in the Staff report, "Consider LEED certification on all new municipal buildings." "Consider it as a requirement for all future construction within the City." He agreed with LEED certification for municipal buildings, but he thought it was a hard bar for future construction and goes against what they were trying to accomplish for affordable housing. Commissioner Campbell recommended that they change the wording to "suggestion" rather than "requirement". If

they preferred to enforce it, he suggested the possibility of a tax break or reduced building permit fee and let the market dictate it, as opposed to forcing everyone to do it.

Commissioner Campbell also suggested that instead of using LEED, that they allow NAHB, which is a less expensive competing program. Commissioner Gross suggested "LEED or equivalent".

Chair Worel asked if the alternative was only for municipal buildings or all construction. Commissioner Campbell liked the idea of LEED for municipal buildings, but he thought it would be onerous to enforce it on every building within the City limits.

Director Eddington clarified that revising the language to read, "Consider LEED certification or equivalent for all municipal buildings", was acceptable to the Planning Commission. The Commissioners concurred. Director Eddington revised the second sentence to read, "Consider incentivizing LEED certification or equivalent for all future construction within the City." The Commissioners were comfortable with the revision as read.

Commissioner Campbell had the same concerns with 15.13 under Historic Character, regarding the requirement for licensed architects and landscape architects. It would affect the cost of building, which was opposite from what they were trying to accomplish. Director Eddington asked if the Planning Commission wanted to discuss it this evening or wait to have that discussion with the City Council during the joint meeting. Commissioner Campbell preferred to delete the requirement altogether.

Director Eddington stated that the issue was previously discussed by the City Council and the requirement was included. This discussion has occurred consistently over the past 15 months. It was not recommended initially, but more recently the requirement for licensed architects was recommended. Whether the Planning Commission decided to leave it in or take it out, he thought it was a worthwhile discussion for the joint meeting.

Commissioner Gross thought the Planning Commission should wait to have the discussion with the City Council. Commissioner Phillips agreed, particularly since it has been discussed several times and the most recent decision was to include it. Commissioner Campbell wanted to make sure it was on the agenda for the Joint Meeting.

Chair Worel opened the public hearing.

Mary Wintzer, a resident at 320 McHenry, stated that the public following the General Plan process had lobbied for slowing down the process. At that time, both City Council Members and the Planning Commission were willing to extend the time line until April if it meant doing it right. However, when the schedule was released she noticed that the time

line had again been condensed to speed up the process. She and many others have tried to read all the materials to keep up with the current discussions. Ms. Wintzer noted that changes were made to the neighborhood section as early as that afternoon, and the changes were not available to the public. Ms. Wintzer remarked that Director Eddington is a “can do” person and during the City Council meeting he thought he could get everything completed on time. Recognizing that the Planning Department has had an increased workload associated with Sundance, she expected that the public would have the opportunity to review the changes prior to the General Plan meetings.

Ms. Wintzer commented on the urgency that the schedule set for the Planning Commission to vote tonight. She noted that two Commissioners were absent and would not be able to vote. As others make their comments this evening, Ms. Wintzer asked the Planning Commission to consider that they had not had the opportunity to read the new changes and make comment.

Ms. Wintzer referred to the trends section and noted that during the City Council meeting Mayor Williams spoke to the fact that the entire 120 page Trends Section could be eliminated. He suggested that it might work better as a pamphlet if people were interested. If the ideas put forth in the Trends Section were pertinent and valuable, they should be incorporated into the main body of the General Plan.

Steve Swanson, a Park Meadows resident, passed out a handout of suggested changes to the General Plan. He stated that some of his suggestions were fairly general. He clarified that when he suggests revising a certain section, he understands what that would involve. Mr. Swanson commented on what he believed were the more important suggestions from his reading of the most current document available online.

Mr. Swanson clarified that the heading ICON Park City was an independent council of neighborhoods representing at least five neighborhoods in town. He was representing ICON this evening and while the ideas were his own, they had been vetted with ICON Park City council.

Mr. Swanson started with the Introduction Section and requested that they re-write the Overview. He felt there was a tone to this section that was informal to the point of being hard to take seriously. He was willing to talk with the Planning Department about his specific ideas. Mr. Swanson thought an important issue was the sidebar on page 13 of the Introduction Section. It states that the number reflects theoretical unit equivalents, in other words, potential build out. He did not believe they could say with complete certainty that this was the number or that Park City would be built out at some date certain in the future. Mr. Swanson thought it was impossible to know that or to craft a plan around it as a central thought. He understood why it was included, but he thought it needed better clarification.

Mr. Swanson had concerns with how the Green Section was written. The tenure was informal and the narrative was not informative.

Mr. Swanson commented on his suggestions for the Small Town Section. He thought the phonetic definitions were “cute”, but he questioned whether they were really necessary. He thought the tenure of a document that would guide development and growth for the next 20 years should be more readable and useful. He understood the intent but he did not believe the definitions were effective. He requested that the City Council really look at the bold headings with phonetic definitions because they were very difficult to read. Mr. Swanson suggested that they replace the phonetic definitions with definitions that are useful and helpful the readers. Mr. Swanson commented on some of the images. He noted that trains coming through tunnels out of the mountains are ideas that have not been thoroughly vetted, and he did not think those should be included. One image includes the idea of putting a gondola terminal at the top of Main Street. It may or may not be a good idea but he did not think it belonged in the General Plan.

Mr. Swanson outlined his concerns and suggestions for the Natural Setting Section. He noted that on page 10, 5.2 mentions increased density and that should be removed. Mr. Swanson did not understand why carbon sequestration on page 15 was included in the General Plan. He was comfortable with carbon sequestration as a theory, but it is not a tested science and it was not germane to the General Plan. Mr. Swanson thought it should be removed. On page 28, he requested a commitment to preserve the Recycle Center. He noted that BoPa plan specifically talks about giving the Recycle Center to Mark Fischer. Mr. Swanson thought it was important for the people of Park City to know that the Recycle Center would not be taken away. Mr. Swanson referred to page 39 and asked about a real effort to get cars out of town. He suggested the possibility of charging a fee to bring in your car, separate from parking fees.

Mr. Swanson commented on the Sense of Community section. He thought the graph on page 22 was very telling and he wondered if they should say more about it. He thought the graph showed that Park City was over-built with nightly rental hot beds, but there was no indication to slow down on building more. Mr. Swanson suggested that it might be worth studying in the future to see if they are on the right or wrong track. He thought it should be front and center in their thinking.

Mr. Swanson commented on the Historic Character Section. He was concerned about projects such as the library expansion in terms of the lack of qualified historical professionals that should be involved and the public purview. Mr. Swanson thought there were actual layers of protection for historic resources in town and important public buildings that needed to be mentioned in the General Plan.

Mr. Swanson referred to the Neighborhoods Section. He noted that the BoPa plan was separate from the General Plan and he would like the Planning Commission to encourage the Staff to either incorporate the BoPa plan into the General Plan so people understand what could potentially be built in this area; or take out the graphics. He believed it was misleading for someone reading the plan when they see the overlay of new roads and the implications for this area, which is the focus of transferred development rights, etc. Mr. Swanson was dismayed in seeing that Bonanza Park was combined with Snow Creek, which is an important business area that services the needs of all Parkites, including visitors.

Mr. Swanson agreed with Ms. Wintzer regarding the Trends Section. He understood that the General Plan was split into two volumes and the trends would be included with neighborhoods. However, he thought the Trends Section could be eliminated or created as an appendix. If they keep the Trends Section, he would like an explanation of the graph on page 30. He wanted to know how they could build 2.5 million square feet of commercial and another 2500 residential unit equivalents without using additional water. Mr. Swanson referred to pages 42-43 and requested that they give proper credit to the founders of CARG if they were going to quote one of its members. He thought it could also be removed because it was anecdotal. Mr. Swanson thought the personal accounts included in the General Plan should be better vetted in order to give proper credit.

Jo Scott asked for a definition of primary neighborhood.

Director Eddington stated that primary neighborhoods are those with primarily year-round residents.

Ms. Scott clarified that Thaynes would be considered a primary neighborhood. Ms. Scott thanked the Commissioners for the changes that were made to the neighborhood sections and removing the language regarding increased density. However, she felt there were still inconsistencies in the language. Sense of Community, 7A in the Staff report, says, "increased diversity of housing stock to fill voids within housing inventory." In her opinion, increasing diversity for Thaynes, as an example, might mean more density. Further down in 7.3, it reads, "Explore new and emerging trends for non-traditional housing developments such as co-housing, congregate housing or limited equity co-ops within primary residential neighborhoods." Ms. Scott believed that language implies increased density in the neighborhoods where they wanted to discourage density. Ms. Scott asked if the Planning Commission found the statements to be contradictory.

Commissioner Gross answered no. He believed the Planning Commission and the public have discussed the Thaynes Canyon issue as much as they possibly could for the General Plan. He informed Ms. Scott that any remaining issues or concerns could be addressed

with the LMC, similar to the way they dealt with the Holiday Ranchettes. Commissioner Gross reiterated that the neighborhoods were sufficiently addressed and he thought it was time to move forward.

Ms. Scott respectfully disagreed because she preferred consistency in a General Plan that serves as a reference. Commissioner Gross pointed out that the General Plan is also an organic document that will be reviewed and scrutinized for the next 20 years. It would be unrealistic for the Planning Commission to include the level of detail that Ms. Scott was suggesting. Commissioner Gross stated that Ms. Scott was concentrating on Thaynes and missing the organic point of the General Plan.

Ms. Scott clarified that she lives in Thaynes but she was also concerned about the other neighborhoods as well. However, for the areas the Planning Commission identified as places to discourage density, she felt the language could be cleaned up to be more consistent.

Chair Worel thought that Ms. Scott's point was addressed in the last sentence of 7.3, "Create specific review standards to ensure compatibility and mitigation of impacts as necessary." Chair Worel thought that sentence made it clear that the Planning Commission would look closely at whatever review standards are applied in the LMC to ensure compatibility and that the impacts are mitigated.

Director Eddington explained that the language represented different uses and opportunities for housing, as opposed to increased density. Ms. Scott was not opposed to housing diversity as long as the language did not imply increased density in the neighborhoods that have already been identified for no additional density.

Commissioner Campbell felt there was a philosophical difference with some of the different neighborhoods. From his perspective it was like a three sided triangle with density on one point, sprawl on the second point and affordable housing on the third. People do not want density or sprawl but they want affordable housing and those are incompatible. In his opinion, there would have to be increased density somewhere. Commissioner Campbell stated that no one wants sprawl and everyone agrees with having some sort of a belt around it to identify when you have reached Park City. Everyone also agrees that a lot of property owners have the rights to build houses in Park City, and he personally preferred to have those clustered. Commissioner Campbell stated that he lives in Thaynes and there is not that much left to be built; therefore, clustering could not occur in Thaynes. He was confident that the Thaynes residents could stop worrying about having work force housing in their neighborhood, but it clearly needs to be somewhere.

Brad Smith, stated that he was representing the Thaynes and Park Meadows HOAs. Mr. Smith explained why he his comments would be so detailed. In the neighborhoods that have HOA, the General Plan states that it is a legal contractual obligation with anyone who purchases a home in those neighborhoods. The HOA also has potential liability with future problems and that is why they were concerned with getting everything in order before the General Plan is adopted. Mr. Smith stated that the HOAs have been working with the City and have had productive meetings with Director Eddington and the progression has been approved by the City Attorney. He believed they were very close to agreement but a few items still needed to be satisfactorily addressed. He wanted the Planning Commission to understand that the organizations could be liable if they do not protect the existing HOAs. The goal has been to avoid future problems by eliminating potential conflicts in the General Plan. Mr. Smith noted that the Thaynes HOA revised their CC&Rs and architectural guidelines four years ago to make it as close to the City Code as possible. He believed there was commonality and the neighbors were not here to be repetitive or picky.

Mr. Smith commented on two items that were raised by two Commissioners during the January 15th meeting that the neighbors favored and thought might be incorporated into the General Plan. Mr. Smith remarked that the neighbors were asking for details in the document because they needed details to protect them from legal liability. At the last meeting it was suggested and agreed, to identify the areas appropriate for density and to remove the language for the other neighborhoods where density should be discouraged. Mr. Smith noted that one Commissioner did not think it was enough just to say density in other areas, and that the language should specifically state that increased density in those areas should not be encouraged. Mr. Smith requested that the language suggested at the last meeting be included in the General Plan document.

Mr. Smith stated that the second issue was raised by Commissioner Joyce on January 15th, and related to who was in charge. It was clearly stated and clearly understood that these neighborhoods have HOAs that have covenants and CC&Rs that will apply, and only HOAs can enforce the regulations, not the City. Mr. Smith indicated two places in the General Plan where that language could be inserted.

Director Eddington believed the issue of CC&Rs was addressed in the document with the language, "CC&Rs are enforced by their respective HOAs." Mr. Smith suggested that they also a sentence on the first page that lists the neighborhoods, which would read, "In this neighborhood there may be Homeowner Associations and they have CC&R that will apply and be enforced." That would alert people to check with their HOAs to before purchasing or developing a lot.

Mr. Smith believed they could meet the scheduled timeline; however, the Thaynes HOA needed the opportunity to have the document reviewed by their legal counsel to make sure

the HOA could not be sued for liability. Mr. Smith clarified that the neighbors did not want any conflict with the City.

Mary Wintzer stated that it was clear that Commissioners Campbell and Phillips have not had to endure the endless hours spent by the other Commissioners. She does not live in Thaynes; however, when all this came up and the Park Meadows and Holiday Ranch residents attended the public hearings regarding subdividing lots, Commissioner Gross understood their concerns and made the comment himself, "not in my backyard". Ms. Wintzer pointed out that the idea of subdividing lots in Park Meadows was quickly taken out and the Park Meadows residents never had a problem. She believed the Thaynes Canyon residents have had difficult time, not just with the Planning Commission but also at the City Council level. In equality and fairness to neighborhoods, Ms. Wintzer believed that if the concept of subdividing had not been addressed quickly and removed from the document, the Park Meadows neighbors would be here fighting as well. Ms. Wintzer clarified that no one was trying to be an obstructionist. Everyone was trying to do the homework and get up to speed. However, they did feel that the scheduled was fast-tracked from April 1st to the beginning of March.

Chari Worel closed the public hearing.

Commissioner Campbell did not want anyone to have the impression that someone had an evil plan of subdividing lots in Thaynes Canyon. He found nothing in the document that prepares the groundwork for that to occur.

Director Eddington clarified that there was some discussion at the last meeting to remove any language that encouraged density. They had discussed the possibility of accessory units in the Thaynes Canyon section and that was also eliminated. Director Eddington remarked that they also defined specific areas where the Planning Commission thought density would be appropriate, and further defined areas where mixed use and increased density could exist. Director Eddington believed the density issue had been resolved. Relative to the CC&Rs, he noted that the Hierarchy of Land Use documents were originally located in back of the document before the neighborhoods. However, to honor a request it was moved to the front. Director Eddington believed the front was a more appropriate place because it was applicable to the document. He noted that the last sentence was incorporated, stating that the CC&Rs are enforced by their respective HOAs.

Commissioner Phillips was comfortable that the issues had been sufficiently addressed.

Commissioner Gross remarked that it was difficult because they could not do exactly what the neighbors wanted and the best they could do was to provide the language that had been incorporated to address enforcement of the CC&Rs. Director Eddington stated that

because the City does not address CC&Rs or point out the geographic distribution of HOAs, the General Plan could not speak to that specifically. The only way to address the issue is note in the General Plan that there is a hierarchy of land use and that CC&Rs are a contract of homeowners with their neighbors and their land.

Chair Worel asked if there was any difference in having the Trends as a section in the General Plan versus an appendix. Director Eddington stated that due to the discussion regarding the length of the document, it was included as a section in Volume I. He believed the majority of people would primarily use Volume I - Goals and Strategies. He explained that the thought for keeping it in was to be transparent and open and to identify some of the best planning practices that contribute to ideas.

City Attorney Harrington stated that it would not matter whether the Trends were a section in the General Plan or an appendix, and they could define the volumes of the General Plan however they want. However, he thought it was better to focus on the functionality of the volumes and what they expect everyone to use.

MOTION: Commissioner Gross moved to forward a POSITIVE recommendation to the City Council for the General Plan with the amendments discussed tonight. Commissioner Phillips seconded the motion.

Chair Worel called for discussion on a motion and a second to forward a positive recommendation to the City Council. She requested that the motion be amended to recommend that the City Council consider the public input that was provided this evening.

Commissioner Gross accepted the amendment to the motion.

Commissioner Campbell was uncomfortable with the amendment because it implied that the Planning Commission was approving all the discussion and comments heard this evening, when that was not the case. Chair Worel clarified that she would like the City Council to take into account the public input that was provided. Commissioner Campbell preferred to take the time tonight to be clear that they were not recommending the specific items that they requested to be on the agenda for the joint meeting with the City Council. Director Eddington noted that the items for the joint meeting were the redlines and the policy discussions that have come up over the past few meetings, as well as the items that were added this evening. Commissioner Campbell preferred to resolve the issues among the Commissioners before going to the City Council.

Commissioner Gross withdrew his motion to allow the Planning Commission the opportunity to discuss some of the topics.

Chair Worel stated that the Planning Commission would go point by point on the written remarks from Icon Park City. Director Eddington stated that with regard to the overview there was concern that the Overview was too informal. He noted that in the first draft the Overview was very formal; but the Staff reconsidered and decided to make it more informal for a better understanding of the direction that was taken from Visioning 2009, which was the foundation for the General Plan. The other concept was to make the Overview more lively and simple because the rest of the General Plan was technical and specific.

Commissioner Gross was comfortable with the Overview as written. Commissioner Campbell referred to page 13 and stated that he supported the idea of putting the word “potential” before the word “buildout” in the first paragraph, because it is potential. The Commissioners agreed with adding the word “potential”.

Chair Worel liked the informality. She thought they should whatever possible to make the document more readable and user friendly. The Commissioners concurred.

Director Eddington referred to page 9, Small Town, and noted that different definitions primarily from Webster’s were incorporated throughout the General Plan to help with formatting and for guidance. Some of the definitions were included in the draft Bonanza Park area plan and the concept was carried over to the General Plan to create connectivity between the documents.

Commissioner Gross found the font very hard to read. He thought the phonetic part was confusing. Director Eddington agreed that it was difficult to read and they would change the font.

Director Eddington referred to page 10, 1.2 which talks about transition zones. He noted that these were areas that could potentially received TDR credits. The Staff recommended that as they look at the opportunity to use TDRs or incorporate different types of housing, they would say that there should be specific review criteria that would need to be created before there was increased density in a transition zone. He asked if the Planning Commission was comfortable leaving it as written, or whether they wanted to change it.

Commissioner Campbell recommended that they leave it as written. Director Eddington clarified that before they would have increased density they would have to create specific criteria for Planning Commission and City Council review. The Commissioners concurred with leaving the language as written.

Director Eddington referred to page 50 of Small Town. He noted that in the early process of working on the General Plan people asked for renderings to give a visualization of some of the things mentioned in the narrative. They talk about alternative modes of

transportation moving forward into the future and various ideas have been discussed over the past years. He expected that there would be many new things over the next five to ten years. Therefore, they showed the graphic of alternative modes and how they could work. Director Eddington clarified that it was not intended to be specific; however, the Staff thought the opportunity to start connecting different neighborhoods within a community is a great idea and they wanted to show it. He noted that including it in the General Plan only means that it may be considered or explored. It does not specifically mean that it would happen in a specific location.

Commissioner Campbell suggested changing “a conceptual layout” to “one possible layout”. Commissioner Gross liked the narrative, but he had concerns with the image. The Commissioners concurred with revising the language as suggested. Director Eddington revised the language to read, “A gondola from Main Street to Deer Valley has been discussed and **one possible layout** is depicted above.”

Director Eddington referred to page 10 of Natural Setting, 5.2 and read, “Identify locations where increased density and/or mixed-use are compatible, located within transit and would decrease trip generation.” Director Eddington clarified that this would only be looking at future opportunities. The Commissioners were comfortable with the language as written.

Director Eddington referred to the carbon sequestration graphic. He explained that some of the people on the General Plan task force were looking into carbon sequestration. It could be as simple as planting trees in a forest or more complex in terms of other biological opportunities. The idea is for Park City to do their part. The Commissioners were comfortable leaving it in.

Director Eddington referred to page 28, which specifically talks about greenhouse gas reduction and opportunities. He noted that language pertaining to the Recycle Center focused more on the building itself. He was unsure if the Recycle Center would always remain in the same location, but he believed the City was committed to a recycling center servicing the community. The Commissioners preferred to have language in the General Plan that talks about the City’s commitment, but they did not believe it was appropriate in the section regarding greenhouse gas reduction. Director Eddington stated that the Staff would add a strategy in the Natural Setting section addressing the City’s commitment to a recycling center servicing the citizens. Commissioner Campbell preferred that the language remain vague rather than making it sound like the Planning Commission supports a specific site. The Commissioners concurred.

Director Eddington referred to page 39 and the suggestion to incorporate a graph bar representing financial disincentives for vehicular use in Park City. Director Eddington stated that what was shown was developed with the Sustainability Department and the

environmental staff, and they were trying to show where they get the most “bang for the buck” in terms of different opportunities. He pointed out where they start to get into lower complexity and lower cost, which is where they want to be. Director Eddington was unsure what a graph to disincentive car and truck use would look like. He asked if it was something the Planning Commission wanted to explore.

Chair Worel asked if it was ever discussed at the City Council level. Director Eddington answered no, because they tried to focus more on the positive and how to incentive the other modes of transportation, including walking. He thought a disincentive would be something like a toll booth. If they wanted to consider something like that it would be better as a strategy because the City does not have a disincentive fee schedule.

Commissioner Campbell did not believe it should be specific but he thought it was worthwhile to explore. He suggested adding a sentence at the bottom of the graph to read, “Future Councils may consider...”. If this General Plan is intended to last 20 years, he believed there would be a cost to drive up Main Street in a car 20 years from now. Director Eddington added language stating that, “Future Councils may want to consider disincentivating the use of private vehicles within certain sections of the City limits.”

Commissioner Gross asked if that only pertained to cars. If they included delivery trucks, construction trucks, etc., he wanted to know where they would draw the line. Commissioners Campbell and Phillips emphasized that it should be left vague at this point.

Director Eddington revised the proposed language to read, “Future Councils may want to consider disincentivating the single occupancy vehicle in certain zones within the City limits.” The Commissioners were comfortable with the revised language.

Director Eddington referred to page 22, Sense of Community. He noted that the graph showed the ratio of lodging guests to year-around population and how Park City compares to other communities. They also talked about different community strategies on both Sense of Community and Small Town where they want to keep hotel and lodging opportunities focused into the resort neighborhoods. From a General Plan standpoint they want to talk about where to locate hotels. He believed the market would dictate the number of people who visit the community and how many rooms are viable. They would not want to negatively impact opportunities for the resorts and their development.

City Manager, Diane Foster, reported that the source was the Chamber Bureau. She clarified that the number shown was actually the number of beds for the greater Park City area, which includes Snyderville Basin.

Chair Worel asked if it was possible to break it down to reflect the number for Park City. Ms. Foster was unsure if the data was available but the Staff would check onto it. She noted that it was based on number of pillows rather than rooms.

Commissioner Campbell pointed out that they have three ski resorts and most of the competitors only have one resort. He did not believe the graph required any action on the part of the Planning Commission. Commissioner Gross suggested that they label the graph as Greater Park City rather than just Park City. The Commissioners concurred. Director Eddington asked if the Commissioners would be willing to leave it as just Park City if he finds that Aspen and Sun Valley were also greater areas, because it would be apples to apples comparison. The Commissioners agreed.

Director Eddington referred to page 7 of Historic Character, and asked Steve Swanson if he was referring to the Park City library specifically and that he wanted to make sure it was reviewed thoroughly.

Mr. Swanson stated that he had spoken on that issue in other forums, including the City Council. Whether it was germane to the General Plan was for the Planning Commission to decide. Mr. Swanson remarked that if they were going to walk the talk in terms of historic, they need to be very careful in how they approach their very limited inventory of public historic buildings. Since the HDC was dissolved and the Planning Staff has more and more responsibility for these projects, he did not want to see important buildings planned into existence in the future with the help of library boards, etc. He believed it should be done in the full light of day.

Director Eddington stated that a review of a design requested in the Historic District goes before the Staff and the historic preservation specialist, and it is reviewed at a Design Review Team meeting with the applicant. It is analyzed and compared to the 2009 guidelines. If that decision it is appealed, it would go before the Historic Preservation Board for a hearing. He believed the current process functions well. Director Eddington stated that there is a historic preservation planner on Staff and a historic preservation consultant that is utilized on a weekly basis. Director Eddington stated that there is full noticing of all HDDR applications, and it is noticed a second time when an approval is made.

Commissioner Campbell understood that the Staff decision could be appealed by the applicant or by the general public. Director Eddington replied that this was correct. The Commissioners could see no reason to change the current process.

Director Eddington referred to Neighborhoods, page 34. He noted that the Bonanza Park Plan should either be incorporated into the document or the graphics should be removed. He explained that when they did the Bonanza Park draft plan it was in front of finalizing the

General Plan. They were trying to expedite the process to address potential future development concerns to make sure they had the right design controls in place. However, it was determined that there was a sense of urgency to do the General Plan and the Bonanza Park Plan was put on hold. He believed it was a more appropriate order to do the General Plan first and then the area plan. Director Eddington stated that the Staff wanted to make sure that some of the elements of the Bonanza Park area plan from a conceptual level were incorporated into the General Plan so when completed it would relate to the future Bonanza Park plan. He remarked that showing possible future roads is an effort to indicate that they have a greater vision for Bonanza Park. The intent is to finalize the Bonanza Park area plan shortly after the General Plan is completed.

The Commissioners were comfortable leaving in the references to the Bonanza Park area plan.

Director Eddington referred to the graphic on page 30, which addressed residential equivalents. He noted that the Water Department measures water by Residential Equivalents. The graph shows the projected residential equivalents rather than the projected water usage. The graph showed that the populace would begin to taper off in 2030. Commissioner Gross noted that in addition to residential equivalents, it is also the City's capacity to deliver it. Commissioner Campbell suggested that the Staff add wording to the left side of the graph indicating that the numbers had nothing to do with gallons.

Chair Worel noted that one of Commissioner Joyce's suggestions was for the chart on page 31 regarding exterior gallons used to water landscape. Director Eddington clarified that the one above was per day and the two below were annual. The Staff would make that clarification. Commissioner Campbell suggested that they change the first line to be yearly so it matches up with the second line. Director Eddington stated that he would change everything to annual.

Director Eddington remarked that the final issue related to the write-up on pages 42-43. He stated that there were a couple of write-ups in the plan with regards to arts and culture and a few other items. This write-up was focused on Natural Setting and CARG and provides a background on where they have come from, where they are, and how things have occurred. He believed it was a natural write-up telling how citizens have a tremendous power to make changes in the community. There is no doubt that other members of CARG who were involved.

Commissioner Gross asked if there were charter members of the group that could be highlighted. Steve Swanson stated that it was only fair to recognize the founders of CARG. He knows these individuals personally and knows their story. He thought the founders

should be credited and he believed their names would be easy to find. Director Eddington offered to research the charter to find the names of the founding members.

MOTION: Commissioner Gross moved to forward a POSITIVE recommendation for the General Plan to the City Council contingent on the various amendments and discussion points from this meeting and the January 15th meeting that have not yet been incorporated. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission meeting adjourned at 8:05 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Subject: 1185 Empire Avenue - Plat Amendment
Author: Ryan Wassum, Planner
Date: February 12, 2014
Type of Item: Administrative – Plat Amendment
Project Number: PL-13-02163

Summary Staff Recommendation

Staff recommends that the Planning Commission hold a public hearing for the 1185 Empire Avenue Second Plat Amendment and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant: Ted King, owner
Location: 1185 Empire Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential single family
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

The applicant is requesting a plat amendment (Exhibit A) for the purpose of separating 1183 and 1185 Empire Avenue into two separate and legal lots with a proposed new lot line. The plat amendment would create Lot 1 (1183 Empire) and Lot 1A (1185 Empire) of Block 27 Snyder's Addition of the Park City Survey. There is an existing non-historical duplex on the 1183 and 1185 Empire lot (Exhibit B) which will be razed to construct two (2) new single family homes. The applicant wishes to separate the lot by adding a new property line between 1183 and 1185 Empire Avenue to facilitate new construction.

Background

On December 13, 2013 the owner submitted a complete application for a plat amendment. The subject properties are located at 1183 and 1185 Empire Avenue. The structure located at 1183 and 1185 Empire is a non-historic duplex on Lots of 12, 13, and a portion of Lot 14, Block 27 Snyder's Addition of the Park City Survey.

The applicant wishes to separate the combined 1183 and 1185 Empire Lot into two (2) legal lots of record to facilitate new construction for two (2) single family homes.

A demolition permit was issued to the applicant on October 1, 2013 to raze the existing duplex at 1183 and 1185 Empire. The demolition permit is good for 180 days and will expire on April 1, 2014. Although no plans have been submitted, after demolition the applicant intends on building two (2) new single family dwellings. It is important to note

that a moratorium currently is in place for Empire Avenue that prohibits new construction from cutting into the road to connect to utility lines until the year 2016 or when the moratorium is lifted.

Previously, on September 19, 2008, City Council approved an 1185 Empire Avenue Plat Amendment to combine three and three fourths lots of record into two lots of record (see 2008 Draft Ordinance Exhibit E). The applicant, Ted King, wanted to remove an unsafe and non-historic structure and facilitate new construction at 1195 Empire Avenue, as well as make the duplex located at 1183 and 1885 Empire a legal conforming structure by the removal of two (2) lot lines. Since 2008, the applicant razed the non-historic structure located at 1195 Empire Avenue and built a new single family dwelling on Lot 2.

Analysis

The current application is a request to separate a 4,951 square feet of lot into two (2) legal lots of record containing 2,565 square feet of area (Lot 1), and 2,475 square feet of area (Lot 1A) respectively. 1183 Empire (Lot 1) would be 75 feet deep by 32.75 feet, whereas 1185 Empire (Lot 1A) would be 75 feet by 33 feet. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family house and 3,750 square feet for a duplex. The proposed plat amendment meets the required lot sizes for two (2) new legal lots of record.

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

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

Re-platted Lots 1 and 1A (Exhibit B)

	Permitted	Proposed Lot 1	Proposed Lot 1A
Min Lot Size:	1,875 square feet	2,465 square feet	2,475 square feet
Max Footprint:	Lot 1: 1,073 sf Lot 1A: 1,076 sf	1,073 sf	1,076 sf
Front/Rear Setbacks:	10' min (20' total)	10' min (20' total)	10' min (20' total)
Side setbacks:	3' min (6' total)	3' min (6' total)	3' min (6' total)
Max. Height:	27'	27'	27'
Parking:	Lot 1/1A: 2 per dwelling	2 per dwelling	2 per dwelling

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

Good Cause

Planning Staff finds that there is good cause for this plat amendment as it meets the Land Management Code and creates two (2) smaller residential lots that are more compatible within the HR-1 District. Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Process

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

Department Review

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

Notice

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

Public Input

No public input was received at the time of writing this report. Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting noticed for March 6, 2014.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council on the 1185 Empire Avenue re-plat as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council on the 1185 Empire Avenue re-plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the public hearing and discussion on the 1185 Empire Avenue re-plat to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a recommendation.
- The “take no action” alternative is not an option for administrative plat amendments.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The large lot would remain as it currently exists; however, with a demolition permit already approved and issued to the applicant for removal of the existing duplex, an abandoned lot could remain in the Old Town neighborhood.

Recommendation

Staff recommends that the Planning Commission hold a public hearing for the 1185 Empire Avenue Second Plat Amendment and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Ordinance Exhibit A- Proposed Plat Amendment

Exhibit B- Aerial photo/ vicinity map

Exhibit C- Survey

Exhibit D- Photos

Exhibit E- Approved 1185 Empire Plat Amendment and Draft Ordinance (2008)

Draft Ordinance

Ordinance No. 14-

AN ORDINANCE APPROVING THE 1185 EMPIRE AVENUE SECOND PLAT AMENDMENT SEPARATING LOT 1, 1183 EMPIRE, WITH ALL OF LOT 12 AND THE SOUTHERLY 7.75 FEET OF LOT 13, AND LOT 1A ,1185 EMPIRE, WITH THE NORTHERLY 17.25 FEET OF LOT 13 AND THE SOUTHERLY 15.75 FEET OF LOT 14, BLOCK 27 SNYDERS ADDITION, AMENDED PLAT OF THE PARK CITY SURVEY, LOCATED IN PARK CITY, UTAH

WHEREAS, the owner of property located at 1185 Empire Avenue petitioned the City Council for approval of the 1185 Empire Avenue re-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 1185 Empire Avenue Second Plat Amendment;

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

WHEREAS, the City Council held a public hearing on March 6, 2014; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1185 Empire Avenue Second Plat separating Lot 1, 1183 Empire, with all of Lot 12 and the southerly 7.75 feet of Lot 13, and Lot 1A, 1185 Empire, with the northerly 17.25 feet of Lot 13 and the southerly 15.5 feet of Lot 14. The plat amendment also secures public snow storage easements across the frontage of the proposed lot.

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

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 1185 Empire Avenue Second Plat Amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1185 Empire Avenue and consists of two (2) "Old Town" lots, namely Lot 11, Lot 12, and the southerly half of Lot 13, Block 27 Snyders addition, of the amended Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.
3. There is an existing non-historic duplex located at 1183 and 1185 Empire Avenue with an approved demolition permit to raze the structure.
4. The property has frontage on Empire Avenue and the lot contains 4,951 square feet of lot area. The minimum lot area for a single family lot in the HR-1 zone is 1,875 square feet. The minimum lot area for a duplex in the HR-1 zone is 3,750 sf.
5. Single family homes are an allowed use in the HR-1 zone.
6. On November 26, 2013, the owner submitted an application for a plat amendment to separate the 1183 and 1185 Empire Avenue Lot into two (2) legal lots of record, Lots 1 (2,465 sf) and 1A (2,475 sf), to facilitate construction for two (2) new single family homes. The application was deemed complete on December 13, 2013.
7. The HR-1 zone requires a minimum lot area of 1,875 square feet.
8. The property has frontage on and access from Empire Avenue.
9. The lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.
10. A Steep Slope Conditional Use Permit is required for any new construction over 1,000 sf of floor area and for any driveway/access improvement if the area of construction/improvement is a 30% or greater slope for a minimum horizontal distance of 15 feet.
11. The proposed plat amendment does not create any new non-complying or nonconforming situations.
12. The maximum building footprint allowed for 1183 Empire Avenue, Lot 1, is 1,073 square feet per the HR-1 LMC requirements and based on the lot size.
13. The maximum building footprint allowed for 1185 Empire Avenue, Lot 1A, is 1,076 square feet per the HR-1 LMC requirements and based on the lot size.
14. The plat amendment secures public snow storage easements across the frontage of the lots.
15. There is good cause to add a new lot line and create two (2) legal and smaller residential lots that are more compatible within the HR-1 District.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The demolition of the structure at 1185 Empire is a condition precedent to plat recordation.
4. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lots. Also recordation of the plat is a condition of building permit issuance.
5. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.
6. Modified 13-D sprinklers will be required for new construction as required by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
7. A 10 foot wide public snow storage easement is required along the frontage of the lots with Park Avenue and shall be shown on the plat.
8. All prior snow storage easements from this property shall be reflected on this plat.

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

PASSED AND ADOPTED this ____ day of March 6, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

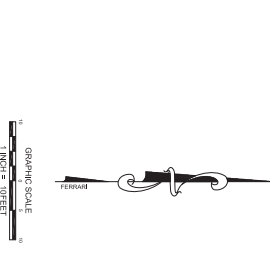
ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

1185 EMPIRE AVENUE SECOND PLAT AMENDMENT
A PLAT AMENDMENT BLOCK 27 SWYERS ADDITION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 18
TOWNSHIP 28 RANGE 4E
SALT LAKE BASE AND MENDIAN



SURVEYOR'S STATEMENT
 I, GREGORY J. FERRELLI OF PARK CITY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 56866. THIS PLAT AMENDMENT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM AWARE OF THE REQUIREMENTS FOR CORROBORATION. I FURTHER CERTIFY THAT THIS PLAT AMENDMENT REPRESENTS THE SURVEYED PROPERTY.

OWNER'S DEDICATION AND CONSENT TO RECORD
 I, GREGORY J. FERRELLI, P.L.S., EXAMINE EXHIBITS AND HAVE FOUND THAT THIS PLAT AMENDMENT IS CORRECTLY CALCULATED AND ACCURATELY REPRESENTS THE SURVEYED PROPERTY. I HEREBY CONSENT TO THE RECORDATION OF THIS PLAT AMENDMENT.

ACKNOWLEDGMENT
 I, TERRY W. KING, KIRSTALINA KING, STATE OF UTAH, COUNTY OF SUMMIT, 1898 PERSONALLY APPEARED BEFORE ME ON THIS _____ DAY OF _____, 2014, THE FOLLOWING WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.
 MY COMMISSION EXPIRES _____
 NOTARY PUBLIC _____
 RESIDING IN _____

LEGAL DESCRIPTION:
 LOT 1: ALL OF LOT 13 AND THE SOUTHERLY 735 FEET OF LOT 13, BLOCK 27 SWYERS ADDITION TO PARK CITY.
 LOT 1A: THE NORTHERLY 1725 FEET OF LOT 13 AND THE SOUTHERLY 1525 FEET OF LOT 14, BLOCK 27 SWYERS ADDITION TO PARK CITY.
 LOT 2: THE NORTHERLY 825 FEET OF LOT 14 AND THE SOUTHERLY 1875 FEET OF LOT 14, BLOCK 27 SWYERS ADDITION TO PARK CITY.

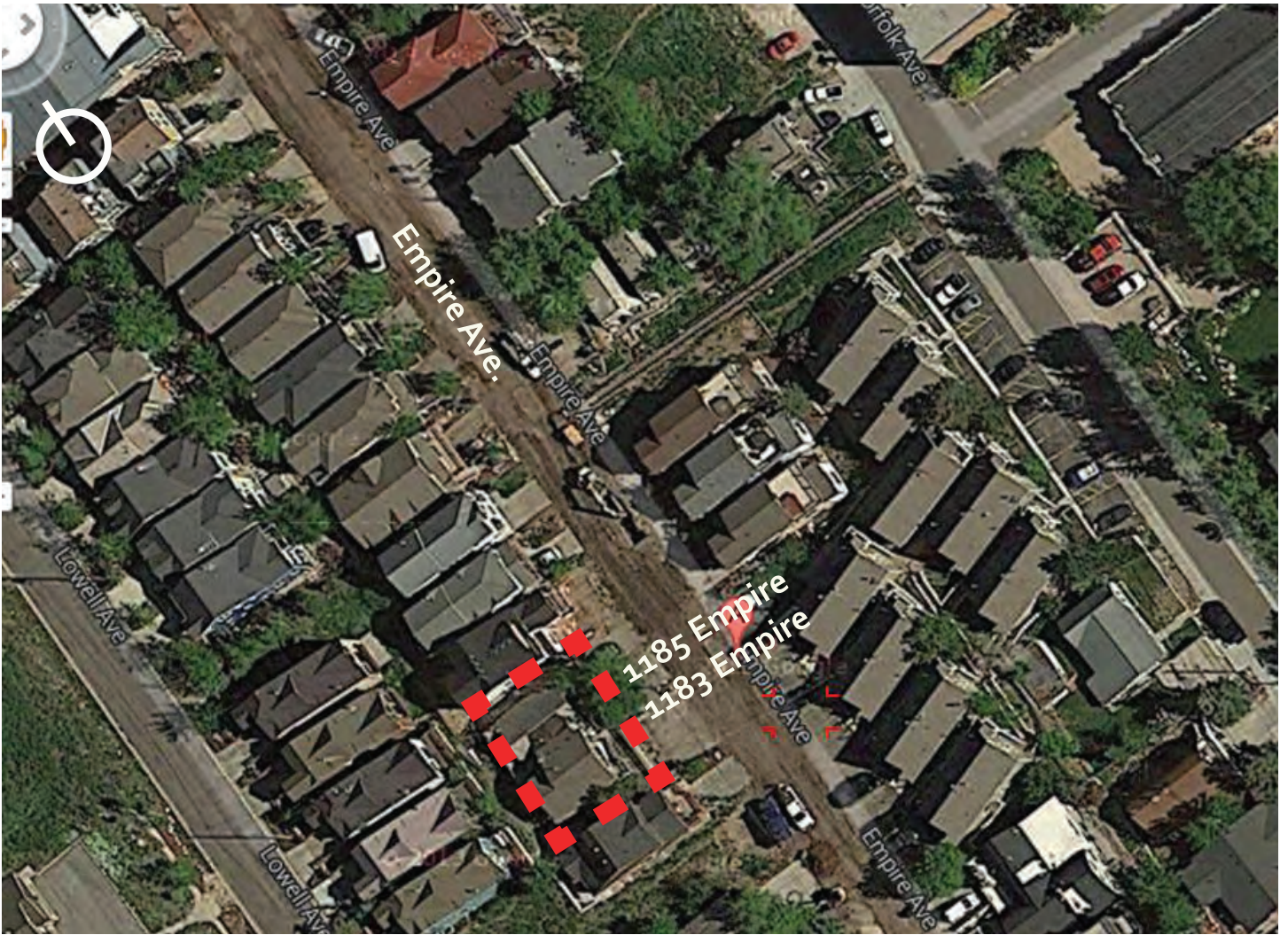
COUNCIL APPROVAL AND ACCEPTANCE
 APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D.
 BY _____ MAYOR

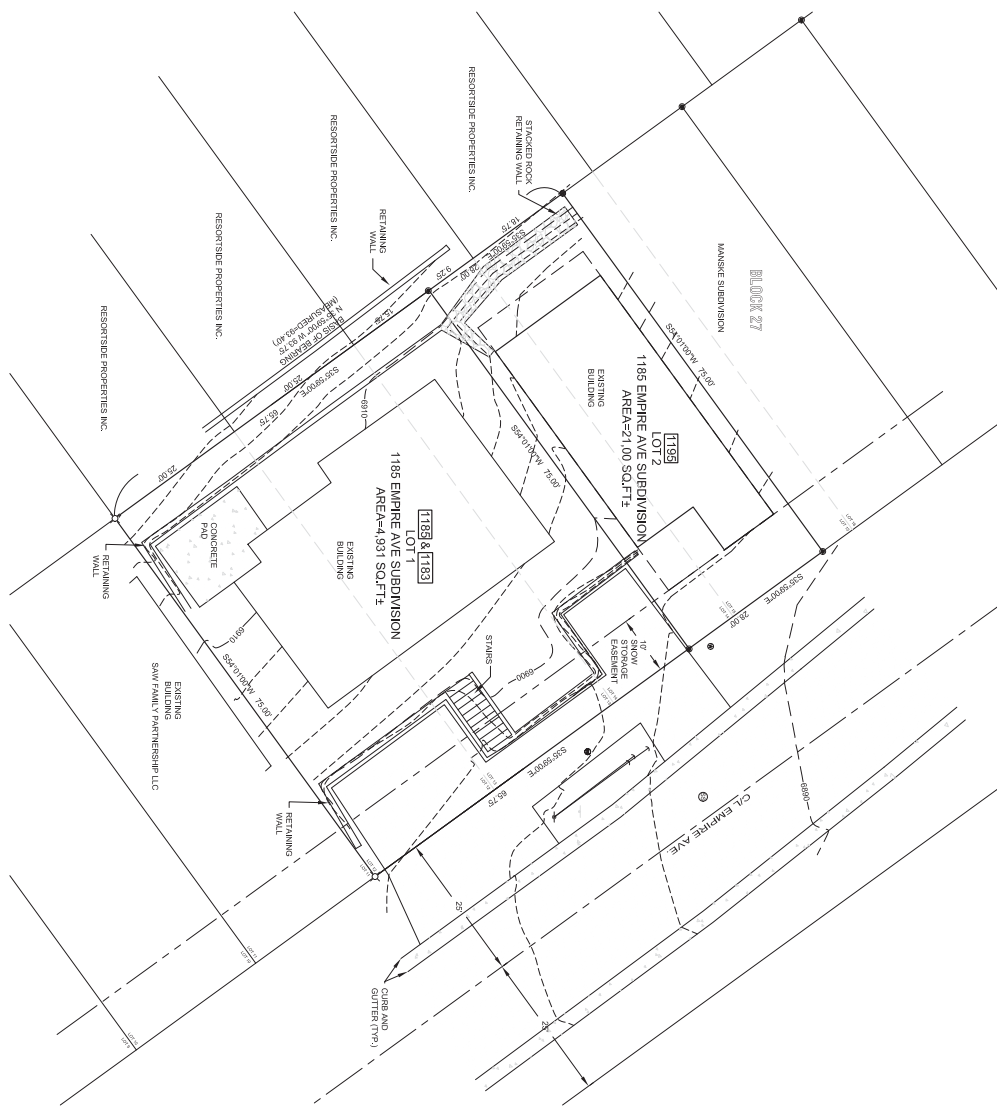
RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND AT THE REQUEST OF _____
 DATE _____ TIME _____ BOOK _____ PAGE _____
 FEE _____ RECORDER _____

LEGEND:
 ● SURVEYED AND CAP' D 1898/89
 ● SURVEYED AND CAP' D 1898/91
 ● SURVEYED AND CAP' D 1898/98
 --- ORIGINAL LOT LINE
 --- STREET ADDRESS ON EMPERE AVE.
 [1185]

FERRARI SURVEYING, LLC
 P.O. BOX 630, PARK CITY, UT
 (435) 640-0111

SWYREVILLE BASIN WATER RECLAMATION DISTRICT REQUESTED FOR CONFORMANCE TO SWYREVILLE BASIN WATER RECLAMATION DISTRICT STANDARD ON THIS _____ DAY OF _____, 2014 A.D. BY _____ S.B.W.R.C.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2009 BY _____ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE STANDARD PLAN OF _____, 2009 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2014 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY THE PARK CITY COUNCIL ON _____ DAY OF _____, 2014 A.D. BY _____ PARK CITY RECORDER
--	---	--	---	---





RECORD OF SURVEY & TOPOGRAPHICAL MAP
 LOT 1 & 2 1185 EMPIRE AVE SUBDIVISION
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 29 RANGE 4E
 SALT LAKE BASE AND MERIDIAN



SURVEYOR'S STATEMENT
 I, GREGORY J. FERRARI, a person of Park City, Utah, certify that I am a professional land surveyor in the state of Utah holding license no. 58868. This map correctly represents a survey made by me or under my direction of the herein described portion thereof on file and of record in the Summit County Records Office. I am not responsible for the accuracy of any information shown on this map which was not obtained by or in my presence or by a competent person in my presence.

GREGORY J. FERRARI, P.L.S., LICENSED SURVEYOR
 MARCH 13, 2015

LEGAL DESCRIPTION:
 LOTS 1 & 2 1185 EMPIRE AVE PLAT AMENDMENT SUBDIVISION ACCORDING TO THE OFFICIAL RECORDS OF THE SUMMIT COUNTY RECORDS OFFICE.

LEGEND:
 600V PROPERTY LINE
 MAJOR CONTROL
 MINOR CONTROL
 CENTER LINE
 SHOWN STORAGE EASEMENT
 SEWER MANHOLE
 ORIGINAL LOT LINE
 STREET ADDRESS ON EMPIRE AVE.
 1185

PROJECT INFORMATION:
 CLIENT: TED KING
 1185 EMPIRE AVE
 PARK CITY, UT 84060
 PROJECT ADDRESS: 1185 EMPIRE AVE
 PARK CITY, UT 84060
 SERIAL NO: 1185-13-1185-4
 RECORD INFORMATION: LOT 1 & 2 1185 EMPIRE AVE SUBDIVISION

NOTES:
 1. THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARIES OF THIS PROPERTY ON THE GROUND AND CREATE A TOPOGRAPHICAL MAP AT THE REQUEST OF TED KING.
 2. THE EXISTENCE OF BOUNDARY SHOWN HEREON IS TAKEN FROM RECORD INFORMATION COMPILED FROM 1185 EMPIRE AVE PLAT AMENDMENT SUBDIVISION.
 3. NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF BURIED UTILITIES OR OTHER OBSTRUCTIONS WAS MADE AS PART OF THIS SURVEY.
 4. NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
 5. ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
 6. DATE OF FIELD WORK SEPTEMBER 20, 2013.
 7. VERTICAL DATUM IS TAKEN FROM MONUMENT AT EMPIRE AVE & 13TH STREET EAST 44° 48'.
 8. BUILDING SETBACKS MUST BE COMPLETED WITH THE COUNTY HOMEOWNERS ASSOCIATION, ARCHITECTURAL COMMITTEE, OR SIMILAR GOVERNOR GROUP, IF ANY.
 9. THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY TO WHICH THIS SURVEY WAS MADE.
 10. DIMENSIONS OF BEARING SHOWN HEREON.

REV	DATE	REVISIONS



RECORD OF SURVEY AND TOPOGRAPHICAL MAP
LOT 1 + 2 1185 EMPIRE AVE SUBDIVISION
TED KING
 PLANNING COMMISSION - FEB. 12, 2014
 PARK CITY SUMMIT COUNTY UTAH

PO BOX 683001
 PARK CITY UT 84068
 RETURN OF DOCUMENTS
 INFORMATION TO BE USED AS AN INSTRUMENT OF RECORD FOR THE STATE OF UTAH
 THE STATE OF UTAH DEPARTMENT OF HERITAGE AND ARTS
 RECORDS DIVISION
 140 WEST CENTER STREET
 SALT LAKE CITY, UT 84103
 801.467.8800
 WWW.STATEOFUTAH.GOV



RECEIVED
 SEP 16 2013
 PARK CITY
 PLANNING DEPT.

FRONT SIDE (FACES EAST)



RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT.

FRONT SIDE (EAST)

SACKSIDE (west)



RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT



RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT.

BACKSIDE (west)



THIS SHOWS NW corner corner

RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT.



RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT.

SOUTH WALK BACKSIDE LOOKING NORTH



RECEIVED
SEP 16 2013
PARK CITY
PLANNING DEPT.

LOOKING AT NORTH SIDE

**AN ORDINANCE APPROVING THE 1185 EMPIRE AVENUE PLAT AMENDMENT
LOCATED AT 1183, 1185, AND 1195 EMPIRE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1183, 1185, and 1195 Empire Avenue have petitioned the City Council for approval of the 1185 Empire Avenue plat amendment; 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 August 27, 2008, to receive input on the 1185 Empire Avenue plat amendment;

WHEREAS, the Planning Commission, on August 27, 2008, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the 1185 Empire Avenue plat amendment.

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 1185 Empire Avenue plat amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1183, 1185 and 1195 Empire Avenue in the HR-1 zoning district.
2. Two non-historic structures are located on the property.
3. The subject properties encompass Lots 12, 13, 14, and the southern three fourths portion of Lot 15, Block 14, Snyder's Addition to the Park City Survey.
4. The applicant intends on creating 2 lots from 3.75 lots.
5. Lot 1 containing the duplex at 1183 and 1185 Empire will have a width of 65.75 feet.
6. The duplex located at 1183 and 1185 Empire is a legal non-conforming structure as the building crosses two lot lines.
7. The LMC requires lots with widths from 62.5 feet up to 75 feet to have a side setback minimum of 5 feet and total of 18 feet.

-
8. ~~The duplex at 1183 and 1185 Empire will meet the side yard setback requirements.~~
 9. The structure at 1195 Empire was found to be unsafe and dangerous by Ron Ivie, Chief Building Official. A notice and order to vacate and demolish the structure was issued on October 15, 2007.
 10. The demolition of 1195 Empire must take place before the recordation of the plat.
 11. Lot 2 located at 1195 Empire will have a width of 28 feet.
 12. Due to size constraints of the Lot a duplex would not be permitted at 1195 Empire Avenue.
 13. A Historic District Design Review is required prior to any development in the Historic Residential District (HR-1).

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. The demolition of the structure at 1195 Empire is a condition precedent to plat recordation.
4. No remnant parcels are separately developable.

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

PASSED AND ADOPTED this 11 day of September, 2008.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

1185 EMPIRE AVENUE PLAT AMENDMENT
 A PLAT AMENDMENT OF LOT 14 BLOCK 27 SNYDERS ADDITION
 LOCATED IN SECTION 18
 TOWNSHIP 28 RANGE 4E
 SALT LAKE BASE AND MERIDIAN

SURVEYOR'S STATEMENT

I, GEORGY J. FERRARI OF KANAWHA COUNTY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HAVE PERSONALLY EXAMINED THE SURVEY AND THE RECORDS OF THE PLAT AMENDMENT AND I AM SURE OF THE CORRECTNESS OF THE INFORMATION CONTAINED HEREIN. I FURTHER CERTIFY THAT THIS PLAT AMENDMENT REPRESENTS THE SURVEYED PROPERTY.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT TED W. KING, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, TO BE SHOWN HEREINAFTER AS THE DONOR(S), HAS/HAVE HEREBY CONSENTED TO THE RECORDATION OF THIS PLAT AMENDMENT IN THE PUBLIC RECORDS OF THE COUNTY OF UTAH, IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH PLAT ACT, UTAH CODE ANNOTATED, SECTION 18-1-1. THE DONOR(S) OF THIS REPRESENTATIVE, HERETOFORER, OFFERS FOR THE RECORDATION OF THIS PLAT AMENDMENT, THE DONOR(S) OF THE PLAT AMENDMENT, BACKGROUND, PARAS AND REQUISITE UTILITIES AND SAGGMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION. IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS _____ DAY OF _____, 2008.

TED W. KING

ACKNOWLEDGEMENT

STATE OF UTAH: _____
 COUNTY OF SUMMIT: 18

ON THIS _____ DAY OF _____, 2008, I, _____, HAVE PERSONALLY APPEARED BEFORE ME, THE NOTARY PUBLIC, AND HAVE ACKNOWLEDGED TO ME THAT _____, THE OWNER(S) OF THE RECORDING TRACT, HAS/HAVE HEREBY CONSENTED TO THE RECORDATION OF THIS PLAT AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH PLAT ACT, UTAH CODE ANNOTATED, SECTION 18-1-1.

MY COMMISSION EXPIRES _____
 NOTARY PUBLIC: _____
 RESIDENCE IN: _____

LEGAL DESCRIPTION:

PARCEL 1, ALL OF LOT 12, ALL OF LOT 13 AND THE SOUTHERLY 15.31 FEET OF LOT 14, BLOCK 27 SNYDERS ADDITION TO PARK CITY, UTAH.

LEGEND:

1185 STREET ADDRESS OF EMPIRE AVENUE, THE.

NARRATIVE:

THE PURPOSE OF THIS PLAT AMENDMENT IS TO MOVE THE LOT LINE BETWEEN 1185 EMPIRE AVENUE AND 1186 EMPIRE AVENUE TO MAKE 1185 EMPIRE AVENUE 29 FEET WIDE. ALSO TO AMENDMENT PERFORMED AT THE REQUEST TO TED W. KING.

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
 DATE _____ THIS _____ BOOK _____ PAGE _____
 FEE _____ RECORDER _____

COUNCIL APPROVAL AND ACCEPTANCE
 I HEREBY CERTIFY THAT THE PLAT AMENDMENT HAS BEEN APPROVED BY THE CITY COUNCIL, THIS _____ DAY OF _____, 2008 A.D.
 BY _____ MAYOR _____

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2008 A.D.
 BY _____ PARK CITY RECORDER _____

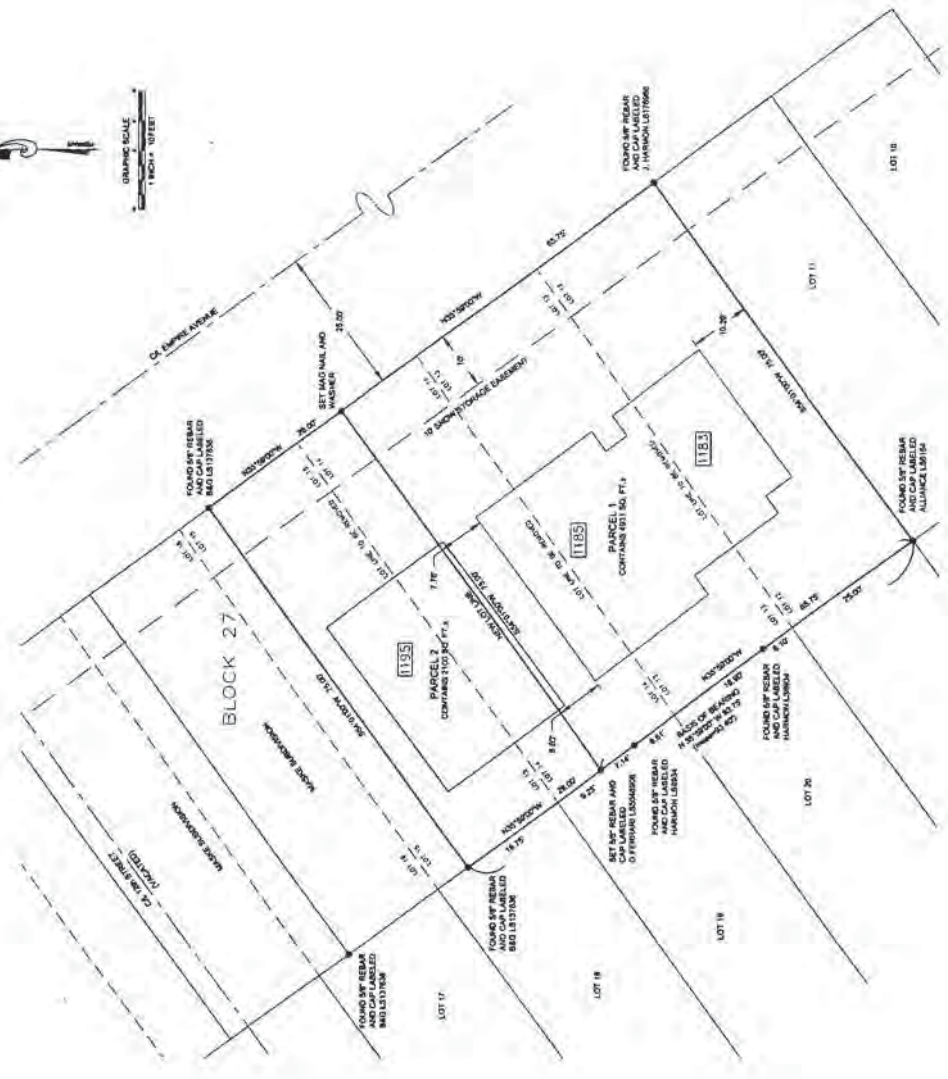
APPROVAL AS TO FORM
 I APPROVE AS TO FORM THIS _____ DAY OF _____, 2008 A.D.
 BY _____ PARK CITY ATTORNEY _____

ENGINEER'S CERTIFICATE
 I READ THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2008 A.D.
 BY _____ MARK CITY ENGINEER _____

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2008 A.D.
 BY _____ CHAIRMAN _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2008 A.D.
 BY _____ S B W I E L D _____

FERRARI SURVEYING
 271W 300N KANAWHA UT 84026
 (435) 785-4066



Planning Commission Staff Report



Subject: Fluter Subdivision, 225 Woodside Avenue
Author: Christy J. Alexander, Planner II
Project Number: PL-13-02183
Date: February 12, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for the Fluter Subdivision Plat Amendment located at 225 Woodside Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant: Russ Fluter, represented by Jonathan DeGray
Location: 225 Woodside Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Single-family residential
Reason for Review: Plat amendments require Planning Commission review and City Council action

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining the existing 3½ lots (Lots 4, 5, 6, and the south half of 7) into 2 lots of Block 31 of the Snyder's Addition to the Park City Survey.

The applicant requests to combine the lots to create two (2) new larger lots on which to build single-family homes. The intent is to remove the existing non-historic structure and garage prior to plat recordation; doing so will also remove the large existing encroachment into Woodside Avenue.

Purpose

The purpose of the HR1 District is to:

- (A) Preserve present land Uses and character of the Historic residential areas of Park City,
- (B) Encourage the preservation of Historic Structures,
- (C) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- (D) Encourage single family development on combinations of 25' x 75' Historic Lots,
- (E) Define development parameters that are consistent with the General Plan policies for the Historic core, and

(F) Establish development review criteria for new development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

On December 18, 2013 the applicant submitted a complete application for the Fluter Subdivision plat amendment, a two (2) lot subdivision. The property is located at 225 Woodside Avenue in the Historic Residential (HR-1) District. During the internal development review it was identified that their proposal may have difficulties with utilities being there is one home on the existing property. After demolishing the existing home and replatting it there will be two lots for two future homes. The applicant is working with the utility companies to remedy this situation and plat approval will be conditioned upon obtaining the utility companies' approval.

Currently the site contains a large single-family home whose front yard setbacks do not meet the current code requirements. The large garage, deck, stairway and retaining walls in front of the home all encroach upon Woodside Avenue. Three (3) of the existing lots (Lots 4 - 6) currently meet the minimum lot area in the HR-1 District with the southerly half of Lot 7 being substandard. The existing structure with all encroachments sitting on the existing 3½ lots will need to be demolished in order for the plat amendment to be recorded. The applicant states his intentions are to build single-family homes on the two (2) new lots.

Analysis

The proposed plat amendment creates two (2) lots of record consisting of 6,562.5 square feet total. The minimum lot area for a single family dwelling is 1,875 square feet. The minimum lot area for a duplex is 3,750 square feet. Proposed Lot 1 will contain 3,750 square feet and proposed Lot 2 will contain 2,812.5 square feet. The entire existing 3½ lot site currently contains one single-family home. Currently a duplex is a conditional use in this zone which could be built on the Lot 1, but only a single-family home could be built on the Lot 2. The proposed two (2) lots will be more compatible with the existing neighborhood as the lot size and allowed footprint size of the new homes will be much smaller than the house that currently exists on the property.

The minimum lot width allowed in the district is twenty-five feet (25'). The proposed widths will be fifty (50') feet for Lot 1 and thirty-seven and a half (37.5') feet for Lot 2. The proposed lot combinations meet the lot and site requirements of the HR-1 District described below.

Requirement	Permitted
Building Footprint	1,519 square feet for Lot 1 (based on the lot area of 3,750 square feet) and 1,201 square feet for Lot 2

	(based on the lot area of 2,813 square feet)
Front/rear yard setbacks	10 feet minimum, 20 feet total (based on the lot depths of 75 feet)
Side yard setbacks	5 feet minimum for Lot 1 and 3 feet minimum for Lot 2, 10 and 6 feet total respectively (based on the lot widths of 50 feet and 37.5 feet)
Height	27 feet above existing grade, maximum.
Parking	Two (2) parking spaces per dwelling

Staff has identified that the existing single-family home does not meet current LMC standards outlined above such as the front setbacks. The current building on the site is considered legal non-complying. The LMC indicates that a non-conforming use and non-complying structure may continue to be used and maintained subject to the standards and limitation of LMC Chapter §15-9. In order for this new plat to be recorded, however, the existing structure will need to be demolished prior to recordation because it exists over the proposed property lines. Any existing retaining walls that extend onto the adjacent property owner's lots will cease at the property line of the Fluter Subdivision Plat should they need to be demolished on the Fluter property.

Staff finds good cause for this plat amendment to create two (2) legal lots of record from the existing three and a half (3½) lots. The proposed plat amendment does not create any new non-conforming situations. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Combining the lots will allow the existing non-historic house and garage to be demolished, thus removing the large encroachment into Woodside Avenue that exists today. The existing substandard Lot 7 will be included with another lot to bring that into compliance with the minimum lot standards of this district. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code, and Historic requirements.

Department Review

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

Notice

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

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting scheduled for March 6, 2014.

Process

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Fluter Subdivision plat amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Fluter Subdivision plat amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Fluter Subdivision plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item. .

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and 3½ existing lots would not be adjoined and remain as is. The existing house at 225 Woodside would remain as well as the existing encroachment into the ROW.

Recommendation

Staff recommends the Planning Commission hold a public hearing, consider input, and consider forwarding a positive recommendation to the City Council for the Fluter Subdivision plat amendment based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat
- Exhibit B – Existing Conditions Survey
- Exhibit C – Vicinity Map/Aerial Photograph
- Exhibit D – Streetscape Images
- Exhibit E – Letter from Applicant

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE FLUTER SUBDIVISION PLAT AMENDMENT LOCATED AT 225 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Fluter Subdivision located at 225 Woodside Avenue, have petitioned the City Council for approval of the Fluter Subdivision; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on February 12, 2014 to receive input on the proposed subdivision;

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

WHEREAS, on March 6, 2014 the City Council held a public hearing on the proposed Fluter Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Fluter Subdivision.

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 Fluter Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 225 Woodside Avenue within the Historic Residential (HR-1) District.
2. On December 18, 2013, the applicants submitted an application for a plat amendment to combine three and a half (3½) lots containing a total of 6,562.5 acres into two (2) lots of record.
3. The application was deemed complete on January 2, 2014.
4. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling and 3,750 square feet for a duplex.

5. The maximum footprint allowed in the HR-1 zone is 1,519 square feet for the proposed Lot 1 and 1,201 square feet for the proposed Lot 2 based on the lot areas of the two (2) lots.
6. The property has frontage on and access from Woodside Avenue.
7. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming.
8. The plat amendment secures public snow storage easements across the frontage of the lots.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The existing non-historic structure at 225 Woodside Ave. must be demolished before the plat amendment is recorded.
3. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
4. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
5. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
6. Approvals to service the proposed two (2) lots from the utility companies are required before plat recordation.
7. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.

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

PASSED AND ADOPTED this ____ day of March, 2014

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

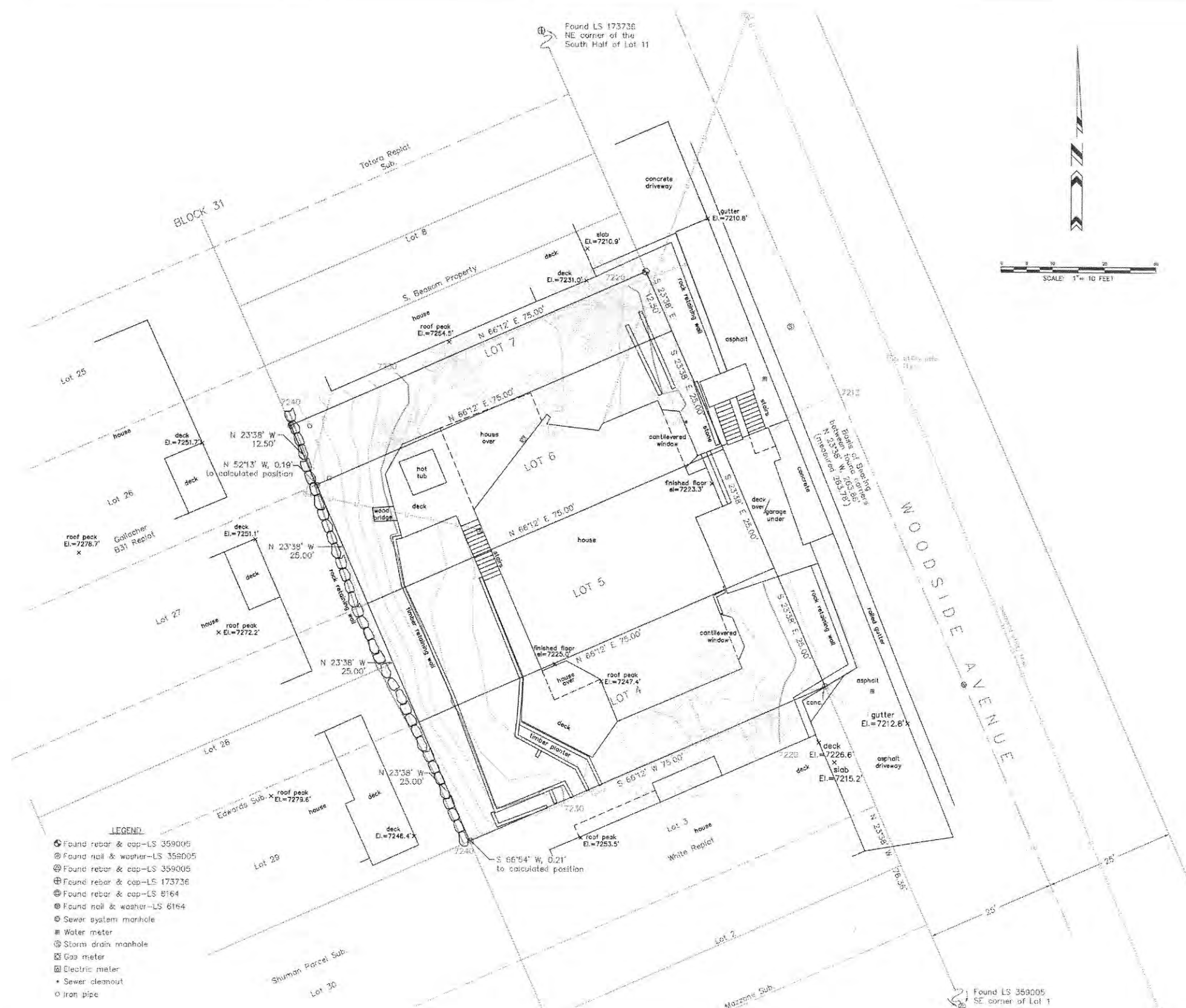
ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Park City Survey, Block 31
Lots 4, 5, 6 & the South Half of 7



NARRATIVE

1. Survey requested by: Russ Fluter
2. Purpose of survey: locate the improvements and the topographic relief.
3. Basis of survey: found property monuments as shown.
4. Date of survey: October 15, 2009 & June 20, 2013.
5. Property monuments found or set as shown.
6. Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. Elevations are based on an elevation of 7170.70', from the Park City Monument Control Map, at the Street Monument found at the intersection of 2nd Street and Park Avenue.

LEGAL DESCRIPTION

All of Lots 4, 5, 6 and the South half of 7, Block 31, Park City Survey, according to the official plats thereof, on file and of record in the office of the Summit County recorder; Lots 4, 5 and 6 each containing 1875 square feet, more or less, and the South half of Lot 7 containing 937.5 square feet, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.



July 12, 13
Date

J.D. Gailey License #359005

- LEGEND
- ⊕ Found rebar & cap—LS 359005
 - ⊙ Found nail & washer—LS 358005
 - ⊕ Found rebar & cap—LS 359005
 - ⊕ Found rebar & cap—LS 173736
 - ⊕ Found rebar & cap—LS 8164
 - ⊕ Found nail & washer—LS 6164
 - ⊙ Sewer system manhole
 - Water meter
 - ⊙ Storm drain manhole
 - ⊙ Gas meter
 - ⊙ Electric meter
 - Sewer cleanout
 - Iron pipe

Alpine Survey, Inc.
19 Prospector Drive
Park City, Utah 84060
(435) 655-8016

RECEIVED
DEC 18 2013
PARK CITY PLANNING DEPT.



225 Woodside Ave Park City, UT 84060, USA

Google earth



EXHIBIT D



12/17/2013
Front View of 225 Woodside

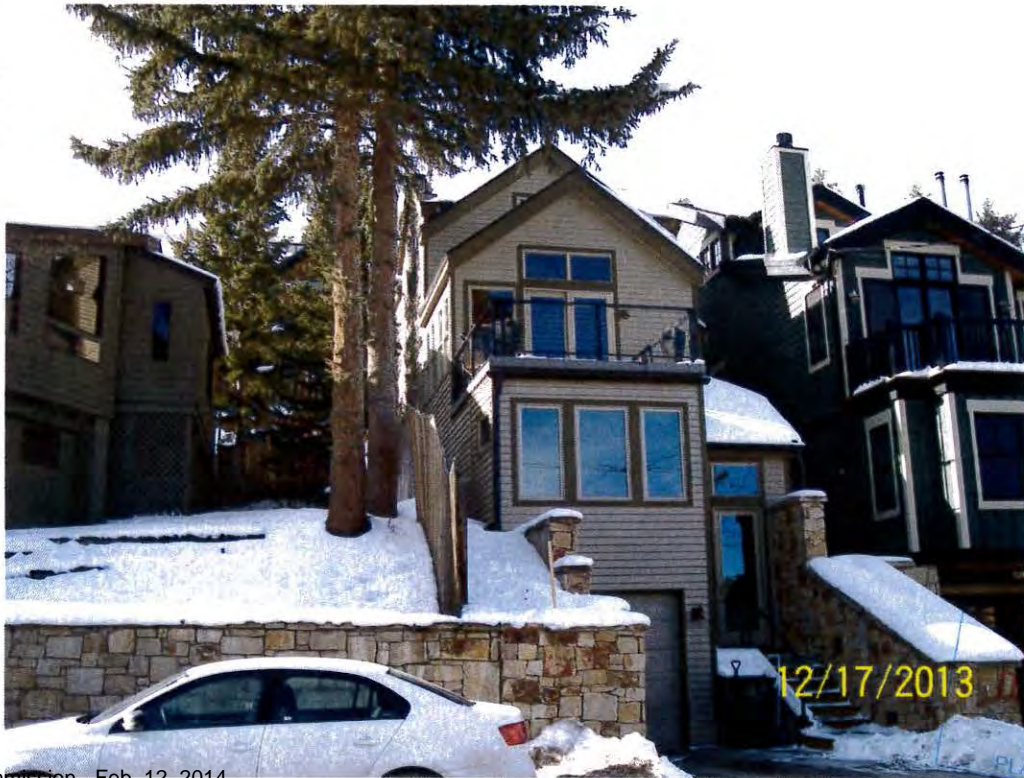


12/17/2013
View of 225 Woodside and adjacent homes to the north

12/17/2013
Front View, 225 Woodside



12/17/2013
Adjacent home to north



RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.



12/17/2013
Adjacent homes to the north

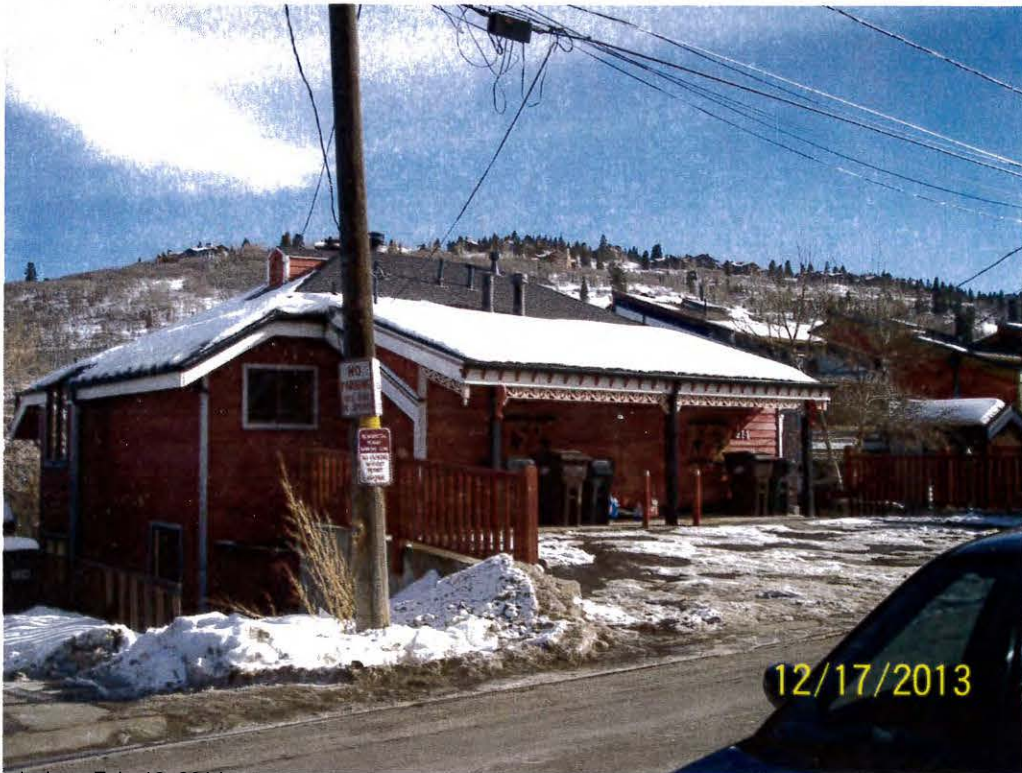


12/17/2013
Adjacent homes to the south

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.

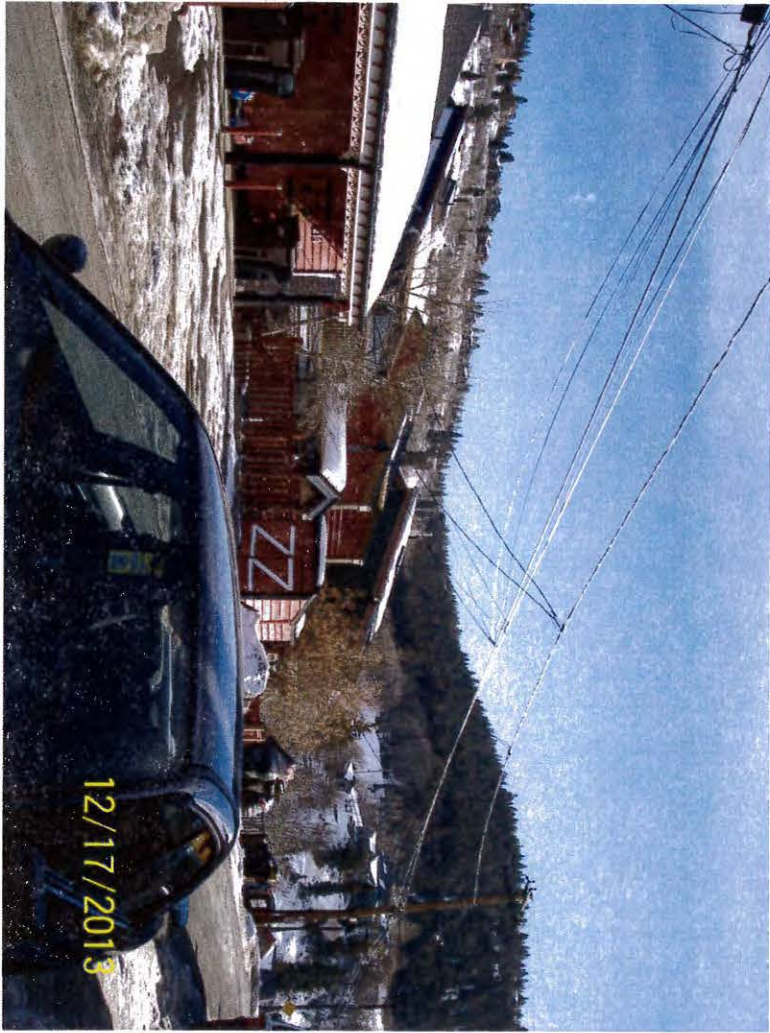


12/17/2013
Home across Woodside



12/17/2013

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.



12/17/2013
View across Woodside looking east



12/17/2013
View across Woodside looking north

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.



12/17/2013
View across Woodside looking north



12/17/2013
Adjacent home to the south

RECEIVED
DEC 18 2013
PLANNING COMMISSION
CITY OF ASPEN
PLANNING DEPT.



12/17/2013
Garage encroachment in to Woodside

RECEIVED
DEC 18 2013
PARK CITY
PLANNING DEPT.

EXHIBIT E

December 18, 2013

Park City Municipal Corporation
443 Marsac Avenue
Park City, Utah 84060

Attn: Planning Department

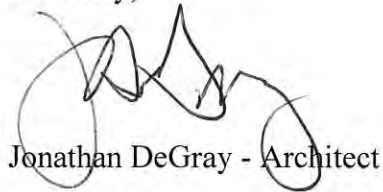
Re: Fluter Property Plat Amendment
225 Woodside Avenue

Dear Staff,

The owner of 225 Woodside would like to combine the existing 3.5 lots into 2 lots. The intention is to replat the parcel into 2 lots, remove the existing non-historic structure and build two new homes. By removing the existing home and garage a large encroachment into Woodside Avenue will be removed.

Please let me know if you have any questions.

Sincerely,



Jonathan DeGray - Architect



Planning Commission Staff Report



Subject: 115 Sampson Avenue Plat
Amendment
Author: Anya Grahn, Historic Preservation Planner
Project Number: PL-13-02035
Date: February 12, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 115 Sampson Avenue Subdivision, located at the same address, and consider granting a waiver to not include all of the owners' property in the subdivision and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Description

Applicant: Silver Potato LLC (Nancy Bronstein), represented by Steve Schueler, Alliance Engineering, Inc.
Location: 115 Sampson Avenue
Zoning: Historic Residential—Low Density (HRL) District
Adjacent Land Uses: Single-family residential, vacation rentals
Reason for Review: Planning Commission review and recommendation to City Council

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining all of Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, 55 of Block 78 of the Park City Survey. The existing historic structure straddles Lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure. There are also two (2) accessory sheds, that were not identified on the Historic Sites Inventory (HSI) as historic, on Lot 6; a third non-historic shed is located on Lot 53. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.

Purpose

The purpose of the Historic Residential-Low Density (HRL) District is to:

- (A) Reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- (B) Provide an Area of lower density Residential Use within the old portion of Park City,
- (C) Preserve the character of Historic residential Development in Park City,
- (D) Encourage the preservation of Historic Structures,

- (E) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods,
- (F) Establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
- (G) Define Development parameters that are consistent with the General Plan policies for the Historic core.

Background

Future Site Improvements

The 115 Sampson Avenue property is listed on the Historic Sites Inventory (HSI) as a Significant site which includes a small Mining era home constructed in 1904. The historic home straddles the lot line between Lots 6, 7, 53, and 54. There are also two (2) accessory sheds, that were not identified on the HSI as historic, on Lot 6; a third non-historic shed is located on Lot 53.

Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building in 2010 and at that time, the mothballing of the house was permitted. Despite securing entrances to the building through the mothballing process, the severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.

A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order. The Design Review Team (DRT) met with the applicants' representative on May 1, 2013, to discuss the potential redevelopment of the property. At that time, the applicants expressed an interest in reconstructing the building and adding a small addition. No Historic District Design Review (HDDR) application has been submitted at this time.

The historic structure is in significant disrepair and would likely qualify for panelization or reconstruction. (This determination must be made by the Planning Director and Chief Building official during the HDDR process.) The site may be cleared following the approval of an HDDR, recording of a preservation plan, and securing a financial guarantee for the repair or reconstruction of the historic structure, which satisfies the Notice and Order.

Once a financial guarantee has been secured, an HDDR approved, and the Preservation Plan has been recorded with Summit County, the applicant may clear the site. At this time, the Notice and Order is still active.

Plat Amendment

The plat application was submitted to the Planning Department on August 15, 2013. The application was deemed complete on August 28, 2013. The Planning Director made a determination as to the allowed setbacks due to the unusual lot configuration on September 16, 2013. This has reduced the overall building pad of the site to approximately 3,330 square feet.

On October 9, 2013, the Planning Commission reviewed the plat amendment for this site (see Exhibit H, minutes). During that meeting, it was found that staff had erred in the report, stating that the site was in the Historic Residential (HR-1) District, rather than the Historic Residential-Low Density (HRL) District. The Planning Commission raised concerns about additional parking being located on Sampson Avenue, which would further burden the street. The City Engineer will consider the Planning Commission's input in considering parking for the site. The Commission had also raised concerns about the necessary height for a new rear addition in order for the structure to reach street-level. Any addition to the historic structure will require a Steep Slope Conditional Use Permit (CUP) and a Historic District Design Review (HDDR). Finally, the Commission had requested a site visit; however, due to the hazardous condition of the building and the stairs accessing the site and the snow, staff did not feel it was prudent to schedule a site visit.

Analysis

The house currently straddles the lot line between Lots 6, 7, 53, and 54 of the Park City Survey. Two (2) non-historic sheds are located within Lot 6, and a third (3rd) non-historic shed is located on Lot 53. The plat amendment is necessary in order for the applicants to make the necessary improvements to the site, which are subject to Planning Department review.

Per LMC 15-7.1-5(B)(2) the applicant is required to include all holdings, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," with an indication of the portion which is proposed to be subdivided. LMC 15-7.1-5(B)(2) states the subdivision application shall "Include all contiguous holdings of the Owner, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office. . . ." Silver Potato, LLC owns contiguous parcels at 125 Norfolk Avenue and 115 Sampson Avenue. 125 Norfolk Avenue was purchased on August 8, 2005. The property at 115 Sampson Avenue was purchased on January 29, 2010.

The applicant is only interested in creating a one (1)-lot subdivision at 115 Sampson Avenue. The parcel at 125 Norfolk Avenue is currently a metes and bounds parcel, and has already been developed. They do not wish to subdivide the parcel at 125 Norfolk Avenue at this time and are not proposing any changes to that site. They understand that any changes in the future that require a building permit will require a plat amendment.

The Planning Department supports the applicant pursuing the one (1) lot subdivision at 115 Sampson Avenue and not addressing the parcel at 125 Norfolk Avenue at this time. The Planning Director issued a waiver to this requirement on January 15, 2014 (Exhibit I). The site at 125 Norfolk Avenue was previously developed, and the applicant does not intend to make any changes to that property. Moreover, the Planning Department finds

that if the site were to be redeveloped in the future, smaller, more compatible infill would be more in keeping with the historic district than combining all of the parcels into one large lot. Future development will require a plat amendment application for this adjacent property. As previously noted, any changes to the existing development would require the applicant to submit a plat amendment application for 125 Norfolk Avenue. Furthermore, the one (1) lot subdivision at 115 Sampson Avenue is necessary in order to prevent greater safety hazards due to the declining condition of the historic structure.

Does the Planning Commission consent to waiving the applicants' requirement to subdivide both contiguous holdings?



Prior to recording the plat amendment, the applicant will also be required to resolve any encroachments that currently exist on the site. At this time, a railroad tie retaining wall along Sampson Avenue encroaches approximately twelve feet (12') southwest of the west property line. A second railroad tie retaining wall runs northeast along the east property line and approximately seventeen feet (17') into the neighboring property to the north. There is also a wood slat fence that sits on and over the south property line. In

the northeast corner of the site, railroad tie steps lead into the neighboring property to the north as well.

Per LMC 15-2.1-3(A) In the case of unusual lot configurations, such as this, Lot width measurements shall be determined by the Planning Director. As previously noted, the setbacks determined by the Planning Director have reduced the overall building pad of the site to approximately 3,330 square feet The following table shows the setbacks set by the Planning Director in his Determination Letter dated September 16, 2013 (Exhibit E).

	HRL Zone Designations	Planning Director Determination	Existing Conditions
Lot Size	Minimum Lot Area of 3,750 SF	N/A	7,657 SF, <i>complies (includes reduction due to street dedication)</i>
Maximum Building Footprint	2,496.28 SF	N/A	1,055.7 SF total = House (831.7) and 3 Sheds (53.36+48.1+122.61)
Maximum Height	27 feet from Existing Grade	N/A	approx. 24 feet from Existing Grade, <i>complies</i>
North Side yard Setback	10 ft	10 ft	8'9" (House), <i>valid non-complying (historic)</i>
South Side yard Setback (Sheds)	10 ft 3 ft for accessory structures not more than 18 ft. in height, located minimum of 5 ft. behind front façade of main building	10 ft	27'6" (House); <i>complies</i> ; 3'9" (Shed), <i>complies</i> ; 2'6" (Shed) <i>does not comply</i> (setback requirement); 6' (Shed) <i>does not comply</i> (not located behind front façade);
Front Yard Setback	15 ft	15 ft	57' (House), <i>complies</i> ; 2'6" (Shed) <i>does not comply</i>
Rear Yard Setback (Sheds)	15 ft 1 ft for accessory structures not more than 18 ft in height, located a minimum of 5 ft. behind front façade of main building	15 ft	17'6" (House), <i>complies</i> ; 6'3" (Shed) <i>does not comply</i> (not located behind front façade)

Per LMC 15-2.1-4, historic structures that do not comply with Building Setbacks, Off-street parking, and driveway location standards are valid Complying Structures. Any new additions, however, will have to comply with Building Setbacks, building footprint, driveway location standards, and building height.

Because of the unusual lot configuration, the image below shows the setbacks determined by the Planning Director for clarification:



(See Exhibit E – Planning Director Determination Letter)

Given the setbacks determined by the Planning Director, the overall building pad of the site will be approximately 3,330 square feet. Based on the building footprint formula, the allowable footprint is 2,490 square feet for a lot of this area. With the 831.7 square feet footprint of the house, the lot could accommodate an addition of 1,658.3 square feet footprint if the sheds were removed. If the sheds were not removed, an addition of 1,434.23 square feet could be constructed.

An addition would be permissible to be added to the west of the historic structure. Staff finds that traditionally the house faced town and so the east elevation is the façade or front of the building. The orientation of the structure was likely due to the need for day lighting prior to electricity as well as the slope of the property. Any new addition made to the rear (west elevation) of the structure would have to be added with a transition element, or connector, in order to differentiate the new from the old.

Though the size of the site would permit a sizeable addition, the placement of the historic structure on the site makes such an addition difficult due to the setback requirements. The location of the historic structure could be relocated if the Planning Director and Chief Building Official determine that unique conditions warrant the proposed relocation and/or reorientation on the existing site. At this time, no determination has been made to relocate and/or re-orientate the historic structure, nor

would such a determination be made to exclusively accommodate new development. Even if the structure were to be panelized or temporarily relocated intact in order to construct a new foundation, the house would be required to be reconstructed in its original location.

The height of any new construction cannot exceed (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. The lowest point of terrain in which the house is built sits at 7266.7 feet, whereas the highest elevation in which an addition could be located is at 7298.7 feet. The difference in the topography is thirty-two feet (32'). Any new construction would be required to step down the hill. Moreover, the Planning Commission will have to approve a Steep Slope Conditional Use Permit (CUP) prior to the start of any construction on the hillside, should the construction exceed 1,000 square feet.

Any addition to the historic structure will need to be approved through a Historic District Design Review (HDDR) to ensure that it complies with the 2009 Design Guidelines for Historic Sites and Structures. The addition will need to be visually subordinate to the historic building as well as be visually separated from the historic building with a transitional element. Aside from an HDDR and Building Permit, if the applicant wishes to add an addition to the house greater than 1,000 square feet, they will be required to submit a Steep Slope CUP due to the steepness of the existing grade. New construction shall meet the Site and Lot requirements of the Land Management Code in effect at the time the Steep Slope CUP and/or HDDR applications are (were) submitted.

The chart below outlines the approximate square footage of nearby properties and their structures, per Summit County records, along Sampson Avenue and within the HRL District:

Address	Designation	Size of Lot	Allowed SF of Structures (footprint or total square feet)	SF of existing structure
16 Sampson	Significant	6,100.7 SF	2,460 max footprint per plat notes	Not yet reconstructed
30 Sampson	Non-historic	7,089 SF	3,000 SF max. total house size per plat notes	Not yet constructed
40 Sampson	Significant	11,444 SF	3,500 SF max. total house size per plat notes	1,746 SF
41 Sampson	Landmark	4,605.1 SF	1,778 SF footprint per formula	Under construction. (Footprint to be 1,777 SF)
60 Sampson	Significant	6,534 SF	2,263 SF footprint per formula	1,163 SF
50 Sampson	Non-historic	6,966 SF	3,000 SF total house size per plat notes	2,790 SF
80 Sampson/ 80 King	Non-historic	3,750 SF	1,519 SF footprint per formula	2,951 SF
99 Sampson	Non-historic	4,356 SF	1,705 SF footprint per formula	2,002 SF
115 Sampson*	Significant	7,657 SF	2,490 SF footprint per formula	1,056 SF
121 Sampson	Non-historic	6,477 SF	2,244 SF footprint per formula	927 SF

131 Sampson	Non-historic	6,060 SF	2,156 SF footprint per formula	1,359 SF
133 Sampson	Non-historic	3,920 SF	1,573 SF footprint per formula	1,729 SF
135 Sampson	Non-historic	5,663 SF	2,060 SF footprint per formula	2,424 SF
139 Sampson	Non-historic	5,663 SF	2,060 SF footprint per formula	Not yet constructed
145 Sampson	Non-historic	3,750 SF	1,519 SF footprint per formula	Not yet constructed

**The lot size has been reduced to subtract the portion of the lot included in the street dedication.*

Lot sizes on Sampson Avenue vary from the largest 11,444 square feet at 40 Sampson to the smallest 3,750 square foot lots at 133 and 145 Sampson Avenue. 115 Sampson Avenue would be the second largest lot along Sampson Avenue. 40 Sampson is limited to a house size of 3,500 square feet based on the plat notes approved as part of the Mill-Site Reservation Supplemental Amended Plat. Per the footprint formula, 115 Sampson Avenue would be permitted to have a footprint of 2,490 square feet, the largest along Sampson Avenue. The second largest footprint would be 2,460 square feet at 16 Sampson. 16 Sampson is currently under construction as the reconstruction of the “Significant” historic structure has been approved. Other larger footprints include 121 Sampson Avenue, which would be permitted to have a footprint of 2,244 square feet. The second largest allowable footprint would be at 131 Sampson, which would be permitted to have a footprint of 2,156 square feet. The average lot size on Sampson Avenue is 6,002.3 square feet, and the average existing house size is 1,732 square feet.

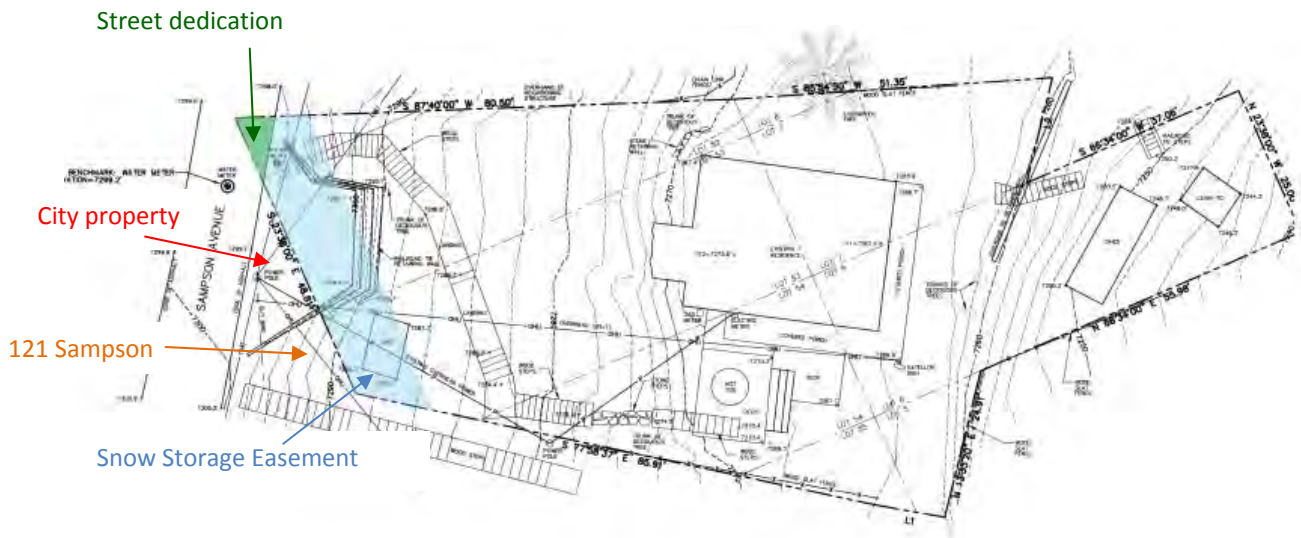
Staff does not recommend adding a condition of approval that reduces the allowed footprint of the lot. Based on the building footprint formula, the allowable footprint is 2,490 square feet for a lot of this area. With the 831.7 square feet footprint of the house, the lot could accommodate an addition of 1,658.3 square feet if the sheds were removed. If the sheds were not removed, an addition with a 1,440.58 square feet footprint could be constructed. The LMC’s footprint formula reduces the allowed footprint as the lot size increases. The placement of the historic structure on the lot already dictates the placement of an addition to the west of the existing structure. The Planning Director has also increased the setbacks of the site, limiting the buildable area further. Staff finds that it will be very difficult for the applicants to achieve a maximum footprint given the placement of the historic structure on the site and the Planning Director’s increased setbacks, which has limited the building footprint to approximately 3,330 square feet. Furthermore, the Planning Commission will be reviewing any new development on the site as it will require a steep slope conditional use permit (CUP) and the addition must comply with the Historic Design Guidelines that limit the location of additions to historic houses, in more precise terms than the previous guidelines did.

The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The northeast corner of the property will be clipped by approximately eleven feet (11’) for the street dedication. The total area for the street dedication will be approximately thirty-five (35) square feet. The portion that includes the street will be dedicated to the City during this plat amendment, and the street dedication shall be noted on the recorded plat. The portion of the street dedication was reduced from the overall lot size and was not included when calculating the allowed footprint.

A ten foot (10') snow storage easement will also be required by the City Engineer. Though the property line gradually increases in its distance from Sampson Avenue from zero (0) to twenty-one feet (21') along the west property line, a ten foot (10') snow storage easement will be required along the entire west edge of the property.

The portion of the property to the west of 115 Sampson's west property line along Sampson Avenue is owned by the City, and is part of the Sampson Avenue right-of-way. The neighboring property, 121 Sampson Avenue, also owns a portion of the property between Sampson Avenue and the south property line.

The image below shows the street dedication, the location of the snow storage easement, as well as ownership:



Good Cause

Planning Staff believes there is good cause for the application. Combining the Lots will allow the property owner to move forward with site improvements, which include stabilizing and repairing or reconstructing the historic structure. The plat amendment is necessary in order for the applicants to utilize future plans, and if left un-platted, the property remains as is. Moreover, the plat amendment will resolve the issue of the historic structure straddling interior lot lines and abate the safety issue with the historic structure. The plat amendment will utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will gain one (1)

ten foot (10') snow storage easement along Sampson Avenue, as well as a street dedication for the portion of Lots 51 and 52 that contains Sampson Avenue.

Furthermore, the plat amendment will resolve the existing building encroachments over interior lot lines. The applicant cannot move forward with an addition or reconstruction until the plat amendment has been recorded. Approval of this plat amendment will further the purposes of the LMC regarding preservation of historic structures, development on combinations of lots to reduce density, provision of snow storage easements, and dedication of right-of way for public streets.

Process

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

Department Review

This project has gone through an interdepartmental review. No additional issues were raised regarding the subdivision.

Notice

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

Public Input

No public input has been received.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 115 Sampson Avenue Subdivision as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 115 Sampson Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 115 Sampson Avenue Plat Amendment.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and fragments of eight (8) existing lots would not be adjoined. Any additions to the historic house would not be permissible as they would encroach over interior property lines and the historic house would not be restored and could be demolished under the notice and order.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the 115 Sampson Avenue Subdivision, located at the same address, and consider granting a waiver to not include all of the owners property in the subdivision and consider forwarding a positive

recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photograph

Exhibit D – Existing Conditions Survey with setbacks

Exhibit E – Planning Director Determination Letter

Exhibit F – Park City Plat Map

Exhibit G – Contiguous Lots Map

Exhibit H – Planning Commission Meeting Minutes from 10.9.13

Exhibit I- Planning Director waiver letter

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE 115 SAMPSON AVENUE SUBDIVISION LOCATED AT 115 SAMPSON AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 115 Sampson Avenue, has petitioned the City Council for approval of the plat amendment known as 115 Sampson Avenue Subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on October 9, 2013, and February 12, 2014 to receive input on the proposed subdivision;

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

WHEREAS, on March 6, 2014 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 115 Sampson Avenue Subdivision plat amendment.

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 115 Sampson Avenue Subdivision 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 115 Sampson Avenue within the Historic Residential Low-Density (HRL) Zoning District.
2. The applicants are requesting to combine portions of eight (8) Old Town lots into one Parcel. Currently the property includes Old Town Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, 55 of Block 78 of the Park City Survey.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.
4. The amended plat will create one new 7,692 square foot lot.

5. The existing historic home is listed as “Significant” on the Historic Sites Inventory (HSI) and has a footprint of 831.7 square feet.
6. The existing historic structure straddles Lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure.
7. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
8. Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building in 2010 and at that time the mothballing of the house was permitted.
9. The severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.
10. A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order. The Design Review Team (DRT) met with the applicants’ representative on May 1, 2013, to discuss the potential redevelopment of the property. No Historic District Design Review (HDDR) application has yet been submitted.
11. The rear of the structure is the west elevation, facing Sampson Avenue. The façade faces east.
12. On September 16, 2013, the Planning Director made the determination to increase the required setbacks of the site to include a fifteen foot (15’) front yard setback, ten foot (10’) south side yard setback, fifteen foot (15’) rear yard setback, and ten foot (10’) north side yard setback.
13. On January 16, 2014, the Planning Director waived the requirement for the applicants’ to subdivide the contiguous properties at 125 Norfolk Avenue and 115 Sampson Avenue.
14. The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The total area for the street dedication will be approximately thirty-five (35) square feet.
15. The maximum building footprint allowed is 2,490 per the HR-L LMC requirements for a lot of this size. The current footprint of the historic structure is 831.7 square feet and the footprint of the three (3) shed accessory structures is approximately 224 square feet. This would allow a maximum footprint addition of approximately 1,434 square feet. The portion of the street dedication was considered in determining the allowed footprint, and approximately thirty-five (35) square feet was reduced from the overall lot size.
16. Staff does not recommend adding a condition of approval that reduces the allowed footprint of the lot. The LMC’s footprint formula reduces the allowed footprint as the lot size increases. The Planning Director has also increased the setbacks of the site, limiting the buildable area further.
17. Per LMC 15-2.1-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it does not comply with the required ten foot (10’) north side yard setback along the north property line as it is only eight feet nine inches (8’9”) from the property line.
18. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main

dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

19. The property at 115 Sampson Avenue is contiguous with the property at 125 Norfolk Avenue. 125 Norfolk Avenue is located directly to northeast of the 115 Sampson Avenue site.
20. The applicant submitted an application for a plat amendment on August 15, 2013.
21. The Planning Commission reviewed the application for a one (1) lot subdivision on October 9, 2013.
22. Staff learned that Silver Potato LLC owned the contiguous property at 125 Norfolk Avenue on October 9, 2013.
23. Silver Potato LLC has directly expressed interest in not subdividing both lots at 115 Sampson Avenue at 125 Norfolk Avenue. The property at 125 Norfolk Avenue is already developed and the owner does not intend to redevelop this property at this time.
24. The parcel at 125 Norfolk Avenue is comprised of all of lots 8, 9, and 10; the south half of lot 11, and a portion of Lot 7 of Block 78 of the Millsite Reservation. There are existing structures on the 125 Norfolk Avenue metes and bounds parcel.
25. Silver Potato LLC purchased 125 Norfolk Avenue on August 8, 2005, and 115 Sampson Avenue on January 29, 2010.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment and historic preservation guarantee are recorded with the Summit County Recorder's office.
4. All new construction will require modified 13-D sprinklers as required by the Building Department.
5. One (1) 10 foot (10') wide public snow storage easement is required along the street frontage of the lot along Sampson Avenue.

6. The applicant shall dedicate the portion of Lots 51 and 52 that include Sampson Avenue to the City.
7. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.

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

PASSED AND ADOPTED this ___ day of March, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

SURVEYOR'S CERTIFICATE

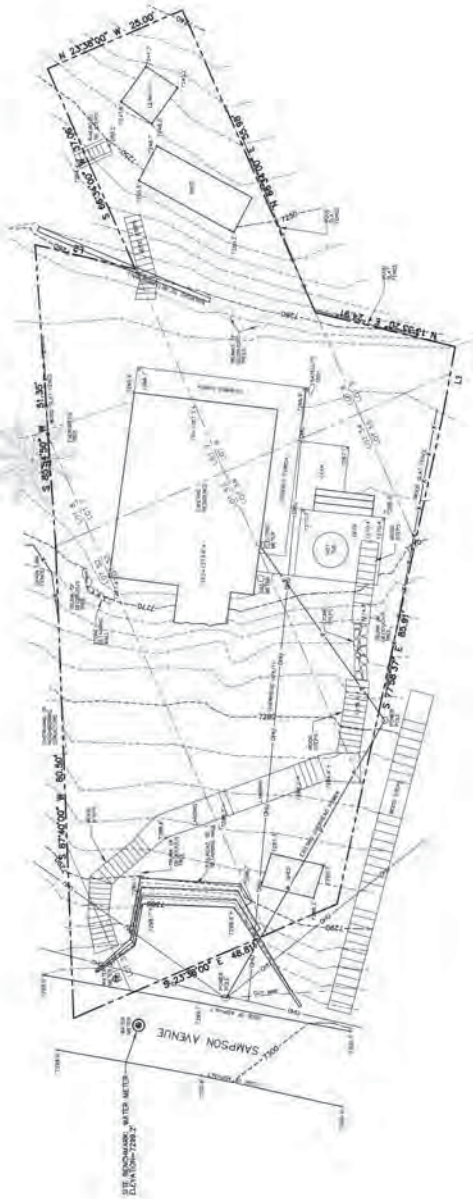
I, John Demkewicz, do hereby certify that I am a registered land surveyor in the State of Utah. The certificate number is 12345. The work has been made under my direction of the lands shown and described hereon. The survey was made in accordance with the laws of the State of Utah and is a true and correct representation of the land surveyed at the time the field work was completed and is compatible with generally accepted industry standards for accuracy.



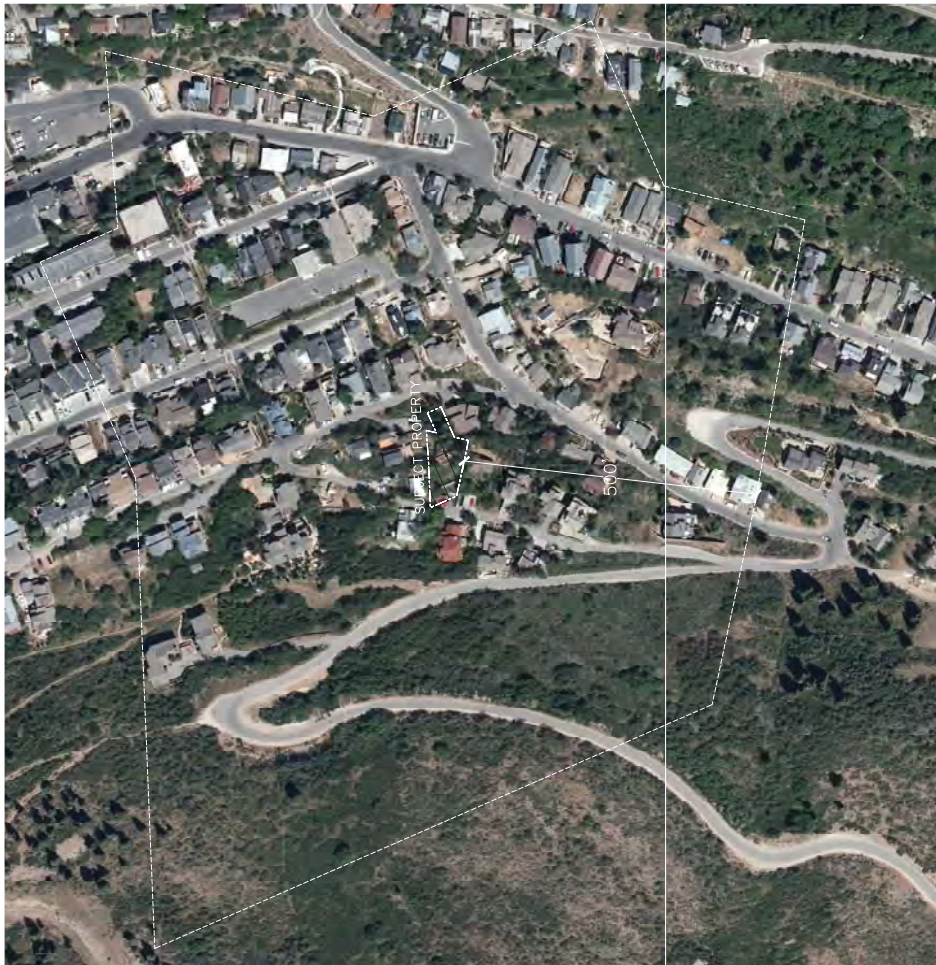
NOTES

1. Site Benchmark: Water meter in Sampson Avenue Elevation=7298.2
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on July 24, 1998 and updated on July 28, 2006 and November 16, 2007.
4. See recorded survey 5-8148.

LINE	BEARING	DISTANCE
1-2	S 13°31'20" E	17.200'
2-3	S 13°31'20" E	17.200'



	DATE: 1/17/08 STAFF: MARSHALL KING BLAKE WITKE CHRIS TONGSUCKA	EXISTING CONDITIONS 115 SAMPSON AVENUE BLOCK 78, PARK CITY SURVEY FOR: GERMAINE PARTNERS JOB NO.: 3-1-08 FILE: K:\ParkCitySurvey\log\lrv\log2008\030108.dwg	SHEET 1 OF 1
	DATE: 1/17/08 STAFF: MARSHALL KING BLAKE WITKE CHRIS TONGSUCKA		



500 FOOT EXHIBIT
100' 0 100' 200'



10 SCALE SITE PLAN
10' 0 10' 20'

115 SAMPSON AVENUE

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



	ORTHO-PHOTOS 115 SAMPSON AVE PARK CITY SURVEY	SHEET 1 OF 1
	FOR: NANCY BRONSTEIN JOB NO.: 2-7-13 FILE: \\ParkCity\Survey\dwg\user\jacob2013\020713.dwg	STAFF: MARSHALL KING SITE SAMPLER
(435) 646-7487 122 Main Street, P.O. Box 2047, Park City, Utah 84050-2047 COMMERCIAL PHOTOGRAPHY & SURVEYING SERVICES	DATE: 7/23/13	

SURVEYOR'S CERTIFICATE

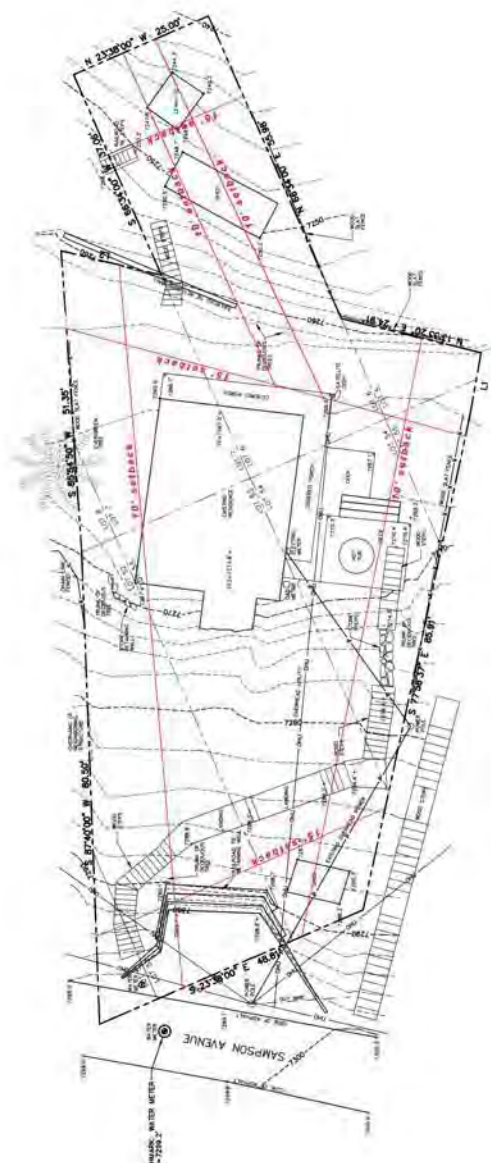
I, John Demkowicz, do hereby certify that I am a registered land surveyor in the State of Illinois and that the work shown on this plan has been made under my direction of the lands shown and described hereon and that the same is a true and correct representation of the land surveyed of the line the field work was completed and is in compliance with generally accepted industry standards for accuracy.



NOTES

1. Site benchmarks: Water meter in Sampson Avenue Elevation=7299.2'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on July 24, 1988 and updated on July 28, 2006 and November 16, 2007.
4. See recorded survey S-8748.

LINE	BEARING	DISTANCE
1-2	S 83°32'00" E	17.330'
2-3	S 13°32'00" E	17.330'



STAFF:
 MARSHALL KING
 BLAKE WILES
 CHIP TOMSENSEN

DATE: 1/17/08

EXISTING CONDITIONS
 115 SAMPSON AVENUE
 BLOCK 78, PARK CITY SURVEY

FOR: GERMAINE PARTNERS
JOB NO.: 3-1-08
FILE: K:\ParkCitySurvey\log\map\map2008\030108.dwg

SHEET
 1
OF
 1



September 16, 2013

Alliance Engineering, Inc.
C/O Steve Schueler
323 Main Street
Park City, UT 84060

Silver Potato LLC
Attn: Nancy Bronstein
25 East End Avenue
New York, NY 10025

Re: Setback Determination
Property Address: 115 Sampson Avenue
PL-13-02035

Steve:

Thank you for submitting your application for a plat amendment for the property at 115 Sampson Avenue, on behalf of property owner Silver Potato LLC. As you are aware, any lot with more than four sides is considered an "Unusual Lot Configuration" by definition of the Park City Land Management Code (LMC). As required by Section 15-4-17 (Setback Requirements for Unusual Lot Configurations) of the LMC, the Planning Director makes the determination as to the allowed setbacks for all unusual lot configurations. More specifically §15-4-17(B) "Lots with more than four (4) sides..." applies to this particular lot due to the fact that it has eight (8) sides. I have reviewed your parcel, and I have made the following determination as to the allowed setbacks for all of Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, and 55 of Block 78 of the Park City Survey:

1. Front Yard - 15 feet
2. Side Yard south property line (see redlines) – 10 feet
3. Side Yard north property line (see redlines)– 10 feet
4. Rear Yard – 15 feet
5. Side yard south property line, along Lot 6 (see redlines)—10 feet
6. Side yard north property line, along Lot 6 (see redlines) –10 feet
7. Rear yard east property line, along Lot 6 (see redlines)—15 feet

Attached hereto are redlined plans indicating the aforementioned setbacks.

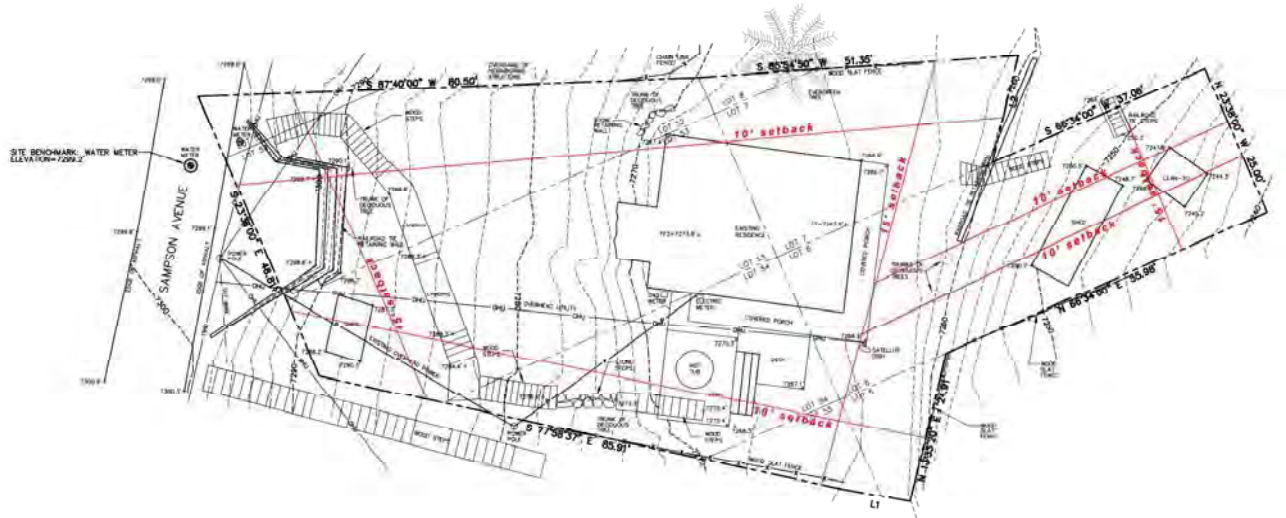


Illustration Only – Not to Scale

Please note that adherence to all other applicable regulations (steep-slope conditional use permit, design guidelines, etc.) also apply. If you have any questions regarding these setback determinations please feel free to contact me at (435) 615-5008.

Sincerely,

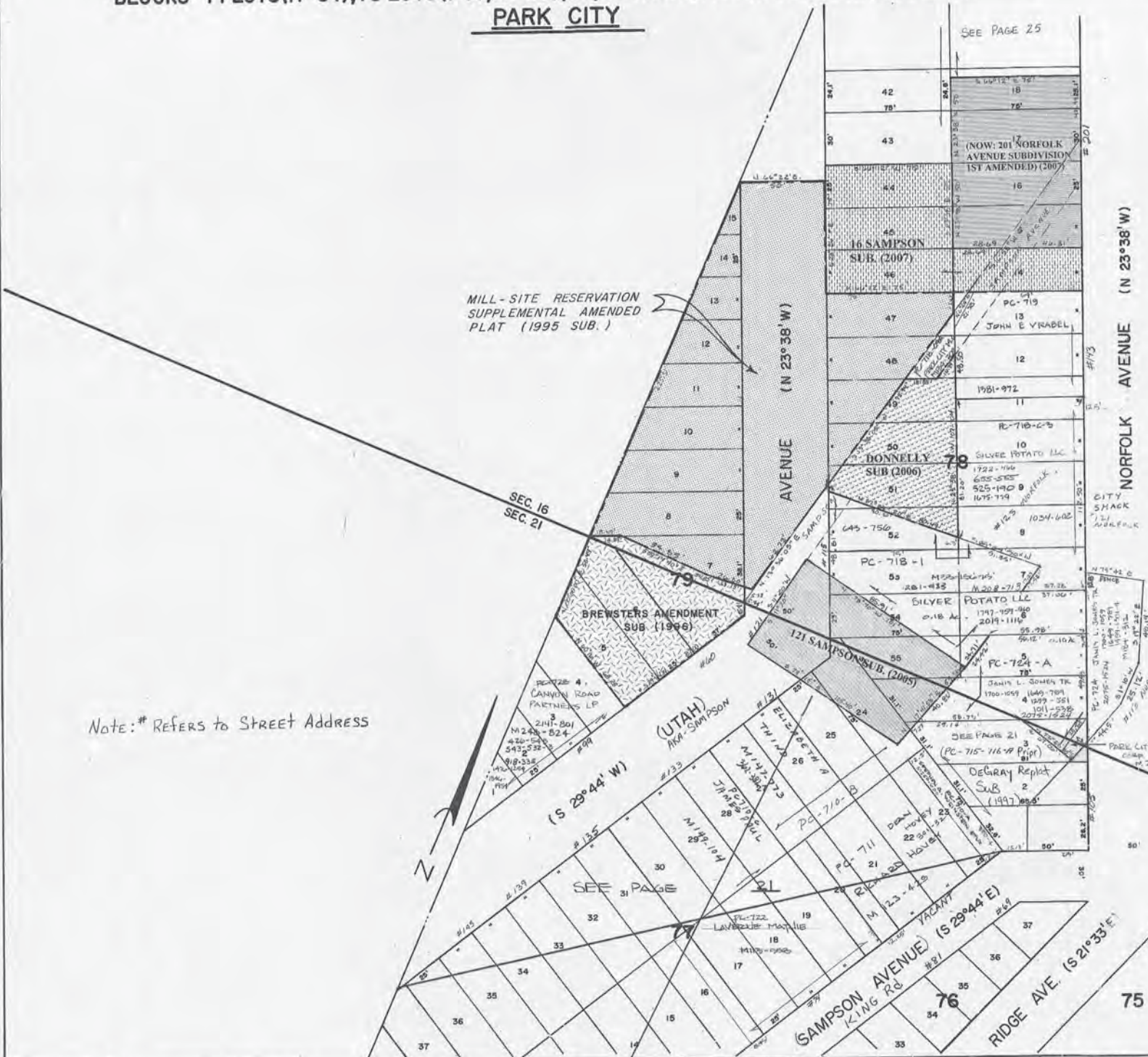
A handwritten signature in black ink, appearing to read "Thomas E. Eddington Jr.".

Thomas E. Eddington Jr., AICP, LLA
Planning Director

CC: Anya Grahn

**BLOCKS 77 LOTS (17-34), 78 LOTS (1-14, 46-55), 79, SECTION 16 & 21, T2S R4E, S.L.B. & M.
PARK CITY**

SEE PAGE 25



MILL-SITE RESERVATION
SUPPLEMENTAL AMENDED
PLAT (1995 SUB.)

SEC. 16
SEC. 21

BREWSTERS AMENDMENT
SUB (1996)

(UTAH)
M.M. SAMPSON

(S 29°44' W)

SEE 31 PAGE

SAMPSON AVENUE (S 29°44' E)
KING RD

RIDGE AVE. (S 21°33' E)

NORFOLK AVENUE (N 23°38' W)

Note: * REFERS TO STREET ADDRESS

SUMMIT COUNTY, UTAH

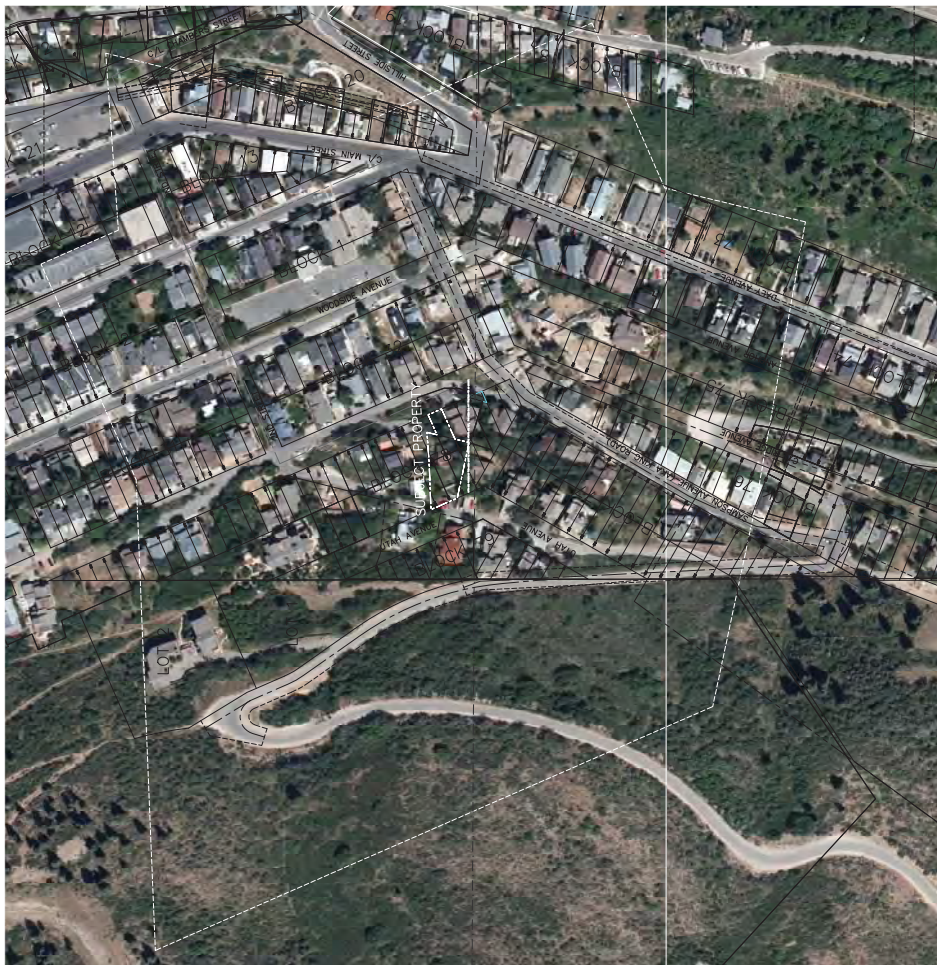
SCALE
ONE INCH 40 FEET
BOOK PAGE

Approved	REVISIONS - DATE AND INITIAL (In Pencil)
Utah State Tax Comm	Sept 24, 1993
Date	By

Engineering Associates Inc.

Exhibit G

Adjacent Silver Potato LLC parcels located at 125 Norfolk Ave.



115 SAMPSON AVENUE

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



432 Main Street P.O. Box 2644 Park City, Utah 84002-2644
CONSULTING ENGINEER LAND SURVEYING SURVEYORS
MAYORS

STAFF: J. KING
STEVE SCHUELER

DATE: 7/23/13

FOR: NANCY BRONSTEIN
JOB NO.: 2-7-13
FILE: K:\ParkCitySurvey\07img\wp\020713\020713.dwg

ORTHOPHOTOS
115 SAMPSON AVE
PARK CITY SURVEY

SHEET
1
OF
1

**2. 115 Sampson Avenue Subdivision – Plat Amendment
(Application PL-13-02035)**

Planner Anya Grahn reviewed the application for a plat amendment for 115 Sampson Avenue to combine all of Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, and 55 of Block 78 of the Park City Survey. An existing historic home on the property is identified as Significant on the City's Historic Sites Inventory and straddles the lot lines between Lots 6,7,53, and 54. There are two accessory sheds that were not identified as historic located on Lot 6, and a third non-historic shed is located on Lot 53.

Planner Grahn reported that an active Notice and Order to Repair and Vacate the building was issued by the Building Department on October 13, 2010, at which time the Planning Department approved a plan to mothball the building; however, the Building Department was forced to issue a second Notice and Order on the structure on April 10, 2013 due to its deteriorating and hazardous condition. On May 1, 2013, the applicant submitted a Pre-Historic Design Review application. The Design Review Team met with the applicant's representative to discuss the potential re-development of the property. At that time the applicant expressed an interest in reconstructing the building and adding a small addition. Planner Grahn noted that since that time there has been no communication from the applicant or the applicant's representative to review construction plans. Planner Grahn stated that the historic structure is in significant disrepair and would likely qualify for panelization or reconstruction. The site may be cleared following the recording of a preservation plan and securing a financial guarantee for the reconstruction of the historic structure to satisfy the Notice and Order; however; no reconstruction may occur prior to the recording of the plat amendment to eliminate the interior lot lines.

Planner Grahn stated that the plat amendment application was submitted on August 15, 2013. The application was deemed complete on August 28, 2013. Per the LMC, the Planning Director made a determination on the allowed setbacks due to the unusual lot configuration. A table contained on page 104 of the Staff report outlined the determined setbacks. Based on the setbacks determined by the Planning Director, the overall building pad of the site would be approximately 3,330 square feet. Based on the building footprint formula, the allowable footprint will be 2,496.28. Given the 831.7 square feet footprint of the house, the lot could accommodate a 1,664.58 square feet addition if the sheds were removed. If the sheds are not removed an 1,440.58 addition could be constructed. Any addition to the historic structure would require approval through the HDDR to ensure that it complies with the 2009 Design Guidelines. In addition, if the applicant wishes to add an addition to the house they would likely be required to submit a steep slope CUP application due to the steepness of the existing grade.

Planner Grahn stated that the placement of the house on the lot and its orientation would limit the size of the addition since the new structure would have to be located to the west of the historic structure. She noted that the façade of the structure faces east towards town rather than west towards Sampson Avenue. Planner Grahn noted that the southeast corner of Lot 52 contains a portion of Sampson Avenue. The portion that includes the street would be dedicated to the City during this plat amendment.

The Staff believed there was good cause for the application. Combining the lots would allow the property owner to move forward with site improvements, which include stabilizing and repairing or reconstructing the historic house. The plat amendment is necessary in order for the applicant

to utilize future plans. If left unplatted, the property would remain in its current condition. Planner Grahn reiterated that the plat amendment would also resolve the issue of the historic structure straddling interior lot lines. The plat would not cause undo harm on any adjacent property owner because the proposal meets the requirements of the LMC and all future development would be reviewed for compliance with Building and LMC requirements. Planner Grahn stated that by approving the plat the City would gain one 10' snow storage easement along Sampson Avenue, as well as a street dedication for the portion of Lot 51 that contains Sampson Avenue.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval.

Steve Schueler, representing the applicant, clarified that he was under the impression that the owner intended to sell the lot; however, he learned this evening that Jonathan DeGray was working on construction plans for the applicant.

Commissioner Hontz asked if there was a right-of-way on the road that the house faced. Planner Grahn was unsure.

Vice-Chair Thomas opened the public hearing.

Debbie Schneckloth, a neighbor, noted that the Staff report indicated that the property was located in the HR-1 zone and that was an error. It is actually located in the HRL zone. Ms. Schneckloth questioned why, if the house faces Norfolk Avenue, it did not have a Norfolk address. She noted that the current owner also owns property on Norfolk Avenue. Ms. Schneckloth suggested that the Norfolk lot be used to access 115 Sampson Avenue to take some of the pressure off of Sampson Avenue, since the road was already deteriorating from the amount of traffic. She also thought the Planning Commission should request that the house be re-oriented to have a Norfolk address. Ms. Schneckloth thought page 106 of the Staff report should be corrected to accurately state that the portions of Sampson Avenue that would be dedicated to the City would be the southeast corner of Lot 51 and the northeast corner of Lot 52. She felt that clarification was important.

Ms. Schneckloth asked how wide of a portion would be dedicated to the City. Mr. Schueler replied that it would be 8-9 feet. Ms. Schneckloth noted that Sampson Avenue is 13 feet wide. Ms. Schneckloth commented on snow storage and asked about the snow storage along Sampson. Planner Grahn stated that it would be a 10' snow storage easement. Ms. Schneckloth noted that the City owns Utah Avenue and she asked if that could be used for snow storage instead of Sampson. She stated that the existing frontage along Sampson Avenue is sorely needed and she asked that it be retained.

Vice-Chair Thomas closed the public hearing.

Commissioner Hontz noted that the change to HRL zoning needed to be corrected throughout the Staff report and the Staff needed to come back with a clean Staff report. Commissioner Hontz pointed out that access has always been on Sampson Avenue and people use the stairway to the south. She understood that originally there was only one stairway with a plank

into the back of the house; however, a rift between property owners resulted in two sets of stairs.

Commissioner Hontz agreed with Ms. Schneckloth on the condition of Sampson Avenue and she believed it was currently a public health, safety, welfare issue. The road can no longer carry the burden related to nightly rental, snow removal, etc. She requested a condition of approval to put parking for 115 Sampson somewhere else. Commissioner Hontz also recalled that the Planning Commission had requested that the Staff analysis be done on compatible structures in terms of size and plats, rather than an average size analysis. She wanted the analysis redone.

Commissioner Hontz requested that Condition of Approval #4 regarding 13-D sprinklers be revised. She corrected Condition #5 to indicate a 10' snow storage "easement" rather than easements plural. Commissioner Hontz noted that Condition #5 needed to be revised to indicate that portions of Lots 51 and 52 would be dedicated to the City.

Commissioner Wintzer believed the same issues they addressed with 30 Sampson Avenue applied to 115 Sampson. The only difference is that 115 is a downhill lot. He was concerned about approving something that would create a hardship situation for the applicant. He preferred to send this back to the Staff to draft appropriate conditions of approval to avoid a hardship situation that would require going before the Board of Adjustment. Commissioner Wintzer was not prepared to move forward this evening until the issues could be addressed. He also agreed with the idea of adding a condition of approval to address the parking needs.

Commissioner Strachan concurred with his fellow Commissioners. He thought they should continue this item until the Staff report could be revised. Commissioner Strachan suggested a site visit to make sure they were not on the verge of creating a plat amendment that would be the final straw for the neighborhood and what the road could bear. Vice-Chair Thomas concurred.

MOTION: Commissioner Wintzer moved to CONTINUE 115 Sampson Avenue plat amendment to November 6, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

**3. 1134 Lowell Avenue – Steep Slope Conditional Use Permit
(Application PL-13-02012)**

Planner Whetstone handed out public input she had received from Jim and Elaine Howells, 1130 Lowell Avenue.

Planner Whetstone reviewed the application for a Steep Slope Conditional Use permit for a new single-family home containing 2,163 square feet, excluding the 367 square foot single car garage, on a vacant 1,875 square foot lot located at 1134 Lowell Avenue. The total floor area exceeds 1,000 square feet and the construction is proposed on a slope of 30% or greater. The property is located in the HR-1 District. The CUP request is for construction of a new single-family dwelling on a platted lot of record. The lot is a standard 25' x 75' Old Town lot and contains 1,875 square feet of lot area. The site is a downhill lot on the east side of Lowell Avenue.



January 16, 2014

Nancy Bronstein
Silver Potato, LCC
25 East End Avenue
New York, NY 10028

NOTICE OF PLANNING DIRECTOR DETERMINATION

Project Address: 115 Sampson Avenue
Project Description: Subdivision
Project Number: PL-13-02035
Date of Action: January 14, 2014

ACTION TAKEN BY PLANNING DIRECTOR:

Per Land Management Code (LMC) 15-7.1-5(B), prior to subdividing land in a manner, which requires a Preliminary Plat, an Owner of the land or his representative shall file an Application for the approval of a Plat. The application shall include all contiguous holdings of the Owner, unless specifically waived by the Planning Department, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office. The affidavit shall advise as to the legal Owner of the Property, the contract Owner of the Property, the date a contract of sale was executed, and, if any corporations are involved, a copy of the resolution legally empowering the Applicant to make the Application.

The Planning Director finds that Silver Potato LLC is not required to subdivide the

contiguous holdings located at 115 Sampson Avenue and 125 Norfolk Avenue. Rather, the applicant may move forward with the request for a one-lot subdivision at 115 Sampson Avenue only.

Findings of Fact:

1. The property is located at 115 Sampson Avenue within the HRL District.
2. The applicants are requesting to combine portions of eight (8) Old Town lots into one lot of record. Currently, the property includes all of Old Town Lot 6, and portions of Lots 5, 7, 8, 51, 52, 53, 54, and 55 of Block 78 of the Park City Survey.
3. The plat amendment is necessary in order for the applicant to move forward with a Historic District Design Review (HDDR) for the purpose of repairing and restoring the historic house on the significant site, as well as potentially adding a new addition.
4. The 115 Sampson Avenue Subdivision will create one (1) new 7,692 square foot lot.
5. The existing historic house at 115 Sampson Avenue is listed as "Significant" on the Historic Sites Inventory (HSI) and has a footprint of 831.7 square feet.
6. The existing historic structure at 115 Sampson Avenue straddles lots 6, 7, 53, and 54 of the Park City Survey and is a valid complying structure. Per LMC 15-2.1-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it does not comply with the required ten foot (10') north side yard setback along the north property line as it is only eight feet nine inches (8'9") from the property line.
7. Any proposed additions to the existing historic home at 115 Sampson Avenue will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
8. Due to water damage, the Building Department issued a Notice and Order to Repair and Vacate the building at 115 Sampson in 2010 and at that time the mothballing of the house was permitted. The severe decline and deterioration of the vacant structure resulted in a second Notice and Order on April 10, 2013.
9. A Pre-Historic District Design Review (Pre-HDDR) was submitted to the Planning Department on April 9, 2013, following the Notice and Order at 115 Sampson. The Design Review Team (DRT) met with the applicants' representative on May 1, 2013, to discuss the potential redevelopment of the property. No Historic District Design Review (HDDR) application has yet been submitted.
10. The rear of the structure is the west elevation, facing Sampson Avenue. The front façade faces east, towards town.

11. On September 16, 2013, the Planning Director made the determination to increase the required setbacks of the 115 Sampson Avenue site to include a fifteen foot (15') front yard setback, ten foot (10') south side yard setback, fifteen foot (15') rear yard setback, and ten foot (10) north side yard setback.
12. The southwest corner of Lot 51 and the northwest corner of Lot 52 contain a portion of Sampson Avenue. The total area for the street dedication will be approximately thirty-five (35) square feet.
13. The maximum building footprint allowed is 2,490 per the HR-L LMC requirements for a lot of this size. The current footprint of the historic structure is 831.7 square feet and the footprint of the three (3) shed accessory structures is 224 square feet. This would allow a maximum footprint addition of approximately 1,434 square feet. The portion of the street dedication was considered in determining the allowed footprint, and approximately thirty-five (35) square feet was reduced from the overall building footprint.
14. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
15. The property at 115 Sampson Avenue is contiguous with the property at 125 Norfolk Avenue.
16. The applicant submitted an application for a plat amendment on August 15, 2013.
17. The Planning Commission reviewed the application for a one (1) lot subdivision on October 9, 2013.
18. Staff learned that Silver Potato LLC owned the contiguous property at 125 Norfolk Avenue on October 9, 2013.
19. Silver Potato LLC has directly expressed interest in not subdividing both lots at 115 Sampson Avenue at 125 Norfolk Avenue. The property at 125 Norfolk Avenue is already developed and the owner does not intend to redevelop this property at this time.
20. 125 Norfolk Avenue is located directly to northeast of the 115 Sampson Avenue site.
21. The parcel at 125 Norfolk Avenue is comprised of all of lots 8, 9, and 10; the south half of lot 11, and a portion of Lot 7 of Block 78 of the Millsite Reservation.
22. There are existing structures on the 125 Norfolk Avenue metes and bounds parcel.
23. Silver Potato LLC purchased 125 Norfolk Avenue on August 8, 2005, and 115 Sampson Avenue on January 29, 2010.

Conditions of Approval

1. All standard conditions of approval shall apply.
2. Any modifications to the property 125 Norfolk Avenue, including but not limited to interior remodeling will require the applicant to submit a plat amendment application to the Planning Department.

If you have any questions regarding this determination, please don't hesitate to contact the Planning Department at 435-615-5060.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Eddington Jr.", with a stylized flourish at the end.

Thomas E. Eddington Jr., AICP, LLA
Planning Director

CC: Anya Grahn, Historic Preservation Planner



PLANNING DEPARTMENT

Planning Commission Staff Report

Application #: PL-13-01956
Subject: 820 Park Avenue-Rio Grande Development
Author: Anya Grahn, Historic Preservation Planner
Date: February 12, 2014
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the proposed Conditional Use Permit (CUP) application for the mixed-use commercial and residential development at 820 Park Avenue. Applicant is requesting three Conditional Use Permits: (1) commercial use in the zone if gross floor area is more than 2,000 sf; (2) multi-unit dwelling; and, (3) parking areas with five or more spaces. Staff recommends the Commission conduct a public hearing and consider approving the Conditional Use Permits based on the findings of fact, conclusions of law, and conditions of approval found in this report.

Description

Applicant: 820 Park Avenue, LLC, represented by Rory Murphy
Location: 820 Park Avenue
Zoning: Historic Recreation Commercial (HRC) District
Adjacent Land Uses: Commercial retail, restaurants, bars, offices, and residential uses
Reason for Review: Conditional Use Permits (CUPs) require Planning Commission review and approval

Proposal

The applicant is proposing to develop the site at 820 Park Avenue. The property contains the "Significant" historic structure known as the Rio Grande Building. On November 13, 2013, the Historic Preservation Board granted an appeal to allow the historic structure to be relocated to the northwest corner of the site, 9th Street and Park Avenue, and be a prominent feature of the property. The applicant is also proposing to construct a three (3) story stepped mixed-use building on the remainder of the site. This development will contain for 20,519 square feet of commercial-retail uses and ten (10) residential condominium units.

The Land Management Code requires the submittal of a Conditional Use Permit (CUP) application, with review by the Planning Commission, for commercial uses, including restaurants, and retail uses if over 2,000 square feet of gross floor area and located within the HRC District. Multi-unit dwelling and parking areas or structures with five (5) or more spaces also require a CUP. In order to approve a CUP for these uses the Commission must find compliance with specific criteria as stated in LMC Section 15-1-

10 and any impacts of the proposed uses must be mitigated by physical changes to the site and/or by specific conditions of approval.

The Planning Commission reviewed the proposed uses for this site on January 8, 2014, and modifications have been made to the applicant's original request for a Conditional Use Permit (CUP). The applicant no longer seeks the CUP for the use of Neighborhood Convenience Commercial and Restaurant use; however, they have requested a CUP for Office (Intensive) and café or deli so that a real estate office or small café or deli may be located on the site. The developer has also reduced the number of underground parking spaces from forty-two (42) to twenty-four (24) and eliminated one (1) level of parking. As proposed, there is space to maneuver vehicles within the parking garage and there is also space for trash storage.

The CUP now includes the following uses:

- Multi-Unit Dwellings (a building containing four (4) or more dwelling units);
- Commercial Retail and Service, Minor;
- Café or Deli
- Outdoor dining;
- Office (intensive);
- Parking Area or Structure with five (5) or more spaces

The ground level storefront spaces and historic Rio Grande Building may contain 4,541 square feet of commercial retail and service, minor; café or deli; or office (intensive) use. The developer has not yet leased these spaces and has not yet determined the final mix of these uses. The development will also include ten (10) condominium units.

Background

On June 19, 2013, the City received an application for the 820 Park Avenue-Rio Grande Development CUP. The application was deemed complete on November 26, 2013, when additional information was provided. The property is located at 820 Park Avenue in the Historic Recreation Commercial (HRC) zoning district. The existing structure known as the "Rio Grande Building" is designated as a "Significant" historic building on the City's Historic Sites Inventory (HSI).

The Planning Commission reviewed the Conditional Use Permit (CUP) for this development project on January 8, 2014. At that time, the Commission discussed parking demands and found the proposed forty-two (42) spaces sufficient as it was very unlikely that a restaurant tenant would occupy the entire then-proposed 4,117 square feet of commercial space. Moreover, the Planning Commission was very supportive of the proposed uses, found that this project would complement the existing uses in the neighborhood, and believed this development would be a good addition to the lower Main Street area overall. This original proposal, however, has been modified.

The applicant also submitted a Historic District Design Review (HDDR) application on June 19, 2013. On October 9, 2013, the Planning Director and Chief Building Official determined that there were not unique conditions that warranted the relocation of the

historic Rio Grande Building to the corner of 9th Street and Park Avenue. The applicant submitted an appeal of this determination on October 18, 2013. The Historic Preservation Board (HPB) granted the appeal and reversed staff's determination on November 13, 2013, permitting the structure to be relocated due to the loss of the historic context of the site and the loss of the southern two-thirds (2/3) of the original structure. Moreover, the HPB found that the goals of historic preservation were best served by relocating the structure to the northwest corner of the site to be the visual focal point of the project. The final HDDR has not yet been approved for this project.

The structure has had a number of different uses throughout its history. Originally constructed as part of a larger freight shed that was attached to the c.1890 Queen Anne passenger depot, the structure was abandoned by the D&RGW railroad line in 1946. Since the demolition of the Queen Anne depot and two-thirds (2/3) of the freight shed in the late-1940s, the remaining portion of the freight shed, better known today as the Rio Grande Building located at 820 Park Avenue, has housed an architect's office, Park City Bank, and Zion's Bank. After sitting vacant for at least a decade, the structure today is being rehabilitated in order to serve as a temporary construction office for the Rio Grande Development project; however, the developers plan to utilize this structure as commercial retail use following the completion of the project.

As existing, this site is a metes and bounds parcel. A one (1) lot subdivision will be required in order to create a legal lot of record. At this time, the applicant has not yet submitted a plat amendment application. The one (1) lot subdivision will require Planning Commission recommendation and City Council approval.

Purpose of the HRC District

The purposes of the HRC District include:

- (A) Maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,
- (B) Encourage pedestrian oriented, pedestrian-scale Development,
- (C) Minimize visual impacts of automobiles and parking,
- (D) Preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,
- (E) Provide a transition in scale and land Uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,
- (F) Provide a moderate Density bed base at the Town Lift,
- (G) Allow for limited retail and Commercial Uses consistent with resort bed base and the needs of the local community,
- (H) Encourage preservation and rehabilitation of Historic Buildings and resources,
- (I) Maintain and enhance the long term visibility of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

Analysis

The applicant is proposing to rehabilitate the site into a mixed-use development containing a multi-unit dwelling building containing ten (10) residential condominium units; 4,541 square feet of commercial retail and service, minor; cafe or deli; outdoor dining; office, intensive; and a twenty-four (24) space underground parking structure. One (1) level of underground parking is proposed, accessible from 9th Street. Above this, the historic Rio Grande building will be relocated to the corner of 9th Street and Park Avenue and restored to its Historic appearance c.1940 when two-thirds (2/3) of the freight shed was demolished.

Exterior plaza space will be constructed between the historic building and new development to isolate the historic structure on the east elevation. The L-shaped new construction will wrap the historic building on the north, east, and south sides of the property. There will be one (1) level of underground parking containing twenty-four (24) spaces located underground.

The first level will include 788 square feet of commercial space in the existing historic Rio Grande building as well as approximately 2,965 square feet of Commercial Retail and Service, Minor; Café or deli; Outdoor Dining; and/or Office (Intensive), and two (2) ground level condominium units containing 1,333 square feet (Unit 1) and 941 square feet (Unit 2). Four (4) condominium units ranging from 1,083 square feet to 1,886 square feet will be built on the second (2nd) level; the second level of the Rio Grande building also contains 788 square feet that may be utilized by its ground floor commercial tenant. The third (3rd) level will contain four (4) condominium units ranging from 1,083 square feet to 1,907 square feet. One (1) condo (10-B) will be located at the Loft/Roof Deck Level. Because the applicant is still determining the uses in the storefront space, Condition of Approval #18 has been added so that any significant modifications of the use of this building will require Planning Commission approval.

As previously noted, the applicant no longer requests Planning Commission approval of the Neighborhood Convenience Commercial and Restaurant use; however, they are requesting approval of the use of Office (Intensive) in order to accommodate a real estate office within the mixed use Building. Office (Intensive) is defined by the LMC as businesses offering executive, administrative, professional, or clerical services which are performed with a high level of client interaction and traffic generated by employees and/or clients; and/or the intensity of employees if five (5) or more employees per 1,000 square feet of net leasable office. A real estate office is considered an intensive use. The applicant anticipates this use to consume no more than 1,000 square feet of storefront space.

Office (Intensive) is a conditional use in the HRC district. This use is prohibited in storefronts adjacent to the Park Avenue Right-of-Way, but excludes those HRC zoned areas north of 8th Street. The 820 Park Avenue site is located just south and adjacent to 9th Street, and this site is exempt from the vertical zoning provision in the code. It would not be desirable for a real estate office to occupy all of the storefront space on the ground level; its use should be limited to ensure that this area continues to comply

with the goals of the General Plan by providing pedestrian-oriented resort-based development and tourist-oriented lodging that adds to the tax base. For that reason, Condition of Approval #10 has been added to limit the square feet of the Office, Intensive use to no more than 1,000 square feet.

The applicant intends to construct one (1) level of underground parking containing twenty-four (24) spaces. The applicant will provide fifteen (15) residential parking spaces; ten (10) spaces will be reserved, one for each unit, and five (5) will be used for guest parking. The additional nine (9) spaces will be utilized for the commercial uses. Condition of Approval #7 states that any uses of the retail or commercial space must meet the parking requirement set by Land Management Code (LMC) 15-3-6 Parking Ratio Requirements for Specific Land Use Categories.

The applicant is proposing to provide twenty-four (24) underground parking spaces. The applicant has not yet leased the 2,965 square feet of storefront space in the new building, and the historic Rio Grande structure is exempt from providing parking. This space may be leased to a single tenant, or this space may be further subdivided into multiple tenants; however, no more than 1,000 square feet will be consumed by the office (intensive) use. Any proposed uses must not exceed the nine (9) parking spaces reserved for commercial uses.

It is likely that as this project progresses and the storefront spaces are leased, the 2,965 square foot storefront space will be subdivided further to promote a mix of tenants. Mixed-use would alleviate parking demands by promoting greater shared parking and reducing the intensity of the use.

LMC 15-3-9(A) stipulates that the new construction of existing commercial or 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 bikes. The applicant intends to provide twenty-four (24) vehicle parking spaces, and the development will require three (3) bicycle parking spaces. These spaces will be located near the Park Avenue entrance to site, on the west elevation of the Rio Grande building.

Condition of Approval #9 has been added to ensure that bicycle storage meets the requirements of LMC 15-3-9. Medium security bicycle racks must be of solid construction, resistant to rust, corrosion, hammers, and saws and must allow both the bicycle frame and wheel to be locked by the user. Bicycle storage must be compatible with the surrounding building and street furniture as well as be located in a convenient, highly-visible, active, well-lit area that does not interfere with pedestrian movement or snow storage.

The proposed development will feature a shared party-wall with the Town Lift Condominiums to the south. As outlined in LMC 15-2.5-3(E)(3), a side yard between connected structures is not required where the structures are designed with a common wall on a property line and the lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a Building joined at the Side Lot Line may not exceed 100 feet. The applicant is

proposing a common wall of approximately twenty feet (20') and has met with the Chief Building Official and City Attorney to enter into a party wall agreement with the Town Lift Plaza.

The plans show that the single shared wall will be constructed of two (2) abutting exterior walls. Per the International Building Code (IBC), the shared wall must be fire-rated for safety, and this is accomplished by building two (2) adjoining walls. The Building Department concurs that despite this method of construction, the system will be classified as a common wall.

The zone is primarily commercial; however, there is significant residential development, such as the Lift Lodge Condos, the Caledonia Building adjacent to the Town Lift Plaza, Park Station Condominiums, and Summit Watch development. This site is immediately surrounded by the Lift Lodge and Town Lift Condominiums. The UP&L Park directly north of the site is open space, followed by the Summit Watch development and Park Station Condominiums. To the west, the neighborhood is dotted with historic and non-historic residential developments one (1) to three (3) stories in height.

According to Land Management Code (LMC) § 15-2.5-2, the following uses are Conditional Uses in the HRC District if greater than 2,000 square feet of gross floor area:

- Multi-Unit Dwellings;
- Commercial Retail and Service, Minor;
- Café or deli;
- Outdoor dining;
- Office(intensive);
- Parking Area or Structure with five (5) or more spaces

Staff has reviewed the proposed Conditional Use Permit (CUP) with respect to the conditional use review criteria as outlined in LMC 15-1-10. The Commission must also make a determination that the proposed uses meet the CUP criteria found in LMC § 15-1-10 as follows:

1. *Size and location of the site.* **Complies.** Per LMC 15-2.5-3 (G)(1), the Floor Area Ratio (FAR) for non-residential structures built after October 1, 1985, and located east of Park Avenue is 1.0. The FAR, Gross Commercial, is defined as the Area of a Building including all enclosed Areas excluding parking areas. Areas below Final Grade used for commercial purposes including, but not limited to, storage, bathrooms, and meeting space, are considered Floor Area. The following floor areas are proposed:

	Commercial Gross Floor Area Square Footage
Lower Parking Area	0 SF
Upper Parking Area	0 SF
Ground Level Area (Commercial	3,753 SF

Retail, including historic Rio Grande)	
2 nd Level	788 SF
3 rd Level	0 SF
Loft/Roof Deck Area	0 SF
Total Square Footage	4,541SF

The total lot area is approximately 14,375 square feet. The Floor Area Ratio for commercial use is .31 and is less than the allowable FAR of 1.0.

The proposed square footage of the uses of the site are compatible to that which was approved for the Lift Lodge, immediately east of 820 Park Avenue. The three (3)-story Lift Lodge is located on .26 acres (11,535 square feet) and was approved for zero (0) setbacks on the east elevation as well as a height of forty-five feet (45') through a previous MPD. In June 1997, the Planning Commission approved a CUP at this location, permitting the following:

Use	Rio Grande Development	Lift Lodge Condominiums
Lot Size	.33 acres (14,374 SF)	.26 acres (11,535 SF)
Parking and Storage	9,857 SF	8,654 SF
Commercial Use	4,541 SF	4,442 SF
Commercial Support	357 SF	842 SF
Residential Units	15,978 SF (10 condos)	12,381 SF (13 condos)
Common Areas (hallways, stairs, elevators, etc.)	3,415 SF	7,128 SF
Total Square Footage	34,148 SF	37,001 SF
Floor Area Ratio (FAR) – Overall (including residential uses)	2.37	3.22

Today, the Lift Lodge has three (3) commercial spaces—two (2) on the second floor that face the plaza and one (1) on the first floor with an entrance on Main Street. Residential units are located on all three (3) levels above the underground parking structure and support the commercial uses of the Town Lift Plaza, to the south of the 820 Park Avenue site.

The table outlines the similarities of the proposed Rio Grande development to the uses approved in the 1997 CUP for the Lift Lodge.

1. *Traffic considerations. Complies.* The development of this site and increased commercial retail use in the neighborhood will result in additional traffic and parking demands. Condition of Approval #19 has been added requiring vehicular access to only be located from 9th street, not from Park Avenue.

2. The development's location on the #1 Red Prospector bus route and the proximity of the Main Street Trolley will allow site users to use public transit and lessen traffic congestion and parking demands as well.

Currently, there are twenty (20) unauthorized paid parking spaces located at this lot. The applicants' traffic study (Exhibit D) found that the residential units will be secondary homes and, except during peak times, it is very unlikely that there will be full occupancy. Moreover, the development will remove two (2) driveway curb cuts on Park Avenue, creating space for two (2) additional on-street parking stalls as well as create a new curb cut on 9th Street to access the underground parking garage. In studying the intersections of Park Avenue and 9th Street, 9th Street and Main Street, and Main Street and Deer Valley Drive, the study found that there will be a minimal increase in traffic generated by this development. Because the existing twenty (20) are unsanctioned parking spaces, the applicant is not required to mitigate the loss of these paid parking spaces.

3. *Utility capacity.* **Complies as conditioned.** Utilities will need to be upgraded in order to accommodate the new development on the site. Water service, in particular, will require cutting into the road and tapping into the water main. The developer has also reached out to the Snyderville Basin Water Reclamation District in order to extend the sewer system into the new building. Condition of Approval #9 states that all utility impact fees will be calculated prior to issuance of the building permit.
4. *Emergency vehicle access.* **No unmitigated impacts.** The building is accessible from both Park Avenue and 9th Street for emergency vehicles.
5. *Location and amount of off-street parking.* **Complies as conditioned.** As previously discussed, the applicant intends to provide twenty-four (24) underground parking spaces. The parking structure will include one (1) level of underground parking which will be 8,587 square feet in area.

Fifteen (15) parking spaces will be reserved for the condominium units—one (1) for each unit and five (5) reserved spaces for guest parking. The owner will not permit these guest spaces to be used for vehicle storage.

The development will provide nine (9) remaining spaces that will be open, not fee-based, parking for the commercial uses. The applicant has not yet leased the 1,576 square feet of the two (2) story historic Rio Grande, which is exempt from parking due to its historic designation, nor have they leased the 2,965 square feet of new storefront spaces. Any uses to be located in the storefront space will have to comply with the parking requirements outlined in LMC 15-3-6 Parking Ratio Requirements for Specific Land Use Categories and shall not exceed nine (9) spaces, as outlined in Condition of Approval #7.

Similarly, the new construction of commercial structures or multi-unit dwellings must provide at least three (3) bicycle parking spaces, or ten percent (10%) of the off-street parking, whichever is greater, for the temporary storage of bicycles. Because the applicant will provide twenty-four (24) underground parking spaces, the applicant will be required to provide at least three (3) bicycle parking spaces.

6. *Internal circulation system.* **Complies.** Vehicular ingress and egress to the site's underground parking is located along 9th Street. Stairs lead up from the underground garages to the southeast corner of the building. Elevator and stair access is provided in the center of the new structure and access the residential condos on the second (2nd) and third (3rd) levels. On the third (3rd) floor, access will be provided to the adjacent Town Lift Condominium structure to provide residents with indirect access to the Town Lift Plaza. The elevator access will be available on every level and not limited to only the residential areas.

This is a pedestrian-oriented development. Eight foot (8') wide sidewalks, identical to those adjacent to the Lift Lodge and on the north side of 9th Street will wrap the north side of the property. Five foot (5') sidewalks, in keeping with that which is existing, will be constructed on Park Avenue. Park Avenue pedestrian traffic will flow into the storefront area through a central plaza entrance. Additional stepped entrances will be located along 9th Street.

7. *Fencing, screening and landscaping to separate uses.* **Complies.** No new fencing is proposed. Eight (8) of the ten (10) residential units will be located above the commercial uses on the ground level and do not require landscape screening. Access to the underground parking is located at the northeast corner of the site, and the driveway is shielded by the terrace to the north of Unit 1.
8. *Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots.* **Complies.** The building mass, bulk, and orientation of the proposed building relate to adjacent buildings. As previously noted, the historic Rio Grande structure will be relocated to the northwest corner of the site, 9th Street and Park Avenue. The new construction will wrap the historic building, providing interior plaza spaces along the south and east sides of the Rio Grande building.

The proposed development is also in keeping with the present character of the HRC District, located on the east side of Park Avenue. Both the Town Lift Plaza and the Lift Lodge condominiums were approved through a Master Planned Developments (MPD) that permitted zero (0) setbacks. The applicant is proposing a shared party wall with their neighbor to the south, the Town Lift Plaza, and enclosure of the alleyway to prevent the accumulation of trash; a side yard between connected structures is not required where the structures are designed with a common wall on a property line and the lots are burdened with a party wall agreement in a form approved by the City Attorney and the Chief Building Official. The applicant is proposing a ten foot (10') rear yard setback along the east property line, shared with

the Lift Lodge Condominiums. This space will be made up of the driveway leading to the underground parking as well as open space.

Special considerations have been made to the design in order to mitigate the effects the structure will have on the neighboring condominium structure. Due to the proximity of the Lift Lodge Condominiums, the applicant has strived to create a design that obstructs the view of a minimum number of residences (see Exhibit B). The majority of the Rio Grande development sharing the east property line will be facing the backside of this development. The view from two (2) condominium units on the east elevation of the Lift Lodge Condominiums on the first and second floors will be obstructed; however, the applicant has proposed a ten foot (10') side yard setback and driveway for the northeast corner of the site to allow condominiums at the north end of the Lift Lodge development to maintain their views of the mountain.

The applicant is proposing a modern interpretation of mining era structures. The height and density of the development is similar in scale to the Lift Lodge and Town Lift Condominiums and is compatible with the scale with the neighborhood. The style of the development is also congruent with the existing historic Rio Grande freight shed as well as the surrounding modern mining design of the adjacent Town Lift Condominiums and Plaza.

In response to the goals of the General Plan, the proposed design has emphasized the importance of historic preservation and maintaining the historic character of this site. More than two-thirds (2/3) of the original Rio Grande freight shed has been demolished. Historically, the Silver King mining site and iconic Coalition Building towered over the depot in height. The density of this historic industrial site has been replaced by the current density of contemporary mixed-use developments. This is a rehabilitation and infill development that will maintain the historic character of the Rio Grande building, while ensuring the character of the new development is compatible with the mountain resort character of Park City.

9. *Usable open space.* **Complies.** The LMC does not stipulate the amount of required open space that must be provided in the HRC. Open space will be provided on the north, west, and east sides of the development within the setback areas as well as the interior hard-scape plaza. The total open space to be provided is 3,769 square feet or 26% of the site.
10. *Signs and lighting.* **Complies as conditioned.** Signs within the interior spaces of the project are not regulated under the sign code. Any exterior signs, including those located in the proposed plaza, must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning Department and comply with the Land Management Code (LMC). Condition of Approval #2 states all exterior signage requires a separate Master Sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs. Similarly, Condition of Approval

#3 specifies that all exterior lights must conform to the city lighting ordinance and must be included in the Historic District Design Review (HDDR).

11. *Physical design and compatibility with surrounding structures in mass, scale and style.* **Complies.** The site at 820 Park Avenue is in the HRC zone and is located in close proximity to the ski lift and Main Street. To the east of the site is the Lift Lodge Condominiums, a three (3) story mixed-use development approved for zero setbacks on the east elevation as well as a height of forty-five feet (45') for their development through a previous MPD. The Town Lift Condominiums, a mixed-use development, is directly south of the site and the proposed Rio Grande development will provide access to these shops and restaurants. To the west of the site, a second MPD has permitted the redevelopment of several historic structures as well as new construction. The west side of Park Avenue is primarily residential, one (1) to three (3) story single-family dwellings. Directly to the north, the UP&L Park was developed when the substation was removed.

This neighborhood is dominated by mixed-use buildings three (3) to four (4) stories in height. Along Park Avenue to the north are the four (4) story Park Station Condominiums and Summit Watch developments. Both of these structures exceed three (3) to four (4) stories in height. In addition to residential development, the neighborhood to the east of the Rio Grande site features mixed-use development containing retail and restaurant uses along the first level and residential uses above.

The proposed design is a modern interpretation of the Silver King Mining Site and now-demolished Coalition Building. As previously noted, the historic Rio Grande building was once part of a larger train depot and the proposed design seeks to restore a similar appearance by extending the length and height of the historic building through a one (1) story façade along Park Avenue. The new structure behind this will be three (3) to four (4) stories in height, complementing the mass and scale of the Lift Lodge Condominiums to the east. The style of the development is also congruent with the existing Rio Grande freight shed as well as the surrounding modern mining design of the adjacent Town Lift Condominiums and Plaza.

The applicant has received a height exception from the Planning Director, based on LMC 15-2.5-5(A)(4). This exception permits church spires, bell towers, and like architectural features subject to the Historic District Design Guidelines to extend up to fifty-percent (50%) above zone height so long as the architectural feature does not include habitable space. (Habitable space is defined as space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.)

Does the Planning Commission agree that the height exception granted complies with requirements of this criterion?

The applicant has also designed the structure utilizing other height exceptions outlined in LMC 15-2.5-5(A) which include:

- (1) Gable pitch roofs extending up to five feet (5') above the zone height for roof pitches 4:12 or greater.
- (3) Enclosed or screened mechanical equipment extending five feet (5') above the height of the building
- (5) An elevator penthouse extending eight feet (8') above zone height

Does the Planning Commission consent to granting these exceptions?

The development will primarily face Park Avenue, with a secondary façade along 9th Street. The bulk and mass of the two (2) story parking structure will be hidden underground. The most intensive uses, located in the ground level storefronts, will be located at the pedestrian level where they will support the ski industry through their proximity to the Town Lift. This neighborhood is primarily commercial; however, similar to other adjacent projects, the Rio Grande development will add to the existing bed-base in the Main Street area by providing ten (10) residential units, eight (8) of which will be located on the second and third levels.

12. *Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site.* **Complies as conditioned.** The applicants are proposing to locate all mechanical equipment on the rooftop of the new condominium development and located within a walled structure. This equipment will be shielded and not visible from the primary right-of-way. Furthermore, any mechanical equipment will have to meet the City's noise ordinance. Condition of Approval #4 states that any noise, vibration, odors, steam, or other mechanical factors will be located on the rooftop of the new structure and will be screened and shielded to mitigate any adverse effects on people and property off-site.

The applicant is also requesting the conditional use permit (CUP) for outdoor dining. Any outdoor dining must not occur after 10pm. Furthermore, there shall be no music or noise in excess of the City Noise Ordinance. Condition of Approval #20 has been added to address this.

13. *Control of delivery and service vehicles, loading and unloading zones, and screening.* **Complies as conditioned.** Delivery and service loading and unloading zones have not been identified on the site-plan. The applicant has informed staff that delivery will occur along 9th Street and Park Avenue in much the same as it does for neighboring properties.

Trash management will be located in a designated space on the south side of the underground parking garage, where it will be screened and enclosed. It is likely that any waste management vehicles will be require the use of 9th Street in order to access the underground parking area.

14. *Expected ownership and management of the property.* **No unmitigated impacts.** The site is owned by 820 Park Avenue, LLC, a Utah limited liability company. 820 Park Avenue, LLC will retain ownership of the site and management of the new development, including tenant leases. All existing easements, conditions, and

agreements as stated in the current Title Report, shall continue and this Conditional Use Permit (CUP) shall not change or amend said easements, conditions, or agreements.

820 Park LLC and Park City Municipal are currently entering into a Real Estate Purchase Contract for the city-owned parcel, SA-398-X, which is located along the 9th street frontage of the project. The proposed conveyance will provide legal access to the project from 9th street.

Currently, the site is a metes and bounds parcel. The applicant will need to submit an application for a one (1)-lot subdivision, but has not yet submitted a plat amendment application; Condition of Approval #13 requires that no building permit be issued until the plat has been recorded with the Summit County Recorder's Office. Furthermore, as outlined by Condition of Approval #13, a condominium plat shall be approved prior to the sale of any residential or commercial condominium units at this site.

15. *Sensitive Lands Review*. **No unmitigated impacts.** The proposal is not located within the Sensitive Lands Overlay zone. This property is in the soils district and the developers will need to obtain a Certificate of Compliance.

Process

The Conditional Use Permit (CUP) is the first of several applications required for development of this site. The CUP will permit the applicant to construct a mixed-use commercial and residential condominium project at 820 Park Avenue. Approval of this application constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

In addition to the CUP, the applicant has also submitted a Historic District Design Review (HDDR) for the rehabilitation of the historic Rio Grande Building as well as the proposed new construction on the site. The HDDR is currently under staff review and is dependent on the Planning Commission's approval of the CUP. Following an HDDR approval, a Building Permit application will be required for all construction work on the site. A Building Permit is publically noticed by posting the property. The work will be inspected prior to issuance of a Certificate of Occupancy for compliance with applicable Building and Fire Codes and conditions of this CUP. A financial guarantee is also required for all work to be completed on the historic structure.

As previously noted, this site is a metes and bounds parcel. A one (1) lot subdivision will be required in order to create a legal lot of record. At this time, the applicant has not yet submitted a plat amendment application. The one (1) lot subdivision will require Planning Commission recommendation and City Council approval. Condition of Approval #12 has been added to stipulate that the plat amendment will be approved by the City Council prior to the issuance of a building permit. A similar Condition of Approval will be included in any approval of the Historic District Design Review as well. Should the applicant choose to convert the residential units into condominiums, a

condominium plat application will be required as well as reviewed and approved by City Council.

As previously noted, any and all signage will be approved through a Sign Permit application.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised at the review.

Notice

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

Public Input

Public input was received prior to publication of this report and is included as Exhibit E.

Recommendation

Staff recommends the Planning Commission review the proposed Conditional Use Permit application for the mixed-use commercial and residential development at 820 Park Avenue. Staff recommends the Commission conduct a public hearing and consider approving the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in this report.

Findings of Fact

1. The applicant submitted a Conditional Use Permit (CUP) on June 19, 2013. The application was deemed complete on November 26, 2013. The CUP application requests Planning Commission approval for a multi-unit dwelling of ten (10) units; commercial retail and service, minor; outdoor dining; café or deli; office (intensive); and a parking structure of twenty-four (24) spaces.
2. This proposal is for a mixed use building consisting of ten (10) condominium units averaging 1,498 square feet in area. There will also be 4,117 square feet of storefront space which may include commercial retail and service, minor; cafe or deli; and office (intensive). Also included is 545 square feet of commercial support space; 8,256 square feet of underground parking; and 4,080 square feet of common area (hallways, stairs, elevators, etc.). The use of outdoor dining is also included as part of this Conditional Use Permit (CUP). The total square footage of the building as a whole is 34,148 (including underground parking and the historic Rio Grande).
3. The site is located at 820 Park Avenue and is .33 acres (approximately 14,375 square feet). The site is located in the Historic Recreation Commercial (HRC) District.
4. There is an existing historic structure located on the site. The Rio Grande Building has been identified as "significant" on the City's Historic Sites Inventory (HSI).
5. LMC 15-2.5-3(G)(1) states that the maximum Floor Area Ratio (FAR) for non-residential structures built after October 1, 1985 and located east of Park Avenue is 1.0. The applicant is proposing an FAR of 0.31 for the non-residential uses.

6. The property is adjacent to the Lift Lodge condominiums to the east, the Town Lift to the south, one (1) to three (3) story residential units on the west side of Park Avenue, and the UP&L Park directly to the north. Also north of the development are the Park Station Condominiums and the Summit Watch development.
7. The first floor of the development will contain two (2) residential condominium units as well as commercial retail and service, minor; Café or deli; outdoor dining; and office (intensive).
8. A total of ten (10) residential condominium units are proposed on the first, second, and third levels.
9. The applicant submitted a Historic District Design Review (HDDR) application on June 19, 2013. The application was deemed complete on October 17, 2013.
10. The Planning Director and Chief Building Official determined that unique conditions did not exist that warranted the relocation of the historic Rio Grande Building on October 9, 2013. The applicant submitted an appeal to this determination on October 18, 2013, and the Historic Preservation Board (HPB) granted the appeal and reversed staff's determination on November 13, 2013.
11. The proposed development will feature a shared party-wall with the Town Lift Condominiums along the south elevation. Land Management Code (LMC) 15-2.5-3(E) states that a side yard between connected structures is not required where the structures are designed with a common wall on a property line and the lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a building joined at the side lot line may not exceed 100 feet, and the applicant is proposing a common wall of approximately twenty feet (20').
12. Indirect access from the Rio Grande development to the Town Lift Plaza will be provided on the fourth floor of the Rio Grande development and through the Town Lift Condominiums.
13. The development of this site and increased commercial retail use in the neighborhood will result in additional traffic and parking demands. The applicant is proposing to construct one (1) level of underground parking containing twenty-four (24) parking spaces. Vehicular ingress and egress to the site's underground parking is located off 9th Street. Ingress and egress to the commercial spaces is located on the ground level, facing Park Avenue. Elevator and stair access is provided to the residential condos, connecting them to the lower levels and including the parking garages.
14. Office (intensive) is a conditional use within the HRC District. This use is prohibited in storefronts adjacent to the Park Avenue right-of-way, but excludes those HRC zoned areas north of 8th Street. The 820 Park Avenue property is located north of 8th Street and on the south side of 9th Street.
15. The building mass, bulk, orientation and the location of the site, including orientation to adjacent building or lots is compatible with the neighborhood. The new construction will wrap the historic building, providing interior plaza spaces along the south and east sides of the historic building. The applicant is proposing a modern interpretation of mining era structures. The height and density of the development is similar in scale to the Town Lift Condominiums and is compatible with the scale of the Town Lift Condominiums.

16. The LMC does not stipulate the amount of open space required for developments in the HRC. The applicant is proposing to provide a hard-scaped interior plaza that will contain approximately 3,769 square feet or twenty-six percent (26%).
17. The physical design of the structure is compatible with surrounding structures in mass, scale, and style. The height and density of the development is similar in scale to the Lift Lodge and Town Lift Condominiums. The style of development is also congruent with the existing historic Rio Grande freight shed and the surrounding modern mining design of the adjacent structures.
18. Per Land Management Code (LMC) 15-2.5-5(A), gable pitch roofs may extend up to five feet (5') above the zone height for roof pitches 4:12 or greater; enclosed or screened mechanical equipment may extend five feet (5') above the height of the building; and an elevator penthouse may extend eight feet (8') above zone height.
19. The Planning Director has granted a height exception based on LMC 15-2.5-5(A)(4) in order to allow the clearstory architectural feature to extend fifty-percent (50%) above zone height, or to forty-eight feet (48'). This architectural feature does not include habitable space.
20. The site is owned by 820 Park Avenue, LLC, a Utah limited liability company. 820 Park Avenue, LLC will retain ownership of the site and management of the new development, including tenant leases.
21. 820 Park Avenue, LLC and Park City Municipal Corporation are entering into a real estate purchase contract for the city-owned parcel, SA-398-X, located along 9th Street.
22. The development is not located within the sensitive lands overlay.
23. The proposed uses will fit in with surrounding uses. As previously noted, this site is an infill site surrounded by the Lift Lodge and Town Lift Condominiums. Both of these mixed-use developments provide commercial retail, restaurant, and multi-unit residential uses.
24. The Rio Grande project will provide resort-oriented commercial and retail to the existing Main Street core as well as additional housing to the existing bed-base in the Main Street area.
25. The proposed use is consistent with the current zoning district and with the General Plan. As stipulated by the General Plan, this development seeks to protect the historic character of Park City while providing resort-based development.
26. The proposed uses are similar and compatible with other uses in the same area. The proposed use of the site is identical to those of the Lift Lodge Condominiums and Town Lift Plaza.
27. The proposed uses are suitable for the proposed site.
28. The development does not propose to emit noise, glare, dust, pollutants, or odor.
29. The hours of operation for the commercial development will be consistent with the current Main Street activities and regulations. The number of employees at any given time is expected to be between six (6) and twelve (12), depending on the season and type of commercial use.

Conclusions of Law

1. The proposed application as conditioned complies with all requirements of the Land Management Code.

2. The use as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.
3. The use as conditioned is consistent with the Park City General Plan.
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 apply.
2. All exterior signs require a separate sign permit. Application for a Master Sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.
3. All exterior lights must conform to the City lighting ordinance and included in the Historic District Design Review. Exterior lighting shall be subdued and directed downwards. Security lighting shall be minimal and be approved by Planning Staff prior to issuance of a certificate of occupancy.
4. Any noise, vibration, odors, steam, or other mechanical factors will be located on the rooftop of the new structure and will be screened and shielded to mitigate any adverse effects on people and property off-site.
5. All mechanical equipment, vents, and exhaust fans shall be enclosed and screened from public view. If screening and enclosing is not possible, mechanical equipment, vents, and fans shall be painted to match the surrounding wall colors. Roof mounted equipment and vents, if visible to the public, shall be painted to match the roof and/or adjacent wall color and shall be screened or integrated into the design of the structure.
6. Service and deliveries shall occur along Park Avenue and 9th Street, including emergency Access as required by the Building Code. Waste management, however, may be limited to 9th Street.
7. All future commercial retail uses of this development must meet the Parking Requirements for Specific Land Use Categories, as outlined by LMC 15-3-6.
8. A minimum of three (3) bicycle spaces shall be provided on site. Medium-security bicycle racks must be of solid construction; resistant to rust, corrosion, hammers, and saws; and must allow both the bicycle frame and wheel to be locked by the user. Bicycle storage must be compatible with the surrounding building and street furniture as well as be located in a convenient, highly visible, active well-lit area that does not interfere with pedestrian movement or snow storage. Final bicycle parking areas shall be identified on the final approved plans.
9. All utility impact fees shall be calculated prior to issuance of a building permit.
10. Office (intensive) use shall be limited to no more than 1,000 gross floor area on the storefront level.
11. The Planning Department shall approve the development of the site through the Historic District Design Review (HDDR) process.
12. No building permit shall be issued prior to the final plat being recorded with the Summit County Recorder's Office.
13. A condominium plat shall be recorded prior to the sale of any residential or commercial condominiums in this development.

14. All emergency access doors shall be inspected for compliance with the IBC and shall be equipped with proper equipment and alarms to be able to be used only in emergency situations. Side and rear doors providing access to mechanical equipment, trash enclosures, and other services may be used by employees only when servicing the building.
15. Prior to issuance of a Certificate of Occupancy for use of the subject space an occupancy load plan shall be submitted by a qualified professional with final certification of this occupancy to be determined by the Chief Building Official. All building code required ingress and egress conditions for safe internal circulation for the entire building shall be addressed prior to final certification of occupancy for the subject space.
16. The CUP approval shall expire one (1) year from the date of Planning Commission approval of the Conditional Use Permit (CUP), unless a Building Permit is issued for this project prior to the expiration date, or a request for an extension is provided to the City in writing prior to expiration and the request is granted by the Planning Department.
17. No building permits for new construction shall be issued until the HDDR is approved and a historic preservation guarantee is provided to the City.
18. Any significant modifications of the use of this building will require Planning Commission approval.
19. Vehicular access shall only be from 9th street. No vehicular access shall be from Park Avenue.
20. Any outdoor dining must not occur after 10pm. Furthermore, there shall be no music or noise in excess of the City Noise Ordinance.

Exhibits

- Exhibit A- Applicant's letter
- Exhibit B- Proposed design plans
- Exhibit C- Historic Sites Inventory
- Exhibit D- Traffic Study
- Exhibit E- Public Input

May 21, 2013

Mr. Matt Evans, Senior Planner
Park City Municipal Corporation
Planning Department
445 Marsac Av.
PO Box 1480
Park City, Utah 84060

RE: Rio Grande Project Conditional Use Permit Application Project Description

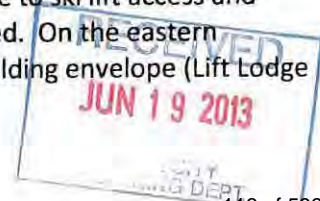
Dear Matt,

Please find below our proposal for the Rio Grande project Conditional Use Permit. Thank you for your constructive feedback from our pre-application meeting. As we have stated previously, it is very important to us as the applicant that this process be open to suggestions from the various interested parties as it progresses. While we have some intriguing ideas regarding the plans for this site, it needs to be noted that we feel we are entering a discussion and we truly have no fixed positions regarding this project. We welcome suggestions and comments and hope that the result of these discussions result in a project that is congruous with the community's on-going historical preservation efforts and economic development objectives. Please do not hesitate to let us know if there are additional items you would like to see covered, or if there are any questions or comments whatsoever concerning this proposal.

General Description of Project

The Rio Grande property is located at 820 Park Avenue in the HRC Zone and is approximately .33 acres in size. There is an existing conditions Plat attached to this submittal. Located on the property is the historic Rio Grande building, which has been designated as a significant site on the Park City Historic Sites Inventory. The Rio Grande Building is the remnants of what was once a very charming railroad station that has since been partially demolished. Some historic photos show the attached building quite well. Why the uniquely beautiful passenger station was demolished and the somewhat bland and nondescript structure that currently exists was kept is unknown. Approximately 30-35% of the original structure remains and its historic siting is currently under question. We are proposing a rehabilitation and adaptive reuse of the existing Rio Grande structure.

Over the past months, we have discussed many possibilities that may exist for the site. The lot size is large for Old Town commercial district and the site is very well situated relative to ski lift access and Main Street access. The properties surrounding the lot are now fully developed. On the eastern boundary is a three-story mixed-use building that maximizes the allowable building envelope (Lift Lodge



Condominiums). To the west, across the street, there is a master-planned historic redevelopment and new residential construction by David Belz. On the southern boundary is the Town Lift Plaza commercial development and 9th Street borders the north. The HRC Zone allows for a 32' height, and we are considering how that new structure could fit compatibly with the existing building and not overwhelm it. Currently, as the Rio Grande Building currently lies, the most buildable area is the north half of the property.

Our initial idea is to reconstruct the existing structure and add the torn down passenger station element using a modern interpretation of the former structure. The modern interpretation would use different materials; however it would stay true to the original form of the passenger station. A reasonable case exists to contemplate this. Reproductions of once existing historic structures is an allowed use in the Park City Design Guidelines for Historic Sites. By carefully examining the historical photographs that exist of the passenger station, we get a clear picture of the building that was attached to the existing structure. This was a unique and very beautiful structure. The architectural lines are very compelling and this would have been an important community center. The passenger station oriented south towards Main Street as it was attached to the existing structure. Thus, the passenger station would have sat roughly where the Flying Sumo currently exists.

By pulling the Rio Grande Building towards the north and approximately ten feet to the west, we could reconstruct the passenger station portion and have it oriented in the same manner that it was. The Rio Grande Building would be the primary feature of the property. From a visitor perspective, as one drives up Park Avenue, the existing Rio Grande Building would be situated on the corner of 9th Street and Park Avenue and thus be the most prominent feature on the property. These buildings are proposed to be retail commercial structures located with frontage on Park Avenue. There would be a plaza between the historic structures and any additional building on the site to maximize the visual separation and not crowd the historic structure.

In addition to the historic renovation of the existing Rio Grande Building and the reconstruction of the demolished passenger station, we would also like to propose a three-story stepped condominium building on the remainder of the site. The plan would be careful not to overwhelm the proposed historic structure and would be incorporated with a plaza area in between and a public walk-through. The structure would be one large building, but the historic building would be distinct and visually respected by the rest of the structure. We would like to explore the possibility of incorporating some of the design elements from the old Coalition Building, an iconic structure that burned down in the modern era, into the new building. The Coalition Building was directly adjacent to the Rio Grande building and the historic context was this large structure immediately next to the passenger station. We are currently proposing that the new building be a mixed use of residential condominiums and commercial spaces. We believe with a well thought out plan we can accomplish the goals set forth in the General Plan for Historic Preservation and Economic Development as well as adding hot beds to the Main Street area. Our proposed plan does not require an MPD and is entirely compatible, both in the letter of the law and the intent of the code, with the LMC.

The railroads were an important part of the Park City landscape for 120 years and very little remains to record their existence here. The Rio Grande Building is an authentic, significant piece of that history. For some reason, either by fire, neglect or demolition, the passenger waiting area section of the structure was removed. Reproducing the passenger station portion of the overall site is a worthwhile idea to contemplate. There exists many structures in Park City that were associated with the mining era

relative to the residential and commercial categories. Further, a short walk up the mountains reveals many examples of historic industrial structures. What are woefully underrepresented are the transportation elements that were the lifeblood of the Park City mining industry. This is an opportunity to reconstruct one of the more attractive representatives of the historic transportation element and add that piece back to the historic tapestry of Old Town.

A critical element in a rebuild such as the one proposed is that the construction be faithful to the materials that the original structure was composed of. Even a slight deviation from authentic materials can create a "Disneyesque" quality that does not satisfy the eye. In any event, an exacting level of detail will be required if the idea of a rebuild moves forward. It makes more sense that we approach the idea of reconstructing the passenger station using a modern interpretation of the former structure and use modern materials. This celebrates the existing structure and yet does not try to mimic it.

There are several aspects to our proposal that would qualify as unique situations for requesting consideration from the Planning Director and the Chief Building Official to allow the structure to be relocated on the property. The existing structure's foundation is in pretty rough shape and the building will have to be reset on a modern foundation regardless. The site is also in the Soils District and will have to be excavated to remove the contaminated materials, so the building will have to be moved in any event. The proposed building location would be oriented the same way it currently sits. The context is not likely to change much as there is very little of the transportation infrastructure left to compare it to. The proposed reconstruction of the passenger station is presently not possible due to the current location of the Flying Sumo. Moving the existing Rio Grande Building on the 820 Park Avenue site would allow for this to be possible. The current orientation of the Rio Grande Building would be preserved and enhanced as it was shifted over to a more prominent location of the property. The reconstruction of the passenger station elements will create a vibrant and visually inviting front for Park City's residents and guests as they come up Park Avenue. Our goal is to create vitality and develop a situation where the visitors and inhabitants of Main Street have another place to visit and informally gather.

There is also a great deal of controversy regarding which elements of the passenger station survived and where, exactly, they were located. While we agree the building was located in the general vicinity of where it currently sits, there remains strong anecdotal and photographic evidence to support that the building was moved. Regardless of where the building was located, what is clear to all concerned is that the original context of the structure has been altered so much so as to be non-existent. It seems more respectful of the building to situate it where it is very prominent (i.e. on the corner of 9th and Park) and to make the historic building the well-defined centerpiece visually of the site. By placing it on the corner, it is located on the most prominent area of the site and would not be buried behind any other structure.

Another unique and pertinent factor would be to essentially reproduce the use of the station building by placing it in accordance with the transportation elements that once existed adjacent to it. This building would have been situated right next to the railroad tracks (the historic transportation element) where the passengers would enter and disembark. By placing the building next to the road (the modern transportation element) and elevating the platform, this would give the building much greater historical context when considering its use in the last century.

So, there are at least six pertinent and unique reasons why the proposal to move the building should be considered. Significant is the proposal to add the passenger station element, which is not possible



where it is currently located. There is also the requirement to mitigate the extensive environmental contamination under and adjacent to the building. Additionally it is essential to move the building to replace a very shaky and unstable foundation. Further, and perhaps most important, is the argument that the building needs to be properly celebrated and accessible to the public and prominent in its place in the pantheon of Park City's historic structures. Also, there is the setting of where the building was relative to the transportation element that existed at the time and transportation element that exists today. Finally, it is disputed where the building actually sat and which part of the original structure still exists.

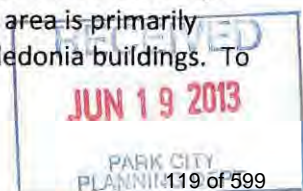
There are a couple of ideas that we would like to discuss with Staff and the Planning Commission that are reflected in the current drawings. The first revolves around the access onto the site. Currently, there are two curb cuts that are about equidistant from each other that access the Park Avenue frontage. We would like to trade these two access points for one access point that instead goes onto 9th Street. The reasons for this are multi-fold. Park Avenue is considerably busier than 9th Street and thus any additional traffic accesses that go onto this route will likely further add to the congestion, which is tricky anyway due to the nearby bus stops and the traffic that enters from Crescent Ridge Road. It is also congruent with the Lift Lodge access to the east. Most importantly, it would allow for a significant amount of clear space for the adjacent Lift Lodge condominiums to the east and would help to preserve the views for several of the units that are part of this condominium complex. This scenario would require an easement from the City over a thin strip of City-owned property that is located between the subject property and 9th Street.

The second consideration that requires discussion is that the neighbors to the immediate south, the Town Lift Plaza, would like us to have zero lot lines on the south side. Both the Town Lift Plaza and the Lift Lodge condominiums were part of an MPD and have zero lot lines. The Town Lift owner's reasons for requesting a zero lot line on the south side is that alleyways tend to fill up with garbage, people go to the bathroom in them, etc. The benefit of zero lot line on this side is that these issues would be eliminated along with the long-term maintenance that would go along with them. The Town Lift Plaza anticipated this scenario and did not place many windows on this side. It must be noted that we are not proposing zero lot line on the Lift Lodge side (east) to try to maintain as much separation as possible between the buildings and lessen the impact on their views.

Lastly, we are proposing direct access to the Town Lift Plaza through an easement agreement with the Plaza landowners. This would require a physical connection between the proposed Rio Grande building and the Town Lift plaza, which we have tentatively planned for the southeastern corner of the project. This proposed access works very well and the easement would greatly enhance the pedestrian walkability of the project and cement the connection to the Town Lift Plaza.

How will the proposed use fit in with the surrounding uses?

The proposed uses are very compatible to the uses that surround it. To the east, there is an existing structure, the Lift Lodge Condominiums that has identical uses as the proposed Rio Grande building. There is underground parking, commercial on the first floor and residential development on the top two floors. The Lift Lodge building has a ground floor of parking and is a story higher than the proposed Rio Grande building. To the south is the Town Lift Plaza, which is a semi-public area that serves as a major ski transportation artery into the Park City Mountain Resort via the Town Lift. This area is primarily commercial, but has strong residential components as well as the Lift Lodge and Caledonia buildings. To



the north is a pocket park (the UP&L Park) that was purchased with open space bonding funds and is therefore perpetually a park-type area. To the west are one to three-story residential developments which are primarily tourism-oriented. Some of the structures to the west are designated as historically significant. Park Avenue separates the Rio Grande building from the historic structures to the west.

What type of service will it provide to Park City?

The proposed Rio Grande project is designed to add resort-oriented commercial to the already existing Main Street area commercial core. It is also designed to add to the existing bed-base in the Main Street area which should help to stimulate the vibrant activity that is necessary in that economically critical part of the City. As the proposed Rio Grande building will have an excess of parking than is necessary to suit its needs, the proposal will not adversely affect the existing parking infrastructure.

Is the proposed use consistent with the current zoning district and general plan?

The proposed use is completely consistent with the LMC, the HRC Zoning District and the General Plan. There are no variances being applied for whatsoever. The General Plan's General Concepts lists "Maintaining the historic character of Main Street" and "Resort-based Development that adds to the tax base and is tourist-oriented lodging" as two of the primary tenants of the General Plan. The proposed Rio Grande project complies with these concepts very elegantly and, further, to quote the General Plan, will help to perpetuate a "vibrant, active, intimate downtown" by developing a pedestrian-oriented project that is scaled to its surroundings and has plenty of off-street parking.

Is the proposed use similar or compatible with other uses in the area?

The proposed use of the site is identical to and thus compatible with the scope of uses found in the Lift Lodge building and the Town Lift Plaza. The residential use found across the street from Park Avenue are similar to the residential use found at the proposed project (i.e.: primarily resort-oriented with some primary ownership) and would then be compatible with one another. The commercial use is the same type of use found on the east side of Park Avenue and should be compatible with the current use patterns.

Is the proposed use suitable for the proposed site?

The proposed use is consistent with the HRC Zoning District and exclusively proposes uses that are deemed acceptable for the site by the City's LMC and General Plan. The proposed commercial and residential uses are identical to what is going on around the site and are consistent with the resort-oriented development that is preferred by the City in these areas.

Will the proposed use emit noise, glare, dust, pollutants and odor?

No. The only period where dust may be an issue will be the excavation period which will last less than 30 days. There will be construction noise for a period of approximately 12 months. Other than the previously stated issues, we are confident that there will not be any noticeable impacts such as those described above.

What will be the hours of operation and how many people will be employed?



The hours of operation will be consistent with the current Main Street activities and regulations. The number of employees at any given time is expected to be between 6 and 12, depending on the season and the type of commercial uses.

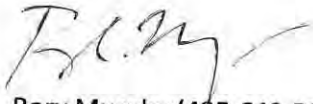
Are there other special uses that need to be mitigated?

No. The proposed uses are consistent with the LMC, the HRC Zone and the General Plan and there is no special mitigation that needs to take place.

* * *

Thank you for your consideration of this proposal. We very much appreciate your feedback and realize the importance of this site to Park City. Please do not hesitate to contact us if you have any additional questions or concerns.

Take care,



Rory Murphy (435-640-5068)

Jana Potter (435-659-6649)

Rio Grande Project

820 Park Ave.

Park City, Utah 84060



820 PARK AVENUE, LLC

820 PARK AVENUE MIXED USE DEVELOPMENT

820 PARK AVENUE
PARK CITY, UTAH 84060

CUP REVISIONS

02.06.2014

Planning Commission - Feb. 12, 2014



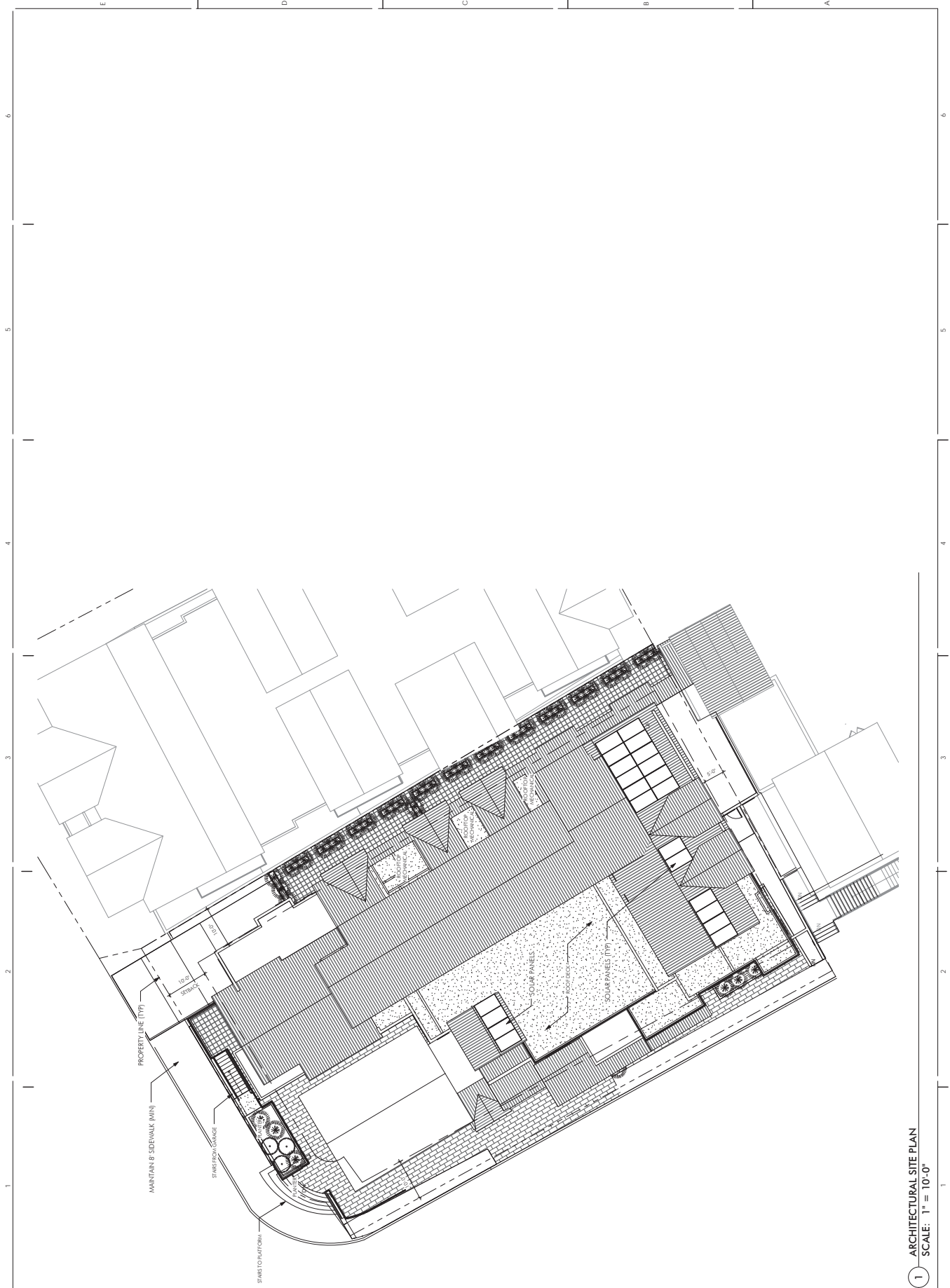
Exhibit B

PROJECT CONTACT INFORMATION

OWNER	ARCHITECT	CONTRACTOR
<p>820 Park Avenue, LLC PO Box 2391 Park City, UT 84060 Telephone: 435.640.5068 Contact: Rory Murphy email: paladiparkcity@aol.com</p>	<p>Onwuegbu Architecture, LLC 1942 Parkridge Drive Park City, UT 84060 Telephone: 801.712.4078 Facsimile: 801.618.3849 Contact: Chimo Onwuegbu, AIA, LEED-AP email: c.onwuegbu@onwuegbu.com</p>	<p>New Star General Contractors 2610 West 2500 South Salt Lake City, UT 84119 Telephone: 801.972.6227 Facsimile: 801.972.6202 Contact: Gene Melichien email: gmelichien@newstar.com</p>
CIVIL ENGINEER	STRUCTURAL ENGINEER	PLUMBING ENGINEER MECHANICAL ENGINEER
<p>Evergreen Engineering 59 Shadow Ridge Drive Park City, UT 84060 Telephone: 435.649.9219 Facsimile: 435.649.6667 email: amcrae@evergreen-eng.com</p>	<p>Jarratt Engineering 8830 N. Upper Lando Lane Cottonwood Canyon Blvd Park City, UT 84060 Telephone: 435.655.9557 Facsimile: 435.647.5714 Contact: Pete Jarratt email: pjarratt@petejarrattoffice.net</p>	<p>PVE Inc 1060 North 2200 West, Suite 100 Salt Lake City, UT 84116 Telephone: 801.389.3158 Facsimile: 801.527.4114 Contact: Ryan Reese email: reese@pve-ut.com</p>
ELECTRICAL ENGINEER	INTERIOR DESIGN	LANDSCAPE ARCHITECT
<p>BNA Consulting Engineers 635 South State Street Salt Lake City, UT 84111 Telephone: 801.532.2794 Facsimile: 801.532.2305 Contact: Mark Byrton email: mbyrton@bnacconsulting.com</p>		

DRAWING INDEX

CUP APPLICATION	HDDR.05	SITE FLOOR PLAN
CUP APPLICATION	HDDR.06	PARKING PLAN
CUP APPLICATION	HDDR.05	FLOOR PLANS
CUP APPLICATION	HDDR.06	FLOOR PLANS
CUP APPLICATION	HDDR.07	BUILDING ELEVATIONS
CUP APPLICATION	HDDR.08	BUILDING ELEVATIONS



Planning Commission - Feb. 12, 2014

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1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 10'-0"

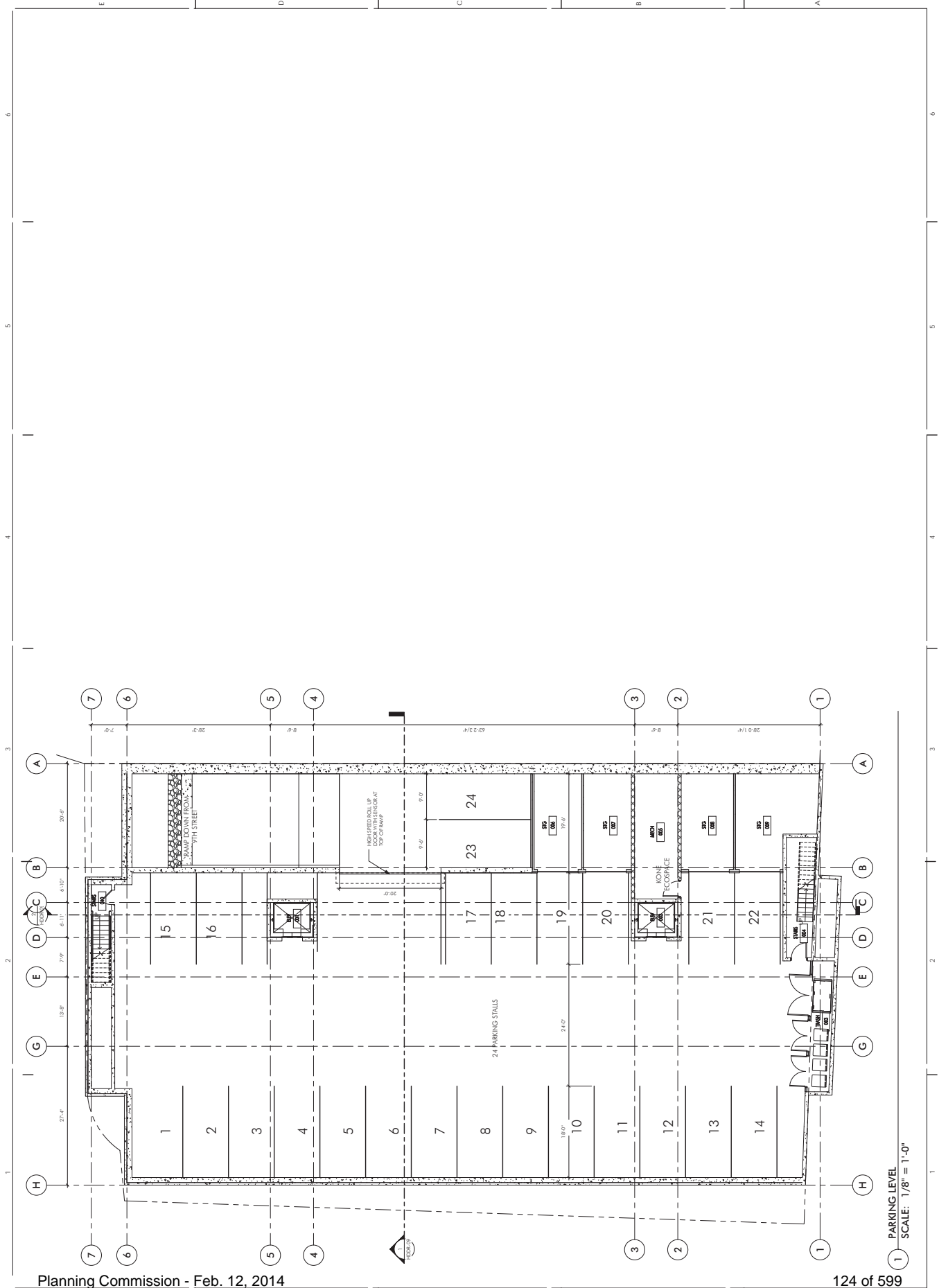
The concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Interior, LLC and shall not be used on any other work, do not scale drawings, all conditions shall be verified on site, discrepancies shall be brought to the attention of the architect before proceeding. plot date: 2/6/2014 1:54:49 PM

PROJECT #:
2013.03
ISSUE DATE:
02.06.2014
HDDR - CUP FINAL
REVISIONS

820 PARK AVENUE
MIXED USE DEVELOPMENT
PARK CITY, UTAH 84060

CIVIL: EVERGREEN ENGINEERING
MECHANICAL: JAYRANT ENGINEERING
ELECTRICAL: BNA CONSULTING ENGINEERS
LANDSCAPE: WOW ARCHITECTS
INTERIOR: WOW ARCHITECTS
WOW ARCHITECTS W/ ALDER & TWEED

PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION



Planning Commission - Feb. 12, 2014

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

the concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Architects, LLC and shall not be used on any other work, do not scale drawings, all conditions shall be verified on site, discrepancies shall be brought to the attention of the architect before proceeding. plot date: 2/6/2014 1:40:12 PM

**PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION**

CIVIL: EVERGREEN ENGINEERING
MECHANICAL: JASBART ENGINEERING
ELECTRICAL: JASBART ENGINEERING
STRUCTURAL: JASBART ENGINEERING
PE: INC.
LANDSCAPE: BINA CONSULTING ENGINEERS
INTERIOR: LANDSCAPE: BINA CONSULTING ENGINEERS
WOW ALLIED W/ ALDER & THEED

PROJECT #:
ISSUE: HDR - CUP FINAL
ISSUE DATE: 02.06.2014
2013.03

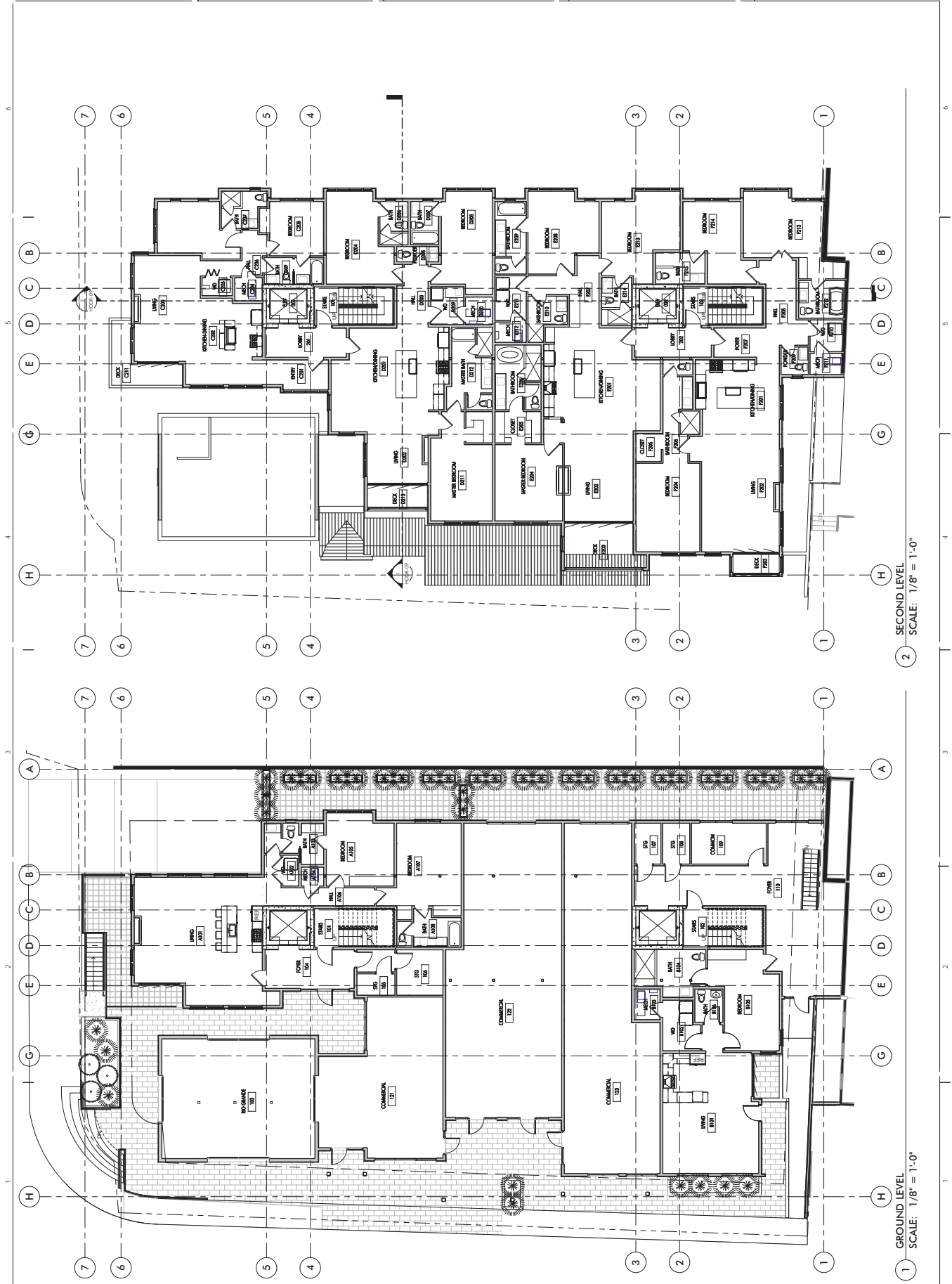
820 PARK AVENUE
MIXED USE DEVELOPMENT
PARK CITY, UTAH 84060

REVISIONS

HDDR-05

FLOOR PLANS

Copyright: WOW Alliance, LLC 2014



2 SECOND LEVEL
SCALE: 1/8" = 1'-0"

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

Planning Commission - Feb. 12, 2014

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The concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Alliance, LLC and shall not be used on any other work, do not scale drawings, all conditions shall be verified on site, discrepancies shall be brought to the attention of the architect before proceeding. plot date: 2/6/2014 1:40:18 PM

**PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION**

CIVIL: EVERGREEN ENGINEERING
STRUCTURAL: JAYSHANT ENGINEERING
MECHANICAL: PFE INC.
ELECTRICAL: BINA CONSULTING ENGINEERS
LANDSCAPE: LAND SOLUTIONS
INTERIOR: WOW INTERIOR W/ ALDER & TWEED

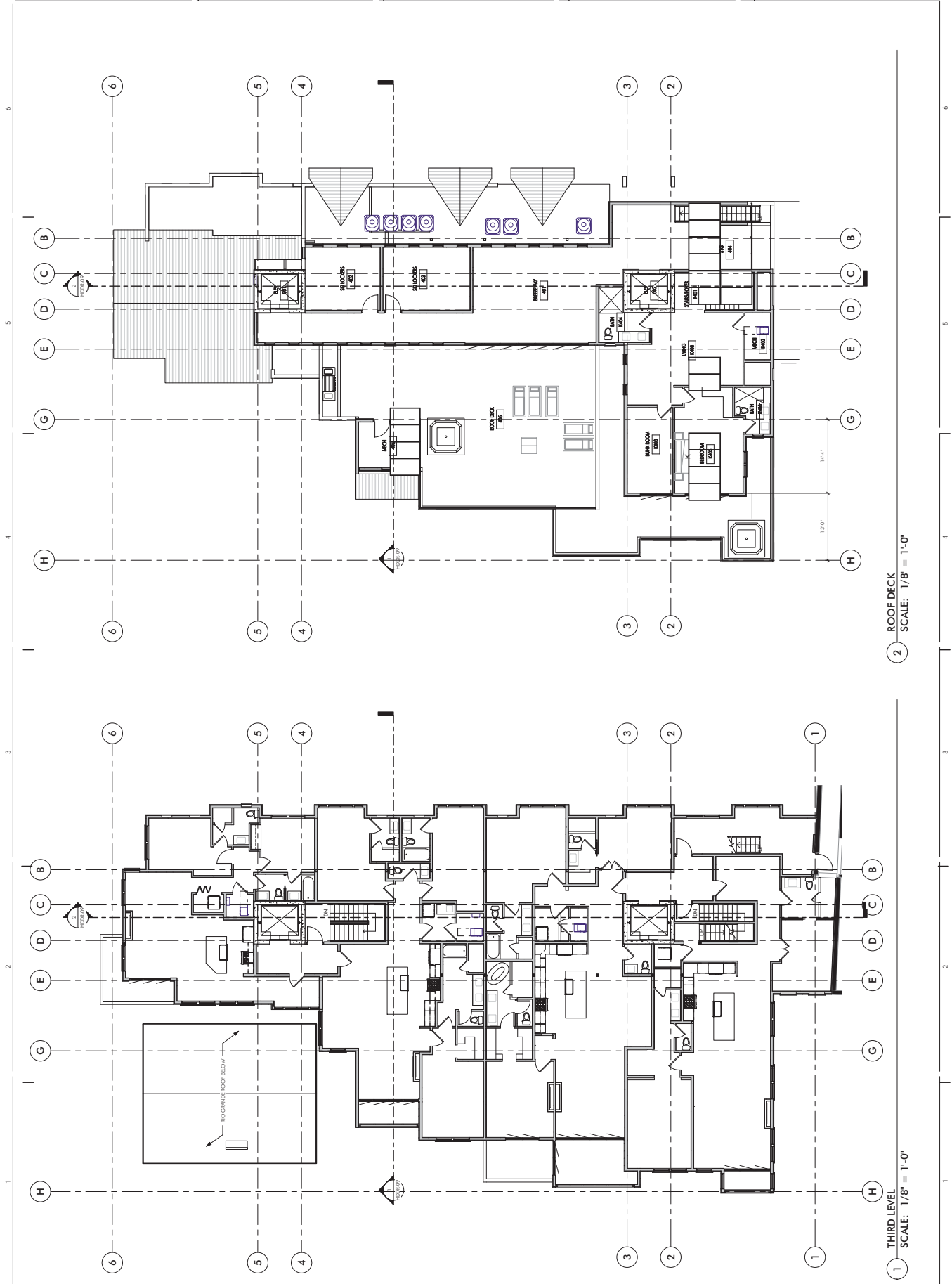
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820 PARK AVENUE
MIXED USE DEVELOPMENT
PARK CITY, UTAH 84060

PROJECT #:
HDDR-06
ISSUE DATE:
02.06.2014
ISSUE: HDR - CUP FINAL
REVISIONS:

HDDR-06

FLOOR PLANS

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Planning Commission - Feb. 12, 2014

126 of 599

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

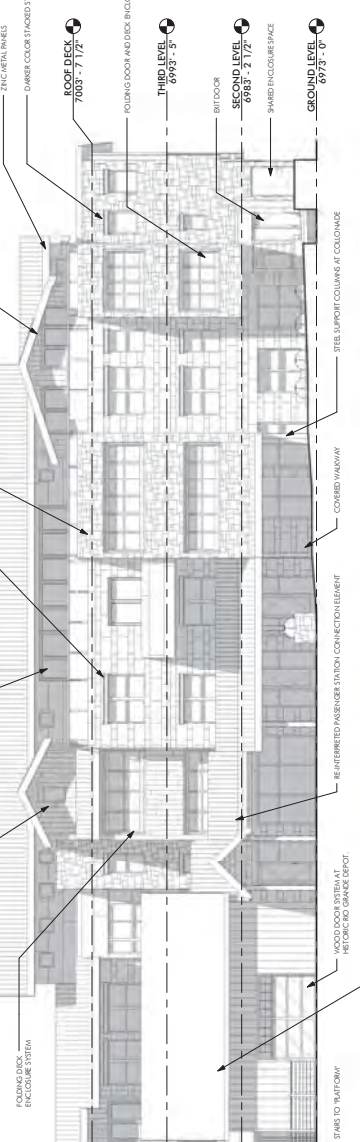
2 ROOF DECK
SCALE: 1/8" = 1'-0"

The concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Interior, LLC and shall not be used on any other work, do not scale drawings, all conditions shall be verified on site, discrepancies shall be brought to the attention of the architect before proceeding. Plot date: 2/6/2014 1:40:23 PM

3 STREETScape ELEVATION
SCALE: 1/16" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



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



WOW

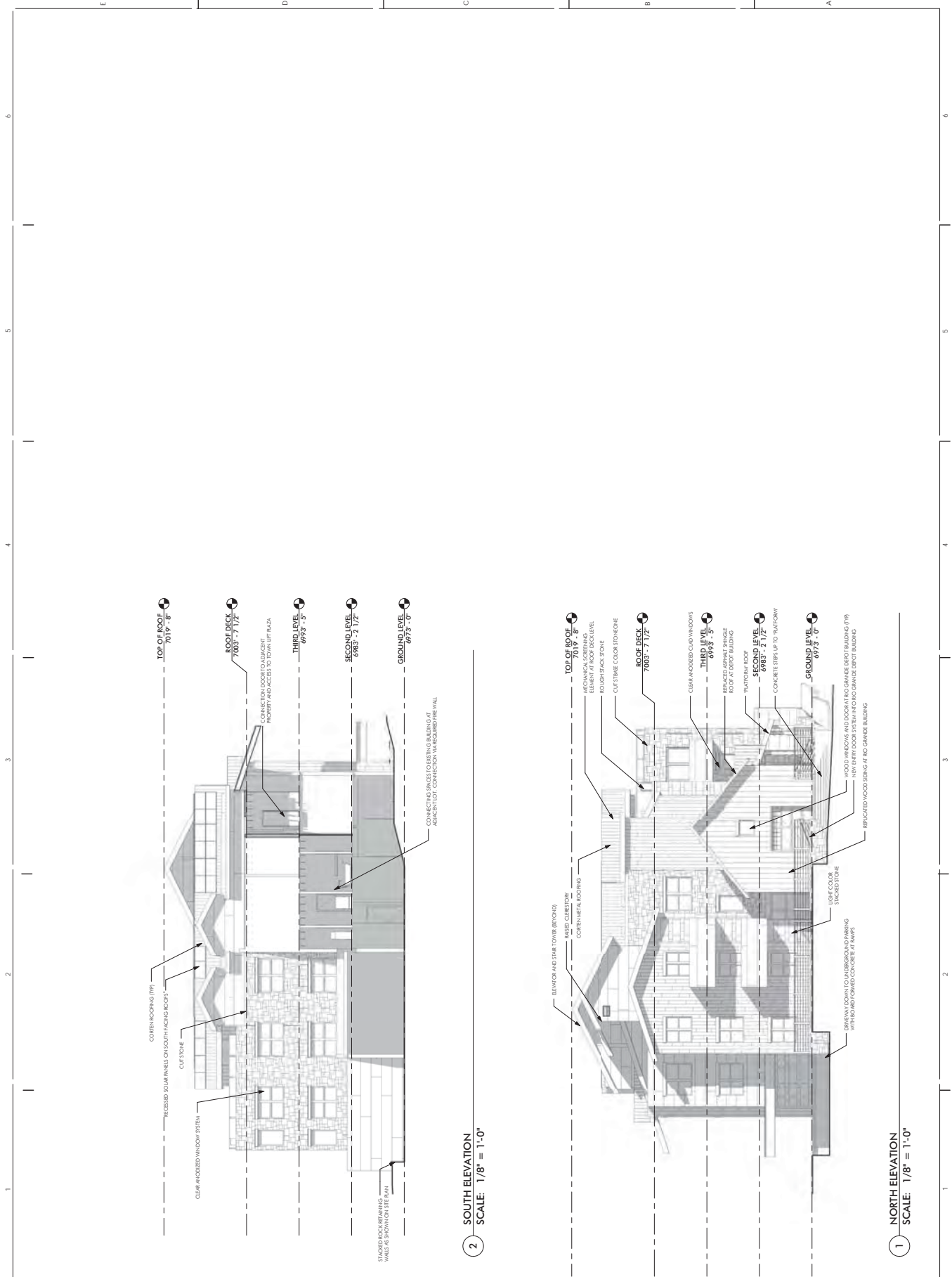
PRELIMINARY NOT FOR PERMIT OR CONSTRUCTION

CIVIL: EBERGREEN ENGINEERING
STRUCTURAL: JAYSMITH ENGINEERING
MECHANICAL: PVE INC.
ELECTRICAL: BINA CONSULTING ENGINEERS
LANDSCAPE: WOV ARCHITECTURE
INTERIOR: WOV ARCHITECTURE

820 PARK AVENUE MIXED USE DEVELOPMENT
820 PARK AVENUE
PARK CITY, UTAH 84060

PROJECT #: HDRR-07
ISSUE DATE: 02.06.2014
SCALE: CLIP FINAL
REVISIONS:

BUILDING ELEVATIONS
HDRR-07
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BUILDING ELEVATIONS
HDDR-08
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PROJECT #:
 ISSUE: HDR - CUP FINAL
 ISSUE DATE: 02.06.2014
 REVISIONS:

820 PARK AVENUE
 MIXED USE DEVELOPMENT
 PARK CITY, UTAH 84060

CIVIL: EVERGREEN ENGINEERING
 STRUCTURAL: JAYSHANT ENGINEERING
 MECHANICAL: PFE INC.
 ELECTRICAL: BRNA CONSULTING ENGINEERS
 LANDSCAPE: LAND SOLUTIONS
 INTERIOR: WOW ATTELIER W/ ALDER & TWEED

CONSTRUCTION
NOT FOR
PERMIT OR
PRELIMINARY

WOW

**PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION**

CIVIL: EVERGREEN ENGINEERING
STRUCTURAL: JAYSMITH ENGINEERING
MECHANICAL: P&E INC.
ELECTRICAL: BMA CONSULTING ENGINEERS
LANDSCAPE ARCHITECTURE: WOV ALTEK W/ ALDER & THEED
INTERIOR: WOV ALTEK W/ ALDER & THEED

820 PARK AVENUE
MIXED USE DEVELOPMENT
PARK CITY, UTAH 84060

PROJECT #: 2013-03
ISSUE DATE: 02.06.2014
SCALE: HDR - CUP FINAL
REVISIONS:

HDDR-02

AREA PLANS

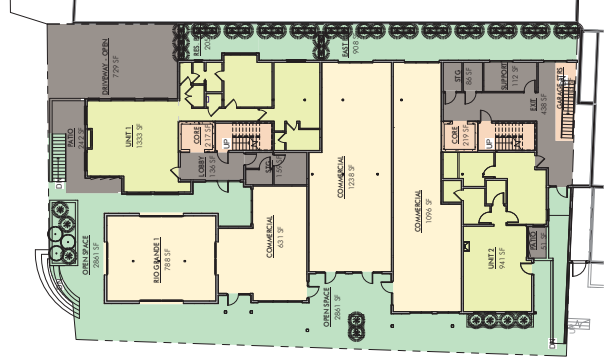
Copyright: WOW Architecture, LLC 2014

TOTAL SITE AREA: 12,224	
OPEN SPACE (INCLUDING RAMP):	4,498 (36%)
OPEN SPACE (w/o RAMP):	37.69 (0%)
TOTAL COMMERCIAL AREA:	4,653 (37.98%)

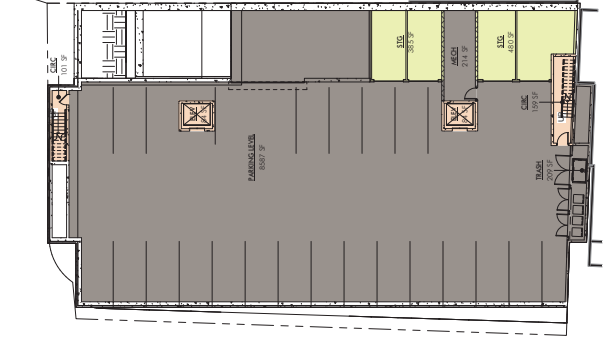
PARKING ANALYSIS/BREAKDOWN			
AREA NAME	AREA (SF)	AREA TYPE/USE	PARKING
GROUND LEVEL			
RD GRANDE EXISTING	788	COMMERCIAL	0
COMMERCIAL SPACE	2,285	COMMERCIAL	9
UNIT 1	424	RESIDENTIAL	1
UNIT 2	941	RESIDENTIAL	5
SECOND LEVEL			
RD GRANDE UPPER LEVEL	788	COMMERCIAL	0
UNIT 3	1,083	RESIDENTIAL	1.5
UNIT 4	1,655	RESIDENTIAL	1.5
UNIT 5	1,655	RESIDENTIAL	1.5
UNIT 6	1,793	RESIDENTIAL	1.5
THIRD LEVEL			
UNIT 7	1,083	RESIDENTIAL	1.5
UNIT 8	1,654	RESIDENTIAL	1.5
UNIT 9	1,907	RESIDENTIAL	1.5
UNIT 10 (incl. Deck)	2,643	RESIDENTIAL	2
TOTALS			
TOTAL PARKING PROVIDED IN GARAGE:			24
TOTAL PARKING PROVIDED ON SITE:			9
BALANCE AVAILABLE FOR COMMERCIAL:			9



3 3RD LEVEL AREA PLAN
SCALE: 1/16" = 1'-0"



2 2ND LEVEL AREA PLAN
SCALE: 1/16" = 1'-0"



1 PARKING AREA PLAN
SCALE: 1/16" = 1'-0"

The concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Architecture, LLC and shall not be used on any other work, do not scale drawings, all conditions shall be verified on site; discrepancies shall be brought to the attention of the architect before proceeding. plot date: 2/6/2014 1:40:01 PM

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Denver & Rio Grande Western Railroad Passenger Station**

Address: 820 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-340

Current Owner Name: POTTER GAIL & LORI TR

Parent Parcel(s):

Current Owner Address: PO BOX 2391, PARK CITY, UT 84060-2391

Legal Description (include acreage): SUBD: SA BLOCK: 53; 0.33 AC

2 STATUS/USE

Property Category

- building(s), main
- building(s), attached
- building(s), detached
- building(s), public
- building(s), accessory
- structure(s)

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full Partial

Use

- Original Use: Transportation
- Current Use: Commercial

*National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
- prints: 1995 & 2006
- historic: c.

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
- tax card
- original building permit
- sewer permit
- Sanborn Maps
- obituary index
- city directories/gazetteers
- census records
- biographical encyclopedias
- newspapers
- city/county histories
- personal interviews
- Utah Hist. Research Center
- USHS Preservation Files
- USHS Architects File
- LDS Family History Library
- Park City Hist. Soc/Museum
- university library(ies):
- other:

Drawings and Plans

- measured floor plans
- site sketch map
- Historic American Bldg. Survey
- original plans:
- other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
 Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
 Notarianni, Philip F., "Park City Main Street Historic District." National Register of Historic Places Inventory, Nomination Form. 1979.
 Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Railroad Passenger Station

No. Stories: 1 ½

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

General Condition of Exterior Materials:

- Good (Well maintained with no serious problems apparent.)

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

- Fair (Some problems are apparent. Describe the problems.): Appears to be vacant; general disrepair.
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Foundation: Concrete.

Walls: Corrugated metal

Roof: Gable roof form sheathed in asphalt shingle.

Windows/Doors: Large casement.

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made):

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting is substantially different than what is seen in the Sanborn Insurance maps. Both the 1900 and 1907 maps show this structure as part of a larger structure that included a freight shed surrounded by platforms and rail lines. Of course, with the removal of the rail lines to accommodate residential and resort-related development, the depot remained as an important reminder of the transportation-related history. Currently, the structure stands alone in a large paved parking area surrounded by residential development and lacking any of the original context. The changes to the site and structure are significant and diminish the site's original design character.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): Much of the physical evidence from the period that defines the typical Park City mining era home has been altered and, therefore, lost.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, do not effectively convey a sense of transportation-related activities in western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The structure is part of the collection of commercial and transportation-related structures from the early mining era in Park City; however, the extent of alterations to the structure diminishes its association with the past.

The extent and cumulative effect of alterations to the site render it ineligible for listing in the National Register of Historic Places. The site, however, retains its essential historical form and meets the criteria set forth in LMC Chapter 15-11 for designation as a Significant Site.

5 SIGNIFICANCE

Architect: Not Known Known: (source:)

Date of Construction: c. 1890¹

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

¹ Appears on 1900 and 1907 Sanborn Insurance Maps.

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's commercial and transportation-related buildings represent the best remaining metal mining town business district in the state. The buildings along Main Street, in particular, provide important documentation of the commercial character of mining towns of that period, including the range of building materials, building types, and architectural styles. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining business district².

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: North elevation. Camera facing south, 2006.

Photo No. 2: West elevation. Camera facing east, 1995.

² From "Park City Main Street Historic District" written by Philip Notarianni, 1979 and "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.







820 Park Avenue

TECHNICAL MEMORANDUM

To: Rory Murphy, 820 Park Avenue
Anya Grahn, Park City Municipal Planning Department

Date: February 6, 2014

From: Preston Stinger, PTP, LEED GA and Julie Bjornstad, AICP, Fehr & Peers

Subject: 820 Park Avenue Traffic Study UT14-1009

This memorandum provides the traffic and parking analysis results that were completed to assess the potential impacts of 820 Park Avenue development in Park City, Utah.

The 820 Park Avenue development consists of 10 residential units and 5,856 square feet of commercial retail. The residential units are planned to be secondary homes, but expected to be 100% occupied during peak times of the year. This analysis assumed 100% occupancy of the residential units. The development will include a two-level underground parking garage with 44 total spaces. The two existing driveway curb cuts on Park Avenue will be removed (resulting in space for approximately two additional on-street public parking stalls) and one new driveway curb cut is planned on 9th Street for ingress/egress to the parking garage. The following is a summary of the findings of this traffic and parking analysis.

Existing traffic volumes were derived from the City's traffic model. The average peak hour turning movements for the study intersections were calculated from nine simulation runs from the traffic model. Using the GEH statistic (traffic engineering formula used to compare two sets of volumes), the City traffic model does not appear well calibrated to actual counts at the study intersections. In most cases, the City traffic model volumes are two to three times the amount of what was actually counted on January 7, 2014. However, given the City's guidelines we used the traffic volumes derived from the City's traffic model for this analysis.

All reference **Figures** are located at the end of the memorandum.

Summary & Conclusion

The results of our analysis indicate that there is minimal impact to the study intersections with no change to intersection Level of Service (LOS) for the worst movement. There is no public parking on the existing site; therefore, there is no need for the replacement of public parking due to this project.

Data Collection

Fehr & Peers collected PM peak period (4:00-6:00) traffic counts at the following study intersections on January 7, 2014 (see **Figure 1**). However, these counts were not used in the analysis – the City’s traffic model was used to develop existing traffic volumes (see the Appendix for the traffic volumes – those that were counted as well as those from the City’s traffic model).

- ≠ Park Avenue / 9th Street
- ≠ Main Street / 9th Street
- ≠ Main Street / Deer Valley

The study intersections were determined by recommendation from Park City Municipal Planning Department.

Trip Generation Analysis

Sustainable developments including mixed-use, infill, and transit oriented (TODs) are becoming increasingly popular. Conventional methods of analyzing mixed-use developments overstate the number of vehicle trips generated, and therefore understate transportation and air quality benefits. Fehr & Peers’ MXD+ method accurately captures the trip-reducing benefits of mixed-use development projects, and is used throughout the United States to help developers, agencies, and the public to quantify these trip reductions. The MXD+ trip generation model is being promoted by the United States Environmental Protection Agency (EPA) and has been adopted by the San Diego Association of Governments (SANDAG), American Society of Civil Engineers (ASCE), American Planning Association (APA) and many others as a recommended resource for trip generation of smart-growth developments.

The MXD+ method was developed through a national study for the US EPA to more accurately predict vehicle trips by accounting for the Smart Growth (or “D”) characteristics of the development site and its surrounding built environment.

- ≠ Density
- ≠ Diversity (mix) of land uses
- ≠ Design and connectivity of site circulation
- ≠ Destination accessibility
- ≠ Distance to transit
- ≠ Demographics
- ≠ Development scale

The MXD+ method is based on household travel surveys from 239 mixed-use developments throughout the country, and has been validated at 28 sites, including two sites in Utah. This extensive dataset results in more accurate predictions as shown in the graphs to the right. On an accuracy scale of 100, MXD+ has a rating of 93, compared to 65 for Institute of Transportation Engineers (ITE) estimates and 81 for ITE estimates plus adjustments per the Trip Generation Handbook. MXD+ adjusts ITE trip generation estimates downward to account for trips that remain within the development, trips that enter or leave via walk or bike modes, and trips that enter or leave via transit.

The MXD+ model has been validated and calibrated locally for Utah and has been implemented on several mixed-used sites in Utah with acceptance from local jurisdictions, including the Utah Department of Transportation (UDOT).

More accurate trip generation forecasts result in:

- ≠ Reduced likelihood of overstating roadway impacts and mitigation measures
- ≠ Reduced air quality impacts and mitigation measures
- ≠ More efficient use of transportation infrastructure dollars and impact fees for all modes

Trip generation for the project was computed using trip data published in the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition, 2012 and MXD+ (mixed-use development) trip generation methodology. MXD+ was used due to its ability to more accurately predict trip generation for mixed-use developments. MXD+ also more accurately accounts for the internal capture (the trips that occur between land uses internal to the site). The MXD+ model uses ITE trip generation rates and applies additional variables to those trip generation rates. Some of the additional variables include:

- ≠ Employment
- ≠ (Population + Employment) per square mile
- ≠ Land area
- ≠ Total jobs / population diversity
- ≠ Retail jobs / population diversity
- ≠ Number of intersections per square mile
- ≠ Employment within a mile
- ≠ Employment within a 30 minute trip by transit
- ≠ Average household size
- ≠ Vehicles owned per household

Table 1 shows the net external trips expected to be generated by the 820 Park Avenue development, as described for this analysis, and the percent reduction due to vehicle trip internalization.

TABLE 1 820 PARK AVENUE MXD+ TRIP GENERATION AND INTERNALIZATION ESTIMATE

Time Period	Gross Trips	Net External Trips	Vehicle Trip Internalization
Daily	444	293	34%
AM Peak Hour	48	31	34%
PM Peak Hour	56	33	41%

Source: Fehr & Peers, January 2013.

Intersection Level of Service Analysis

Level of Service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. **Table 2** provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for unsignalized intersections. The Highway Capacity Manual 2010 (HCM 2010) methodology was used in this study to remain consistent with “state-of-the-practice” professional standards. For unsignalized intersections, LOS is reported based on the worst movement. Fehr & Peers has also calculated overall delay values for unsignalized intersections, which provides additional information and represents the overall intersection conditions rather than just the worst movement. Both are reported in their respective tables throughout the memorandum.

TABLE 2 LEVEL OF SERVICE DESCRIPTIONS

LOS	Description	Unsignalized Intersections
		Avg. Delay (sec/veh) ²
A	<i>Free Flow / Insignificant Delay</i> Extremely favorable progression. Individual users are virtually unaffected by others in the traffic stream.	< 10.0
B	<i>Stable Operations / Minimum Delays</i> Good progression. The presence of other users in the traffic stream becomes noticeable.	> 10.0 to 15.0
C	<i>Stable Operations / Acceptable Delays</i> Fair progression. The operation of individual users is affected by interactions with others in the traffic stream	> 15.0 to 25.0
D	<i>Approaching Unstable Flows / Tolerable Delays</i> Marginal progression. Operating conditions are noticeably more constrained.	> 25.0 to 35.0
E	<i>Unstable Operations / Significant Delays Can Occur</i> Poor progression. Operating conditions are at or near capacity.	> 35.0 to 50.0
F	<i>Forced, Unpredictable Flows / Excessive Delays</i> Unacceptable progression with forced or breakdown of operating conditions.	> 50.0

1. Overall intersection LOS and average delay (seconds/vehicle) for all approaches.
2. Worst approach LOS and delay (seconds/vehicle) only.
3. Volume to capacity (v/c) rate, average values.

Source: Fehr & Peers descriptions, based on 2010 Highway Capacity Manual.

For the purposes of this study, a minimum overall intersection performance for each of the study intersections was set at LOS D. However, if LOS E or F for an individual approach at an intersection resulted, explanation and/or mitigation measures are presented where feasible and realistic.

Trip Distribution and Assignment

Project traffic was assigned to the roadway network based on the proximity of project access point to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provided helpful guidance to establish these distribution percentages, especially in close proximity to the site.

The project-generated trips were distributed to and from these directions, in the corresponding percentages:

- ≠ 50% North on Park Avenue
- ≠ 10% South on Park Avenue
- ≠ 10% North on Deer Valley Drive
- ≠ 15% South on Deer Valley Drive
- ≠ 15% South on Main Street

These trip distribution assumptions were used to distribute project generated traffic to the study area intersections. **Figure 2** shows the resulting project-generated weekday PM peak hour trips.

Existing Conditions

The purpose of the 2014 existing conditions analysis is to study the pertinent intersections during the PM peak travel period under existing traffic and geometric conditions. Through this analysis, existing traffic operational deficiencies can be identified. **Figure 1** shows the existing traffic volumes that were derived from the City's traffic model.

Using Synchro software and the HCM 2010 delay thresholds previously introduced, the existing background weekday PM peak hour LOS was computed for each study intersection. The result of this analysis for the PM peak hour is reported in **Table 3** (see the Appendix for the detailed LOS report for the Existing Conditions). The result serves as a base for the analysis of the impacts of the proposed development. As shown in **Table 3**, the worst movement at all study intersections operates at an LOS E or F during the existing PM peak hour. The high delay for these movements is due to the heavy traffic volumes travelling north-south on each respective roadway. The heavy traffic volumes create limited gaps for the eastbound and westbound left-turning vehicles at each intersection.

TABLE 3 EXISTING BACKGROUND PM PEAK HOUR LEVEL OF SERVICE

Intersection			Worst Movement ¹			Overall Intersection ²	
ID	Location	Control	Movement	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)	LOS
1	Park Avenue / 9 th Street	WB Stop	WBL	60.6	F	21.9	C
2	Main Street / 9 th Street	EB Stop	EBL	46.1	E	12.1	B
3	Main Street / Deer Valley Drive	EB Stop	EBL	>300	F	>300	F

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

Source: Fehr & Peers.

Existing Plus Project Conditions

The purpose of the existing plus project conditions analysis is to evaluate the impact of the project traffic on the study intersections. In order to analyze this impact, the background traffic volumes were combined with those generated by the proposed project. Intersection LOS analyses were then performed and compared to the results of the existing background traffic volumes. This comparison shows the impact of the proposed project.

Project-generated traffic (**Figure 2**) was added to the existing background volumes (**Figure 1**), from the City traffic model, to yield “existing plus project” weekday PM peak hour traffic volumes at the study intersections. The resulting weekday PM peak hour traffic volumes are displayed in **Figure 3**.

Using Synchro software and the HCM 2010 delay thresholds, the existing plus project weekday PM peak hour LOS was computed for each study intersection. The result of this analysis for the PM peak hour is reported in **Table 4** (see the Appendix for the detailed LOS report for the Existing Plus Project Conditions). As shown in **Table 4**, all study intersections operate at an acceptable LOS (LOS D or better), during the existing plus project PM peak hour with the exception of the eastbound left-turn movement at Main Street / Deer Valley Drive. The high delay for this movement is due to the heavy traffic volumes travelling north-south on Deer Valley Drive that create limited gaps for the eastbound left-turning vehicles on Main Street. The additional project traffic has very minimal impact to the existing intersection delays and does not change the LOS for any study intersections for the worst approach. The increase in delay was 16% (3 seconds) for Park Avenue / 9th Street, 8% (1 second) for Main Street / 9th Street, and 5% (17 seconds) for Main Street / Deer Valley Drive. The new project driveway on 9th Street is expected to operate an LOS B with any delay being kept onsite.

TABLE 4 EXISTING PLUS PROJECT PM PEAK HOUR LEVEL OF SERVICE

Intersection			Worst Movement ¹			Overall Intersection ²	
ID	Location	Control	Movement	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)	LOS
1	Park Avenue / 9 th Street	WB Stop	WBL	70.3	F	25.3	C/D
2	Main Street / 9 th Street	EB Stop	EBL	49.8	E	13.1	B
3	Main Street / Deer Valley Drive	EB Stop	EBL	>300	F	>300	F
4	Project Driveway / 9 th Street	NB Stop	NBL	13.0	B	<5.0	A

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

Source: Fehr & Peers.

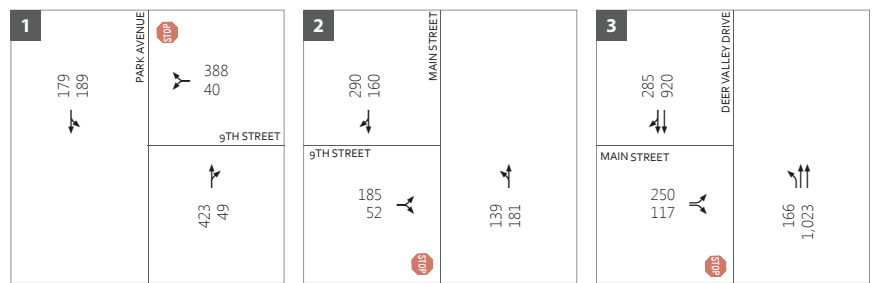
Summary & Conclusion

The results of our analysis indicate that there is minimal impact to the study intersections with no change to intersection LOS for the worst movement. There is no public parking on the existing site; therefore, there is no need for the replacement of public parking due to this project.



- LOS
- A
- B
- C
- D
- E
- F

- Lane Configuration
- Existing Traffic Volumes
- Stop Control
- Project Location
- Study Intersections

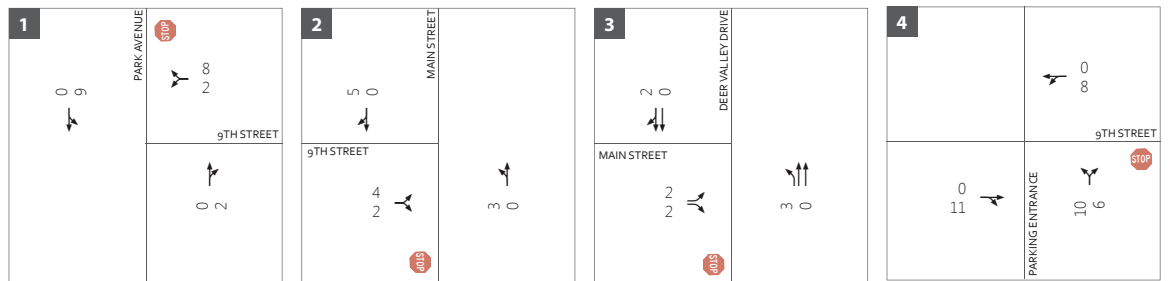


820 Park Avenue Traffic Study
Figure 1

Project Location, Study Intersections, and Existing Conditions



- Lane Configuration
- Project-Generated Trips
- Stop Control
- Project Location
- Study Intersections

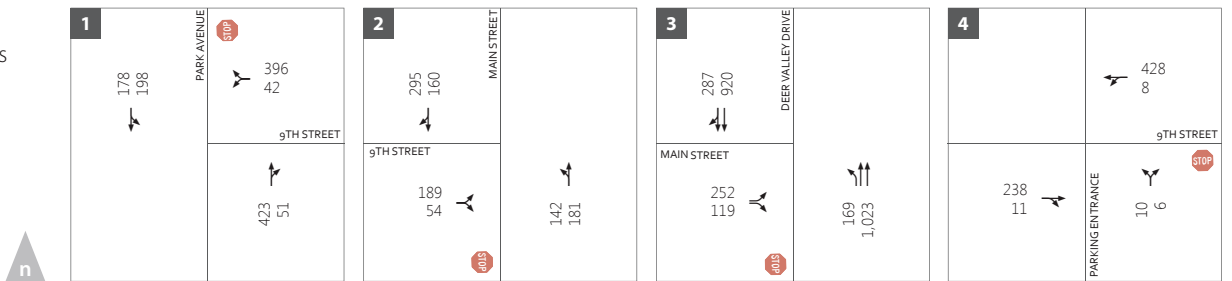


820 Park Avenue Traffic Study
Figure 2

Project-Generated Trips



- Lane Configuration
- Existing Traffic Volumes
- Stop Control
- Project Location
- Study Intersections
- LOS
- A
- B
- C
- D
- E
- F



820 Park Avenue Traffic Study
Figure 3

Existing Plus Project Conditions



Technical Appendix

FEHR & PEERS



Traffic Counts

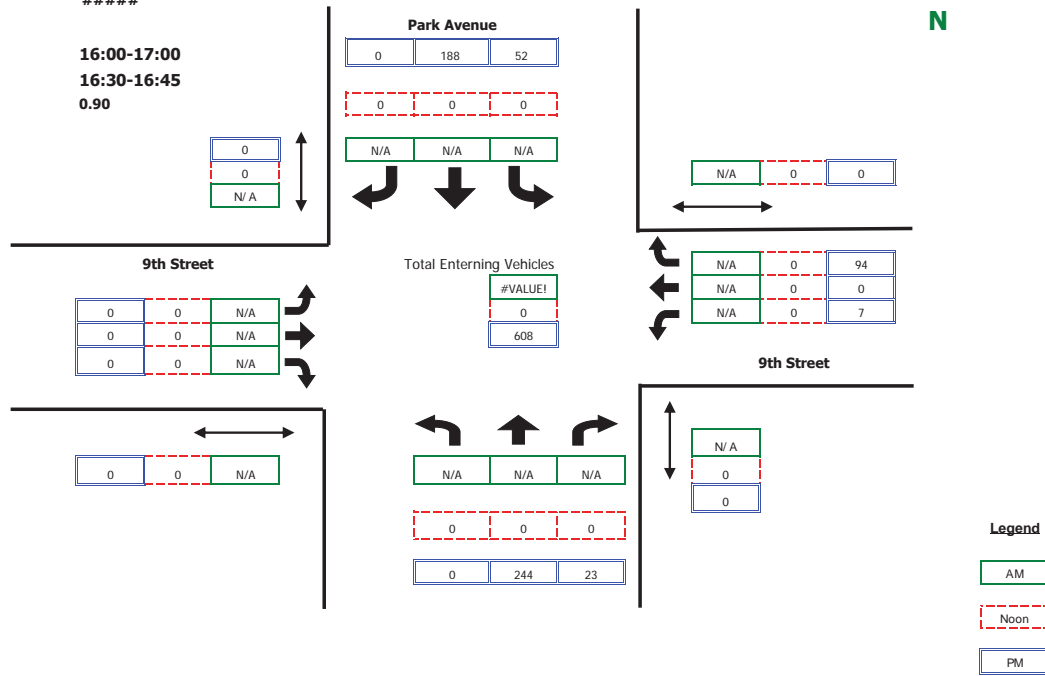
Intersection Turning Movement Summary

Intersection:	Park Avenue/9th Street	Date:	1-7-14, Tue
North/South:	Park Avenue	Day of Week Adjustment:	100.0%
East/West:	9th Street	Month of Year Adjustment:	100.0%
Jurisdiction:	Park City, UT	Adjustment Station #:	
Project Title:	820 Park Avenue	Growth Rate:	0.0%
Project No:	UT14-1009	Number of Years:	0
Weather:			

AM PEAK HOUR PERIOD:
AM PEAK 15 MINUTE PERIOD:
AM PHF: #####

NOON PEAK HOUR PERIOD: 12:00-13:00
NOON PEAK 15 MINUTE PERIOD:
NOON PHF: #####

PM PEAK HOUR PERIOD: 16:00-17:00
PM PEAK 15 MINUTE PERIOD: 16:30-16:45
PM PHF: 0.90



RAW COUNT SUMMARIES	Park Avenue Northbound				Park Avenue Southbound				9th Street Eastbound				9th Street Westbound				
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00-7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15-7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30-7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45-8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00-8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15-8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30-8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45-9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

NOON PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
12:00-12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15-12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30-12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45-13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00-13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15-13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30-13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45-14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00-16:15	0	63	7	0	12	51	0	0	0	0	0	0	2	0	18	0	153
16:15-16:30	0	53	5	0	13	53	0	0	0	0	0	0	1	0	23	0	148
16:30-16:45	0	72	6	0	16	44	0	0	0	0	0	0	1	0	29	0	168
16:45-17:00	0	56	5	0	11	40	0	0	0	0	0	0	3	0	24	0	139
17:00-17:15	0	43	3	0	15	43	0	0	0	0	0	0	6	0	16	0	126
17:15-17:30	0	55	4	0	10	45	0	0	0	0	0	0	3	0	24	0	141
17:30-17:45	0	43	4	0	9	47	0	0	0	0	0	0	4	0	19	0	126
17:45-18:00	0	49	6	0	13	47	0	0	0	0	0	0	4	0	14	0	133

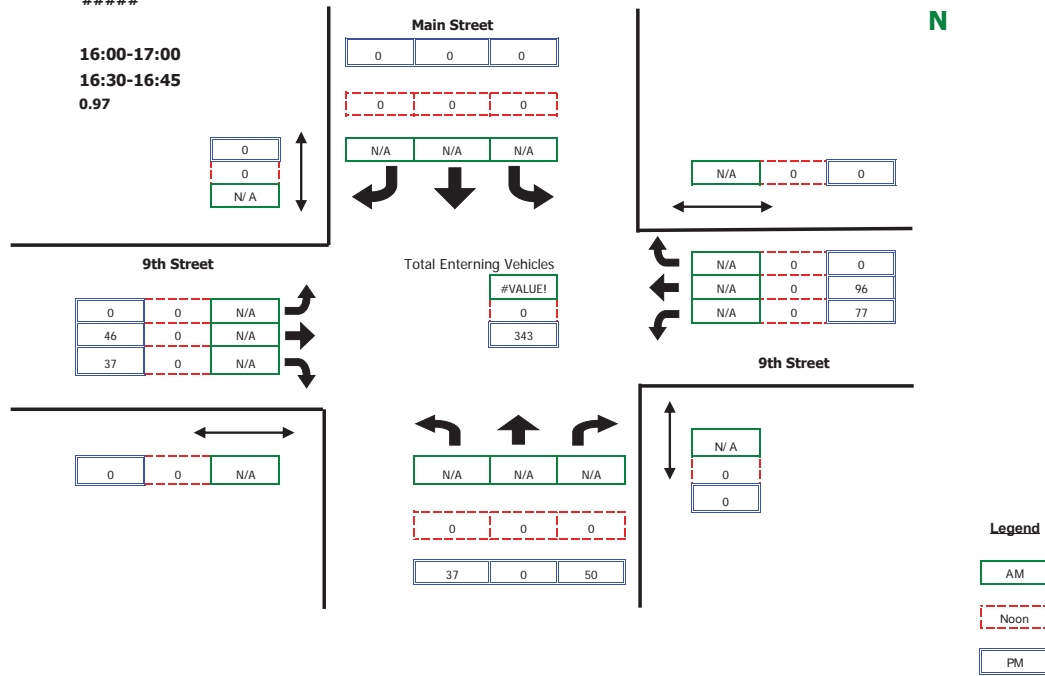
Intersection Turning Movement Summary

Intersection:	Main Street/9th Street	Date:	1-7-14, Tue
North/South:	Main Street	Day of Week Adjustment:	100.0%
East/West:	9th Street	Month of Year Adjustment:	100.0%
Jurisdiction:	Park City, UT	Adjustment Station #:	
Project Title:	820 Park Avenue	Growth Rate:	0.0%
Project No:	UT14-1009	Number of Years:	0
Weather:			

AM PEAK HOUR PERIOD:
AM PEAK 15 MINUTE PERIOD:
AM PHF: #####

NOON PEAK HOUR PERIOD: 12:00-13:00
NOON PEAK 15 MINUTE PERIOD:
NOON PHF: #####

PM PEAK HOUR PERIOD: 16:00-17:00
PM PEAK 15 MINUTE PERIOD: 16:30-16:45
PM PHF: 0.97



RAW COUNT SUMMARIES	Main Street Northbound				Main Street Southbound				9th Street Eastbound				9th Street Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00-7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15-7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30-7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45-8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00-8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15-8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30-8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45-9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NOON PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
12:00-12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15-12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30-12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45-13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00-13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15-13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30-13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45-14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00-16:15	12	0	12	0	0	0	0	0	0	15	10	0	13	23	0	0	85
16:15-16:30	8	0	15	0	0	0	0	0	0	13	10	0	20	20	0	0	86
16:30-16:45	11	0	11	0	0	0	0	0	0	10	6	0	22	28	0	0	88
16:45-17:00	6	0	12	0	0	0	0	0	0	8	11	0	22	25	0	0	84
17:00-17:15	5	0	15	0	0	0	0	0	0	9	14	0	12	24	0	0	79
17:15-17:30	3	0	18	0	0	0	0	0	0	7	8	0	21	20	0	0	77
17:30-17:45	5	0	11	0	0	0	0	0	0	13	10	0	18	19	0	0	76
17:45-18:00	8	0	19	0	0	0	0	0	0	8	4	0	16	23	0	0	78

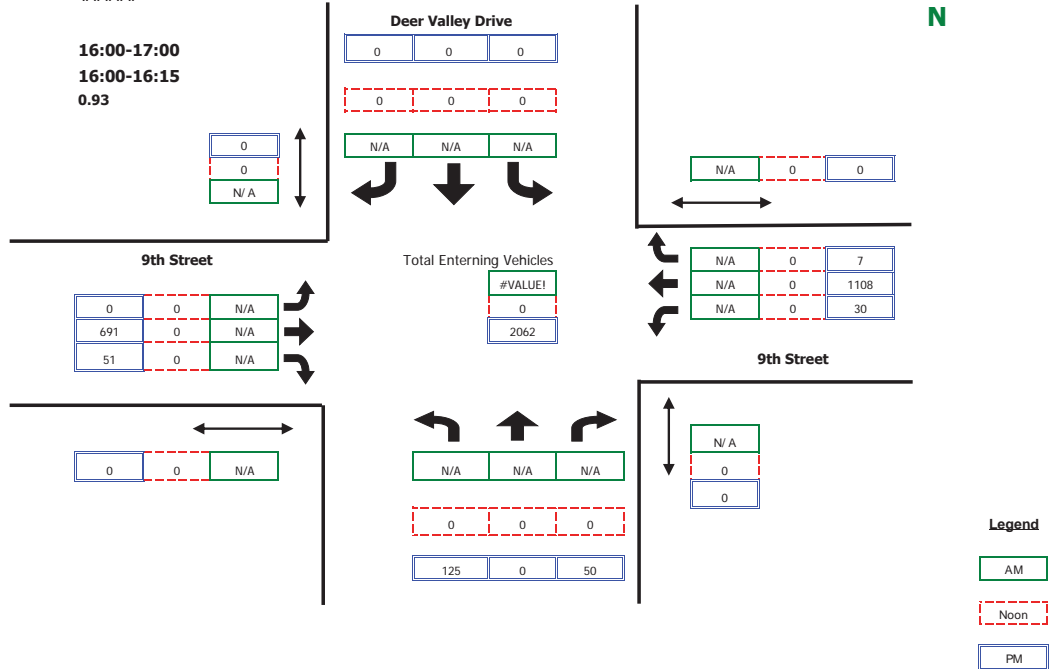
Intersection Turning Movement Summary

Intersection:	Deer Valley Drive/9th Street	Date:	1-7-14, Tue
North/South:	Deer Valley Drive	Day of Week Adjustment:	100.0%
East/West:	9th Street	Month of Year Adjustment:	100.0%
Jurisdiction:	Park City, UT	Adjustment Station #:	
Project Title:	820 Park Avenue	Growth Rate:	0.0%
Project No:	UT14-1009	Number of Years:	0
Weather:			

AM PEAK HOUR PERIOD:
AM PEAK 15 MINUTE PERIOD:
AM PHF: #####

NOON PEAK HOUR PERIOD: 12:00-13:00
NOON PEAK 15 MINUTE PERIOD:
NOON PHF: #####

PM PEAK HOUR PERIOD: 16:00-17:00
PM PEAK 15 MINUTE PERIOD: 16:00-16:15
PM PHF: 0.93



RAW COUNT SUMMARIES	Deer Valley Drive Northbound				Deer Valley Drive Southbound				9th Street Eastbound				9th Street Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00-7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15-7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30-7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45-8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00-8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15-8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30-8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45-9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NOON PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
12:00-12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15-12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30-12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45-13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00-13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15-13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30-13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45-14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00-16:15	39	0	7	0	0	0	0	0	0	184	18	0	12	287	6	0	553
16:15-16:30	17	0	14	0	0	0	0	0	0	162	7	0	4	248	1	0	453
16:30-16:45	41	0	14	0	0	0	0	0	0	164	15	0	5	299	0	0	538
16:45-17:00	28	0	15	0	0	0	0	0	0	181	11	0	9	274	0	0	518
17:00-17:15	28	0	11	0	0	0	0	0	0	123	10	0	13	252	0	0	437
17:15-17:30	18	0	2	0	0	0	0	0	0	138	8	0	8	218	0	0	392
17:30-17:45	21	0	8	0	0	0	0	0	0	115	16	0	11	222	0	0	393
17:45-18:00	29	0	9	0	0	0	0	0	0	122	16	0	6	160	0	0	342

Park City Traffic Model - Peak Hour Traffic Volume Output

Node evaluation

Comment:

Date: Wednesday, February 05, 2014 11:15:53 AM
VISSIM: 5.40-11 [44678]

Node 81
Node 82
Node 83

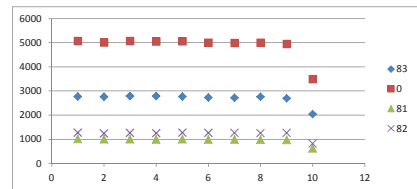
Node: Node Number

Movement: Movement (Bearing from-to)

veh(All): Number of Vehicles, All Vehicle Types

Delay(All): Average delay per vehicle [s], All Vehicle Types

Node	Movement	1	2	3	4	5	6	7	8	9	10	Throw out 10 - outlier	Average (1 St Dev (1-9))
0	All	5082	5026	5084	5060	5074	5015	4999	5016	4960	3507	100250025	5035.111 42.60119
81	All	1020	1010	1018	1006	1015	1008	1009	993	982	630	100290003	1006.778 12.19403
81	N-SE	172	175	145	173	154	166	153	140	158	107	100320030	159.5556 12.67982
81	N-SW	315	287	296	278	293	280	281	270	311	194	100760034	290.1111 15.18589
81	SE-N	169	190	190	169	190	163	206	184	168	112	100830007	181 14.39618
81	SW-N	171	179	204	193	197	210	171	184	159	116	101070027	185.3333 16.94845
81	SE-SW	133	128	135	151	127	140	156	156	126	76	101120009	139.1111 12.29273
81	SW-SE	60	51	48	42	54	49	42	59	60	25	101120012	51.66667 7.123903
82	All	1285	1251	1269	1256	1285	1267	1266	1257	1269	831	101140028	1267.222 11.90355
82	NE-NW	401	393	380	400	374	388	386	378	393	233	101160036	388.1111 9.532109
82	NE-SE	47	24	49	29	45	31	48	46	44	32	101170020	40.33333 9.539392
82	NW-NE	182	188	202	188	209	203	173	191	165	117	101480010	189 14.37011
82	NW-SE	186	184	171	177	181	166	191	181	168	112	101940037	178.3333 8.514693
82	SE-NE	50	42	51	48	46	55	40	51	54	29	101980007	48.55556 5.101743
82	SE-NW	419	420	416	414	430	424	428	410	445	308	102330027	422.8889 10.50529
83	All	2777	2765	2797	2798	2774	2740	2724	2766	2709	2046	103080000	2761.111 30.91296
83	NW-SE	926	922	946	934	930	921	907	916	880	657	106300029	920.2222 18.70012
83	NW-SW	313	289	272	298	292	272	282	265	280	198	106570017	284.7778 14.95642
83	SE-NW	1026	1013	1011	1049	1009	996	1006	1069	1030	846	108310014	1023.222 23.20441
83	SE-SW	174	173	171	153	157	176	151	147	190	114	108460010	165.7778 14.35947
83	SW-NW	237	258	271	229	264	245	254	260	236	148	120460013	250.4444 14.34496
83	SW-SE	101	110	126	135	122	130	124	109	93	83	135070016	116.6667 14.10674



Modeled													SUM
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	
Deer Valley / Main	166	1023			920	285	250		117				2761
9th / Main	139	181			160	290	185		52				1007
Park / 9th		423	49	189	178					40			1267

Counted													GEH
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	
Deer Valley / Main	30	1108			691	51	125		50				2055 14.3893
9th / Main	77	96			46	37	37		50				343 25.5092
Park / 9th		244	23	52	188					7			608 21.52883

95% t-stat 2.262
Avg 2761.111
SD 30.91296
95% CI= 46.61674 2%
2055 14.3893
343 25.5092
2714 2808



Level of Service Reports

Intersection

Intersection Delay, s/veh 21.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	40	388	423	49	189	178
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	43	422	460	53	205	193

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	1090	486	0
Stage 1	486	-	-
Stage 2	604	-	-
Follow-up Headway	4	3	-
Pot Capacity-1 Maneuver	238	581	-
Stage 1	618	-	-
Stage 2	546	-	-
Time blocked-Platoon, %			
Mov Capacity-1 Maneuver	186	581	-
Mov Capacity-2 Maneuver	186	-	-
Stage 1	618	-	-
Stage 2	427	-	-

Approach	WB	NB	SB
HCM Control Delay, s	61	0	5

Minor Lane / Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	485	1052	-
HCM Lane V/C Ratio	-	-	0.959	0.195	-
HCM Control Delay (s)	-	-	60.6	9.251	0
HCM Lane LOS			F	A	A
HCM 95th %tile Q(veh)	-	-	12.03	0.723	-

Notes

~ : Volume Exceeds Capacity; \$: Delay Exceeds 300 Seconds; Error : Computation Not Defined

Intersection

Intersection Delay, s/veh 12.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	185	52	139	181	160	290
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	201	57	151	197	174	315

Major/Minor	Minor2	Major1			Major2	
Conflicting Flow All	831	332	489	0	-	0
Stage 1	332	-	-	-	-	-
Stage 2	499	-	-	-	-	-
Follow-up Headway	4	3	2	-	-	-
Pot Capacity-1 Maneuver	340	710	1074	-	-	-
Stage 1	727	-	-	-	-	-
Stage 2	610	-	-	-	-	-
Time blocked-Platoon, %				-	-	-
Mov Capacity-1 Maneuver	286	710	1074	-	-	-
Mov Capacity-2 Maneuver	286	-	-	-	-	-
Stage 1	727	-	-	-	-	-
Stage 2	514	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	46	4	0

Minor Lane / Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1074	-	329	-	-
HCM Lane V/C Ratio	0.141	-	0.783	-	-
HCM Control Delay (s)	8.9	0	46.1	-	-
HCM Lane LOS	A	A	E		
HCM 95th %tile Q(veh)	0.489	-	6.332	-	-

Notes

~ : Volume Exceeds Capacity; \$: Delay Exceeds 300 Seconds; Error : Computation Not Defined

Intersection

Intersection Delay, s/veh 340.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	250	117	166	1023	920	285
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	115	200	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	272	127	180	1112	1000	310

Major/Minor	Minor2	Major1			Major2	
Conflicting Flow All	2072	655	1310	0	-	0
Stage 1	1155	-	-	-	-	-
Stage 2	917	-	-	-	-	-
Follow-up Headway	4	3	2	-	-	-
Pot Capacity-1 Maneuver	# 47	409	524	-	-	-
Stage 1	# 262	-	-	-	-	-
Stage 2	350	-	-	-	-	-
Time blocked-Platoon, %				-	-	-
Mov Capacity-1 Maneuver	# 31	409	524	-	-	-
Mov Capacity-2 Maneuver	# 31	-	-	-	-	-
Stage 1	# 262	-	-	-	-	-
Stage 2	# 230	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	\$ 2555	2	0

Minor Lane / Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	524	-	31	409	-	-
HCM Lane V/C Ratio	0.344	-	8.766	0.311	-	-
HCM Control Delay (s)	15.435	-	\$ 3742.2	17.7	-	-
HCM Lane LOS	C		F	C		
HCM 95th %tile Q(veh)	1.522	-	33.165	1.305	-	-

Notes

~ : Volume Exceeds Capacity; \$: Delay Exceeds 300 Seconds; Error : Computation Not Defined

Intersection

Intersection Delay, s/veh 25.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	42	396	423	51	198	178
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	46	430	460	55	215	193

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	1112	488	0
Stage 1	488	-	-
Stage 2	624	-	-
Follow-up Headway	4	3	-
Pot Capacity-1 Maneuver	231	580	-
Stage 1	617	-	-
Stage 2	534	-	-
Time blocked-Platoon, %			
Mov Capacity-1 Maneuver	178	580	-
Mov Capacity-2 Maneuver	178	-	-
Stage 1	617	-	-
Stage 2	412	-	-

Approach	WB	NB	SB
HCM Control Delay, s	70	0	5

Minor Lane / Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	477	1051	-
HCM Lane V/C Ratio	-	-	0.998	0.205	-
HCM Control Delay (s)	-	-	70.3	9.305	0
HCM Lane LOS			F	A	A
HCM 95th %tile Q(veh)	-	-	13.305	0.767	-

Notes

~ : Volume Exceeds Capacity; \$: Delay Exceeds 300 Seconds; Error : Computation Not Defined

Intersection

Intersection Delay, s/veh 13.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	189	54	142	181	160	295
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	205	59	154	197	174	321

Major/Minor	Minor2	Major1			Major2	
Conflicting Flow All	839	334	495	0	-	0
Stage 1	334	-	-	-	-	-
Stage 2	505	-	-	-	-	-
Follow-up Headway	4	3	2	-	-	-
Pot Capacity-1 Maneuver	336	708	1069	-	-	-
Stage 1	725	-	-	-	-	-
Stage 2	606	-	-	-	-	-
Time blocked-Platoon, %				-	-	-
Mov Capacity-1 Maneuver	282	708	1069	-	-	-
Mov Capacity-2 Maneuver	282	-	-	-	-	-
Stage 1	725	-	-	-	-	-
Stage 2	508	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	50	4	0

Minor Lane / Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1069	-	326	-	-
HCM Lane V/C Ratio	0.144	-	0.81	-	-
HCM Control Delay (s)	8.935	0	49.8	-	-
HCM Lane LOS	A	A	E	-	-
HCM 95th %tile Q(veh)	0.504	-	6.81	-	-

Notes

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Intersection

Intersection Delay, s/veh 357.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	252	119	169	1023	920	287
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	115	200	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	274	129	184	1112	1000	312

Major/Minor	Minor2	Major1			Major2	
Conflicting Flow All	2079	656	1312	0	-	0
Stage 1	1156	-	-	-	-	-
Stage 2	923	-	-	-	-	-
Follow-up Headway	4	3	2	-	-	-
Pot Capacity-1 Maneuver	# 46	408	523	-	-	-
Stage 1	# 262	-	-	-	-	-
Stage 2	347	-	-	-	-	-
Time blocked-Platoon, %				-	-	-
Mov Capacity-1 Maneuver	# 30	408	523	-	-	-
Mov Capacity-2 Maneuver	# 30	-	-	-	-	-
Stage 1	# 262	-	-	-	-	-
Stage 2	# 225	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	\$ 2664	2	0

Minor Lane / Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	523	-	30	408	-	-
HCM Lane V/C Ratio	0.351	-	9.13	0.317	-	-
HCM Control Delay (s)	15.564	-	\$ 3913.8	17.9	-	-
HCM Lane LOS	C	-	F	C	-	-
HCM 95th %tile Q(veh)	1.566	-	33.551	1.341	-	-

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Intersection

Intersection Delay, s/veh 0.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	238	11	8	428	10	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	259	12	9	465	11	7

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	271
Stage 1	-	-	-
Stage 2	-	-	-
Follow-up Headway	-	-	2
Pot Capacity-1 Maneuver	-	-	1292
Stage 1	-	-	-
Stage 2	-	-	-
Time blocked-Platoon, %	-	-	-
Mov Capacity-1 Maneuver	-	-	1292
Mov Capacity-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	13

Minor Lane / Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	467	-	-	1292	-
HCM Lane V/C Ratio	0.037	-	-	0.007	-
HCM Control Delay (s)	13	-	-	7.805	0
HCM Lane LOS	B	-	-	A	A
HCM 95th %tile Q(veh)	0.116	-	-	0.02	-

Notes

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To: Park City Planning Commission

From: Lift Lodge Owners, 875 Main Street, Park City, UT

January 3rd, 2014

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Again, thank you for taking time to talk with us prior to the holidays. Please let us know if you would like any clarification from us.

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It's hard to believe that the city would allow a 3-story complex to be erected right on top of the west side of our building, destroying our view and, frankly, the ambience of our location. It would seem that when we purchased our vacation home in Park City specifically in this location, we had a reasonable expectation that we would not end up being swallowed up by a wall of condominiums right outside our windows and losing our view of the mountains.

Another issue for those of us who rent our units, the building process 10 feet from our decks, will kill our income for as long as the construction takes.

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Lift Lodge 101

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Previous Communication

Lift Lodge Homeowners Association
P.O. Box 827
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August 26, 2013

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We would like to be involved in discussions about this project, would very much like for our voice to be heard and to encourage the Commission to take the appropriate time in assessing the proposed addition to Historic Downtown.

Sincerely,

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Anya Grahn

From: Catie Grimes <catiegrimes@gmail.com>
Sent: Friday, January 03, 2014 8:46 AM
To: Anya Grahn
Cc: Vanessa Carrington
Subject: Re: 820 Park Avenue Input for Planning Committee from 875 Main Street HOA (Lift Lodge)

Anya,

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I have three concerns remaining:

- 1) The height and proximity of the Rio elevator shaft relative to my family room and balcony window. Note the Rio team has modified their design to try to reduce the impact of this by placing it further from my balcony - which is much appreciated. I am not sure any more could be done to move the shaft further away and lower in height if at all possible.
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In summary, I have appreciated that the Rio design team has taken my concerns into consideration. I am still asking that the Rio design team work to see if the items above can be resolved in a manner that works for both parties.

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Planning Commission Staff Report



Subject: Park City Heights Phase 1
Subdivision plat- revised
Author: Kirsten Whetstone, MS, AICP
Date: February 12, 2014
Type of Item: Final Subdivision plat
Project #: PL-13-02189

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing for the revised Park City Heights Phase 1 Subdivision plat, consider input, and consider forwarding a positive recommendation to City Council pursuant to the findings of fact, conclusions of law and conditions of approval stated in the draft ordinance.

Topic

Applicant: Ivory Development LLC
Location: Richardson Flat Road, east of SR 248 and west of US 40
Zoning: Community Transition (CT)
Adjacent Land Uses: Open Space, Rail Trail, US 40, Quinn's Water Treatment Plant, and vacant land

Disclosure: The City retains a security interest as the holder of a Trust Deed in conjunction with a prior transaction regarding the property. However, the City is not an "applicant" and does not have any current ownership in the property.

Proposal

This is a request for approval of a final subdivision plat (Exhibit A) for the first phase of the Park City Heights Master Planned Development (MPD) pursuant to the revised approved Park City Heights preliminary plat (Exhibit B). This first phase consists of 28 townhouse units ("Park Homes") to be constructed for IHC as fulfillment of the required affordable housing for the Park City Medical Center. The first phase also includes 35 lots for "Small Lot Park Homes" located at the northern entry to the subdivision and 40 lots for a mix of "Cottage Homes" and "Homestead" lots. A public park parcel, HOA club house parcel, open space parcels, future support commercial parcel, soil repository parcel, and dedication of public streets. Dedication of utility, snow storage, drainage, and trails easements is also included. The lots, parcels, and street layout are consistent with the amended Park City Heights MPD and the revised preliminary subdivision plat (amended and approved by the Planning Commission on November 6, 2013). Conditions of approval of the amended MPD and Development Agreement, as well as Park City Heights Annexation Agreement continue to apply (Exhibits C and D).

Background

On December 28, 2013, the City Planning Department received an application for a revised first phase subdivision plat for the Park City Heights MPD. The application was deemed complete on January 7, 2014 with receipt of additional information.

The property was annexed into Park City with the Park City Heights Annexation on May 27, 2010, and was zoned Community Transition (CT). On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units for a total of 239 units on 239 acres. On June 22, 2011, the Planning Commission reviewed and approved a preliminary subdivision plat for the Park City Heights MPD. On November 17, 2011, the City Council approved the original Park City Heights Phase 1 subdivision plat. In November of 2012 Ivory Development took ownership of the property. On January 24, 2013 the City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.

On November 6, 2013, the Planning Commission approved an amended Master Planned Development and overall preliminary subdivision plat for the entire Park City Heights Development to address relocation of lots, streets, and parcels due to mine soils mitigation and a Voluntary Clean-up plan to be approved by the State. The amendments to the Master Planned Development and overall preliminary plat necessitated this submittal of a revised phase one plat.

Staff will return the amended Development Agreement for the Park City Heights MPD to the Planning Commission for ratification at the next meeting on February 26, 2014. The amended Development Agreement spells out terms, requirements, and restrictions of the development, per the November 6, 2013 amended MPD, and includes all conditions of approval of the amended MPD.

Analysis

The proposed final subdivision plat (Exhibit A) for the first phase of the Park City Heights Master Planned Development (MPD), pursuant to the revised approved Park City Heights overall preliminary plat (Exhibit B), consists of 28 townhouse units ("Park Homes") to be constructed for IHC as fulfillment of the required affordable housing for the Park City Medical Center. The first phase also includes 35 lots for "Small Lot Park Homes" attainable units located at the northern entry to the subdivision and 40 lots for a mix of "Cottage Homes" and "Homestead" lots.

Parcels for a public park, HOA clubhouse, open space, future support commercial uses, and soil repository are proposed with the plat. Dedication of public streets and utility, snow storage, drainage, and trails easements are also included.

The lots, parcels, and street layout are consistent with the amended Park City Heights MPD, the revised preliminary subdivision plat (amended and approved by the Planning Commission on November 6, 2013), and the Park City Heights Design Guidelines.

The townhome lots range in area from 1,902 sf to 2,265 sf. The small lot “Park Home” lots range in area from 3,234 sf to 4,788 sf. The cottage and homestead lots range in area from 4,721 sf to 12,229 sf. These lots are consistent with the Lot and Site Requirements of the Community Transition (CT) zone as conditioned by the Park City Heights MPD. No non-conforming conditions are created by the subdivision. Maximum houses sizes and setbacks are described in the approved Park City Heights Design Guidelines.

The plat creates parcels for a publicly dedicated community park. Additionally, the plat creates parcels for an HOA owned club house, an HOA owned parcel for the soil repository and parcels for HOA owned and maintained open space. HOA owned open parcels for open space include blanket easements for access, public trails, storm water, and utilities. Parcel C1 is identified for future support commercial uses.

Access to the development is from Richardson Flat Road, a public road, with access to individual lots and parcels from local public streets within the subdivision.

All streets and drives within the subdivision plat are public streets, with final dedication to the City required upon completion and acceptance of the improvements. The City will commence maintenance and snow removal once 50% of the units for this phase are complete with certificates of occupancy.

An existing 50’ wide power line easement for PacifiCorp traverses parcels G and D. An additional 10’ is being dedicated with this plat for a total width of 60’ as requested by PacifiCorp to meet future anticipated utility easement needs.

Land Management Code review

The zoning for the subdivision is Community Transition (CT). The subdivision plat is subject to the following LMC criteria and Park City Heights MPD conditions:

ROS Zone	Permitted	Proposed
Height	28’ (+5’ for pitched roof)	28’ (+5’ for pitched roof). Complies
Unit Equivalent	1 unit per acre	Per MPD 1 unit per acre for overall PC Heights MPD Complies
Lot Size	No minimum lot size	Townhome lots range in area from 1,902 sf to 2,265 sf. Small lot “Park Home” lots range in area from 3,234 sf to 4,788 sf. The cottage and homestead lots range in area from 4,721 sf to 12,229 sf. Complies
Front setback	25’ perimeter of MPD and	Small lot Park Homes- per

	per MPD site plan for internal lot lines.	Design Guidelines Townhomes- 10' Cottage homes- 15' (10' to porches/bay windows) Complies
Rear setback	Per MPD	Small lot Park Homes- per Design Guidelines. Townhomes- 15' Cottage homes- 20' Complies
Side setbacks	Per MPD	Small lot Park Homes- per Design Guidelines Townhomes- 0' between units within structure, 5' to side open space, 10' for street side yards, with a min of 12' total between structures containing multiple townhouses. Cottage homes- 5' side yards and 10' street side yards. Complies
Parking	2 spaces per dwelling unit	2 spaces per dwelling unit Complies

General Subdivision Requirements

- (A) **Subdivision Name-** The proposed subdivision name does not duplicate or closely approximate the name of another Subdivision in the area. The streets have unique names.
- (B) **Monuments-** All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
- (C) **Limits of Disturbance-** A landscape and limits of disturbance plan for construction of the streets and utilities was submitted with the plat to identify the limits of disturbance for construction of streets and utilities, with conditions related to re-vegetation of disturbed areas per the Park City Heights MPD for this phase.
- (D) **Ridgeline Development-** Not applicable as there are no major or minor ridgelines within the development portion of this phase of the Park City Heights MPD.
- (E) **Open Space-** Open space parcels are designated consistent with conditions of the Park City Heights MPD.
- (F) **Roads and Utility Lines-** All roads will be designated as public streets. Easements are provided for public utilities. A utility plan was submitted with this

plat application. Final approval of the utility plan is subject to approval of this plat and per final review by the City Engineer and other utility providers. Off-site utility improvements may require additional off-site easements that will need to be dedicated prior to commencing any construction on said utilities. All utilities will be designed to minimize disturbance of existing vegetation. Re-vegetation and/or remediation of disturbed areas are conditions of final utility installation acceptance.

- (G) Drainage Ways-** Existing drainage areas and ways will be incorporated into the storm water management system and open space parcels to the greatest extent possible, per the Park City Heights storm water management plan. Final design of the storm water management system is subject to approval by the City Engineer.
- (H) Soils Conditions-** As required by the Park City Heights MPD, and due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction. Compliance with the final approved Voluntary Clean-up plan for historic mine waste soils is required and shall be noted on the plat.
- (I) Trails and Sidewalks-** Trails and sidewalks are consistent with the Park City Heights MPD. Sidewalks are proposed within public right of way areas. HOA open space areas shall include trail easements or shall state that blanket trail easements are dedicated for public trails within HOA open space parcels. Trails proposed outside of the proposed plat area that are within City owned property can be constructed without easements. Trails within public dedicated open space parcels can be constructed without specific easements. Off-site trails crossing other property shall be placed in easements prior to construction. The exact location of trails within Parcel A, D, M and G will be provided with the City Park design plans to be submitted to the City's Parks Board for review and approval prior to construction of the park and trails.
- (J) Limits of Disturbance/Building Pad locations-** No building pads are proposed to be platted with this phase of the MPD. The location of houses for this phase is stipulated by adherence to minimum building setbacks, as identified on the plat. A limit of disturbance plan was submitted with the landscape plan for this phase of development. The limits of disturbance plan identifies areas proposed to be disturbed and re-vegetated due to construction of roads, sidewalks, and utilities. The plan does not indicate the area to be disturbed for construction of the houses due to the size of the lots. The plan also does not indicate the area to be disturbed during construction of the City Park. This area will be determined upon completion of the design plan and layout for the park.
- (K) Top Soil Preservation and Final Grading-** Staff recommends a condition of approval that all applicable requirements of the LMC regarding top soil preservation and final grading be completed prior to issuance of a certificate of occupancy. No portion of this phase is within the Park City Soils Ordinance boundary; however, areas of disturbance due to off-site utility improvements that do fall within the Park City Soils Ordinance boundary are required to adhere to all

requirements of the Ordinance. Compliance with the final State approved Voluntary Clean-up plan is required and shall be noted on the plat.

(L) Architectural Standards- Architecture is reviewed at the time of building permit issuance for compliance with the Park City Heights Design Guidelines.

(M) Water Bodies and Water Courses- There are no bodies of water that are incorporated into the lots so as to not burden the City with responsibility of the water body. The HOA is responsible for maintenance of open space and drainage areas that are not part of individual lots, including natural drainage areas. Retention areas that are part of the storm water management plan may have standing water at times. Maintenance of these areas is the responsibility of the HOA.

(N) Fire Sprinkling- There is a plat note requiring all construction to comply with the International Building Code requirements for fire sprinklers.

General Lot Design Requirements

Staff has reviewed the proposed plat for compliance with the General Lot Design Requirements per LMC 15-7.3-3 as follows:

(A) Lot Arrangement- there are no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on these lots in compliance with the IBC, the LMC, and in providing reasonable Driveway access.

(B) Building Sites- the proposed building sites are designed to minimize disturbance of existing vegetation and there has been consideration of minimum separation between structures of 12' except as permitted with the zero lot line townhouse units.

(C) Square footage- maximum building size and floor area is identified in the Park City Heights Design Guidelines that will be referenced on the plat prior to recordation. .

(D) Lot Dimensions- proposed lot dimensions take into consideration additional width for corner lots, depth and width of lots for non-residential purposes, and areas for parking.

(E) Double Frontage Lots and access to Lots- Lots fronting on two streets is generally to be avoided, however in designing the MPD site plan, the concept of rear access garages from local public streets, with front door access from the local or collector streets on corner lots was approved through the amended MPD and Park City Heights Design Guidelines.

(F) Lot Drainage- Lots are laid out to provide positive drainage away from all Buildings. Individual lot drainage plans will be required with each building permit.

(G) Landscaping- Prior to issuance of a building permit for each lot a landscape plan is required to be submitted and reviewed by the Staff for compliance with the LMC and conditions of the MPD. HOA open space areas shall be re-vegetated and/or landscaped per the MPD and Design Guidelines.

(H) Limits of Disturbance/Vegetation protection- Prior to issuance of a building permit for each lot a limits of disturbance and vegetation protection plan is required to be submitted and reviewed by the Staff for compliance with the LMC and conditions of the MPD.

(I) Re-vegetation, seed, and sod- All disturbed areas will be re-vegetated, seeded, and/or sodded prior to issuance of a certificate of occupancy per the LMC and a financial guarantee for the completion of this re-vegetation is required to be paid or posted prior to issuance of the permit.

(J) Debris and Waste- Debris and waste are required to be removed per the LMC prior to issuance of a certificate of occupancy. This is a condition of building permitting. The Park City Heights MPD requires consolidation and recycling of construction waste and debris to be identified on the Construction Mitigation Plan prior to issuance of a building permit.

(K) Fencing- Fencing of hazardous conditions may be required by the Chief Building Official. Fences will be constructed according to standards of the LMC and conditions of approval of the Park City Heights MPD.

Road Requirements and Design

Staff has reviewed the proposed plat for compliance with the Road Requirements and Design per LMC 15-7.3-4 as follows:

(A) Layout requirements- Street layout for this phase complies with general layout requirements, including frontage on improved streets, relation to existing topography, block design, access to arterials and collectors, and dead-end roads.

(B) Road Names- Road names are identified and are sufficiently different in sound and spelling from other names in Summit County with final confirmation of street names to be provided by the local postmaster prior to plat recordation.

(C) Road Regulatory Signs- All required road and street signs will need to be approved by the City Engineer and Public Works prior to installation.

(D) Street Lighting- Installation of street lights is required of the Developer in accordance with the LMC and shall be approved by the City Engineer and Planning Department prior to installation.

(E) Reserve or Protection strip- No reserve or protection strips are proposed.

(F) Road Design Standards- The roads are in compliance with the street design and layout approved by the Planning Commission during approval of the Park City Heights MPD and consistent with the LMC.

(G) Intersection Design Standards- The streets are laid out in compliance with the intersection standards of the LMC.

(H) Bridges- No bridges are proposed.

(I) Road Dedications and Reservations- No new perimeter half-streets are proposed. No new frontage roads are proposed with this phase. No new dedication for widening existing roadways is required. There is sufficient right-of-way width for Richardson Flats Road to expand for future phases as necessary to mitigate traffic concerns as discussed and determined during the Park City Heights Annexation Agreement and the MPD approval, per conditions of approval that outline required transportation improvements and timing of said improvements.

Staff finds this subdivision complies with the Land Management Code regarding final subdivision plats, including CT zoning requirements, general subdivision requirements, and lot and street design standards and requirements. General subdivision

requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc. ; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code. Utility, grading, and site work (streets) plans were submitted with the plat for review and coordination by the City and service providers (Exhibits E and F).

Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD). The applicants have met with the SBWRD officials to review the plat and utility plans for compliance with these requirements. Final approval of the sewer facilities and a signature on the plat from SBWRD is required prior to final plat recordation.

Good Cause

There is good cause for this subdivision in that it creates legal lots and parcels of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility easements for orderly provision of utilities; provides a parcel to be dedicated as a public park; provides for open space areas within and around the subdivision; dedicates trail easements and public streets; provides for future support commercial parcels; and provides for future development parcels for affordable and attainable housing and market rate units consistent with the approved the Park City Heights Annexation Agreement and Master Planned Development.

Department Review

This application has been reviewed by the Development Review Committee, including other City Departments and utility and service providers. After an initial review the applicants submitted a revised plat and utility plans for a second review by the Committee. All identified concerns have been addressed by revisions and notes on the plat and with conditions of approval as stated in the attached ordinance. Further review and approval by the City Engineer, of the streets, utilities, grading, and drainage plans is required prior to issuance of a permit for site work for this subdivision plat, as conditioned.

Notice

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

Public Input

Staff has not received specific input from adjacent property owners regarding this plat application. Staff received an email from an adjacent property owner with questions regarding the MPD, phasing, and ownership.

Future Process

Approval or denial of this subdivision application by the City Council constitutes Final

Action that may be appealed following the procedures found in LMC 1-18.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council to approve the revised Park City Heights Phase 1 subdivision plat as conditioned or amended, or
- The Planning Commission may forward a negative recommendation to City Council to deny the revised Park City Heights Phase 1 subdivision plat and direct staff to make Findings for this decision, or
- The Planning Commission may continue discussion on the revised Park City Heights Phase 1 subdivision plat to a date certain with specific direction to the applicant to return with any additional information and or revisions necessary to make a final decision.

Significant Impacts

There are no significant negative fiscal or environmental impacts that result from this application that have not been sufficiently mitigated with plat notes, conditions of approvals, and adherence to the approved, amended MPD.

Consequences of not taking the Suggested Recommendation

The property would remain as individual metes and bounds parcels. Separate lots of record would not be created for the approved Park City Heights MPD. Building permits could not be issued for the dwelling units.

Recommendation

Staff recommends the Planning Commission conduct a public hearing for the revised Park City Heights Phase 1 Subdivision plat, consider input, and consider forwarding a positive recommendation to City Council pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance.

Exhibits

Ordinance

Exhibit A- Proposed subdivision plat (2 pages)

Exhibit B- Preliminary Plat

Exhibit C- Amended MPD concept plan

Exhibit D- MPD Action letter (November 6, 2013)

Exhibit E- Site and Utility plans

Exhibit F- Street cross sections

Ordinance No. 14-

**AN ORDINANCE APPROVING THE PARK CITY HEIGHTS PHASE 1 SUBDIVISION
LOCATED AT RICHARDSON FLAT ROAD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as Park City Heights located north of Richardson Flat Road, east of State Road 248 and west of US 40, have petitioned the City Council for approval of the Park City Heights Phase 1 subdivision; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code of Park City; and

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, to receive input on the subdivision; and

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

WHEREAS, on February 27, 2014, the City Council held a public hearing on the Park City Heights Phase 1 subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Park City Heights Phase 1 subdivision.

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 Park City Heights Phase 1 subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located on Richardson Flat Road east of SR 248 and west of US Highway 40.
2. The property was annexed into Park City with the Park City Heights Annexation on May 27, 2010, and was zoned Community Transition (CT).
3. On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units on 239 acres.
4. On June 22, 2011, the Planning Commission reviewed and approved a preliminary subdivision plat as being consistent with the Park City Heights MPD.
5. On November 17, 2011, the City Council approved the original Park City Heights

Phase 1 subdivision plat.

6. On January 24, 2013 the City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.
7. On November 6, 2013, the Planning Commission approved an amended Park City Heights MPD and preliminary plat to address relocation of lots and streets due to mine soils mitigation.
8. On December 28, 2013, the City Planning Department received an application for a revised first phase subdivision plat for the Park City Heights MPD. The application was deemed complete on January 7, 2014 with receipt of additional information.
9. The property is restricted by the Land Management Code, the Park City Heights Annexation Agreement, and the Park City Heights Master Planned Development conditions of approval and Development Agreement, and other applicable codes and regulations.
10. The lots are not within the Entry Corridor Protection Overlay zone (ECPO) and no portion of this plat is within the Park City Soils Ordinance boundary. Off-site utility work may be located within the Park City Soils Ordinance boundary.
11. The proposed subdivision plat creates lots of record for 28 townhouse units "Park Homes" to be constructed for the IHC Master Planned Development as fulfillment of the required affordable housing for the Park City Medical Center. The subdivision plat also includes lots of record for 35 "small lot Park Homes" and 40 lots for a mix of "Cottage homes" and "Homestead homes", a City Park parcel to be dedicated to the City, HOA clubhouse parcel, open space parcels, a future support commercial parcel, and dedication of first phase streets, utility, snow storage, drainage and trail easements.
12. The townhome "Park Home" lots range in area from 1,902 sf to 2,265 sf. The "small lot Park Home" lots range in area from 3,234 sf to 4,788 sf. The "Cottage" and "Homestead" lots of this phase range in area from 4,721 sf to 12,229 sf. These lots are consistent with the Lot and Site Requirements of the Community Transition (CT) zone as conditioned by the Park City Heights MPD and Design Guidelines.
13. No non-conforming conditions are created by the subdivision.
14. An existing 50' wide power line easement for PacifiCorp traverses parcels A, C and D. An additional 10' is being dedicated with this plat for a total width of 60' as requested by PacifiCorp to meet future anticipated utility easement needs.
15. The property is accessed from Richardson Flat Road, a public county road.
16. Access to all lots and parcels within the proposed subdivision is from local public drives and streets. No lots or parcels access directly to Richardson Flat Road. All streets are public streets.
17. The subdivision complies with the Land Management Code regarding final subdivision plats, including CT zoning requirements, general subdivision requirements, and lot and street design standards and requirements.
18. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
19. Sanitary sewer facilities are required to be installed in a manner prescribed by the

Snyderville Basin Water Reclamation District (SBWRD).

20. There is good cause for this subdivision plat in that it creates legal lots and parcels of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility easements for orderly provision of utilities; provides a parcel to be dedicated as a public park; provides for open space areas within and around the subdivision; dedicates easements and public streets; provides for future support commercial parcel; and provides for future development parcels for affordable housing and market rate units consistent with the approved the Park City Heights Annexation Agreement and amended Master Planned Development.
21. The findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The subdivision complies with LMC 15-7.3 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the Park City Heights Annexation and the Park City Heights MPD, as amended and conditioned.
4. The subdivision is consistent with the amended Park City Heights preliminary plat approved by the Planning Commission on November 6, 2013.
5. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
6. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Conditions of approval of the Park City Heights Annexation, as stated in the Annexation Agreement, continue to apply, and shall be noted on the plat.
4. Conditions of approval of the Park City Heights MPD and preliminary plat, as amended and approved by the Planning Commission on November 6, 2013, continue to apply, and shall be noted on the plat.
5. Final approval of the sewer facilities/utility plan by the Snyderville Basin Water Reclamation District is required prior to final plat recordation.
6. All streets within the subdivision plat shall be dedicated as public streets. Final acceptance of these streets by the City shall occur upon completion and acceptance of the public improvements. The City will commence maintenance and snow removal from public streets once 50% of the units within this phase are complete and certificates of occupancy have been issued. All survey monumentation as required

by the LMC is required to be completed prior to acceptance of public improvements. This shall be noted on the plat.

7. The City Park parcel (Parcel A) shall be dedicated to the City for a public park upon recordation of the plat. The exact location of trails within the Park and open space parcels will be provided with the City Park design plans to be submitted to the City's Parks Board for review and approval prior to construction of the park and trails.
8. Open Space parcels shall be deed restricted as open space, non-development parcels to be owned and maintained by the Homeowner's Association and shall include blanket utility, drainage, snow storage, and public trails easements, unless specific easements are provided as required by utilities and service providers. Public trails within the open space parcels shall be constructed in type and location consistent with the MPD site plan and trail plan. Final constructed trails are agreed, by the recording of the plat, to be within ten (10') foot public trail easements.
9. Parcel H, the soil repository shall not be dedicated to the City, and shall be used as a soil repository, subject to all conditions of the Voluntary Clean-up plan approved by the State. The soil repository shall not be utilized for snow storage. Storm water detention areas to the west of the designed repository shall be allowed to be utilized for snow storage as well as for storm water. Parcel H shall be owned and maintained by the HOA and will be subject to all conditions of the Voluntary Clean-up plan.
10. Prior to commencing any work to remediate metals impacted soils, a copy of the Utah Department of Environmental Quality approved remediation plan, prepared as part of the Utah Voluntary Clean-Up Program (VCP), shall be provided to the City.
11. The results and report of the soils investigation work prepared by IHI Environmental on May 6, 2013 that identifies and locates historic mine soils, and the remediation plan submitted to and approved by the State Department of Environmental Quality as part of the Voluntary Cleanup Program, shall be provided to the Building Department prior to issuance of any building permits for development of streets, utilities, lots, trails, parks, and all construction that requires disturbance of soil.
12. The applicants stipulate to a condition that a disclosure regarding the developer's participation in the Voluntary Clean-up Program and receipt of certificate of completion shall be included in the CCRs.
13. All construction, including streets, utilities, and structures shall comply with recommendations of the June 9, 2006 Geotechnical Study provided by Gordon, Spilker Huber Geotechnical Consultants, Inc. Additional soils studies and geotechnical reports may be required by the City Engineer and Chief Building Official prior to issuance of any building permits for structures, utilities, and roads. The report shall be reviewed by the City Engineer and Chief Building Official and any recommendations for utilization of special construction techniques to mitigate soils issues, such as expansive clays, shall be incorporated into conditions of the building permit and ROW Permit approval. This shall be noted on the plat.
14. A landscape and irrigation plan shall be submitted for City review and approval for each lot, prior to building permit issuance. Landscaping and irrigation shall be consistent with the Park City Heights Design Guidelines and the amended MPD conditions of approval. This shall be noted on the plat.
15. All applicable requirements of the LMC regarding top soil preservation, final grading, and landscaping shall be completed prior to issuance of a certificate of occupancy.

This shall be noted on the plat.

16. A storm water run-off and drainage plan shall be submitted with each phase of the project and with the building plans consistent with the MPD conditions of approval and shall be approved by the City Engineer prior to permit issuance. This shall be noted on the plat.
17. Prior to issuance of a building permit for any units within this plat, all building plans shall be reviewed for compliance with the Park City Heights Design Guidelines. All exterior building materials, colors and final design details must comply with the approved Park City Heights Design Guidelines and shall be approved by staff prior to building permit issuance. This shall be noted on the plat.
18. Confirmation of street names shall be provided by the local postmaster and City Engineer prior to plat recordation.
19. A note shall be added to the plat stating that all units (including all deed restricted units) shall be constructed to National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification or LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.
20. In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either: 1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score. This shall be noted on the plat.
21. An industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to issuance of a building permit to provide third party inspection for compliance with Green Building requirements as required by the amended Master Planned Development and Annexation Agreement, and shall be noted on the plat.
22. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to building permit issuance and noted on the plat.
23. A construction recycling area and excavation materials storage area within the development shall be utilized for this phase as required by the MPD conditions of approval and noted on the plat.
24. A financial guarantee, in a form and amount acceptable to the City and in conformance with the LMC and MPD conditions of approvals, for the value of all public improvements shall be provided to the City prior to building permit issuance for new construction within each phase. All public improvements shall be completed according to City standards and accepted by the City Council prior to release of this guarantee.
25. A final landscaping and irrigation plan for common areas shall be submitted with the final plats for each phase. Entry and perimeter landscaping shall be completed within six (6) months of issuance of the first building permit, weather and ground

conditions permitting. Other Project landscaping, shall be completed within nine (9) months of issuance of 50% of building permits or within six (6) months of any individual Certificate of Occupancy. Landscaping materials and irrigation shall comply with the requirements of the Annexation Agreement, including the Water Agreement, and the Park City Heights Design Guidelines.

26. Maintenance of sidewalks (including, without limitation, snow removal), trails, lighting, and landscaping within the rights-of-way and common areas, with the exception of the Public Park and public trails, shall be provided by the HOA, unless otherwise agreed upon by the City Council. Language regarding ownership and maintenance of the open space and common areas shall be included on the plat.
27. Fire protection and emergency access plan shall be submitted prior to the issuance of any building permits and shall be consistent with applicable building and fire codes and shall take into consideration the recommendations of the Fire Protection Report (March 2011). The fire protection and emergency access plan shall include any required fire sprinkler systems and landscaping restrictions within the Wild land interface zones. The plans shall ensure that Park City's ISO rating is not negatively affected by the development.

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

PASSED AND ADOPTED this ____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

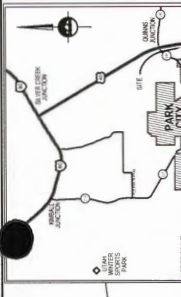
ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

PARK CITY HEIGHTS PHASE 1 SUBDIVISION
LOCATED IN THE SOUTH HALF OF SECTION 2,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE
I, the undersigned, being a duly licensed and sworn Surveyor of the State of Utah, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.

COMMISSIONER'S DECLARATION
I, the undersigned, being a duly licensed and sworn Surveyor of the State of Utah, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.

PARK CITY HEIGHTS PHASE 1 SUBDIVISION
LOCATED IN THE SOUTH HALF OF SECTION 2,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



APPROVAL AS FORM APPROVED AS TO FORM THIS DATE: _____ BY: _____	ENGINEER'S CERTIFICATE I, the undersigned, being a duly licensed and sworn Engineer of the State of Utah, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DATE: _____ BY: _____	SYNERGISTIC BASIN WATER RECLAMATION DISTRICT RECEIVED FOR CONFORMANCE TOWNSHIPVILLE THIS DATE: _____ BY: _____	DEVELOPER BOYER PARK CITY JUNCTION, LC 99 SOUTH 400 WEST SUITE 200 SALT LAKE CITY, UT 84143 (801) 524-4781	SHEET 1.022 PROJECT NUMBER: 0000 MANAGER: BOYER DRAWN BY: RWH CHECKED BY: RWH DATE: 02/12/2014
CERTIFICATE OF ATTEST I, the undersigned, being a duly licensed and sworn Clerk of the Park City Council, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.	APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS DATE: _____ BY: _____	CHAIRMAN _____	SECRETARY _____	PLANNING COMMISSION _____	DATE _____

PARK CITY HEIGHTS PHASE 1 SUBDIVISION
 LOCATED IN THE SOUTH HALF OF SECTION 2,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



REVISED MAP OF MANY PARCELS FOR
 ROWWAY AND STREET TREATMENT
 AMENDMENT OF PLANNING BOARD 2013.04.22
 BOARD 2146 PAGE 165



CONTRACT NO.	CONTRACT TIME	CONTRACT DATE	CONTRACT VALUE
C1	1/1/2010	1/1/2010	1,000,000.00
C2	1/1/2010	1/1/2010	1,000,000.00
C3	1/1/2010	1/1/2010	1,000,000.00
C4	1/1/2010	1/1/2010	1,000,000.00
C5	1/1/2010	1/1/2010	1,000,000.00
C6	1/1/2010	1/1/2010	1,000,000.00
C7	1/1/2010	1/1/2010	1,000,000.00
C8	1/1/2010	1/1/2010	1,000,000.00
C9	1/1/2010	1/1/2010	1,000,000.00
C10	1/1/2010	1/1/2010	1,000,000.00
C11	1/1/2010	1/1/2010	1,000,000.00
C12	1/1/2010	1/1/2010	1,000,000.00
C13	1/1/2010	1/1/2010	1,000,000.00
C14	1/1/2010	1/1/2010	1,000,000.00
C15	1/1/2010	1/1/2010	1,000,000.00
C16	1/1/2010	1/1/2010	1,000,000.00
C17	1/1/2010	1/1/2010	1,000,000.00
C18	1/1/2010	1/1/2010	1,000,000.00
C19	1/1/2010	1/1/2010	1,000,000.00
C20	1/1/2010	1/1/2010	1,000,000.00
C21	1/1/2010	1/1/2010	1,000,000.00
C22	1/1/2010	1/1/2010	1,000,000.00
C23	1/1/2010	1/1/2010	1,000,000.00
C24	1/1/2010	1/1/2010	1,000,000.00
C25	1/1/2010	1/1/2010	1,000,000.00
C26	1/1/2010	1/1/2010	1,000,000.00
C27	1/1/2010	1/1/2010	1,000,000.00
C28	1/1/2010	1/1/2010	1,000,000.00
C29	1/1/2010	1/1/2010	1,000,000.00
C30	1/1/2010	1/1/2010	1,000,000.00

PARK CITY HEIGHTS PHASE 1 SUBDIVISION
 LOCATED IN THE SOUTH HALF OF SECTION 2,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

DEVELOPER
 BOYER NATIONAL, LLC
 95 SOUTH 400 WEST SUITE 200
 SALT LAKE CITY, UTAH 84111
 (801) 521-4181

SALT LAKE CITY
 PLANNING COMMISSION
 100 WEST 300 SOUTH
 SALT LAKE CITY, UTAH 84111
 (801) 525-4140



SHEET 2 OF 2
 PROJECT NUMBER: 0876
 DRAWN BY: KFM
 CHECKED BY: FMM
 DATE: 10/24/13

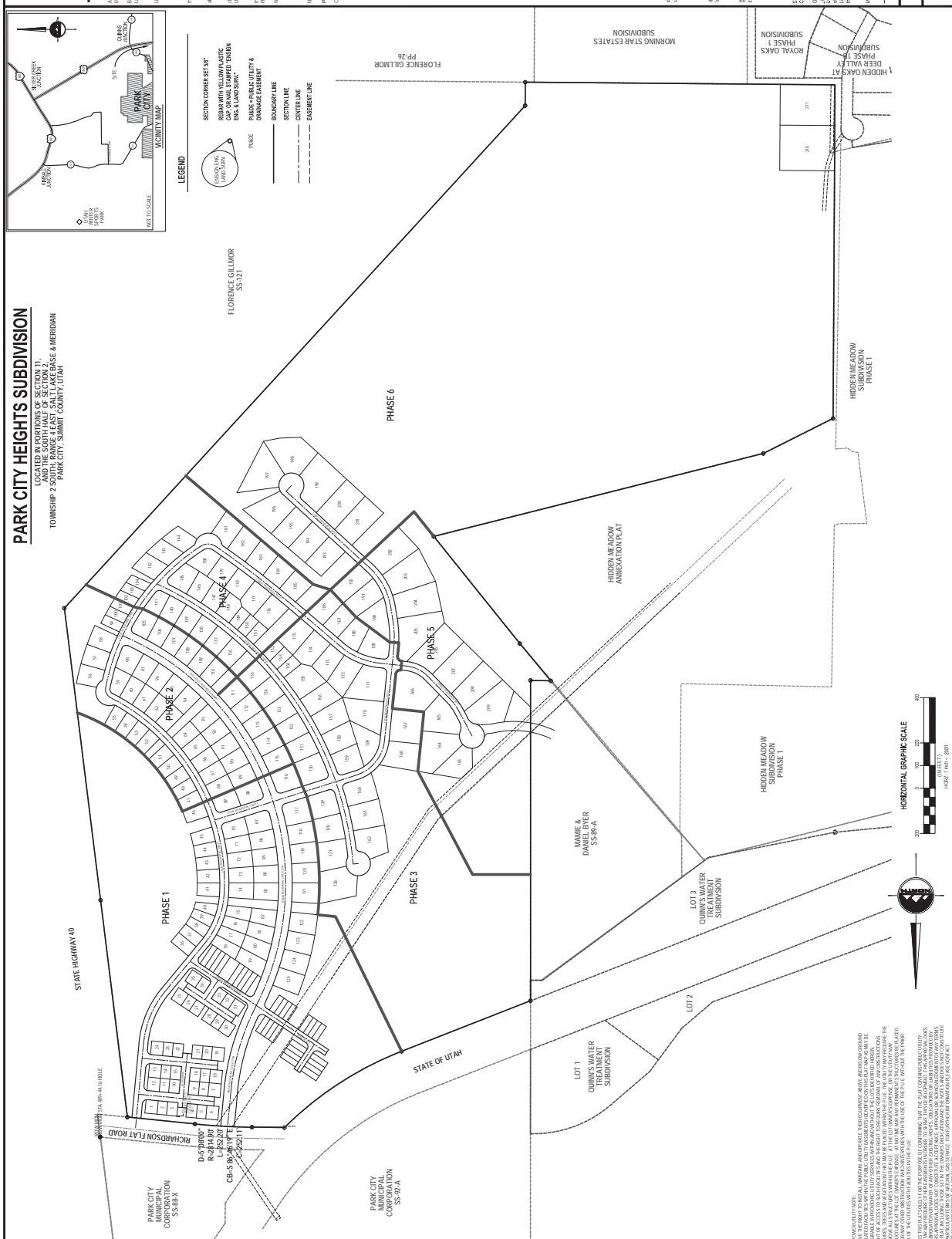
STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED IN THE
 REGISTER OF
 DATE: _____ TIME: _____ BOX: _____ DECK: _____
 FEES: _____
 SUMMIT COUNTY RECORDER

PARCEL A
 116,200 SQ. FT.
 5.68' 20" W 143.90'



PARK CITY HEIGHTS SUBDIVISION

LOCATED IN PORTIONS OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, **ARNE W. WILHE**, Surveyor, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Utah. I am a member in good standing of the Utah Surveyors Association and the National Society of Professional Surveyors. I have personally examined the original survey records and the plat and find that the same have been correctly prepared and that the same are in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association. I have also examined the original survey records and the plat and find that the same are in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association. I have also examined the original survey records and the plat and find that the same are in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association.

OWNER'S DECLARATION

I, **BOYER PARK CITY JUNCTION, LC**, do hereby certify that I am the owner of the above described land and that I have authorized the preparation of this plat for the subdivision of the land into lots. I have also authorized the preparation of this plat for the subdivision of the land into lots. I have also authorized the preparation of this plat for the subdivision of the land into lots. I have also authorized the preparation of this plat for the subdivision of the land into lots.

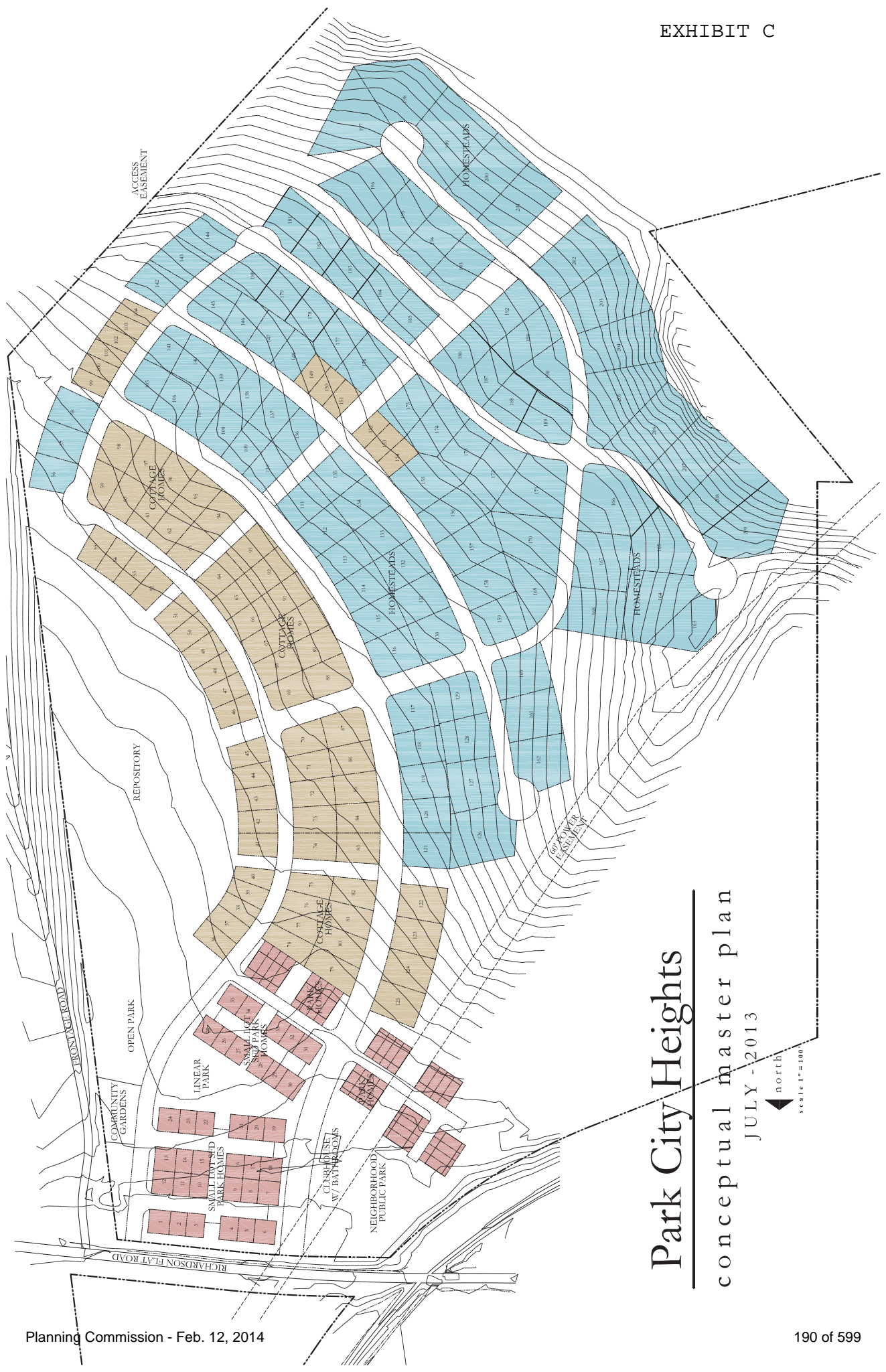
LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

I, **BOYER PARK CITY JUNCTION, LC**, do hereby certify that I am the owner of the above described land and that I have authorized the preparation of this plat for the subdivision of the land into lots. I have also authorized the preparation of this plat for the subdivision of the land into lots. I have also authorized the preparation of this plat for the subdivision of the land into lots. I have also authorized the preparation of this plat for the subdivision of the land into lots.

RECORDED	BY	DATE
STATE OF UTAH	BY	DATE
COUNTY OF UTAH	BY	DATE
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN	BY	DATE
PARK CITY, SUMMIT COUNTY, UTAH	BY	DATE

Planning Commission - Feb. 12, 2014

SWDEVILLE BASIN WATER RECLAIMATION DISTRICT APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.	ENGINEER'S CERTIFICATE I, CHARNA , Engineer, do hereby certify that I am a duly licensed Engineer in the State of Utah and that I have prepared this plat in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association.	APPROVAL AS FORM APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.
SNOWVILLE BASIN WATER RECLAIMATION DISTRICT APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.	ENGINEER'S CERTIFICATE I, CHARNA , Engineer, do hereby certify that I am a duly licensed Engineer in the State of Utah and that I have prepared this plat in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association.	APPROVAL AS FORM APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.
DEVELOPER BOYER PARK CITY JUNCTION, LC 39 SOUTH MAIN STREET SALT LAKE CITY, UT 84143 (801) 524-4781	PLANNING COMMISSION APPROVED BY THE PLANNING COMMISSION ON _____ DAY OF _____, 20____.	ENGINEER'S CERTIFICATE I, CHARNA , Engineer, do hereby certify that I am a duly licensed Engineer in the State of Utah and that I have prepared this plat in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.
SALT LAKE CITY LAYTON 100 W. 100 S. ST. PLEASANT GROVE PH: 801.226.8200 FAX: 801.226.8200 WWW.SLCCITY.UTAH.GOV	SHEET 1 OF 2 PROJECT NUMBER: 4800 DRAWN BY: RSE OWNER BY: RPH CHECKED BY: RPH DATE: 10/23/13	ENGINEER'S CERTIFICATE I, CHARNA , Engineer, do hereby certify that I am a duly licensed Engineer in the State of Utah and that I have prepared this plat in accordance with the laws of the State of Utah and the rules and regulations of the Utah Surveyors Association.	COUNCIL APPROVAL AND ACCEPTANCE APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT ON _____ DAY OF _____, 20____.



Park City Heights
 conceptual master plan
 JULY -2013
 north
 scale 1"=100'



November 18, 2013

Brad Mackay
Ivory Development
978 Woodoak Lane
Salt Lake City, UT 84117

NOTICE OF PLANNING COMMISSION ACTION

Project Description: Park City Heights MPD amendment and preliminary plat revision
Project Numbers: PL-13-02009
Project Address: Richardson Flat Road
Date of Final Action: November 6, 2013

Action Taken

The Planning Commission conducted a public hearing and approved the Park City Heights MPD amendment and revisions to the preliminary plat. Approval was granted in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact

1. The Park City Heights MPD includes the following:
 - a. 160 market rate units distributed in a mix of: cottage units on smaller lots (lots are approximately 6,000 to 8,600 sf in size); single-family detached units on approximately 8,000 sf to 27,000 sf lots; and single family detached on two upper lots which are approximately 44,000 and 48,000 sf each. The approximate distribution of types of product is identified in the Design Guidelines.
 - b. 28 deed restricted townhouse units (44.78 affordable unit equivalents or AUE). These 28 units meet the required IHC affordable units under their affordable housing obligation and are configured as seven four-plexes.
 - c. 16 deed restricted units (32 AUE). These 16 units meet the affordable housing required by the CT zone (LMC 15-2.23-4(A) (8)) and the Affordable Housing Resolution 17-99. These units are configured as a mix of single-family detached, cottage homes, and townhouse units. These units will be configured as Single Family Detached Cottage Homes and dispersed throughout the cottage homes area.

d. 35 additional non-required deed restricted affordable units in a mix of unit types. These units will be configured as small lot Single Family Detached Park Homes.

e. All units (including all deed restricted units) will be constructed to, National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification or LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.

. In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either: 1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score. Third party inspection will be provided. An industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to building permit issuance.

f. A total of 171.5 acres of open space (not including open space within individual lots) is provided. This is approximately 72% of the entire 239 acres. This total includes the 24 acre parcel located adjacent to Highway 248 that is deeded to the City for open space.

g. An additional 5 acres of deeded open space is provided on Round Valley Drive adjacent to US 40 south of the Park City Medical Center. This open space is not included in the 72% figure. This is in exchange for transferring the 28 IHC deed restricted townhouse units to the PC Heights neighborhood. This parcel is deed restricted per requirements of the Burbidge/IHC Annexation and Development Agreements.

h. A dedicated 5.70 acres () of public neighborhood parklands with fields, tot lot and playground equipment, shade structure, paths, natural areas, and other amenities to be designed and constructed by the developer and maintained by the City. This parkland is included in the open space calculations. Bathrooms are proposed in the club house with exterior access for the public park users. Community gardens may be developed by the HOA in close proximity to the parkland within open space areas adjacent to the small lot Park Homes or the Park Homes.

i. (intentionally left blank)

j. 3 to 4 miles of soft surface trails within and around the property and an additional mile or so of hard surfaced sidewalks and paths along the Project's streets.

k. Trail connections to the Rail Trail and Quinn's trail, including trail on the north side of Richardson Flat Road from the 248 underpass to the Rail Trail and trail on the south side of the Road from the project to the Rail Trail. Trail connections to the south property line for future connections to the Jordanelle area. Trail easements on north side of Richardson Flat Road from Rail Trail to the east property line. Trail connections to the Park City and Snyderville Basin back country trails system. Trails are further described in Finding #11.

l. A Transit bus shelter along Richardson Flat road including "dial-a-ride signs" (City bus service is expected to be extended to Park City Heights and the Park and Ride).

m. Bike racks at the club house and Public Park.

n. Cross walk across Richardson Flat road at the rail trail.

o. A 3,000 sf community center/club house shall be constructed by the developer; Exterior access bathrooms will be available for park users.

p. Water infrastructure improvements that enhance the City's overall water system and provide redundancy as required by the Water Agreement executed as part of the Annexation Agreement. Water shares were dedicated to the City as part of a pre-annexation agreement.

q. Transportation improvements to the Richardson Flat/248 intersection including lane improvements and installation of a traffic signal to provide intersection safety (controlled left turn) and putting the Park and Ride facility and Park City Heights on the City bus route. These transportation improvements meet the requirements in the Annexation Agreement.

r. Following Wildlife recommendations as identified in the Biological Resources Overview prepared by Logan, Simpson Design, Inc. amended March 17, 2011.

s. Design Guidelines approved as part of this MPD apply to all lots, with the exception of the 2 upper lots proposed to be subject to the CCRs for the Oaks at Deer Valley, or equivalent.

t. No sound barrier walls or structures along US 40 within or related to the MPD.

u. Construction of support commercial such as a daycare facility, café, or other support commercial/offices would be the responsibility of the owner/developer of said property.

2. The Park City Heights MPD is subject to the Park City Heights Annexation Agreement approved by the City Council on May 27, 2010. The Annexation Agreement sets forth terms and conditions of annexation, zoning, affordable housing, land use, density, transportation and traffic, phasing, trails, fire prevention, road and road design, utilities and water, fiscal impact analysis, snow removal, fees, and sustainable development requirements for the 239 acre Park City Heights MPD. The MPD as conditioned is in compliance with the requirements of the Annexation Agreement.
3. The Park City Heights Annexation Agreement includes a Water Agreement as an integral component. The Water Agreement sets forth terms and conditions related to water facilities, restrictions regarding water, and phasing of development as it relates to completion of water infrastructure. The MPD as conditioned is in compliance with the Water Agreement.
4. On June 17, 2010, the applicants submitted a pre-MPD application based on the annexation approval and agreement. The Planning Commission reviewed the pre-MPD application at two (2) meetings (July 14 and August 11, 2010) and found the application to be in initial compliance with applicable elements of the Park City General Plan.
5. On June 30, 2010, the applicants submitted a complete MPD application.
6. The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record as required by the Land Management Code.
7. Public hearings on the MPD were held on October 13th, November 10th, and December 8th, 2010 and on February 9th, February 23rd, March 9th and March 23rd, 2011 and on April 27, 2011.
8. The property is located within the Community Transition (CT) zone. The MPD is in compliance with all applicable requirements of the CT zone, including density, uses, building setbacks, building height, parking, open space, affordable housing, and sustainable development requirements.
9. Access to the site is from Richardson Flat Road, a public road previously known as Old Dump Road. No access is proposed to the currently unimproved US 40 frontage road (UDOT) along the east property line. No roads are provided through the Park City Heights MPD to the Oaks, Royal Oaks, or any other neighborhood within the Deer Valley MPD, consistent with the Annexation Agreement.
10. Utilities are available in the area, however extension of utilities or utility upgrades to the development site are required. A final utility plan will be submitted with the final subdivision plats to be reviewed by the Interdepartmental and Utility Service providers Development Review Team. City Staff will provide utility coordination meetings to ensure that utilities are provided in the most efficient, logical manner and that comply with best practices, including consideration of aesthetics in the location of above ground utility boxes. Location of utility boxes shall be shown on the final utility plans. The MPD

phasing plan shall be consistent with conditions of the Annexation Agreement related to provision of public services and facilities.

11. The MPD includes 1) a paved connector trail on the south side of and separated from Richardson Flat Road, from the project to the Rail Trail, 2) a paved connector trail on the north side of and separated from Richardson Flat Road, from the SR 248 underpass to the Rail Trail, 3) a trail connection from trails within the project to the south property boundary line, 4) a trail easement along the north side of and separated from Richardson Flat Road from the Rail Trail to the east property boundary line, and 5) several miles of paved and soft surfaced trails throughout the development. All trails will be constructed by the developer consistent with the Park City Trails Master Plan.

12. The MPD includes a dedicated neighborhood public park to be constructed by the developer according to the City's parks plan, and as further directed by the City Council. Bathrooms are provided at the clubhouse with exterior access for the park users.

13. Parking within the MPD is proposed at two spaces per unit within private garages. Additional surface parking is provided for guests, the community gardens/park area, and the neighborhood clubhouse/meeting area. The streets have been designed to allow for parking on one-side per the City Engineer. Final street design will be determined at the time of the final plat and additional off-street guest parking areas will be incorporated into the design.

14. The proposed MPD density of 1 unit per acre complies with the density allowed by the CT zone. (239 units on 239 acres) The net density is 0.82 units per acre (195 units on 239 acres), excluding the 44 required deed restricted housing units. The density is consistent with the Annexation Agreement. If the additional 35 deed restricted affordable units are included in this analysis the net density is 0.67 units per acre (160 units on 239 acres).

15. The LMC requires a Sensitive Lands Analysis for all Master Planned Development applications. The MPD application included a Sensitive Lands Analysis.

16. A portion of property is located within the designated SR 248 Entry Corridor. This area is identified in the MPD as open space and all required entry corridor setbacks of 200' are complied with.

17. The property contains SLO designated steep slopes, ridgelines and wetland areas. These areas are identified in the MPD as open space areas and all required wetland and stream setbacks are complied with.

18. A wildlife study was conducted and a report (December 2010) was prepared by Logan Simpson Design, Inc. A revised report was prepared on March 17, 2011. The wildlife study addresses requirements of the Land Management Code and provides recommendation for mitigation of impacts on wildlife. An updated report was submitted by Logan Simpson Design, Inc. on July 7, 2011. The purpose of the updated report was to provide additional recommendations on mitigating impacts of the development on the

wildlife in the area; to validate the observations of the earlier biological reports; to further study and identify wildlife movement corridors, evidence of species of high public interest such as Elk, Moose, Deer, and other small mammals; locations of dens or nesting sites; and to identify any areas of high native species diversity.

19. The site plan complies with the minimum MPD required 25' setback around the perimeter of the property. Setbacks range from 25' to 690' (greater to the south property line).

20. The locations of the proposed units are consistent with the MPD site planning and Sensitive Lands Overlay criteria.

21. The property is visible from the designated LMC Vantage point along State Road 248 and a visual analysis was conducted by the applicant from this Vantage point. Additional visual analysis was provided from the intersection of Richardson Flat Road and SR 248. Units along the western perimeter are most visible along the minor ridge from SR 248. Any units that are over the 28' height limit as measured in the zone will be required to obtain an Administrative Conditional Use Permit.

22. (Intentionally left blank)

23. Design Guidelines for the Park City Heights MPD address site planning, setbacks, house sizes, architecture and design, sustainability and best practices, landscaping and water conservation, and other requirements of the Annexation Agreement.

24. A comprehensive traffic study and analysis of the Property and surrounding properties, including existing and future traffic and circulation conditions was performed by the Applicant's traffic consultant, Hales Engineering, dated June 7, 2007, on file at the Park City Planning Department. An updated traffic volume and trip generation report was provided by Hales Engineering on September 27, 2010. An additional traffic update was provided in 2008 by InterPlan Co at the request of the City Transportation Department. The Hales Engineering study was utilized during the annexation process in the determination of density and requirements for traffic and transportation related impact mitigations. The City's Transportation Department prepared a Short Range Transit Development Plan to study demand for transit, routes, efficiency of the transit system, etc. This Transit Plan addresses the timeline for bus service in the Quinn's Junction area. The City's Transportation Master Plan update will include the projected traffic from Park City Heights MPD in the recommendations for transportation improvements within the City.

25. Construction traffic is required to be addressed in the Construction Mitigation Plan.

26. A Geotechnical Study for the Park City Heights Development was provided by Gordon, Spilker Huber Geotechnical Consultants, Inc. (June 9, 2006). Expansive clay soils were encountered across the site in the upper two and one-half to nine and one-half feet. Shallow bedrock was found within portions of the site. Special construction methods, removal of these unsuitable soils, and other mitigations are spelled out in the

Study. An additional geotechnical report was prepared by AGECE dated December 20, 2011 and submitted to the City.

27. A Fire Protection Report (March 2011) identifies potential Wildland urban interface areas within the MPD. Prior to issuance of building permits the Building Department will review individual building fire protection plans for compliance with recommendations of the Fire Protection Report and applicable building and fire codes. The fire protection component of the plan shall ensure that Park City's ISO rating is not negatively affected by development of the site.

28. Affordable housing obligations of the MPD are consistent with the affordable housing described by the Park City Heights Annexation Agreement, Housing Resolution 17-99 and as required by the CT zone. The MPD provides up to an additional 35 deed restricted housing units over the 28 deed restricted townhouse units (44.78 affordable unit equivalents (AUE) required by the IHC MPD and the 16 deed restricted units (32 AUE) required by the CT zone for the 160 market rate units). These affordable units are configured as a mix of single-family detached, cottage units, and attached townhouse units. The additional 35 non-required deed restricted affordable units are proposed to be configured as the small lot Park homes as part of this MPD consistent with the needs described in Housing Market Assessment for Park City, dated September 2010. All units are proposed as for sale units. Defining the configuration of units to be as follows:

- a. 35 Deed restricted units will be configured as Small Lot Single Family Detached Park Homes.
- b. 28 Deed restricted townhouse units will be configured as attached Four-plex Park Homes.
- c. 16 Deed restricted units will be configured as Single Family Detached Cottage Homes dispersed throughout the development.

29. No building height exceptions have been requested and all buildings will comply with the height limitations of the CT zone.

30. Lots have been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation, have been mitigated to the extent possible as further described in the Park City Heights Design Guidelines.

31. Utilities must be extended to the site to sustain the anticipated uses. Thirty (30') foot wide non-exclusive utility easements are generally necessary for long term maintenance and shall be dedicated on the final subdivision plats. Off-site improvements are necessary to serve the site with utilities.

32. Off-site trail and intersection improvements may create traffic delays and potential detours, short term access and private driveway blockage, increased transit time, parking inconveniences, and other impacts on the adjacent neighborhoods and to the community in general. Construction Mitigation Plans are required and shall be required to include mitigation for these issues.

33. A Construction Mitigation Plan (CMP) is necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control and storm water management.

34. Final road designs will be provided to the Planning Commission for review with the final subdivision plats. To minimize visual impacts and to minimize disturbance of existing vegetation due to large areas of cut and fill slopes, low retaining structures (in steps of 4' to 6') are recommended. These low retaining structures may be stepped to minimize their height. Design of these retaining structures is included in the PC Heights Design Guidelines to ensure consistency of design, materials, and colors throughout the development.

35. A storm water run-off and drainage plan is necessary to ensure compliance with Park City's Storm Water Management policies and plans and storm water Best Management Practices for storm water during construction and post construction with special considerations to protect the wetlands delineated on and adjacent to the site.

36. A financial guarantee for all landscaping and public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner in a timely manner. This financial guarantee is required prior to building permit issuance.

37. Intentionally deleted.

38. A master sign plan is required for Planning Department review and approval and all individual signs, including subdivision identification signs, require a sign permit prior to installation.

39. Sound mitigation may be desired by owners of units along US 40. Conditions of approval prohibit sound barrier walls within the MPD. However, other sound mitigation measures may be accomplished with landscaping, berming, smart housing design and insulation, and sound barriers constructed as part of the dwelling units.

40. Section 15-6-4 (G) of the LMC states that once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement.

41. The applicant stipulates to the conditions of approval.

42. The discussion in the Analysis sections of this report and the Analysis sections of the March 23, 2011 Planning Commission Staff Report (Exhibit A) are incorporated herein.

43. The applicants have met with Rocky Mountain Power and have increased the Rocky Mountain Power line setbacks as required by this Utility.

44. The site plan for the proposed MPD has been designed to minimize the visual impacts of the development from the SR 248 Entry Corridor and has preserved, through open space, the natural views of the mountains, hillsides and natural vegetation consistent with Park City's "resort character".

45. The 171.5 acres of open space adjacent the development, the trail connections and improvements, and proposed neighborhood public park, as conditioned, will provide additional recreational opportunities to the Park City community and its visitors, which strengthens and enhances the resort character of Park City.

46. The opportunities for mixed affordable housing types, including rental units, within the development will strengthen the resort economy by providing attainable housing options in a sustainable and energy efficient community for workers in Park City's tourism/resort based industries.

47. Surrounding uses include open space, Highway 248, US 40, the Rail Trail, the Municipal Water Treatment Plant, Quinn's recreation complex (fields and ice rink), and the IHC medical center and offices.

48. The MPD provides direct connection to and critical improvements of the Rail Trail and provides alternative transportation opportunities for recreation and commuting, such as biking, walking, in-line skating, and cross country skiing to Park City's business district at Prospector Square (within 2 miles) and to the IHC medical complex.

49. The MPD provides for remediation of historic mine soils for the good of the greater Park City community.

50. Further soils investigation work was conducted and a Site Characterization Report was prepared by IHI Environmental (May 6, 2013) to identify and locate historic mine soils and to draft a remediation plan to submit to the State Department of Environmental Quality as part of the Voluntary Cleanup Program.

Conclusions of Law

1. The amended MPD, as conditioned, complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Chapter 6- Master Planned Developments Section 15-6-5 as stated in Exhibit A, March 23, 2011 Planning Commission Staff Report.

2. The amended MPD, as conditioned, is compatible with surrounding structures in use, scale, mass, and circulation.

3. The amended MPD, as conditioned, is consistent with the Park City General Plan.

4. The amended MPD, as conditioned, is consistent with the Park City Heights Annexation Agreement in terms of uses, density, housing types, site plan, affordable housing, open space, trail connections, road and intersection improvements, interconnectivity within the neighborhood, and provided neighborhood amenities.
5. The amended MPD, as conditioned, strengthens and enhances the resort character of Park City by providing a residential neighborhood of mixed housing types and prices connected by trails to parks, schools, recreation facilities, employment centers, medical facilities, and commercial areas and that is buffered by larger interconnected areas of open space that preserve entry corridor views of the resort areas and provide wildlife movement corridors.
6. The amended MPD, as conditioned, is Compatible in use, scale and mass with adjacent properties, and promotes neighborhood Compatibility.
7. The amended MPD provides amenities to the community so that there is no net loss of community amenities in that trail improvements, parkland, affordable housing, potential for neighborhood support daycare/commercial are provided, and remediation of historic mine soils on the site will be undertaken at a benefit to the community at large.
8. The amended MPD is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed. Additional affordable house, above that required is provided within the neighborhood.
9. The amended MPD has been designed to place Development on the most Developable Land and preserves significant features and vegetation to the extent possible. Seventy percent of the property remains in open space, with much of the undeveloped land containing significant vegetation and characterized by steeper slopes, visible hillsides, and sensitive ridgeline areas.
10. The amended MPD promotes the Use of non-vehicular forms of transportation through the pedestrian friendly site design and by providing trail connections, sidewalks, access to the Rail Trail, and easy access to parks and open space areas.
11. The MPD and MPD amendments have been noticed and public hearings held in accordance with the LMC.

Conditions of Approval

1. All standard project conditions shall apply (Attached).
2. A final subdivision plat for each phase, or sub phase, of development shall be submitted for review by the Planning Commission and City Council and shall be recorded prior to issuance of building permits for individual units within that plat. The plats shall be consistent with the LMC, preliminary plat and the PC Heights site plan and documents reviewed and approved by the Planning Commission during the MPD approval. Final street design, including final cut and fill calculations and limit of

disturbance areas, shall be submitted with all final subdivision plats to be reviewed and approved by the Planning Commission during final subdivision review. Off-street guest parking areas shall be identified on the final plats.

3. A limit of disturbance area (LOD), maximum building footprint and/or house size limitation and a setback requirement table for the lots shall be included on the final plats consistent with the Park City Heights Design Guidelines.

4. A note shall be added to the final plats stating that a landscape plan shall be submitted for City review and approval for each lot, prior to building permit issuance for that lot.

5. A note shall be added to the final plats stating that all units (including all deed restricted units) shall be constructed to, National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification or LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.

In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either: 1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score.

Third party inspection will be provided. An industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to building permit issuance.

6. A final landscaping and irrigation plan for common areas shall be submitted with the final plats for each phase. Entry and perimeter landscaping shall be completed within six (6) months of issuance of the first building permit, weather and ground conditions permitting. Other Project landscaping, shall be completed within nine (9) months of issuance of 50% of building permits or within six (6) months of any individual Certificate of Occupancy. Landscaping materials and irrigation shall comply with the requirements of the Annexation Agreement, including the Water Agreement, and the Park City Heights Design Guidelines.

7. All exterior building materials, colors and final design details must comply with the approved Park City Heights Design Guidelines and shall be approved by staff prior to building permit issuance.

8. All exterior lighting, including any street and/or path lighting shall be designed to limit the trespass of light into the night sky as much as possible and shall conform to the LMC Sections 15-5-5-(I) and 15-3-3(c) and the Park City Heights Design Guidelines.

9. All exterior lighting, with the exception of bollard lighting at the park shall be privately maintained.

10. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall address construction phasing, staging, storage of materials, circulation and traffic, parking, service and delivery, re-vegetation of disturbed areas, temporary signs and construction lighting, hours of operation, dust and mud control, storm water management, and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service. The CMP shall include a site and landscape plan for the sales office building (either within the clubhouse or within a finished unit) to address landscaping, lighting, and parking for the sales office. Construction Mitigation Plans shall provide mitigation measures for traffic delays and potential detours, short term access and private driveway blockage, increased transit time, parking inconveniences, and other impacts on the adjacent neighborhoods and to the community in general.

11. The CMP shall address disposal and treatment of all excavated materials. The capping of exposed soils within the City's Soils Ordinance Boundary is subject to all applicable regulations and requirements of the Park City Soils Ordinance Title 11, Chapter 15- Park City Landscaping and Maintenance of Soil Cover. A detailed Limit of Disturbance (LOD) plan shall be submitted as part of the CMP. The Limits of Disturbance for the entire site shall be minimized to the greatest extent possible, using best construction practices, and shall include the use of additional low retaining walls and steeper slopes to prevent un-necessary disturbance of native vegetation.

12. A construction recycling area and an excavation materials storage area shall be provided within the development to reduce the number of construction trips to and from the development. This condition applies at a minimum to the first two phases of development and may be waived for subsequent phases of development upon request by the applicant and upon review by the Planning, Building, and Engineering Departments.

13. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed pre-development drainage conditions and special consideration shall be made to protect the wetlands delineated on and adjacent to the site.

14. Maintenance of sidewalks (including, without limitation, snow removal), trails, lighting, and landscaping within the rights-of-way and common areas, with the exception of the Public Park and public trails, shall be provided by the HOA, unless otherwise agreed upon by the City Council. Language regarding ownership and maintenance of the open space and common areas shall be included on the final subdivision plats.

15. A financial guarantee, in a form and amount acceptable to the City and in conformance with the LMC Subdivision Regulations, for the value of all public improvements, pedestrian amenities and trails, sidewalks, bus stop amenities, landscaping (including landscaping to re-vegetate and re-landscape areas disturbed by construction related to the MPD) to be completed according to the final approved plans shall be provided to the City prior to building permit issuance for new construction within each phase of construction. All public improvements shall be completed according to City standards and accepted by the City Council prior to release of this guarantee.

16. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD review, shall be submitted with the final subdivision plats. Utility plans shall be reviewed by the Interdepartmental staff members and the utility service providers as the Development Review Team. Utilities for the MPD shall be placed underground.

17. The City Engineer shall review and approve all associated utility and public improvements plans (including streets and sidewalks, grading, drainage, trails, public necessity signs, street signs and lighting, and other required items) for compliance with the LMC and City standards as a condition precedent to final subdivision plat recordation. This shall include phasing plans for street construction to ensure adequate fire turn-around that minimize disturbance of native vegetation. Due to expansive soils in the area, grading and drainage plans shall include a comprehensive lot drainage plan for the entire phase of each final subdivision plat.

18. Above ground utility boxes must be shown on the final utility plans. The location of these boxes shall comply with best practices for the location of above ground utility boxes. These boxes shall be located in the most efficient, logical, and aesthetic locations, preferably underground. If located above ground the boxes shall be screened to minimize visual impacts and locations shall be approved by the City Engineer.

19. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plats, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.

20. All construction, including grading and trails, within the Park City Soils Ordinance area shall comply with restrictions and requirements of the Park City Soils Ordinance (Municipal Code Title 11, Chapter 15).

21. Trail improvements necessary to connect the Rail Trail to the Hwy 248 tunnel trail on the north side of Richardson Flat Road, as well as the trail connection from the Rail Trail to the public park on the south side of Richardson Flat Road, will likely impact the

wetlands in this area. Precedent to issuance of a building permit for these trails a wetlands impacts and enhancements plan shall be reviewed by the Planning Staff. All required wetlands permits shall be obtained from the required agencies.

22. Mitigation for the disturbance of any wetland areas shall be identified on the trail construction plan and shall include enhancements of wetlands as an amenity feature for users of the trail system.

23. Enhancements to wetland areas and other disturbed areas within the MPD could include but are not limited to educational signs, such as identification of plants and animals, ecological processes, wetlands ecology, and insights into seasonal changes to the landscape; plantings that encourage and/or provide food sources for wildlife; additional on-site water sources; cleanup of degraded areas; and new nesting habitat/bird and small mammal boxes.

24. Lots 89 and 90 of the amended preliminary subdivision plat have been shifted to match the trail phasing plan to locate the trail connection on the open space.

25. All construction, including streets, utilities, and structures shall comply with recommendations of the June 9, 2006, Geotechnical Study for the Park City Heights Development provided by Gordon, Spilker Huber Geotechnical Consultants, Inc. Special construction methods, removal of unsuitable soils, and other mitigation measures are recommended in the Study. Additional soils studies and geotechnical reports may be required by the Building Department prior to issuance of building permits for streets, utility installation, and structures.

26. A detailed review against the Uniform Building and Fire Codes in use at the time of building permit submittal is a condition precedent to issuance of full building permit.

27. Fire protection and emergency access plans shall be submitted prior to the issuance of any building permits and shall be consistent with applicable building and fire codes and shall take into consideration the recommendations of the Fire Protection Report (March 2011). The fire protection plans shall include any required fire sprinkler systems and landscaping restrictions within the Wildland interface zones. The plans shall ensure that Park City's ISO rating is not negatively affected by the development.

28. A limit of disturbance area shall be identified during the building permit review and construction fencing will be required to mitigate construction impacts. Silt fencing is required during construction in areas where run-off and construction may impact adjacent wetlands, water ways, and undisturbed areas as determined by the Building Department.

29. Trail easements for all proposed trails in the MPD shall be platted on the final recorded subdivision plats. All trails shall be constructed consistent with the Park City Trails Master Plan and the Snyderville Basin Trails Master Plan. Connections to undeveloped property to the south providing future connections to the Wasatch County shall be consistent with the Wasatch County Trails Plan.

30. Construction of the public park, trails within the first phase, trail connections to the Rail Trail on both the north and south sides of Richardson Flat road, as described in the findings, and other neighborhood amenities associated with the first phase, shall commence upon issuance of the 40th building permit for Phase I (as described in the Annexation Agreement) and shall be complete within 9 months from commencement of construction, unless otherwise directed by City Council. In subsequent phases, trails, amenities, and other improvements shall be completed prior to issuance of 50% of the certificates of occupancy for the units within that phase, or as otherwise stated in the Development Agreement.

31. The neighborhood public park shall be developed in accordance with standards set forth and required by the City Council, Recreation Advisory Board and city standards. A minimum area of 100 by 80 yards shall be initially free from fixed improvements until final field design is approved or further conditioned at subdivision approval. The park will include bathrooms in the club house with exterior access for park users.

32. An Affordable Housing Plan, consistent with the Park City Heights Annexation Agreement and as required by LMC Section 15-6-5 (J), shall be reviewed by the Planning Commission and a recommendation shall be forwarded to the Park City Housing Authority. The Park City Housing Authority shall approve the final Park City Heights Affordable Housing Plan prior to issuance of any building permits for units within the MPD.

33. As a condition precedent to receiving a certificate of occupancy for any market rate unit the City shall be provided with proof of compliance with the approved Affordable Housing Plan.

34. A master sign plan for the neighborhood shall be submitted, reviewed for compliance with the Park City Sign Code, and approved by the City, as a condition precedent to issuance of any individual sign permits.

35. No sound barrier walls or structures along Hwy 40 are permitted within the MPD. To the extent sound mitigation measures are utilized within the MPD, such measures shall be limited to landscaping and berms, energy efficient housing design and insulation, and sound mitigation constructed as part of the design of the dwelling units and shall be reviewed by the Planning Department for compliance with the Design Guidelines.

36. Approval of this Master Planned Development is subject to LMC Chapter 6- Master Planned Developments and shall expire on October 26, 2014, unless Construction, as defined by the Uniform Building Code, has commenced on the project.

37. Pursuant to Section 15-6-4 (G) of the LMC, once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement. The Development Agreement must be ratified by the Planning Commission within 6 months of this approval. The Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.

38. The Park City Soils Boundary shall be identified on the final plats (if applicable).

39. Timing of completion of all required items and public benefits shall be further described and stated in the Development Agreement.

40. No through roads may be provided through the Park City Heights MPD to the Deer Valley MPD subdivisions.

41. A re-vegetation plan for all disturbed areas (existing and newly disturbed) that are not landscaped with finished landscaping shall be submitted with the final road and utility plans for each phase. Re-vegetation of all disturbed areas within Phase One, that are not planned to be landscaped with finished landscaping, such as road and utility installation, soil remediation, other existing disturbed areas, shall be completed prior to issuance of the 28th certificate of occupancy for the Park City Heights MPD. If this area is used as a construction staging, construction recycling area, and excavated materials storage area, a new construction staging area will need to be approved by the Planning Department for the remainder of Phase I and for subsequent phases and shall be re-vegetated in a like manner with the issuance of certificates of occupancy for the final units in the respective phase.

42. Noxious weeds shall be managed per the Summit County noxious weeds ordinances during construction and in perpetuity by including regulations in the CMP, Design Guidelines, and CCRs.

43. One additional site visit was required by certified biologists during May or June 2011 to: a) validate the observations of the preliminary biological report and, b) to further study and identify wildlife movement corridors, evidence of species of high public interest (Elk, Moose, Deer, and other small mammals), locations of den or nesting sites, and any areas of high native species diversity. The report, provided to the Planning Department by Logan Simpson Design Inc. on July 7, 2011, included additional recommendations on mitigating impacts of the development on wildlife and wildlife corridors. The report was provided to the Planning Department on July 7, 2011.

44. Clearing and grubbing of vegetation and soils shall be minimized from April through July to avoid disturbance of nesting birds, unless a detailed search for active nests is conducted and submitted to the Planning Director for review by a certified wildlife biologist and any active nests are protected during construction

45. Left blank intentionally.

46. Due to the visual exposure of these lots on the minor ridge, as a condition precedent to building permit issuance for construction of a house on the western perimeter lots, namely Lots 23, 24, 30, 31, 66, 67, 76 and 77 of the preliminary subdivision plat prepared by Ensign and dated 1/17/11, a conditional use permit shall be obtained if

proposed building heights are greater than 28 feet. Lots 23, 24, 30, 31, 66 and 67 have been moved down the hill farther away from the minor ridge as much as possible and the concern for visual exposure is lessened with the revised plan. Lots 76 and 77 remain the same.

47. The applicants shall approach the adjacent property owner to the west to explore a mutually agreeable plan for incorporating the parcel into the Park City MPD and transferring density to the Park City Heights neighborhood in exchange for open space designation of this highly sensitive and visible parcel of land and the potential to relocate the upper western cul-de-sac to a less visible location.

48. All work within the Rail Trail ROW requires review by and permits issued by the Utah State Parks/Mountain Trails Foundation, in addition to the City. The Rail Trail shall remain open to pedestrians during construction to the extent possible.

49. High energy use amenities, such as snow melt systems, heated driveways, exterior heated pools and fireplaces, shall require energy off-sets and/or require the power to be from alternative energy sources, as described in the Park City Heights Design Guidelines.

50. All conditions, requirements, and stipulations of the Park City Heights Annexation Agreement and Water Agreement continue to apply to this MPD.

51. The final MPD phasing plan shall be consistent with conditions of the Water Agreement as to provision of public services and facilities.

52. All transportation mitigation requirements, as stated in the Annexation Agreement, continue to apply to this MPD.

53. The Applicant must meet all applicable bonding requirements.

54. Bus shelters on both the north and south sides of Richardson Flat Road shall be constructed within 60 days of issuance of the 40th certificate of occupancy. The shelter design and location shall be approved by the City Planning, Engineering, Building, and Transportation Departments and shall include a sign with the phone number of the Park City Bus service dial-a-ride. Information regarding the dial-a-ride service shall be posted within the shelters.

55. Sheet c4.0 (LOD Erosion Control Plan) shall be amended as follows: Note 1 shall read that the LOD for roadways is not to extend beyond 3' from the cut/fill limits as shown on the plan. Note 2: A 4 to 6 foot engineered wall shall be used in areas outside the limits of future home and driveway construction and where proposed cut/fill is in excess of 10' vertical as measured from the top back of curb to cut/fill catch point. Note 3: Proposed retaining walls shall not exceed 6 feet where they are necessary. A system of 4' to 6' walls with no individual wall exceeding 6', (i.e. tiered walls) may be used. The walls shall be separated by a 3' landscaped area from top back of lower wall to toe of upper wall. Note 4: Exceptions to these standards may be granted by the Planning

Commission at the time of final subdivision plat review as necessary to minimize overall total disturbance.

56. House size limitations for all lots within the MPD shall be identified in the Design Guidelines subject to further appropriate reduction if found necessary during the final subdivision plat process, taking into consideration the size of the lots, visibility of the lots from the LMC Vantage Points, solar access of adjacent lots, onsite snow storage, and ability to achieve LEED for Homes Silver rating to meet the applicable standards of LMC 15-7.3-3.

Nothing herein shall preclude the applicant from proposing alternative methods of mitigation. Specifically, and without limitation, the Design Guidelines shall provide that house sizes of the Homestead lots shall be no greater than the following: (as delineated below by lot numbers per the preliminary plat prepared by Ensign and dated 1/17/11)

Lots 58 thru 66- 4000 square feet
Lots 130 thru 154- 4000 square feet
Lots 163 thru 164- 4000 square feet
Lots 70 thru 72- 5000 square feet
Lots 105 thru 129- 5000 square feet
Lots 155 thru 156- 5000 square feet
Lots 77 thru 98- 6000 square feet

The Design Guidelines shall reflect a preference for smaller homes consistent with (a) “best practices” in sustainable design and development to address the materials and energy impacts of larger homes and (b) the historic pattern of residential development in Old Town.

57. The Park City Heights Design Guidelines were approved by the Planning Commission prior to ratification of the Development Agreement by the Planning Commission and shall be used to review all activity and permits for compliance with the MPD.

58. The Park City Heights Design Guidelines are an integral component of the Park City Heights MPD and substantive amendments to the Design Guidelines require Planning Commission approval. Minor amendments shall be reviewed by the Planning Director for consideration and approval.

59. Adequate snow storage easements, as determined in consultation with the Park City Public Works, will be granted to accommodate for the on-site storage of snow. Snow storage shall not block internal pedestrian sidewalks and circulation trails. Removal of snow from the Park City Heights MPD is discouraged with the final decision to haul snow from this area to be made by the City’s Public Works Director. The soil repository shall not be utilized for snow storage. Stormwater detention areas to the west of the designed repository shall be allowed to be utilized for snow storage as well as stormwater.

60. To further encourage non-vehicular transportation, trail maps will be posted in the clubhouse for the benefit of future residents. There will also be a ride-share board located within the clubhouse that residents may utilize in order to plan carpooling which will further limit trips from the development. The dial-a-ride phone number shall be posted at the ride-share board. The HOA shall post information and consider a bike-share program.

61. The Park City Heights Design Guidelines and CCRs shall include information related to the history of the site and Quinn's Junction region.

62. All transportation mitigation elements, as required by the Park City Heights Annexation Agreement (July 2, 2010) continue to apply to this MPD. The Applicants, as required by the Annexation Agreement, shall complete, with the first Phase (first 90 UEs) of the MPD (as described in the Annexation Agreement), the SR248/Richardson Flat intersection improvements with all required deceleration and acceleration lanes; and shall include the required infrastructure (fiber optic, control boxes, computer links, etc.) to synchronize this traffic signal with the UDOT coordinated signal system on SR 248, within the Park City limits at the time of this MPD. At the time the traffic signal is installed, the Applicants shall request in writing that UDOT fully synchronize signals along SR 248, with supporting data as applicable. Required improvements to Richardson Flat Road, including 5' wide bike lanes, as stated in the Annexation Agreement, shall be complete with the first Phase (first 90 UEs) of the MPD. The cost sharing methodology between the Applicants and any assigns, for these mitigation elements, shall be detailed in the Park City Heights Development Agreement. The Applicant shall provide an annual assessment of traffic counts and bus needs generated by the MPD for five (5) consecutive years following issuance of the first certificate of occupancy. The applicants shall participate with the City to conduct an annual assessment, which shall include peak period counts of both summer and winter traffic in the vicinity of the SR 248/Richardson Flat Road intersection, and submit such to UDOT. This information shall be coordinated with best available UDOT data and analysis. This assessment shall be incorporated into ongoing Park City Transportation Master Plan and the Park City Transit planning efforts with UDOT. This information shall be presented annually to the Planning Commission in conjunction with an update of the City Transportation Master Plan.

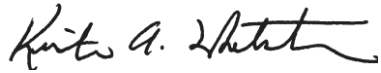
63. Prior to commencing any work to remediate metals impacted soils, a copy of the Utah Department of Environmental Quality approved remediation plan, prepared as part of the Utah Voluntary Clean-Up Program (VCP), shall be provided to the City.

64. The results and report of the soils investigation work prepared by IHI Environmental (May 6, 2013) that identifies and locates historic mine soils, and the remediation plan submitted to and approved by the State Department of Environmental Quality as part of the Voluntary Cleanup Program, shall be provided to the Building Department prior to issuance of any building permits for development of streets, utilities, lots, trails, parks, and all construction that requires disturbance of soil.

65. The applicants stipulate to a condition that a disclosure regarding the developer's participation in the Voluntary Clean-up Program and receipt of certificate of completion shall be included in the CCRs.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at 435-615-5066.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirsten A. Whetstone". The signature is fluid and cursive, with a prominent flourish at the end.

Kirsten A. Whetstone, MS, AICP
Senior Planner

File