

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
May 14, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF April 23, 2014

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

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATION

1201 Norfolk Avenue, Nirvana at Old Town Subdivision – Plat Amendment <i>Public hearing and continuation to May 28, 2014</i>	PL-14-02298 <i>Planner Alexander</i>	
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Round Valley Annexation and Zoning Map Amendment – Work Session and Site Visit <i>Public hearing and continuation to May 28, 2014 for site visit at 5:00 PM and public hearing</i>	PL-13-01857 <i>Planner Whetstone</i>	
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WORK SESSION – *Discussion items only, no action taken*

Capital Improvement Projects (CIP) Update –	<i>Matt Cassel</i>	33
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Building Department Update –	<i>Chad Root</i>	
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General Plan Implementation –	<i>Thomas Eddington</i>	43
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REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

1897 Prospector Avenue, re-subdivision of Lots 25A, 25B, and Parking Lot for Prospector Square Subdivision – Plat Amendment <i>Public hearing and possible recommendation to City Council June 5th, 2014</i>	PL-12-01744 <i>Planner Whetstone</i>	47
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1800 Park Avenue, Yarrow Hotel – Conditional Use Permit for temporary tent <i>Public hearing and possible action</i>	PL-14-02303 <i>Planner Wassum</i>	75
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129 Main Street – Steep Slope Conditional Use Permit <i>Public hearing and possible action</i>	PL-14-02251 <i>Planner Grahn</i>	87
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919 Woodside Avenue Subdivision – Plat Amendment <i>Public hearing and possible recommendation to City Council on June 5th, 2014</i>	PL-12-02296 <i>Planner Alexander</i>	123
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500 Deer Valley Drive, Broph’s Place Condominiums – Condo Record of Survey <i>Public hearing and possible recommendation to City Council on June 5th, 2014</i>	PL-14-02269 <i>Planner Astorga</i>	139
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1851 Little Kate Road, Dority Springs Subdivision– Plat Amendment <i>Public hearing and possible recommendation to City Council on June 5th, 2014</i>	PL-12-01733 <i>Planner Astorga</i>	153
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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 MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 23, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Anya Grahn, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioners Phillips who was expected to arrive later.

ADOPTION OF MINUTES

April 9, 2014

Chair Worel referred to page 4 of the Staff report, page 2 of the minutes and asked for an update on the request from Commissioner Gross for a liaison to replace him on the COSAC Committee. Commissioner Gross stated that he had been unable to find a replacement. Commissioner Strachan had offered to be the alternate but they still needed a primary committee member.

Commissioner Joyce stated that he was the alternate liaison to the Board of Adjustment. He would be willing to be the COSAC liaison if another commissioner would accept the role of alternate to the BOA. Commissioner Clay offered to be the alternate for the BOA. Commissioner Joyce would be the primary COSAC Liaison and Commissioner Strachan would be the alternate.

Commissioner Phillips arrived.

Commissioner Gross referred to page 33 of the Staff report, page 31 of the Minutes, third line, and replaced "Commissioner Gross was pointed out..." to correctly read, "**Commissioner Gross pointed out...**" Chair Worel referred to page 7 of the Staff report,

page 5 of the Minutes, third line, and replaced "...livability of the neighbor..." to correctly read, "...livability of the **neighborhood...**" In the same sentence she questioned whether "regain the topography" should be changed to "**retain** the topography".

MOTION: Commissioner Strachan moved to APPROVE the minutes of April 9, 2014 as amended. Commissioner Gross seconded the motion.

VOTE: The motion passed. Commissioner Joyce abstained since he was absent from the April 9th meeting.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington reminded the Planning Commission of the joint meeting with the City Council scheduled for May 13th. A preliminary presentation regarding Form Based Code would be held at noon. The regular meeting would start at 6:00 p.m. to re-initiate discussions on the Bonanza Park Area Plan and Form Based Code.

Commissioner Stuard disclosed that he had emailed a communication to the Planning Director and copied Chair Worel. However, he did not send it to the rest of the Planning Commissioners because of the Open Meeting requirements. Commissioner Stuard requested that the Commissioners join him in requesting a work session to discuss the imbalance that exists in the combination of Old Town lots. Large houses with many bedrooms create additional pillows, but only one garage and one off-street parking space is provided. Commissioner Stuard thought the issue should be pursued as a LMC amendment now rather than waiting until the re-write of the LMC. The Planning Commission continues to see a steady stream of applications and he preferred to address the issue sooner than later. Commissioner Stuard was hearing other opinions, but his suggestion would be for an FAR or .75 on a 25' x 75' lots combinations; and a similar number on the 37-1/2' wide lots. Both would be wide enough to accommodate a two-car garage with adequate space to design a house.

Director Eddington stated that the Staff had prepared a chart of future opportunities for long-range planning and Form Based Code, as well as lighting codes, sign codes and a number of other items that would come before the Planning Commission over the course of the next three years. The Staff would like to review the schedule for those items with the Planning Commission at the next meeting. The Staff also tried to outline dates and opportunities for the LMC changes. Director Eddington recommended that the Planning

Commissioner spend work session time at the next meeting to review that schedule. He recalled that the lot combinations were scheduled out a couple of months because the first few months would focus on Form Based Code and Bonanza Park.

Commissioner Joyce asked if the Planning Commission would have the opportunity to see a complete list of proposed LMC changes to help prioritize their importance in terms of scheduling. Director Eddington replied that the schedule would show all the items relative to the LMC revisions.

Commissioner Strachan disclosed that he would be recusing himself from the 1310 Lowell Avenue, Park City Mountain Resort discussion.

CONTINUATIONS(S) – Public hearing and continue to date specified.

1. 500 Deer Valley Drive Broph's Place Condominiums – Condo Record of Survey
(Application PL-14-02269)

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

MOTION: Commissioner Gross moved to CONTINUE 500 Deer Valley Drive Broph's Place Condominiums to May 14, 2014. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

2. 1851 Little Kate Road Dority Springs Subdivision– Plat Amendment
(Application PL-12-01733)

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

MOTION: Commissioner Joyce moved to CONTINUE 1851 Little Kate Road Dority Springs Subdivision Plat Amendment to May 14, 2014. Commissioner Stuard seconded the motion.

VOTE: The motion passed unanimously.

2. 129 Main Street – Steep Slope Conditional Use Permit
(Application PL-14-02251)

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

MOTION: Commissioner Joyce moved to CONTINUE 129 Main Street, Steep Slope CUP to May 14, 2014. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA – Discussion, public hearing, action.

**1. 820 Park Avenue - Subdivision
(Application PL-14-02271)**

Planner Anya Grahn reviewed the application for a plat amendment to combine approximately 123 square feet of the Town Lift Subdivision Plat B1-3, Lot E3, First Amended, as well as a metes and bounds parcel at 820 Park Avenue, and a City-owned tax parcel SAA-398-X, which contains approximately 229 square feet. The existing Rio Grande Building is identified as Significant on the City's Historic Sites Inventory. Planner Grahn reported that on November 13, 2013 the Historic Preservation Board reversed the Staff determination and upheld an appeal to move the structure to the southeast corner of 9th and Park Avenue.

Planner Grahn stated that on February 12, 2014 the Planning Commission approved a conditional use permit that included 10 residential condominium units, a commercial retail and service minor, café or deli, outdoor, office intensive, as well as an underground parking structure that contains approximately 24 parking spaces. The project is a multi-use development with ground level store front spaces and upper level residential units. At the time of the CUP approval, a condition of approval was added to make sure that any parking demands caused by the retail would not exceed the number of parking stalls required. Planner Grahn noted that the City Engineer limited vehicular access to 9th Street to help with traffic congestion that might be caused by this development.

Planner Grahn reported that the applicant has entered into a real estate purchase agreement in order to purchase the City-owned parcel that is located along 9th Street, as well as the Sweeney owned parcel. Planner Grahn noted that this was part of the original Sweeney MPD that was approved in 1985, and it is part of Lot E-3, which includes the ticket office. It was allowed four commercial unit equivalents. The Staff analysis included on page 65 of the Staff report shows that even though 123 square feet would be lost, the project would still comply with the open space requirements of the MPD. Planner Grahn reviewed a graph on page 64 of the Staff report showing that the applicant's proposal

meets the setbacks. They were proposing a 65' long common wall with the Sweeney Parcel. The LMC allows a common wall up to 100' in length.

The Staff found good cause to combine the parcels as it would allow the applicant to move forward with the Historic District Design Review that was approved on April 14th, 2014. The plat will not cause undue harm to any adjacent property owners and the City would gain two 10' wide snow storage easements along 9th Avenue and Park Avenue. The applicant had submitted a condo plat amendment that should come before the Planning Commission in late May to condominiumize the project.

Rory Murphy, representing the applicant, pointed out that they were cleaning up the lot lines. He noted that curb cuts on Park Avenue were changed to go on to 9th Avenue. The City owns the lot and they needed to clean up the lines to enable them to access from 9th Avenue. It was easier to purchase the property rather than to obtain an easement from the City. The little piece on the Sweeney side reflects the common wall boundaries as they currently exist.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Town Lift Subdivision Plat B1-3, Lot B-3 the First Amended and 820 Park Avenue Subdivision, according to the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 820 Park Avenue

1. The property is located at 820 Park Avenue within the Historic Recreation Commercial (HRC) Zoning District.
2. The applicant is requesting to combine approximately 229 square feet of City-owned located on the southeast corner of 9th Street and Park Avenue, the metes and bounds parcel at 820 Park Avenue, and approximately 123 square feet of Lot B-3 of

the Town Lift Subdivision, Plat B1-3.

3. The existing historic Rio Grande Freight Shed is designated as “Significant” on the City’s Historic Sites Inventory (HSI).

4. The applicant submitted a Historic District Design Review (HDDR) application on June 19, 2013. The application was deemed complete on October 17, 2013.

5. 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.

6. 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.

7. 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 sixty-five feet (65’).

8. 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.

9. 820 Park Avenue, LLC is currently working with the owners of 838 Main Street in order to purchase approximately 123 square feet of the Town Lift Subdivision, Lot B-3 and secure the necessary agreements to provide access to their development.

10. 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.

11. The applicant submitted a Conditional Use Permit (CUP) on June 19, 2013. The

application was deemed complete on November 26, 2013. The Planning Commission approved the CUP 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 on February 12, 2014.

12. The development of this site and increased commercial retail use in the neighborhood will result in additional traffic and parking demands. The City Engineer has required that the applicant limit vehicular access to the site from 9th Street so as to not increase traffic congestion along Park Avenue and at the 9th Street-Park Avenue intersection. Site triangles are better on 9th Street than Park Avenue and 9th Avenue is a lesser traveled street. Vehicular ingress and egress to the site's underground parking is proposed off 9th Street.

13. On March 3, 2014, the applicant applied for a plat amendment; the application was deemed complete on March 11, 2014.

14. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of developing the site at 820 Park Avenue, which includes

renovating the historic Rio Grande freight shed and constructing a multi-use structure on the site, as approved with the February 12, 2014 CUP.

15. The amended plat will create one new 12,660.06 square foot lot.

16. 838 Park Avenue was included as part of the 1985 Sweeney Master Planned Development (MPD). In December 1993, the Planning Commission approved the MPD and preliminary plat for the Sweeney Town Lift Properties. City Council approved the Sweeney Town Lift Phase B plat amendment through Ordinance 94-7 in December 1993. 838 Park Avenue is included as Lot B-3 of this plat amendment.

17. Staff finds that the loss of approximately 123 square feet of Lot B-3 of the Sweeney Town Lift Subdivision, Plat B1-3 will not affect the property's open space requirement as the amount of open space will continue to exceed 43% as dictated by the 1985 Sweeney MPD.

18. 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.

19. The development is not located within the sensitive lands overlay.

Conclusions of Law - 820 Park Avenue

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.
5. The plat amendment application is consistent with the General Plan and purposes of the zone.

Conditions of Approval – 820 Park Avenue

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 (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a 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 would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers 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.
5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot along Park Avenue and 9th Street. This easement shall be shown on the plat.
6. Vehicular access shall only be from 9th street. No vehicular access shall be from

Park Avenue.

7. 820 Park Avenue, LLC shall have purchased the City-owned tax parcel SA-398-X and approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3 prior to recording the plat with Summit County.

The applicant for 2300 Deer Valley Drive had not arrived. The Commissioners re-arranged the agenda and moved 2300 Deer Valley Drive to the end of the meeting.

MOTION: Commissioner Gross made a motion to move into Work Session to discuss the PCMR and the Woodward Project and to reconvene the regular meeting after the work session to discuss 2300 Deer Valley Drive. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission moved into Work Session. The Work Session discussion can be found in the Work Session Minutes dated April 23, 2014.

The Planning Commission adjourned the Work Session and re-convened the Regular Meeting.

**2. 2300 Deer Valley Drive – Modification and extension of a Conditional Use Permit for the Snow Park phase of the Deer Crest Hotel CUP
(Application PL-14-02267)**

Planner Whetstone reviewed the application for an amendment to a conditional use permit for the Deer Crest Hotel. The property includes the Snow Park parcel and Roosevelt Gap. The Snow Park parcel currently has the funicular building, a surface parking lot and a retaining wall on the north side. A temporary sales office on the south side had been removed.

Planner Whetstone reported that in 2009 the applicant requested an amendment that would allow them to obtain a permit to build the building. A condition of the original approval was that the applicant needed to build the parking structure at Snow Park. The applicant requested that the Planning Commission consider allowing them to build a surface parking lot rather than the parking structure because they were not ready to build the condominiums at Snow Park, which would be the units on top of the parking structure. Since the Planning Commission did not want to see a parking structure without units, they approved Condition of Approval #14 to allow surface parking.

Planner Whetstone read Condition #14, "Within 5 years of approval, the applicant will either submit building plans for construction of the parking structure at the Snow Park North Site or apply for an amendment to the Deer Crest Hotel CUP, to be reviewed by the Planning Commission, that either extends the time frame for an additional year, or allows the parking lot as a permanent parking solution at Snow Park North." She explained that the applicant was before the Planning Commission this evening with a request to amend Condition #14 to extend the time frame an additional year.

Planner Whetstone stated and she and Assistant City Attorney McLean had met with Tom Bennett, the applicant's representative, to draft the amended language for Condition #14. The revised language preferred by the Staff was shown as Condition #3 of the amended approval. All other conditions of approval of the CUP would still apply.

The new condition reads, "The applicant shall submit a complete application and building plans for construction of the parking structure and condominium units at Snow Park North on or before June 18, 2015. If plans are not submitted within this timeframe, the June 18, 2009 CUP approval for the Snow Park North parcel shall expire and a new Conditional Use Permit application would be required to be reviewed by the Planning Commission prior to submittal of such building plans".

The Staff recommended that the Planning Commission discuss the proposed application, conduct a public hearing and consider approving the request according to the findings of fact, conclusions of law and conditions of approval found in the Staff report.

Tom Bennett, legal counsel for the applicant, stated that this was a simple matter. The applicant was only asking for a one-year extension to formulate and deliver the plans to move forward with the parking structure in accordance with the original plan. Due to the time lapse, the applicant was in the process of hiring a new architect and starting with new plans. Mr. Bennett assumed that the new architect would make changes and he anticipated coming back to the Planning Commission at a later time with a modification to amend the CUP. The issue this evening was to extend the period of time to provide plans for the parking structure.

Commissioner Stuard understood from the language in the original condition of approval that if the plans were not submitted in five years and the Planning Commission did not approve an extension, the CUP would be re-opened.

Planner Whetstone replied that it would not open the CUP for what was already built, but it would have to be re-opened and amended to anything further. She noted that the CUP already approved a site plan, elevations, landscaping, etc. for the Snow Park parcel. Understanding that things change over time, conditional use permits do come back if the

time frame could not be met. It allows the Planning Commission to extend the time period an additional year at their discretion.

Assistant City Attorney McLean clarified that the language states that if the plans are not submitted within the next year, the applicant would have to come back to amend the CUP. She advised the Planning Commission that the applicant has certain density vested under the CUP at 30.5 UEs. However, they would be subject to the conditional use criteria in existence at the time of the application.

Commissioner Stuard was unclear as to why they were only looking at plans for the garage within the year as opposed to the entire buildout. Mr. Bennett replied that the parking garage was required by the Planning Commission and the City Council when the CUP was approved.

Assistant City Attorney McLean pointed out that the previous language stated, "Within five years of approval, the applicant would either submit building plans for construction of the parking structure at the Snow Park North site, or apply for an amendment to the Deer Crest Hotel CUP to be reviewed by the Planning Commission that either extends the time frame for an additional year or allows the parking lot to become a permanent solution at Snow Park North". She assumed that any application that comes in would include the condominiums units on top and not just the parking structure.

Mr. Bennett suggested that they keep the issue consistent with what was previously approved. It was clearly anticipated that there might be a need for this requested amendment. Mr. Bennett acknowledged that it was likely that there may be a CUP amendment at some point in the near future, but he was not prepared to discuss those details this evening.

Commissioner Campbell understood from the wording that the existing surface parking lot may continue to be used, but it does not specify when the use expires. Mr. Bennett stated that under the language there is a possibility that the surface parking could be used for 50 years. Commissioner Campbell thought it was opposite from what the previous Planning Commission was trying to avoid five years ago when they placed a time limit. Mr. Bennett stated that it was also what the developer was trying to avoid. A piece of property with 30.5 UEs is worth a lot of money and it would not be prudent to let it sit for 50 years.

Commissioner Campbell suggested modifying the language to place a time limit on the surface parking to support the original intent. Planner Whetstone remarked that the Planning Commission gave the developer the option of either coming back in one year or making the parking lot a permanent solution. Commissioner Campbell asked the Staff if there were any negatives to making the surface parking permanent. Planner Whetstone

answered no. Commissioner Campbell clarified that the language would allow the parking lot to remain permanently if approved by the Planning Commission, and that the Staff was comfortable with that. Planner Whetstone explained that the language could be kept as revised and require that the applicant come back in one year to have a discussion on whether or not to amend the CUP to allow the parking to remain permanently. Commissioner Campbell pointed out that that the language as written did not include that requirement. As written, the parking lot could remain forever. He did not have an immediate opinion either way, but he thought it was important to have the discussion.

Mr. Bennett recalled that the Planning Commission had required the parking lot to be built to permanent specifications. He noted that the minutes from the Planning Commission meetings reflect discussions indicating that because it was uncertain when the parking structure would actually be built, the surface parking needed to comply with the specifications imposed on a permanent lot. Commissioner Campbell asked if everyone else would be comfortable if the parking lot remained permanent. Mr. Bennett replied that the developer would not be comfortable.

Commissioner Strachan noted that he was on the Planning Commission when the CUP was amended to allow for the parking lot. He recalled that the Planning Commission was concerned that the Deer Valley lots and the MPD would come into play as well. They did not want a situation where the developer could do nothing and have Deer Valley go through its CUP process without any coordination between the parties. A further concern was that if the phases came in at different times because of the financing, the developer wanted the ability to keep their CUP vesting by requesting an extension of one year, one year, one year on the existing CUP. They did not want to amend the CUP because they understood it would be difficult. Commissioner Strachan stated that the Planning Commission thought about taking a hard line and say that building plans must be submitted by a certain date or the CUP would expire. The Commissioners eventually agreed that the applicant could come back and seek extensions year after year after year because the economy was terrible and it was uncertain when it would recover. However, the Planning Commission did not want to continue the existing use inevitably. To the best of his recollection, Commissioner Strachan did not believe the amended language as proposed was in keeping with the original intent of the previous Planning Commission. Commissioner Strachan pointed out that the current Planning Commission could have a different opinion.

Commissioner Campbell was unsure why they even needed to mention the parking lot. He preferred to say that if plans are not submitted within a specific time frame then a new CUP would be required to be reviewed. He questioned whether they had the legal right to allow an unlimited time frame to use the parking lot. Assistant City Attorney McLean

preferred to address it in the condition because it was the current use and the applicant is entitled to use the parking lot.

Commissioner Strachan stated that the problem is that the parking lot is insufficient and the overflow parking spills into the Deer Valley parking lots. That was the reason for encouraging development of the parking structure. Mr. Bennett disagreed with Commissioner Strachan and stated that there is no overflow parking with the Deer Valley lot. The parking study showed that after a year of operation the facility is grossly over-parked. On the busiest day of the year approximately 40% of the spaces were still open. It was clearly demonstrated to the Planning Commission that the project has more parking than has ever been used.

Commissioner Strachan recalled that the underground parking is behind the hotel. A guest pulls up to the porte cochere and someone parks their car. He did not disagree that there was enough parking provided in the existing structure for the current use. However, everyone thought it was valet parking, or they needed to pay, or they did not understand how to access it. Consequently they parked in the Deer Valley lot and walked to the hotel. Planner Whetstone pointed out that the applicant also wanted the surface parking to remain as overflow parking during the construction of the condominiums on the south side. During the 2009 approval there was a complete analysis of what occurs during construction and how it moves around during the different phases

Commissioner Stuard believed there was consensus for granting a year extension. However, going beyond the one year and changing the "what if" creates issues that the Planning Commission was not ready to approve. Commissioner Stuard could see no reason to change the "what if" given the ability for the applicant to come back and ask for another year.

Commissioner Campbell was comfortable supporting the one-year extension. His uncertainty was with the parking issue because he felt like the Planning Commission was granting something that the applicant did not have before.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Assistant City Attorney suggested a Finding of Fact indicating the prior language, which was crossed out on page 105 of the Staff report, and state that the applicant requested, and the Planning Commission was granting one additional year until June 18, 2015.

Commissioner Campbell asked if they could grant a two year extension. Commissioner Strachan suggested changing the proposed revised language on page 105 to say, "The applicant shall submit a complete application and building plans for the parking structure and the Snow Park North condominium units on or before June 18, **2016**. If plans are not submitted within this timeframe, the June 18, 2009 CUP approval for the Snow Park North parcel shall expire and a new Conditional Use Permit application would be required to be reviewed by the Planning Commission prior to submittal of such building plans.

Mr. Bennett stated that the applicant may not be ready to submit building plans on the condos within a year. A two year extension was helpful but he could not be certain that the drawings for the condominiums could meet that deadline. He believed they would be far enough in the design process to have enough details to build the parking structure. Mr. Bennett strongly favored an extension to 2016. He did not think the remaining language was necessary because this applicant intends to build. Planner Whetstone stated that if the new architect changes the design and the details from the original CUP approval, the applicant would have to apply for a new CUP or a CUP amendment.

Mr. Bennett stated that the applicant was requesting a one year extension, and it was unfair to add another condition that would allow the CUP to terminate. Commissioner Campbell understood that if the Planning Commission granted a two year extension, the CUP would expire at the end of June 2016 if the required plans were not provided. Commissioner Strachan replied that granted CUPs can go forever.

Assistant City Attorney McLean stated that the Planning Commission could give the applicant the requested one year extension and leave out the rest of the language. They could also grant a two year extension as an amendment to the CUP, and the applicant could come in under the old plan or submit a new plan. She understood Mr. Bennett's concerns regarding the expiration. It makes applicants nervous, but it also makes the City nervous when applications are continually continued. Ms. McLean suggested that the Planning Commission grant the one year extension and let the applicant come back with plans for the condominiums.

Commissioner Strachan preferred to grant a two year extension to give the applicant ample time to finalize the plans.

Commissioner Campbell thought it would be helpful if the Planning Commission could have additional CUP training outside of this meeting. Some things were still unclear and he felt that additional training would help the Commissioners make better decisions.

Mr. Bennett clarified that his issue with the proposed language as written was that requiring the building plans for the parking structure and condominium units sounds like the applicant has to submit a full set of construction plans to obtain a building permit by that date. He stated that in reality, the applicant would be submitting an application and related materials to amend the CUP.

Planner Whetstone pointed out that the applicant could submit those materials at any time within the two year period. Commissioner Strachan emphasized that the second sentence as written gives the applicant the right to submit a new conditional use permit application. Planner Whetstone stated that if the applicant does not submit the construction plans to build what was approved, he could submit for a new CUP. Extending to 2016 would give the applicant two years to make that decision.

Assistant City Attorney McLean remarked that building plans are used to submit for a building permit. The general template language for all CUPs says that if plans have not been submitted for a building permit within one year, the CUP is no longer valid. The underlying density would not be lost, but a new application would be subject to the CUP criteria in effect at the time of the new application.

Commissioner Campbell asked if any of the Commissioners were opposed to building just the parking structure. Commissioner Strachan understood that when the original MPD was approved in 2001, the project was supposed to be phased and they knew it would take a decade to build. When he was on the Planning Commission in 2009, the theory was that it would be completed. Commissioner Strachan did not believe the context of an extension request was the time to say the applicant could just build a parking structure.

Mr. Bennett stated that the parking structure was all that was required by the original condition. Condo units were never mentioned in the condition. Planner Whetstone explained that at the time the Park City entrance to St. Regis was at Snow Park and they had to have parking. The Staff also thought it would be a parking structure with units above; therefore, the condition of approval only said that the parking structure needed to be built. Planner Whetstone suggested that the language should have said "parking" rather than "parking structure."

Commissioner Strachan asked in which phase the condo units were intended to be built. Mr. Bennett replied that it was intended for a later phase. 30.5 UEs were allowed in the 2009 CUP. He anticipated approximately 24 units. Commissioner Preston understood that Mr. Bennett wanted to reserve the right for his client to be able to build the parking structure by itself and add the condo units later. Mr. Bennett replied that only if planning for the condos above the parking structure were not sufficiently done by that time.

MOTION: Commissioner Strachan moved to APPROVE the amendment to the Conditional Use Permit for Deer Crest Hotel, subject to the following condition of approval:

The applicant shall submit a complete application and building plans for construction of the parking structure and condominium units at Snow Park North on or prior to June 18, 2016. If plans are not submitted within this timeframe, the June 18, 2009 CUP approval for the Snow Park North parcel shall expire and a new Conditional Use Permit application would be required to be reviewed by the Planning Commission prior to submittal of such building plans.

All other language of the pre-existing Findings of Fact, Conclusions of Law and Conditions of Approval would remain intact unchanged. Commissioner Joyce seconded the motion.

Commissioner Campbell clarified that if they approve the amendment to the CUP with the condition as read by Commissioner Strachan, they would be forcing the applicant to come back with building plans for the parking structure and for the condominium units. He was told that this was correct. Commissioner Strachan pointed out that the applicant could also come back for an amendment to the CUP to build the parking structure only and not the condominium units. Commissioner Gross stated that the applicant could also request to keep the surface parking permanently.

VOTE: The motion passed unanimously.

Findings of Fact – 2300 Deer Valley Drive

1. This application is a part of a larger Master Planned Development known as the Deer Crest Annexation MPD and is subject to the 1995 Deer Crest Settlement Agreement, as amended in December of 1998 and also in April 6, 2001, by the City Council. On February 28, 2001 Planning Commission approved the Deer Crest Hotel CUP (formally known as the Rosewood CUP). Amendments to the CUP were approved by the Planning Commission on July 25, 2001, March 24, 2004, May 11, 2005, and April 22, 2009. The City Council denied an appeal of the April 22nd approval on June 18, 2009.

2. The proposed density of 99.5 residential unit equivalents at Roosevelt Gap, 30.5 residential unit equivalents for Snow Park (total of 130 unit equivalents) and up to 5% of the gross floor area for support commercial uses with an additional 5% gross floor area for meeting space on the 12.07 acre development site is consistent with the Deer Crest Settlement, as amended.

3. The proposal is located in the RD (Residential Development) and RC (Resort

Commercial) zoning districts subject to the Deer Crest Settlement Agreement and MPD.

4. A total of 244 parking spaces are required for the entire CUP, with a maximum of 146 spaces allowed at Roosevelt Gap and the remaining spaces required at Snow Park (north and south sites). The December 12, 2000 traffic and parking study by Sear-Brown relies on a guest and employee shut system, with a majority of the employee parking provided at Jordanelle Village off of Highway 40. With the shuttle system and parking provided at Jordanelle Village the existing parking, with the surface parking lots at Snow Park, is adequate to meet the demands of the existing uses.

5. A total of 105 overnight parking spaces, and up to 41 day use spaces, are allowed at the Roosevelt Gap site. Eight of these spaces are provided as tandem spaces for valet parking. The amended Settlement Agreement, allowed the Planning Commission to approve overnight parking in conjunction with a luxury hotel and upon demonstration that the remainder of the (Deer Crest) project has been modified to result in no net increase of traffic on Keetley Road.

6. A one- year review of the parking and traffic situation, after certificates of occupancy were issued, was conducted by the applicant and presented to the Planning Commission on January 11, 2012 to evaluate actual traffic and parking impacts of this project. No additional issues were raised and the traffic and parking impacts were found to be mitigated as approved.

7. It is the desire of the developer to build this project in three phases. The first phase is complete and consists of the 105 Roosevelt Gap hotel/condominiums (99.5 UE), including a restaurant, bar, and spa; the funicular and funicular building at Snow Park (the funicular building contains one condominium unit, common area for the hotel lobby and check in, back of house hotel uses, and two affordable housing units); and a temporary sales office with surface parking.

The second phase consists of the south parking structure at Snow Park with condominium units above (approximately 10 UE). The third phase consists of the north parking structure and condominium units above (approximately 20.5 UE). The total density approved for Snow Park is 30.5 UE.

8. During construction of the North Snow Park site when the 56 surfaces spaces are not available and until the north parking structure is complete, there will be a possible shortage of parking spaces at Snow Park. The applicants indicate that they can accommodate any shortfall during construction by tandem parking with valet service in the South Snow Park parking structure and within the porte-cochere/drop off area at

Snow Park.

9. Staff has reviewed this application for an amendment to condition of approval 14 as described above and finds the application in compliance with the Conditional Use Permit criteria and consistent with the Deer Crest Settlement Agreement, as amended.

10. The surface parking was constructed to the requirements of a permanent surface parking lot, including paved surface, physical dimensions, landscaping, lighting, storm water, and a final finish treatment was applied to the retaining wall as previously conditioned.

Conclusions of Law – 2300 Deer Valley Drive

1. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15.1.10 review criteria for Conditional Use Permits.

2. There is no change in Use. The approved Use was determined to be compatible with surrounding structures in use, scale, mass, and circulation.

3. The approved Use was found to be consistent with the Park City General Plan per the June 18, 2009 approval. The requested amendment is not contrary to the General Plan.

4. The proposal is consistent with the Deer Crest Annexation and the 1995 Deer Crest Settlement as amended.

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

Conditions of Approval – 2300 Deer Valley Drive

1. All standard project conditions shall apply.

2. All conditions of approval of the 1995 Deer Crest Settlement Agreement, as amended, continue to apply.

3. All conditions of approval of the Deer Crest Hotel CUP approved on February 28, 2001 (then known as the Rosewood CUP) and amended by the Planning Commission on July 25, 2001; March 24, 2004; May 11, 2005; and April 22, 2009 (with final approval by the City Council on appeal on June 18, 2009), shall continue to apply, with the

exception of Condition #14 amended with this April 23, 2014 CUP Amendment. Condition #14 is amended as follows:

The applicant shall submit a complete application and building plans for construction of the parking structure and condominium units at Snow Park North on or prior to June 18, 2016. If plans are not submitted within this timeframe, the June 18, 2009 CUP approval for the Snow Park North parcel shall expire and a new Conditional Use Permit application would be required to be reviewed by the Planning Commission prior to submittal of such building plans.

All other language of the pre-existing Findings of Fact, Conclusions of Law and Conditions of Approval would remain intact unchanged.

4. Prior to issuance of a building permit for Phases 2 and 3 the applicant shall submit for approval by the Planning Department staff an interim-parking layout addressing any temporary parking space shortages that may occur due to loss of surface parking during construction at Snow Park.

Park City Planning Commission meeting adjourned at 8:20 p.m.

Approved by Planning Commission: _____

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
APRIL 23, 2014**

PRESENT: Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Clay Stuard, Thomas Eddington, Francisco Astorga, Polly Samuels McLean.

Commissioner Strachan was recused.

WORK SESSION ITEMS

1315 Lowell Avenue, PCMR – Amendment to Master Planned Development and Conditional Use Permit (Application PL-13-02135 and PL-14-02136)

Planner Francisco Astorga reported that he had received four public input letters that would become part of the file and shown as public input in the future. Planner Astorga clarified that this was a work session and no action would be taken.

Planner Astorga requested that the Planning Commission review the Conditional Use Permit for the Woodward Facility preliminary plans and provide direction to the applicant and Staff to continue reviewing the MPD Amendment and CUP in accordance with applicable LMC regulations. Related exhibits were included in the Staff report. The applicant verified that these were only working documents as they move forward. The applicant wanted input from the Planning Commission regarding the architectural components and other issues before finalizing the plans.

Michael Barille introduced Hans Cerny, the project architect, Jenni Smith and Tom Pettigrew with PCMR and Tim Brenwald from Powdr Corp.

Mr. Barille stated that he and Planner Astorga meet on a weekly basis to work through the intended process for the permits, the type of information that needs to be presented and the issues to address at upcoming meetings. There is ongoing discussion with Staff and they understand that it is a multi-step process. Mr. Barille anticipated a meeting with the Planning Commission once a month to present a reasonable list of issues for discussion and input.

Chair Worel asked if the presentations would be done in work session. Mr. Barille requested input from the Planning Commission on the best format. He personally believed that public hearings should be scheduled in the near future so the Planning Commission and the applicant would have the benefit of hearing public comments early in the process.

Mr. Barille reported that preliminary meetings have also been held with the Fire District, the Building Department, the Sewer District, the Water Department and the City Engineer to preview the project and identify preliminary issues with the design or other elements of the

project.

Mr. Barille acknowledged that everyone was anxious to get into the details of the development agreement and the overall density and how it fits within the broader Master Plan. In scheduling the topics for various meetings, he and Planner Astorga had scheduled the discussion on how this particular project fits within the broader context of the development agreement for the next meeting. The intent this evening was to familiarize the Planning Commission with the details of Woodward, how it is designed and why it is designed in that way, and the elements they were trying to accomplish in the building. He believed the background was important as they move into the next step in the process.

Planner Astorga suggested for the next meeting that they discuss a schedule that the applicant and the Planning Commission could agree on with specific dates for specific items.

Mr. Barille stated that besides looking at the Woodward project as a Woodward Training Facility, they should also look at it as a project that can advance some of the longstanding needs at the resort, and address and mitigate some of the impacts the Resort has on the community. They tried to design as much quality and purpose to each part of the program as possible. For example, one wing of the building is dedicated to dormitories for the campers who attend the Woodward Camp during the summer. During the winter those same dormitories would be converted into seasonal employee housing. The community has always pushed for affordable housing on-site as much as possible in an effort to mitigate traffic impacts and this would provide that benefit. As an owner/operator, PCMR is committed to looking at this facility as a long-term revenue piece and a way of growing new skiers and riders in a struggling industry.

Hans Cerny, the project architect, presented 3D images and modeling of the building and the floor plans. The building was broken into four major masses. The first is the training floor with all the ramps, skate features a pits. The dorm tower has dormitory housing and a cafeteria and other support functions. There is also a Pub and Skater Lounge Café for both the public and the skaters. Mr. Cerny indicated appendages that were designed to break up the training floor mass.

Mr. Barille explained that the Pub was not integral to the function of the Woodward Training facility, but for a long time the Resort and the community have felt there was a lack of Après skiing opportunities at PCMR versus other places. This site lends itself to that experience because of the views. It was also exciting and innovative to allow the Pub to view into the training facility. Mr. Barille felt the Pub would help with the unload period at the end of the day if some of the skiers could be encouraged to stay longer.

Mr. Barille noted that it has been widely reported on the radio that this was an 80,000

square foot project. He clarified that the footprint of all the functions together was approximately 40,000. The 80,000 square feet considered all floors of volume for all the uses.

Mr. Cerny stated that in terms of character, massing and forms, they tried to use the existing materials and themes in the resort, such as the mining theme. Materials included corrugated metal and bracing and wood that were used in the Marriott Mountainside and Legacy Lodge, but to use them in a new and unique way. Mr. Cerny explained how the different materials would be used on different portions of the project to provide uniqueness. Mr. Cerny reviewed the layout of the facility. A unique part of the Woodward program is the production and media facilities. Kids film the athletes and create the music. A portion of the facility will be used for music studios, computer labs and projection equipment.

Chair Worel asked how many seasonal employees could be housed in the dormitory. Mr. Cerny replied that there would be 30 rooms and each room is designed to handle two employees per room for a total of 60 employees. He believed the affordable housing requirement was to house 80 employees. Mr. Cerny stated that during the summer all of the Woodward campuses are designed for bunk housing with five to seven kids and one counselor in each room. During the winter there would only be two people to a room to make it more livable for the employees. The conversion would involve moving furniture to a storage area.

Commissioner Stuard commented on the architectural theming and noted that clear theming was established in the development agreement, which the Marriott executed in their building. He asked if there were any concerns about having the Marriott architectural theming, the theming around the new portions of the resort itself of the day lodge, the older theming of the Park City Lodge, this theming and the uncertain theming on the rest of the project. Mr. Barille remarked that it was a balance that everyone should be conscious of. The goal is to incorporate of elements of those good starts towards the design guidelines and the aesthetics in the development agreement to make sure the Woodward building is a consistent offshoot of the Marriott Mountainside and the Legacy Lodge. Mr. Barille expected to have a future discussion with the Planning Commission regarding the overall architecture theme for the rest of the buildings in the master plan and how it fits into the scope. They anticipate a set of design guidelines to help tie that more tightly together than what is in the current development agreement. They also thought about having a design review committee that would include Resort representatives and a representative from the Planning Commission to help review the projects as they come forward to maintain consistency. Mr. Barille stated that in terms of the older development, he believed they would want some departure from the northeast brick and steeple theme that the Resort started with. Maintaining continuity and consistency is an absolutely concern and they need to remain conscious of it.

Mr. Barille stated that something they often see in master plan development projects and ski resorts in particular is that they get built all at once and the result in a Disneyland look where all the architecture is the same and it blends together as one mass and one color form. He believed it was good to have an organic nature for how buildings develop over time because it helps to promote a slightly different design in each one.

Mr. Barille reviewed the massing views. He stated that it was initially prepared to show the proximity and the amount of space between the existing buildings and the proposed footprint to demonstrate how the façade was angled, as opposed to building it right against the property line. Angling allows for pedestrian corridors and landscape opportunities. He pointed out the functionality elements that were maintained.

Mr. Barille stated that the exhibit was presented in meetings with the neighboring property owners and they rightly expressed that it did not do a good job of communicating what they wanted the end-built environment to be. Mr. Barille presented other exhibits showing the design progression and how those concerns were addressed. A meeting with the Lodge property owners was scheduled on May 8th to review the new exhibits and to hear their input.

Mr. Barille presented additional 3-D modeling exhibits showing the relief and variation in the facades, as well as the architectural elements and relative mass in terms of the building versus the buildings behind it, and the views to the mountains behind it. Some of the same views were taken with a massing that was representative of what is approved in the current MPD to help the Planning Commission compare and contrast.

Planner Astorga asked the Planning Commission for any additional information they thought would be beneficial, or whether the materials provided were adequate for their review.

Commissioner Stuard wanted to see how the new proposed building overlays on the carefully approved site plan. He asked if the massing that was shown was directly off the volumetrics diagram. Mr. Cerny answered yes. Commissioner did not think it looked the way he remembered seeing it on the volumetrics. He recalled that building stepping had occurred. The new plan showed a straight up and down face. Mr. Barille offered to check the volumetrics and make sure it was the same. Planner Astorga suggested a massing overlay or a side by side comparison from different views. Commissioner Stuard referred to the proposed site plan and noted that per the development agreement a 75' setback is required between the Park City Lodge and the Building on Parcel C. He understood that the new building was angled rather than parallel to the Lodge, but it appeared to wrap around the end and be much closer to the Park City Lodge than the building proposed on Parcel C. Commissioner Stuard was also interested in seeing that comparison on the site plan overlay.

Commissioner Stuard stated that in terms of the architecture there was a major difference between the new proposal and what was originally approved. He is familiar with Woodward Facilities and two of his children attended Woodward. He did not believe the buildings were of the same character, quality and style that was currently approved in the development agreement. Commissioner Stuard remarked that any additional information regarding the materials and other architectural components is important because it is a big change from one concept to another.

Mr. Barille offered to provide representative material, cut sheets and other things to help the Planning Commission understand the depth and quality of materials. If Commissioner Stuard was saying that the existing Woodward facilities in other parts of the Country were not consistent with the kind of articulation and quality of design expected under the development agreement, he would agree. Those are all Butler buildings and they had consciously made a departure from that with this proposal.

Planner Astorga requested that the Commissioners focus their comments this evening on the technical aspects of the MPD amendment rather than the architectural details.

Commissioner Joyce reiterated his previous concern regarding parking and the migration of parking during the construction process. He understood that most or all of the other new buildings would have underground parking. Mr. Barille replied that he was correct. Commissioner Joyce liked the lower profile design to protect the views; however, the sacrifice is lack of parking. He thought parking would be a big issue for both the transition through the construction process, and also once the project is completed, because there is no parking underground. Mr. Barille replied that they have significantly discussed the parking issue. They intend to show an analysis of the parking demand and how to handle the demand until the new parking and transit facility is built. He noted that Preston with Fehr & Peers would give a short presentation this evening. Mr. Barille stated that the construction mitigation element was not ready, partly because they cannot understand the nature of the problem until they know the final design and when construction would begin. Commissioner Joyce clarified that he was not asking for details. His concern was the fact that this would be the first building and the only building without any associated parking. Mr. Barille pointed out that unlike a lodging building, the operation of the Woodward facility was very different. They typically capture visitors who are already visiting the resort and give them an alternate program. The exceptions are the summer camps, but those do not occur during peak parking or traffic demands.

Chair Worel asked if the assumption was that the majority of the employee housed there during the winter season would not have vehicles. She wanted to know where those who do have vehicles would park. Jenni Smith, with PCMR noted that the employees from around the Country and out of the Country do not bring a vehicle. If they do bring a vehicle

it would have to be stored offsite because the Resort does not allow overnight parking in the parking lots. Ms. Smith stated that being on the bus route is a major benefit for the employees who do not have a vehicle.

Commissioner Stuard pointed out that the building that was programmed for Parcel C was also one of the entrances to the major underground parking that was supposed to occur under this building and the other parcels; and that future option would be lost. Mr. Barille stated that when they discuss the broader context of their revisions to the MPD versus the current MPD, the Commissioners will see that one of the major departures in terms of philosophy of the plan is that no one has been able to figure out how to finance and build one single underground parking structure. To have several different lodging properties and different kinds of user operations buildings accessing the same underground parking is a big challenge and in reality may not function all that well for load and unload. They were asked to look at the design more as component parts that could be developed over time and where the parking is under one building at a time rather than one massive excavation.

Preston with Fehr and Peers stated that they have been studying the parking for several months using historical data from the last five years. He reviewed the temporary conditions that would occur until they start building additional parking garages in the future. The facility is an additional service onsite as opposed to a single destination. His presentation this evening focused on the winter months. There would be a total number of 1799 parking stalls, which is peak capacity. He reviewed three different scenarios typical for the winter season; the average work day, the peak ski day, and the peak parking day.

Preston stated that when Woodward comes into place 220 spaces would be lost. There is some demand for people to park for Woodward specifically. Since it is a unique use, there were no detailed parking numbers. However, he had examples from Woodward facilities around the Country. In a worst case scenario, 50 spaces are needed for Woodward during the winter based on a comparable site.

Commissioner Joyce recalled from the last meeting that when he asked if there was space for construction materials and other issues, the answer was no. He noted that additional space is required for construction. If they were not prepared to address that this evening, he would like to see that number at some point, along with the loss of space during the construction period. Mr. Barille replied that the answer was the same and the numbers were for the normal operation. He stated that the strategy is to do the construction during the summer season to minimize the parking impacts.

Preston presented a graph showing that losing 220 parking spaces and adding another 50 for Woodward results in a net loss of 270 parking spaces. Using the same graph with Woodward in place, the number of days exceeding the capacity would be 20 days instead of two days under the current winter conditions.

Regarding the offsite parking, the Resort currently utilizes the Park City High School parking lot and the maximum number parked in the lot this year was 215. Therefore, 140 to 160 parking stalls were not utilized, even on the busiest days. There were also additional spaces near McPolin and Treasure Mountain that could potentially be used. Approximately 110 spaces are utilized on average for overflow issues.

Commissioner Stuard asked how many days per winter were included in the 110 average. Preston stated that the shuttles run 25 days per year. Tom Pettigrew with PCMR stated that the 1799 parking stalls mentioned was the maximum under perfect conditions where everyone followed parking directions and there was no snow on the parking lot. Some visitors are aware that shuttles run on Saturday and other peak periods, and they choose to make that their entry point to the resort to avoid parking inconveniences.

Mr. Barille remarked that the issue is whether to build the parking capacity for one or two days a year or for what is comfortable on a daily basis. They were looking for input from the Planning Commission to help find the right balance. Mr. Barille stated that offsite parking and use of shuttles was consistent with trying to minimize the congestion at the Cole's and Jan's Intersection, and the strategies for load/unload as they get into the broader master plans and other master plan development projects in the future.

Commissioner Stuard asked if the Resort compensates the High School for use of the parking lot. Jenni Smith stated that the Resort has a three year agreement with the School and they were currently doing a ski pass exchange.

Planner Astorga asked if the Planning Commission thought they should compare the parking requirements from the approved MPD and compare it to the proposed concept. The Commissioners concurred that they should do the comparison.

Preston presented the conditions. On peak parking days, if they were to utilize the remaining spaces at Park City High School, they would not exceed the capacity when Woodward was operational. If they do exceed the parking capacity at Park High School, there would still be additional spaces at Treasure Mountain and McPolin. If all or some of the management strategies are implemented it would help further reduce the vehicle trips to the resort by 4 to 11 percent, which correlates into a reduction in miles traveled and contributes to less pollution and sustainability.

Commissioner Gross commented on the three year agreement with the High School. He wanted to make sure they had the use of that parking until the parking garage is built. Commissioner Gross believed that ensuring adequate parking for five to seven years was a more realistic time frame. Commissioner Gross supported offsite parking to mitigate impacts at the resort, but he did not think the burden of paying for the shuttles should fall

on the community. Ms. Smith clarified that PMCR has paid for the shuttles for the past several years.

Commissioner Joyce asked if they could assume that the parking lots at the High School would still be available when Deer Valley builds out their parking lots and would need a similar arrangement. Commissioner Joyce was certain that the Resort would do the right things to increase the capacity, but he was concerned with the impacts on the surrounding community. On busy days employees and skiers fan out into parking lots throughout the City. Commissioner Joyce clarified that his primary concern was the neighborhood overflow. He did not believe the numbers presented this evening told the whole story, and at some point they needed to address that issue.

Commissioner Phillips agreed. The Resort may not hit its peak, but there is neighborhood spill-out on busier days and he anticipated hearing those comments during the public hearing. Commissioner Phillips was unsure how it could be enforced but he thought it should be addressed.

Commissioner Campbell thought the parking issue was self-regulating. If people have a difficult time parking they will stop coming. It is in the Resort's best interest to make sure they have a great experience. Commissioner Campbell agreed that parking was a problem, but he did think it was fair to resolve the City's parking issues on the back of one business for one or two days a year. Commissioner Joyce disagreed that it was only a problem one or two days a year, because the sprawl occurs on a normal weekend.

Commissioner Campbell stated that PCMR would not want to discourage people from coming to the Resort, and for that reason they have a bigger interest for resolving the parking problem than anyone else. Commissioner Joyce acknowledged that there is a parking problem throughout Park City, but when one place already has issues and those issues could increase, the Planning Commission does not have the obligation to make the Resort more profitable or to bring more tourists into Park City. Their job is to apply the LMC and make sure the impacts from the resulting facility is properly addressed. Commissioners Stuard and Worel concurred.

Chair Worel stated that she owned a second home directly across the street from PCMR. She personally knows the frustration of not being able to get out of her garage because a skier chose to park in her driveway and walk across the street. Chair Worel stated that as a group they need to find a solution that protects the neighbors and also allows development of the Resort.

Commissioner Stuard stated that he had not attended the previous work sessions, but he had read the minutes and recalled a discussion on the topic of whether or not this use consumes some of the development approvals that were granted to this parcel. The

minutes reflected the debate but there was not a firm conclusion. In his opinion this was a completely separate autonomous general commercial use that consumes the entitlements that were planned for Parcel C. He noted that the development agreement clearly says that if general commercial uses are introduced it would have that affect. Commissioner Stuard remarked that the volumetrics and square footage used for this modified facility would come off the balance for the remaining parcels. He did not believe there was room to transfer density, unless some portion of the originally applied density lies outside of the newly proposed site plan.

Chair Worel asked if density was a scheduled topic. Planner Astorga replied that density would be one of the first items addressed because they could not move forward until that issue was resolved. Mr. Barille stated that he was in a different place of understanding in terms of what the development agreement says about a starting point. They would work with Staff to come up with a reasonable proposal, and he anticipated significant debate and negotiations with the Planning Commission. As the Commissioners prepare for that debate, Mr. Barille suggested that they research the explicit definitions for resort and support commercial. He believed the uses proposed were very consistent with the definition. In addition, they have an agreement that allows an entitlement on all of the land greater than what they were proposing. Mr. Barille asked the Planning Commission to take into consideration the fact that they were already voluntarily reducing what they could build on the other parcels.

Chair Worel called for public input.

Planner Astorga had received written comment from Jim Doilney, which would be included as public input in the next Staff report.

Jim Doilney, representing Marsac Mill and Silver Millhouse Condominium HOA, many of his items had already been addressed. He wanted to emphasize two or three points that were different from the previous focus. Mr. Doilney indicated a pedestrian bridge that goes from the existing parking lot in a direction out of the parking structure. When the HOA met with the Resort they suggested that the pedestrian flow should not be changed as a result of the new proposal. They would not want to lose the existing traffic as a result of the bridge location. Mr. Doilney stated that the HOA would attend public hearings to make sure their request is heard. Mr. Doilney stated that the HOA members also asked about making sure that the flow through occurs on Lowell Avenue. As a third point, when the original plan was approved he attended the public hearing and supported it on behalf of the condominium association. When they went from schematic design to final there were relatively minor adjustments. Architectural imperatives were implemented and buildings were shifted forward and higher by a few feet. Mr. Doilney point out there was litigation from some HOA members as a result of those changes. He asked the Planning Commission to honor the schematics they approve and hold them in compliance. Speaking as an individual, Mr.

Doilney stated that he is a retail owner at PCMR and has an excellent relationship. However, at the time of the original approval it was stated that there was not a future transit center but there would be transit drop-offs. He was unsure whether or not that was implemented. Mr. Doilney was concerned with comments about a future transit center because they already have a transit center for public buses. Mr. Doilney noted that the original approval was 1998. The duration of the interim, as being discussed for temporary conditions, might best be understood in the context of how nothing has occurred since 1998. He asked for the interim and whether or not it would be another 15 year period. He was concerned that constructing the Woodward facility first would delay the important matters such as preservation of parking. Mr. Doilney clarified that he was not trying to be negative, but these were issues that his constituents would like the Planning Commission to consider.

Trent Davis stated that he has been involved at the Resort Center for 30 years. His father put the original master plan on the entire development area in the 1980s, and he built Snow Flower Condominiums. Mr. Davis noted that he was the owner of the majority of the Lodge at the Mountain Village in terms of square footage due to the commercial. He also has the majority of the commercial under the Village Loft building. All total it was approximately 40,000 square feet of commercial space at the Resort Center. Mr. Davis stated that he also represents the Lodge at the Mountain Village Loft and other projects in Park City as their HOA manager. Mr. Davis remarked that the Lodge at the Mountain Village has developed an owners committee to be actively involved in any outside activities around the Lodge at the Mountain Village that may affect the lodge. He clarified that his comments were on a personal level and he was not talking on their behalf this evening. Mr. Davis intended to express his thoughts on topics of discussion that he would like the Planning Commission to consider as they move forward with the process. He did not believe anyone at the Lodge, including the committee, have made any decisions as to whether or not this is a good project or whether they would fight it moving forward. Mr. Davis expected good cooperation between PCMR and the Planning Commission in addressing the concerns of the committee when presented.

Mr. Davis commented on parking and the employee parking that is currently non-existent at the Resort Center. He was not specifically talking about Resort employees. His concern expanded to Jans, Cole Sports and other retailers who create parking impacts. Mr. Davis believed that issue needed to be addressed. He understood that PCMR was looking at adding commercial space on the corners of the parking structure to be built on Lot D. That is a major concern because it would create more competition in that area of the base, particularly from ski shops. Some of the current tenants can barely survive because of the competition. Mr. Davis stated that more commercial brings more employees as the master plan develops out, that fact must be included in the parking plans.

Mr. Davis stated that his personal concerns included pedestrian access, which Mr. Doilney

already addressed. He also supported the re-design of the transit center. Thought needed to be given to handicap access out of that area and from the Woodward side coming up to the base area. Mr. Davis believed the pedestrian needed more thought. Something that was not mentioned this evening was the bridge that sits between the southern side of the Woodward building and north side of the Lodge of the Mountain Village. He believed that the bridge would be part of the impact of the Lodge of the Mountain Village. Mr. Davis was unsure what purpose the skier bridge would have other than to funnel people out of the new proposed parking garage down to a lower base area. He outlined the reasons for his concern and the people it would impact the most. Mr. Davis commented on the importance of signage. He participated as the master plans were revised over the years and he reiterated his same comments. Mr. Davis stated that the City could not look at this project as just the Woodard Camp parcel. It has to be envisioned in terms of how it would impact the overall master plan. He was pleased to hear comments this evening about comparing the Woodward plan to the overall master plan development that could take ten or twelve years to develop. Mr. Davis commented on the service road and outlined reasons why it is imperative to widen the service road. He noted that the Lodge has a loading dock on the western edge of the building. Under the proposed plan access to the loading dock would be completely eliminated. He emphasized that the loading dock could not be eliminated and the Planning Commission would hear that from the owners during public hearings. Mr. Davis commented how the deliveries to the Woodward facility would disturb the occupants at the Lodge. He pointed out issues related to snow removal. He suggested that the Planning Commission talk to PCMR about a snow melt system on the entire roadway going in because that road would never get sun. He was also unsure where they would push snow or how it could be removed. Mr. Davis requested consideration for landscaping both sides of the roadway and adding sidewalks. He would also like to see lighting upgrades and ADA access.

Chair Worel closed public input.

Director Eddington stated that a discussion on density would be scheduled for either the second meeting in May or the first meeting in June.

Mr. Barille noted that the team has met with Trent Davis several times, as well as the Lodge HOA, and they tried to address some of the issues raised. Mr. Barille stated that Mr. Davis has been the most reasonable and practical neighbor he has ever dealt with. They were progressing on a landscape plan based on input from Mr. Trent, and they were scheduled to have another meeting with the Lodge HOA subcommittee on May 8th.

The Work Session was adjourned.

**Planning Commission
Staff Report**

Subject: FY 2015 Capital Improvement Project Plan
Author: Matt Cassel, City Engineer
Date: May 14, 2014
Type of Item: Informational Item



Description

The City Engineer recommends that the Planning Commission review the 2015 Capital Improvement Project Plan for consistency with the General Plan. The projects highlighted in the plan are those that have planning implications.

Background

In previous years after the Capital Improvement Plan (CIP) Committee (made up by staff) had completed their analysis and project prioritization and provided their final recommendation to the City Manager, the plan has been forwarded to the Planning Commission for review for consistency with the existing General Plan.

Process

Using a ranking system developed by the Budget Department, individual projects submitted by each department were ranked and scored by the committee members, the results were combined and a project prioritization list was created. The CIP Committee completed their analysis and project prioritization in late March and this list is attached as Exhibit A.

The ranking system included five criteria;

- ✓ **Criteria 1 – Objectives** - Meets the vision of a current City Council Goal/Priority (Weight 1.25),
- ✓ **Criteria 2 – Funding** – Source availability an competition for funds (Weight 1.5),
- ✓ **Criteria 3 – Necessity** – Project is a “need have” verses a “nice to have” (weight 1.25),
- ✓ **Criteria 4 – Investment** – Project has a positive history of prior investment suggesting additional support (Weight 1.00), and
- ✓ **Criteria 5 – Cost/Benefit Analysis** – Revenues (or savings) compared to costs (operating and capital) (Weight 1.00).

Department Review

This project has not gone through an interdepartmental review.

Public Input

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

Recommendation

The City Engineer recommends that the Planning Commission review the 2014 Capital Improvement Project Plan for consistency with the General Plan.

Exhibit

Exhibit A – CIP Description Report

Capital Improvement Plan		
FY 2014 - FY 2019		
Project Number & Name	Manager	Project - Description
New - 000331 Library Technology Equipment Replacement	Robertson	***THIS REQUEST IS BEING CONSIDERED FOR BEING COMBINED WITH THE COMPUTER REPLACEMENT CIP. In 2014, Council approved a Library facility remodel that included operational enhancements and public space for a digital media and technology lab. This CIP servers as a fund to replace aging technology not eligible under the Computer Replacement Fund.
New - 000337 Engineering Survey Monument Re-establishment	Cassel	Monument Re-establishment – this project sets a small amount of money aside to start re-establishing survey monuments that have been damaged or destroyed over the years. These monuments are located very two to three blocks and were set in the early 1980s. Without a County Surveyor to oversee the County monument system, the task falls to the Cities to maintain their own survey monument system. Many of our survey monuments around town have been disturbed/destroyed. This CIP re-establishes the most critical monuments most notably those along Main Street.
New - 000338 Repair of Historic Wall/Foundation above Hillside Avenue	Cassel	The historic wall/foundation located just south of Hillside Avenue is located in the ROW and is showing signs of disrepair. This project is to have the wall structurally evaluated and to have the repairs completed.
New - 000339 Engineering Small Projects Fund	Cassel	Small Project Funds – This project will address small projects around town which currently include stair repairs north of Marsac, replacement of handrails along Heber, Main Street bridge repairs and bridge evaluations. The purpose of completing these projects is to keep our image polished.
New - 000341 Prospector Avenue Reconstruction	Cassel	Prospector Avenue Reconstruction – Park City is slated to receive \$1,000,000 in Small Urban Fund Grant money in 2016. These funds require a 7% match but also have strict restrictions on how they are used. The CIP money requested is to allow our staff to complete the project in one season. Elements of the project include updated storm drains, sidewalks, bus pullouts, additional lighting, resurfacing of the road, bike lanes, etc.
New - 000347 Council Chambers Advanced Technology Upgrades	Robertson	This project provides for significant technology upgrades to the Council Chambers area to allow for public audio and video feeds. This supports flexibility and multipurpose use of the area. Also, this allows for the improved recording and zone acoustics. This project addresses the structural limitations of the room requiring concrete cuts and conduit.
New - 000349 Fiber Connection to Quinn's Ice & Water Facilities	Robertson	This project provides for a high-speed fiber connection to the Quinn's water treatment plant and to the Ice arena with the potential to serve other public/private needs.
New - 000350 Fleet Shop Equipment Replacement	Andersen	This project funds the acquisition and replacement of fleet shop necessary for vehicle servicing equipment such as computer diagnostic equipment, tire servicing equipment, and vehicle lifts/jacks that are not affixed to the building based upon a useful life calculations. The purpose of the project is to ensure the City has the funding to replace equipment that has reached the end of its useful life.
CP0001 Planning/Capital Analysis	Rockwood	Annual analysis of General Impact Fees to determine/justify formula, collection, use. Including GASB 34 planning and implementation.
CP0002 Information System Enhancement/Upgrades	Robertson	Funding of computer expenditures and major upgrades as technology is available. Technological advancements that solve a City need are funded from here. Past examples include web page design and implementation, security systems, document imaging, telephony enhancements, etc.
CP0003 Old Town Stairs	Twombly	An ongoing program to construct or reconstruct stairways in the Old Town Area. Stairways that are in a dilapidated condition beyond effective repair are replaced. Most of the stair projects include retaining walls, drainage improvements and lighting. Like trails, the priority depends on factors such as adjacent development, available easements, community priority and location. Funding comes largely from RDAs so most funding is restricted for use in a particular area. Tread replacements are planned beginning with the oldest in closest proximity to Main Street. New sets proposed include 9th St. with three new blocks at \$300,000 (LPARDA); 10th St. with 1 new block at \$100,000 (LPARDA); possible improvements to Crescent Tram pending resolution of the current parcel discussions (no identified funding); Reconstruct 3rd St, 4th St, 5th St, others as prioritized (Main St RDA). See also Project #722.
CP0005 City Park Improvements	Fisher	As Park City and surrounding areas continue to grow, there is a greater public demand for recreational uses. This project is a continuing effort to complete City Park. The funds will be used to improve and better accommodate the community's needs with necessary recreational amenities.
CP0006 Pavement Management Implementation	Fonnesbeck	This project provides the funding necessary to properly maintain and prolong the useful life of City owned streets and parking lots. Annual maintenance projects include crack sealing, slurry sealing, rotomilling, pavement overlays and utility adjustments.
CP0007 Tunnel Maintenance	McAfee	Maintenance and inspection of the Judge and Spiro Mine tunnels. Replacement of rotting timber with steel sets and cleanup of mine cave ins. Stabilization of sidewall shifting with split set of bolts and screening. Track replacement. Flow meter OM&R.
CP0009 Transit Rolling Stock Replacement	Cashel	This program provides for the replacement of the existing transit fleet. It is anticipated that the Federal Transit Administration will be providing 80 percent of the purchase cost.
CP0010 Water Department Service Equipment	McAfee	Replacement of vehicles and other water department service equipment that is on the timed depreciation schedule.
CP0013 Affordable Housing Program	Robinson	The Housing Advisory Task Force in 1994 recommended the establishment of ongoing revenue sources to fund a variety of affordable housing programs. The city has established the Housing Authority Fund (36-49048) and a Projects Fund (31-49058). Fund 36-49048 will be for the acquisition of units as opportunities become available, provision of employee mortgage assistance, and prior housing loan commitments. It will also provide assistance to developers in the production of units.
CP0014 McPolin Farm	Carey	City Farm Phase II - Landscaping. Trailhead parking. Completion of the sidewalks, ADA accessible trail to safely accommodate the passive use of the property. Pads and interpretive signs to display antique farm equipment.
CP0017 ADA Implementation	Fonnesbeck	Many of the City's buildings have restricted programs due to physical restraints of the buildings. An ADA compliance audit was conducted by the building department and phase one improvements have been made. Additional funds will be needed to continue the program to complete phase 2 and 3 improvements.

CP0019 Library Development & Donations	Juarez	Project 579 also includes a category 39124. Public Library development grant. This is a grant made to all public libraries in Utah by the State, based on population and assessed needs. The uses of this money are restricted by State statute, and must be outlined in the Library goals which are set by the Library Board and due to the State Library at the end of October each year.
CP0020 City-wide Signs Phase I	Weidenhamer	Funded in FY02 - Continue to coordinate and install way-finding and directional signs throughout the City.
CP0021 Geographic Information Systems	Robertson	Utilize the geographic information system software obtained in grant from ESRI to produce a base map, parcel map, and street center line map. Maps will be used by numerous city departments for planning and design purposes. This program is a joint venture between PCMC & SBSID. An interlocal agreement is pending between PCMC, SBSID, and Summit County.
CP0025 Bus Shelters	Cashel	Passenger amenities such as shelters, and benches have proven to enhance transit ridership. This project will provide the funding necessary to redesign and install shelters and benches at new locations. These locations will be determined using rider and staff input as well as rider data. Funding will be 80% FTA funds, 20% transit fund balance.
CP0026 Motor Change-out and Rebuild Program	McAfee	In order to minimize the potential for water distribution interruptions all system pumps and motors are evaluated at least yearly with those indicating a problem taken out of service and either repaired or replaced. Funded by user fees.
CP0028 5 Year CIP Funding	Rockwood	This account is for identified unfunded projects.
CP0036 Traffic Calming	Cassel	Over the last few years residents have expressed concerns with the speed and number of vehicles, safety of children and walkers. The interest of participation for traffic calming has come in from all areas of town. Funding covers traffic studies, signage, and speed control devices.
CP0040 Water Dept. Infrastructure Improvement	McAfee	General asset replacement for pipelines, pumpstations, valve vaults, etc.
CP0041 Trails Master Plan Implementation	Twombly	Existing Funds will be utilized to construct the following trails and infrastructure: Prospector connection, April Mountain Plan, Historic trail signage and Daly Canyon connections. Additionally, Phase III trailheads at April Mountain and Meadows Dr. East. Requested funds for future FY include projects associated with continuation of trail connectivity as outlined in the Trails Master Plan and those identified in the PC Heights MPD, more specifically identified as Phase I and II of the Quinn's Park and Ride connections. Easements have been secured for these pathways. Staff will utilize local and state grants to off set costs associated with these connections.
CP0042 Property Improvements Gilmore O.S.	Twombly	The City's property acquisitions often require improvements for the City's intended uses. Improvements typically include structural studies, restoration, environmental remediation, removal of debris, basic cleanup, landscaping, and signs.
CP0046 Golf Course Improvements	Fonnesbeck	This fund encompasses all golf course related projects, enlarging tee boxes, fairways, restroom upgrade, landscaping, pro-shop improvements and other operational maintenance projects.
CP0047 Downtown Enhancements/Design	Gustafson	Close Out Project
CP0061 Economic Development	Weidenhamer	The project was created to provide "seed money" towards public/private partnership ideas. These expenditures are a result of the beginning stages of economic development plan.
CP0069 Judge Water Treatment Improvements	McAfee	Funded by federal funds, user fees, bonds. This project will fund improvement necessary to meet EPA water quality mandates for the Judge Tunnel source.
CP0070 Meter Reading Upgrade	McAfee	This project will provide funding to upgrade meters to enable remote radio reading of water meters. This process will improve the efficiency and effectiveness of water billing.
CP0073 Marsac Seismic Renovation	Gustafson	Marsac seismic, HVAC, ADA and associated internal renovations.
CP0074 Equipment Replacement - Rolling Stock	Andersen	This project funds the replacement of fleet vehicles based upon a predetermined schedule. The purpose of the project is to ensure the City has the funding to replace equipment that has reached the end of its useful life.
CP0075 Equipment Replacement - Computer	Robertson	The computer replacement fund supports replacement of computer equipment and support infrastructure including network, servers, and climate control systems. However, replacement decisions are driven by technological advancements, software requirements, and obsolescence.
CP0081 OTIS Water Pipeline Replacement	McAfee	Funded by user fees.
CP0089 Public Art	Rockwood	This project is designed to fund public art as part of an "Arts Community Master Plan". Public Art will be funded following the Council adopted 1% allocation form each City construction project policy where applicable.
CP0090 Friends of the Farm	Carey	Use to produce events to raise money for the Friends of the Farm and use for improvements to the farm.
CP0091 Golf Maintenance Equipment Replacement	Fonnesbeck	This fund is used for golf course equipment replacement.

CP0092 Open Space Improvements	Fonnesbeck	<p>This fund provides for maintenance, improvements, and acquisition of Park City's Open Space.</p> <p>In April 2013, City Council approved and finalized the purchase of the 298 acre Stoneridge parcel located adjacent to and in the northwesterly aspect of the collective Round Valley Open Space. Final purchase allocation for the parcel was \$7.466M. Utah Open Lands, holds a conservation easement on the parcel, which allows for recreational uses, including trails and trailhead, as well as, a small maintenance building. In 2013, staff worked with Utah Open Lands, to create a phased recreational plan that includes trails, trailhead (two phases) and a maintenance building. Utah Open Lands approved the plan and it was presented to the City Council for comment and at a public open house. Planning review for the infrastructure will go through the Basin Planning Department.</p> <p>Phase I plans include approx. 1 mile of 10' wide soft surface trails and approximately 1 mile of single track trails. Additionally, it calls for a 10-15 space trailhead (soft surface/millings) to be constructed. This Phase is scheduled for construction 2014. Included in these plans will be the grading, fence construction, removal of debris and seeding of areas such as existing quarries and traditional dumping areas to allow for a safe recreational facility.</p> <p>Phase II plans call for approx.. ½ mile of single track trails and expansion/hard surface of the existing trailhead. Additionally, the maintenance building is envisioned. (minimal structure with electricity.)</p> <p>Staff will be hoping to acquire Restaurant and RAP funds, as well as other possible grants to supplement these projects. Additionally, staff is hoping to attain volunteer trail labor for much of the single track trail construction.</p>
CP0097 Bonanza Drive Reconstruction	Cassel	To accommodate new water lines, pedestrian enhancements, gutters, storm drains and landscaping. Possible UDOT small urban area funding.
CP0100 Neighborhood Parks	Twombly	This project includes the creation of neighborhood parks through the use of Park and Ice bond proceeds. This includes projects in Park Meadows, Prospector, and Old Town.
CP0107 Retaining Wall at 41 Sampson Ave	Cassel	City contribution of retaining wall at 41 Sampson Avenue (Donnelly House)
CP0108 Flagstaff Transit Transfer Fees	Cashel	Account for transit transfer fees dedicated to improvement enhancement of Park City transit system.
CP0115 Public Works Complex Improvements	Cashel	This project will provide for additional office space & furnishings required to house streets/transit/fleet personnel.
CP0118 Transit GIS/AVL System	Cashel	GIS and AVL systems to provide real time information to passengers and managers to better manage the transit system.
CP0128 Quinn's Ice/Fields Phase II	Twombly	Additional development of outdoor playing fields and support facilities
CP0136 County Vehicle Replacement Fund	Cashel	Holding account for Regional Transit Revenue dedicated to vehicle replacement of county owned equipment.
CP0137 Transit Expansion	Cashel	These funds are dedicated to purchasing new busses for expanded transit service.
CP0140 Emergency Power	McAfee	Complete study to develop recommendations for emergency backup power needs for the water system.
CP0141 Boothill Transmission Line	McAfee	Construct transmission lines to deliver source water for the Empire Pass development from the Boothill zone to the Woodside Tank.
CP0142 Racquet Club Program Equipment Replacement	Fisher	For ongoing replacement of fitness equipment.
CP0146 Asset Management/Replacement Program	Fonnesbeck	Money is dedicated to this account for asset replacement each year. Creation of schedule in FY 07 for Building replacement. Updated in FY 13.
CP0150 Ice Facility Capital Replacement	Pistey	For ongoing capital replacement at Quinn's Ice Facility. Funding provided by City and Basin per interlocal agreement.
CP0152 Parking Equipment Replacement	Andersen	For replacement of parking meters on Main St., parking vehicles, and handheld ticketwriters. Funded by meter fee revenues.
CP0155 OTIS Phase II(a)	Cassel	OTIS Phase II and III – These projects are a continuation of the Old Town Infrastructure Study and resulting rebuild of Old Town roads that started in 2002. The upcoming roads include 8th Street, 12th Street, McHenry Avenue, Rossi Hill Drive and Silver King.
CP0157 OTIS Phase III(a)	Cassel	OTIS Phase II and III – These projects are a continuation of the Old Town Infrastructure Study and resulting rebuild of Old Town roads that started in 2002. The upcoming roads include 8th Street, 12th Street, McHenry Avenue, Rossi Hill Drive and Silver King.
CP0160 Ice Facility Capital Improvements	Pistey	For various projects related to the Ice Facility as outlined in the Strategic Plan.
CP0167 Skate Park Repairs	Fisher	Re-paint fence and re-caulk the concrete joints.
CP0171 Upgrade OH Door Rollers	Cashel	Maintenance Equipment & Parts for Old Bus Barn Doors
CP0176 Deer Valley Drive Reconstruction	Cassel	Total estimated project cost: \$2,000,000. Unfunded amount is the difference between \$1,000,000 in requested impact fees and local match (which is funded by Transfer from General Fund).
CP0177 China Bridge Improvements & Equipment	Andersen	Stairwell Old CB; Fire Sprinkler Upgrade OLD CB; Snow Chute
CP0178 Rockport Water, Pipeline, and Storage	McAfee	This project will construct upgrades to the Mt. Regional Water Pump Station at Rockport and a new pump station and intake that will be owned and operated by WBWCD, all to deliver Park City's reserved water from Rockport and Smith Morehouse reservoirs. Also included is the cost of water from WBWCD and replacement fund for the infrastructure.
CP0180 Corrosion Study of System	McAfee	Complete study to develop recommendations on improvements of existing and future pipelines based on corrosion conditions.
CP0181 Spiro Building Maintenance	McAfee	Construct upgrades to office building supports that are rotting and determine and construct necessary drainage improvements to the building.
CP0186 Energy Efficiency Study -City Facilities	Ober	Data management for all municipal utilities. This tool will expedite carbon foot printing and better identify energy and cost saving opportunities.
CP0191 Walkability Maintenance	Fonnesbeck	This funding is provided for the purpose of ongoing maintenance of completed Walkability Projects.
CP0201 Shell Space	Gustafson	Construction of Shell Space
CP0203 China Bridge Event Parking	Andersen	
CP0208 Snow Plow Blade Replacement	Fonnesbeck	This option will replace our snowplow blades over the next three years. PROJECT COMPLETED
CP0214 Racquet Club Renovation	Fisher	A major remodel of the existing Racquet club. Expand group fitness; weight room; cardio; 2 additional tennis courts; walking / jogging track; aquatic center; child care; administration area, and restaurant.

CP0216 Park & Ride (Access Road & Amenities)	Cashel	This project will provide funding to construct an access road from Wasatch County to the new park and ride at Richardson Flats. Intersection improvements at SR-248 are necessary for safe and efficient operations of Park and Ride and Park City Heights.
CP0217 Emergency Management Program Startup	Daniels	This project funds Emergency Program Management, the Emergency Operations Center (EOC), City building emergency preparedness supplies, emergency response equipment and supplies, interim mobile command post, community outreach and emergency information technology and communications. Apparently our request for \$15,000 for FY2014 was inadvertently left off in 2012 and was not included in the two-year budget. Projects we anticipated having those funds for are now on hold. However after reviewing the program I believe we can decrease the original FY14 request to \$10,000 from \$15,000. For FY15 & FY16 the \$10,000 for each year increases EOC, response, sheltering and technological capabilities.
CP0226 Walkability Implementation	Weidenhamer	This project funds varying projects related to the Walkability Community program. The projects to be completed with this funding will be as outlined by the Walkability Steering and CIP committees and as approved by City Council during the 2007 Budget Process This was cp0190 in the FY2009 budget
CP0227 Park City Water Infrastructure Projects	McAfee	Expenses related to infrastructure improvements and Rockport Water Importation. This was cp0179.
CP0228 Snow Creek Affordable Housing	Robinson	For the planning, design, and construction of the Snow Creek Affordable Housing Project.
CP0229 Dredge Prospector Pond	Fonnesbeck	This fund would pay for the dredging of the Prospector Pond.
CP0231 Mortgage Assistance Program	Robinson	This program provides second mortgage loans to assist employees to purchase homes in the city/school district. The importance of local employees has been recognized during emergency mgmt. planning. It is also an employee recruitment/retention tool.
CP0234 General Plan Update	Eddington	To complete the GP, follow-up implementation strategies, BOPA FBC, and other
CP0236 Triangle Property Environmental Remediate	Ober	Cost associated with the assessment and closure of the property through the Utah Voluntary Clean-up program.
CP0238 Quinn's Junction Transmission Lines	McAfee	
CP0239 PC Heights Capacity Upgrade	McAfee	
CP0240 Quinn's Water Treatment Plant	McAfee	
CP0244 Transit Contribution to County	Cashel	For annual capital contribution to Summit County
CP0248 Middle Silver Creek Watershed	Ober	Non-water related acres: accrued a liability and expenditure of \$272,000 in the government-wide statements, governmental activities column
CP0250 Irrigation Controller Replacement	Fonnesbeck	The Parks Dept. has a total of 38 irrigation controllers located throughout town at all City facilities including, City buildings, athletic fields, parks, school fields, etc. These electronic devices provide irrigation control to landscaped areas by radio communication from the Central computer to the individual field units. Some of these controllers are 20 years old, as they were originally installed in the early 1990s. Over the past three years we've continued to experience many electronic/communication problems with these old outdated field units. We recommended taking a systematic approach by replacing 3-5 controllers a year for the next 5 years.
CP0251 Electronic Record Archiving	Robertson	This project is used to purchase and implement electronic archival solutions for storage and conversion of paper processes/workflows. As of February 2014, phase one has been paid and implementation will soon begin. Finance will be the initial benefactor and will begin processing and storing invoices electronically saving storage and retrieval time.
CP0252 Park City Heights	Robinson	Predevelopment expenses for PC Hts including consultants (wholly our cost) engineering, traffic and design studies (split with Boyer)
CP0255 Golf Course Sprinkler Head Upgrade	Fonnesbeck	The sprinkler heads on the course are 26 years old. These heads are worn out and outdated. The new sprinkler heads are more efficient in water application and distribution uniformity. PROJECT COMPLETED - PLEASE REMOVE
CP0256 Storm Water Improvements	Cassel	This money would be to fix and repair any of our current storm water issues within the city.
CP0258 Park Meadows Ponds Control Structure	Cassel	The existing control structure uses planks that are occasionally removed causing downstream flood. This would replace the wood planks with a lockable gate.
CP0260 Monitor and Lucky John Drainage	Cassel	Correct the drainage issue around the Lucky John and Monitor intersection.
CP0263 Lower Park Avenue RDA	Weidenhamer	The project entails planning, design, demolition, reconstruction of historic buildings, construction of new buildings, and possible land acquisition in the Lower Park, Woodside, platted Norfolk and Empire Avenues North of 13th Street within the Lower Park Avenue RDA. PM I includes new community center and reconstruction of 2 historic houses at Fire Station area.
CP0264 Security Projects	Daniels	The Building Security Committee was established in 2008 and makes recommendations on security issues, training and equipment for all occupied city buildings. The two largest components are Closed Circuit Video Systems (CCVS) and Electronic Access Controls (electronic door locks), along with some smaller security upgrades including, alarms, fragment retentive film, lighting and training. This is a multi-year project with estimates for camera upgrades and expansion at \$200,000, Access Controls at \$150,000 and other projects at \$50,000. Some funding for upgrades may be available from the Asset Management Fund. The funds from the LPARDA are for the City Park Recreation Building and/or the Library/Education Center. Emergency Management Information Technology and Building Maintenance are partners in this project.
CP0265 Crescent Tramway Trail	Cassel	This request is to secure funds specifically for the improvement of the Crescent Tramway Trail creating an identifiable, safe, and connected pedestrian trail. The Crescent Tramway easement follows the historic rout of a narrow-gauge railroad which was first used in the late 1800s to carry ore from the Crescent Mine to the Park City Smelting Company. The trail begins near the corner of Park Ave and Heber Ave and winds up the foothills. It passes Woodside Ave, Norfolk Ave, and Lowell Ave, before it reaches a plethora of trails within the recreational open space areas. the tram route closed in 1898 after the smelter burned to the ground, and the railroad tracks were pulled up around 1901. The tramway has since been used as a pedestrian path, hiking trail, and bike route. Past development along the Crescent Tramway Trail has made it difficult to follow the pedestrian easement and it is even unrecognizable as a pedestrian trail in areas.

CP0266 Prospector Drain - Regulatory Project	Ober	Project is being done under an Administrative Order on Consent with the EPA to address the discharge of metals impacted water from the Prospector Drain and Biocell. Project involves first conducting an Engineering Evaluation and Cost Analysis, then selecting a remedial action and implementation. In addition, a Natural Resource Damage Assessment must be done that will determine compensatory restitution for damages to natural resources.
CP0267 Soil Repository	Ober	Should we successfully complete the current negotiations with the EPA on the Multi-Party agreement then Park City would likely need to financially participate in a portion of the construction of a soils repository. These would be a one-time cost. Ongoing costs for the repository would likely be incurred by United Park City Mines. Park City would likely not have a future role in the operation of the repository.
CP0269 Environmental Revolving Loan Fund	Ober	Council directed project to use left over Johnson Control funds to continue energy efficiency projects within municipal facilities (the goal of the JCI project). Municipal departments can apply for energy efficiency funds and the "loan" is paid back through the energy savings (electricity, fuel, etc.)
CP0270 Downtown Enhancements Phase II	Weidenhamer	10 year improvement plan for pedestrian enhancements and public gathering spaces in the Main Street area. Pedestrian enhancements consist of replacing the curb, gutter, sidewalks, street lights, and the addition of storm drains, benches, trash and recycling bins... Gathering spaces include plazas and walkways.
CP0273 Landscape Water Checks	McAfee	
CP0274 PC Heights Development Infrastructure	McAfee	
CP0275 Smart Irrigation Controllers	McAfee	This is an incentive program designed to reduce water demand through the use of technology that adjusts watering amounts based on climatic conditions.
CP0276 Water Quality Study	McAfee	This is for various water quality related studies and activities such as pipe cleaning, monitoring equipment installation, studies, and research opportunities.
CP0277 Rockport Capital Facilities Replacement	McAfee	
CP0278 Royal Street	Cassel	Royal Street Project – The Royal Street Project is the permanent repairs to the section of Royal Street that slide during the high spring run-off from a three years ago. This project will reinforce the existing wall to give it a 20 plus year life span. Current life span at construction was estimated at five years. Construction will start this July and be completed by October.
CP0279 224 Corridor Study and Strategic Plan	Cashel	Project includes a corridor study and strategic plan for State Route 224 between Thaynes Canyon Drive and the Deer Valley Drive/Bonanza Drive intersection. The resulting Plan will be a guideline for future decisions regarding Walkability projects and connectivity, transportation efficiencies, and access. The Plan will fold into land use and redevelopment decisions regarding the western side of the Bonanza Park district and General Plan discussions.
CP0280 Aquatics Equipment Replacement	Fisher	There is no capital replacement fund for the two outdoor pools. This will be set up to build a fund balance for the eventual replacement of pool infrastructure and equipment. This year we had to use Asset Management Funds for several repair/replacement items.
CP0283 Storm Water Utility Study	Cassel	Storm Water Utility Study – This study will look at the opportunities in creating a storm water utility which would then be used to fund our storm water system operation and maintenance activities. Currently funds are used from other Public Work programs to maintain our current storm water system. This study will look at how the utility will be structured, the potential revenue generated and the administrative operations of the utility.
CP0285 PCMR Transit Center	Cashel	This CIP will fund the design and construction of a new transits center at Park City Mountain Resort
CP0286 Ironhorse Electronic Access Control	Cashel	This CIP will provide for Electronic Access Control for the 72 doors at Ironhorse Public Works Facility. Costs are shared based upon proportional share of doors. Project will be phased over 3 years.
CP0287 Ironhorse Seasonal Housing	Cashel	Seasonal housing (Dorm Style) for up to 16 seasonal transit employees to be constructed on Ironhorse Property. Rents will recapture op expenses, capital renewal, and initial capital.
CP0288 Transit Signal Priority	Cashel	This CIP project will install Transit Signal Priority equipment in Signals along SR-248 and SR-224. this system will provide extra green light when a transit bus is in the signal queue. This increased green time will contribute to the convenience and dependability of Transit travel times.
CP0289 Ironhorse Transit Facility Asset Management	Cashel	This CIP will fund ongoing Capital Renewal needs for the City's expanded Ironhorse Transit facility. This fund will provide for roof, parking garage, HVAC, lifts and equipment capital renewal. Summit County contributes its proportional share.
CP0290 APP Development	Robertson	This App Development request consists of development services required to create and maintain new "Apps" that are becoming an expected part of city services delivery. It is anticipated that several core functions could be offered through Apps on mobile devices, namely requesting information and work from city staff. A proposed historic web app has been approved by Council and is expected to be completed fall 2014.
CP0291 Memorial Wall	Fisher	Council was supportive of building a Memorial Wall at the PC Cemetery. The cost of construction will be recovered through the sale of "plates" that will be installed on the wall.
CP0292 Cemetery Improvements	Fisher	City Council has an interest in developing a head stone replacement and restoration program for the cemetery. There is also an interest in using ground penetrating radar to see if the southwest corner of the cemetery can be reclaimed.
CP0293 Parking System Software	Andersen	Replace existing parking system software and hardware
CP0294 Spriggs Barn	Fonnesbeck	This option will provide funding to stabilize the Spriggs Barn from further dilapidation and begin a long rang plan for restoration.
CP0297 Parking Wayfinding	Andersen	Wayfinding for Main Street parking resources. First year is for signage and consulting assistance with finding garage and internal garage circulation. Years 2 and 3 are for a smart system to indicate stalls available.
CP0298 Historic Preservation	Eddington	1. National Register historic district study. 2. Intensive level surveys within National Register District. 3. Intensive level surveys of Landmark Buildings. 4. Intensive level surveys of significant buildings.

CP0300 Irrigation Screening Facility	McAffee	The irrigation screening facility will provide screening of water from the Weber River and the potential Round Valley Reservoir. The purpose of this facility is to screen fine particles and organic material prior to entering the irrigation system. Without this facility, existing irrigation systems would become clogged and would not function properly.
CP0301 Scada and Telemetry System Replacement	McAffee	This project is to replace and upgrade the water system's SCADA (supervisory control and data acquisition) system. There are many limits to the current system including limited technical experts that understand the programming, limited ability to report, trend, and integrate water quality monitoring and trending. This upgrade will allow the system to be better integrated into the Quinns WTP system and the AMR system.
CP0302 Deer Valley Drive - Water Infrastructure	McAffee	This project will be a part of the road reconstruction project and will replace water infrastructure including a distribution and transmission mainline, several valve vaults, and a modification to a underground pump station. It is recommended that this water infrastructure be replaced in conjunction with the road project to avoid future emergency repairs.
CP0303 Empire Tank Replacement	McAffee	As part of the drinking water solution for the Judge Tunnel Source, the Empire Tank will be converted into a raw water tank and as a result will need to be replaced to meet drinking water storage requirements. In addition to the projected water storage deficit in the Old Town area, the existing Woodside tank is approximately 50 years old. Both of these factors will be considered with the new tank construction.
CP0304 Quinn's Water Treatment Plant Asset Replacement	McAffee	With the addition of Quinns Junction Water Treatment Plant (QJWTP), a budget line item is required for asset management of this \$14,000,000 facility. This money will be used to replace valve, pumps, membranes, and other items to be replaced at the facility over time.
CP0305 Quinn's Dewatering	McAffee	A mechanical dewatering process addition at QJWTP will be required once Judge Tunnel water is treated at this facility. Judge water contains various constituents in particulate form which will be filtered out by the membranes at QJWTP creating a concentrated waste stream that requires treatment. The current waste stream is discharged into the sanitary sewer which is then treated at Snyderville Basin's Silver Creek Facility. However, with the addition of Judge's waste stream, discharge to the sewer will be prohibited as a result of the concentrated metal content.
CP0306 Open Space Acquisition	Rockwood	City Council pledged \$15 million as part of the Additional Resort Sales Tax. Funds were allocated or planned in three phases as a mixture of cash and debt. Phases were to be adjusted as necessary to match actual land acquisition needs. Phase I, \$4.5 M. FY2014; Phase II, \$5.5 M. FY2015; Phase III, \$5 M. FY2017.
CP0307 Open Space Conservation Easement Monitor	Rockwood	
CP0308 Library Remodel	Twombly	<p>The library renovation will start in June 2014 and completion is estimated in Spring 2015. The construction budget is \$6.82 M, and the total budget is \$9.32. The scope includes:</p> <ul style="list-style-type: none"> • Interior renovation and expansion of the library into all of floors one and two; • Interior renovation of the 3rd floor for flexible community space and Park City Cooperative Preschool (PCCP) and Park City Film Series (PCFS). This community space is anticipated to be used in the short term to house senior center functions and support community activities during off hours, including pre and post function support to the Santy; • An added, single-story entry sequence to the library at the north façade; • A 2 story addition at the northwest corner providing added function, flexibility and consolidation of services; and • Modifications of the 1992 addition to expose the original historic structure on the south, west and north facades.
CP0309 Multi-Generational Housing	Weidenhamer	<p>Park City is in need of housing that is structured to meet the changing needs of the community. Multi-generational housing can include smaller, multi-level units for singles and young couples, larger units for growing families and smaller single-level units with built-in fixtures that allow a person to age-in-place.</p> <p>Pursue an age-in-place and attainable housing project on city-owned land at the location of the current senior center, former Park Avenue fire station and adjacent land acquired from Knudson and Elliott Work Group. The current schedule allows for a charette to identify goals, relative density and scope of the project in summer 2014 with a projected start of construction in spring 2016.</p>
CP0311 Senior Community Center	Weidenhamer	Possible renovation to City facilities in LPARDA such as the Miner's Hospital to provide for senior and community needs.
CP0312 Fleet Management Software	Cashel	Procurement and implementation of fleet management software to replace Lucity and Fuel Management equipment that has proven inadequate to provide Fleet Management with data and reporting necessary to meet stringent federal transit administration reporting requirements and analytical support required for sound fleet mgmt. Staff has worked closely with it on assessment of current system and all parties agree replacement is justified.
CP0313 Transportation Plans and Studies	Cashel	Funding for transportation/transit plan studies (e.g. short range transit development plan SR-224, corridor studies, mountain transportation plans). These plans & studies will determine required transit/transportation capital programs for future years.
CP0314 Richardson Flat Road-Improvement	Cashel	Obligation to improve Richardson Flat Road as set forth in Park City Heights Annexation Agreement development agreement and sales agreement.
CP0316 Transit Facility Capital Renewal Account	Cashel	This project will serve as a reserve account for capital assets owned and operated by park city transit. Annual contributions will ensure critical buildings will have a local funding source as they require renewal. Level of funds assume federal transit admin. grants are available when required. Funds will be used for Major capital items such as roofing, paint, siding, cameras, etc.
CP0317 Deer Valley Dr. Phase II	Cassel	Deer Valley Drive Phase 2 – This project follows the Deer Valley Drive road project that was completed last year. This project includes adding more sidewalk, pedestrian lighting, landscaping, bus pullouts and bridge repair amongst other things. Construction will start in July of this year and be completed by October.
CP0318 Bonanza Park/RMP Substation Mitigation	Rockwood	\$1.5 million was originally allocated by Council to provide mitigation and relocation costs related to the Rocky Mountain Power Bonanza Park Substation. Staff recommends these funds remain in the Bonanza Park project area to be used for mitigation, economic development and infrastructure improvements contingent on the completion and adoption of the Bonanza Park Area Plan.

CP0321 Fitness in the Park	Fisher	Installation of at least 8 pieces of fitness equipment located outside. Locations being considered are city park, or the farm trail.
CP0322 Cement Practice Walls	Fisher	Practice walls can be used by various groups and individuals to practice ball sports against. These would be built to the specs of an outdoor handball court. Potential locations include sports complex or City Park
CP0323 Dog Park Improvements	Fisher	Looking to create a more attractive dog park at the Park City Sports Complex. This project may include additional shade, terrain, variations and obstacle course as well as landscape enhancements.
CP0324 Recreation Software	Fisher	The recreation department is looking to replace the current class software system that provides program registration, membership sales, facility and court booking, league scheduling and online services. This system is utilized by the PC MARC, the recreation and tennis departments, and to a lesser degree the HR, special Events and Parks departments. The services this software system provides are CORE City services. The current system is outdated, and the client/server system seems to be fading out industry-wide.
CP0325 Network & Security Enhancements	Robertson	This project provides for hardware and software to better protect key departments and the organization for internal and external cyber threats. This project also assists with compliance for PCI, Homeland Security and PCI. Phase one of this project has been completed, phase two includes expansion of network security filters across remaining departments.
CP0326 Website Remodel	Robertson	The City website is in need of an upgrade. While visual enhancements will be a function of this project, the key changes will include improved mobile capabilities, content management and incorporation of new technologies. As of January 2014, IT has met with department website publishers to identify needs and wants with project kick-off in April/May.
CP0327 Outdoor Tennis Court Rebuild	Fisher	Rebuild seven outdoor courts at PC MARC and add 4 pickleball courts. Project needs an additional \$70,000 to complete it properly. This includes \$22,000 in change orders, \$16,500 in removable fence panels around the bubble, \$15,200 for 4 shade cabanas and \$17,000 to cover irrigation & landscaping
CP0328 Meeting Documentation Software	Glidden	This project is for the purchase and implementation of a Meeting Management software solution that is primarily for the recording and streaming of public meetings for both audio and video (utilization of video streaming will be a phased consideration with meeting room upgrades). The software will also support work flow process for meeting packets. As of February 2014, the initial project kick-off meeting has been initiated.
CP0329 Main Street Infrastructure Asset Management	Fonnesbeck	This Funding is dedicated for replacement and maintenance to the Main Street Improvement program
CP0330 Spiro/Judge Pre-treatment	McAffee	
CP0331 Micro-Hydro/Thaynes Pump Station	McAffee	

Planning Commission Staff Report



Subject: Planning – General Plan Implementation
Author: Thomas Eddington, Planning Director
Kayla Sintz, Planning Manager
Date: May 14, 2014
Type of Item: Work Session

Background

The Planning Department is proposing a number of long range and General Plan implementation projects over the next few years. The attached Gantt Chart (Exhibit A) illustrates the proposed timing for these projects. Each column represents a month and, where applicable, a date has been included so that we can begin to understand how utilizing one of the two Planning Commission meetings a month will impact the schedule to complete many of these projects while maintaining our regular schedule for applications and public hearings. The chart anticipates specific meeting dates as outlined for Planning Commission (labeled with a date), City Council (labeled with a date and “C”) or Joint (labeled with a date and “J”) meetings.

The Bonanza Park (BOPA) Area Plan and Form Based Code are time sensitive due to fact that it was put on hold to finalize the General Plan. The Department committed to jumping back into this project upon completing the General Plan and we are proposing to kick off this project with a Joint Meeting between the City Council and Planning Commission on Tuesday, May 13th.

Simultaneous to the BOPA work will be the Lower Park (LOPA) public charette process to be conducted this summer, should City Council elect to go that direction for the Lower Park Avenue multi-generational housing project. Once complete and with the guiding concepts in place, Planning will begin preparation of the Area Plan document.

Starting in late summer as the number of Planning Department applications begin to decline (Exhibit B indicates current Applications as well as anticipated Applications in FY15), we will begin the Land Management Code (LMC) revisions as anticipated in the General Plan.

The Gantt Chart extends out for almost 3 ½ years to include many long range projects that are recommended in the General Plan. While this schedule will likely fluctuate, it does provide the Planning Department with a tool to plan for these projects as efficiently as possible given our day-to-day functions as well.

Exhibits

Exhibit A – Gantt Chart
Exhibit B – Planning Department – Application Comparison

Exhibit A

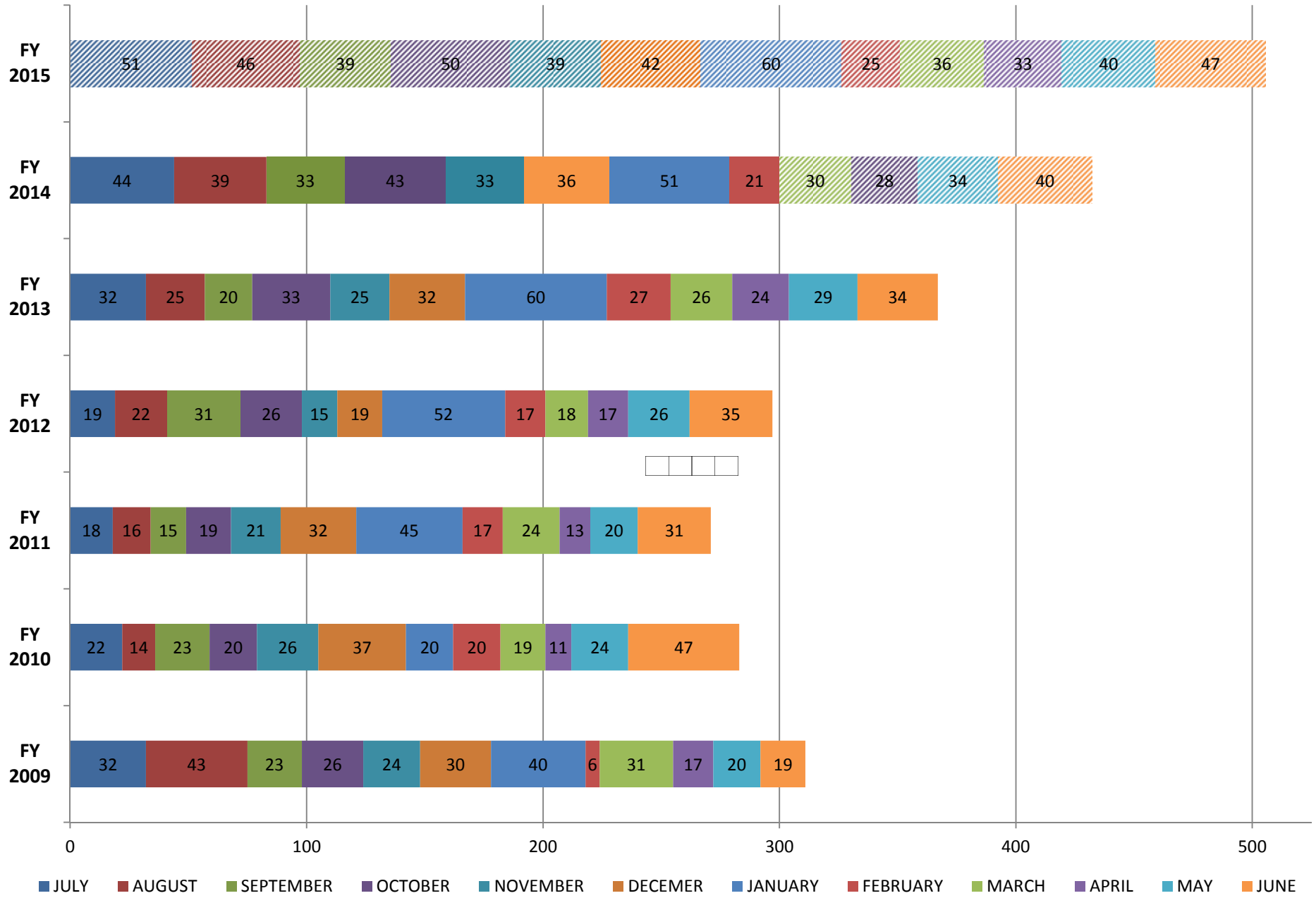
Planning Department - Long Range / Project Planning

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Month 13	Month 14	Month 15	Month 16	Month 17	Month 18	Month 19	Month 20	Month 21	Month 22	Month 23	Month 24	Month 25	Month 26	Month 27	Month 28	Month 29	Month 30	Month 31	Month 32	Month 33	Month 34	Month 35	Month 36	Month 37	Month 38	Month 39	Month 40											
	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17											
	Application - Busy Season				Holiday/Sundance				Application - Busy Season				Holiday/Sundance				Application - Busy Season				Holiday/Sundance																														
General Plan																																																			
Applications																																																			
PCMR (FA)																																																			
Treasure (FA)																																																			
Historic Sites Inventory / Main Street (AG)																																																			
All Other Applications																																																			
Neighborhood Plans																																																			
BOPA and FBC (CA)					13J		9	13	9J		12	11C	8C																																						
LOPA (RW)				Public Charette Process										10J		8	13	17	11J		8C	12C																													
Prospector Area Plan (JB & FA)																												9J			11	8		9J	10C	6C															
LMC & Municipal Code Revisions																																																			
Lighting Code Update (AG/SS/CA)							27	10	16C																																										
Sign Code Update (CA/RW)																8	13	25C	16C																																
LMC ReWrite - General																																																			
-Allowed Uses/CUPs & Lot Sizes (CA/KW)										8	12	10	8C	19C																																					
-TDRs (FA)														11	11	8	13	11C	15C	13C																															
- Definitions (RW/CA)														11	11	9C	14C																																		
-Parking (FA)																																																			
-Housekeeping (KW)																																																			
-CUP Criteria (FA)																																																			
-Landscape Ordinance (KW/SS)																																																			
-MPDs (FA)																																																			
-HPB/HDDRs (AG/RW)																																																			
-SLO/Ridgelines (FA)																																																			

Dates:
 Numbers alone indicate the
 Planning Commission
 meeting that month
 "C" next to the date indicates
 a City Council Meeting
 "J" next to the date indicates
 a Joint CC/PC meeting

Exhibit B

Planning Department - Projected Intake and Monthly Comparison of Applications



Projected years are estimated at a 17% increase - based on the average increase of applications over the past 3 years

Planning Commission Staff Report



Subject: Gigaplat Replat
Author: Kirsten A. Whetstone, MS, AICP
Date: May 14, 2014
Type of Item: Administrative – Plat Amendment
Project Number: PL-12-01744

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for the Gigaplat Replat being a Re-Subdivision of Lots 25a, 25b, and Parking Lot F of the Prospector Square Supplemental Amended Plat, located at 1897 Prospector Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Prospector Square POA; IGM, LLC; and Foghorn Leghorn, LTD, owners and co-applicants
Applicant representative: Alliance Engineering, Inc.
Location: 1893 and 1897 Prospector Avenue
Zoning: General Commercial (GC) District
Adjacent Land Uses: Commercial, residential condominiums, Rail Trail
Reason for Review: Plat amendments require Planning Commission review and City Council action

Proposal

The applicant is requesting a plat amendment (Exhibit A) for the purpose of re-subdividing Lots 25a, 25b, Parking Lot F, and an associated walkway area of the Prospector Square Supplemental Amended Plat (Exhibit B), in order to relocate the two developable lots, reconfigure the common parking area, and provide for access to the lots compliant with access requirements in the Land Management Code. There are three property owners involved in this application, including the Prospector Square POA, who held a vote and have given consent to this plat amendment application. The lots are zoned General Commercial (GC).

Purpose

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

(A) allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is

convenient to transit, employment centers, resort centers, and permanent residential Areas,

(B) allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,

(C) protect views along the City's entry corridors,

(D) encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,

(E) allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,

(F) encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and

(G) encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

Background

On December 10, 2012, the City received an application for an amendment to the Prospector Square Supplemental Amended Plat, recorded at Summit County on December 26, 1974, including the proposed plat, existing plat, existing conditions survey, vicinity map and photos, and letter explaining the requested amendment (Exhibits A-F). Staff requested a letter from the Prospector Square POA indicating that there had been a vote of the POA in favor of the requested plat amendment, as Lot F is owned by the POA. The application was on hold until the applicant provided the letter (Exhibit G) and to resolve utility and easement issues that came up at the Development Review meeting held on January 22, 2013. The application was deemed complete on January 14, 2014 with receipt of the affirmation of sufficient interest signed by the Prospector Square Property Owners Association representative Dean Berrett.

Previously, the City Council approved a similar reconfiguration of Lots in the area of Parking Lot G. That plat was approved on May 28, 2009 and the amended plat was recorded at Summit County on May 18, 2010 (Exhibit H).

Analysis

The property, consisting of Lots 25a, 25b, and Parking Lot F (Prospector Square) and the associated walkway parcel, are located at 1893 and 1897 Prospector Avenue in the General Commercial (GC) zoning district. Lots 25a and 25b are vacant, undeveloped privately owned lots. Parking Lot F is utilized as a shared parking lot for the Prospector Square Property Owners Association (POA). Owners of the lots and the Prospector Square POA, as owner of Parking Lot F and the associated walkway, are co-applicants on this application.

The proposed plat amendment reconfigures Lots 25a, 25b and Parking Lot F of the Prospector Square Supplemental Amended Plat (Exhibits A-D). Two lots of comparable square footage (known as 25a-R and 25b-R or as Giga-a and Giga-b, as labeled on the draft plat exhibit) are created from a portion of Parking Lot F and the existing lots (25a and 25b) become part of the reconfigured Lot F for parking.

Existing Lots 25a and 25b become part of reconfigured Parking Lot F and new Lots 25a-R and 25b-R (known on the draft plat as Giga-a and Giga-b) are created along Prospector Avenue and along the Rail Trail.

No additional development lots or density are created and the total square footage of the development lots and the allowable development area remains the same. The proposed Lots 25a-R and 25b-R contain the same lot area as existing Lots 25a and 25b, specifically 4,950 square feet and 5,760 square feet respectively. Lots 24 a and 24 b remain unchanged and are not part of this plat amendment.

The plat amendment also reconfigures a POA owned walkway parcel located west of the existing lots, as requested by the POA. A note on the plat describes allowed uses of the POA owned common parking lot and walkway.

There is no net loss of parking as a result of the reconfiguration of these lots. There are currently 99 parking spaces and the reconfigured plat will allow a configuration of 110 common parking spaces within Parking Lot F for a net increase of eleven (11) spaces. An additional 20 private parking spaces are contemplated within the boundaries of Lot 25b; to be located under a future planned building (Exhibit H). No basements are proposed for the future lots. The parking under the building is proposed at the ground level. Parking for future development on Lots 25a and 25b is already provided by the Prospector Square Development within shared Parking Lots A-G which are spread throughout the Prospector Square Subdivision area. Development of these lots is not required to provide more parking, however if they desire to provide additional parking it can be provided within the boundaries of the lots and the ground level parking does not count against the allowed FAR of two (2).

The lots in their current configuration do not technically have the ability to receive building permits because the lots do not have frontage on a street or private access easement connecting the lots to a street. This is a typical problem throughout Prospector Square Subdivision and was recently addressed with a similar plat

amendment for Lots 48a-48e and Parking Lot G (Exhibit H). The existing plat does not call the parking lots out as access easements and it has been understood that the lots have access through the parking lots, but the easements are not platted. Easements for access and utilities are provided with the amended plat.

Parking Lot F currently exists adjacent to Silver Creek and within the flood plain area. The owner of future Lot Giga-b applied to the State Engineer for streamside construction permit for work that will not extend beyond the existing pavement of Parking Lot F and was granted an Order of the State Engineer (Exhibit I) outlining all requirements for such work. Staff recommends a condition of approval stating that future development on Lot Giga-b is required to comply with the Order of the State Engineer regarding streamside construction application number 12-35-50SA and shall be noted on the plat prior to recordation. Any work within the stream, for stream rehabilitation, requires appropriate permits as well. The applicant is not proposing any construction work in the stream corridor. Flood plain certificates, per the Chief Building Official, depending on the type of construction and occupancies, shall be provided to the Building Department prior to issuance of any building permits.

The proposed lots comply with lot and site requirements of the GC District as described below.

GC Zone	Permitted by LMC for Prospector Overlay of the GC zone 15-2.18-3 (I)
Lot Size	No minimum lot size
Building Footprint- Floor Area Ratio (FAR)	FAR must not exceed two (2). All Uses in the Bldg. except enclosed parking areas are subject to the FAR
Front/rear yard setbacks	Zero lot line development permitted.
Side yard setbacks	Zero lot line development permitted.
Building Height	Thirty-five feet (35') from Existing Grade, Building Height exceptions of LMC 15-2.18-4 apply, including additional five feet (5') for gable, hip or similar pitched roofs with a roof pitch of 4:12 or greater.
Parking	Per Prospector Square Subdivision Overlay all parking for these lots is shared and provided in Parking Lots A-K. Additional private parking for specific lots may be provided entirely within the individual lot boundary.
Architectural Design	All construction is subject to LMC Chapter 15-5- Architectural Design Guidelines.
Uses	All uses listed in 15-2.18-2 (A) Allowed Uses are permitted unless otherwise

	noted. All uses listed in 15-2.18-2 (B) Conditional Uses require either an administrative CUP or a CUP approved by the Planning Commission, as noted.
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Good Cause

Planning Staff finds there is good cause for this plat amendment. The proposed lot configuration allows for better utilization of the property for solar access, allows for opportunities for improved architectural and site design, and allows parking to be located behind and between buildings breaking up the current vast expanse of asphalt and parking. The plat amendment allows for best planning and design practices, while preserving the character of the Prospector Square neighborhood. The plat provides easements for access and utilities in compliance with LMC requirements.

Staff finds that the plat will not cause undo harm to adjacent property owners, the Prospector Square POA, or the residents and guest of Park City. All future development on the property will be reviewed for compliance with requisite Land Management Code requirements, including architectural design guidelines, prior to issuance of any building permits. The Prospector Square POA also actively reviews development plans for compliance with the CCRs. There is no net loss of parking and the layout allows for eleven (11) additional common spaces.

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 revisions provided following the review or by conditions of approval.

Notice

On April 30, 2014, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record two weeks prior to the meeting.

Public Input

Staff has not received public input on this application at the time of this report. Public input may be provided at the regularly scheduled Planning Commission public hearing on May 14, 2014 and at the Council meeting scheduled for June 5, 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 Giga Plat replat of Lots 25a, 25b, and Parking Lot F of the Prospector Square Supplemental Amended Plat as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council on this replat and direct staff to make Findings for this decision; or
- The Planning Commission may continue discussion of this item to a date certain (June 11, 2014) 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 as a result of this plat amendment application that have not been addressed with conditions of approval for future development. Reconfiguration of the lots provides opportunity for improved site planning and architectural design, as well as opportunity for better solar access for existing buildings and future buildings. The property is located within the Park City Soils Ordinance Boundary and at the time of any construction, soils will be characterized for regulated materials and disposed of in compliance with the Soils Ordinance, as necessary.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the lots and parking will remain as currently platted. These lots are permitted to be constructed with zero lot line structures, per the GC zoning district. The expanse of common parking would remain as is and access easement would have to be recorded at Summit County to comply with LMC access requirements.

Recommendation

Staff recommends the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for the Gigaplat Replat being a Re-Subdivision of Lots 25a, 25b, and Parking Lot F of the Prospector Square Supplemental Amended Plat, located at 1893 and 1897 Prospector Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Draft Ordinance

Exhibit A- Proposed Plat

Exhibit B- Existing Subdivision plat

Exhibit C-Topographical Survey/Existing Conditions Survey

Exhibit D- Vicinity Map/Aerial Photograph

Exhibit E- Photos of the site and surrounding area

Exhibit F- Applicant letter

Exhibit G- POA letter

Exhibit H- Previous plat amendment for Parking Lot G

Exhibit I- Order of the State Engineer regarding streamside construction

AN ORDINANCE APPROVING THE GIGAPLAT REPLAT, BEING A RE-SUBDIVISION OF LOTS 25a, 25b, AND PARKING LOT F OF THE PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT LOCATED AT 1893 AND 1897 PROSPECTOR AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the properties known as Lots 25a, 25b, and Parking Lot F of the Prospector Square Supplemental Amended Plat, located at 1893 and 1897 Prospector Avenue, petitioned the City Council for approval of the Gigaplat Replat, being a re-subdivision of Lots 25a, 25b, Parking Lot F and association walkway parcel; and

WHEREAS, on April 30, 2014, the property was noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 30, 2014, notice was provided to affected property owners within 300' of the property as required by the Land Management Code; and

WHEREAS, a legal notice was published in the Park Record at least two weeks prior to the public hearings, as required by the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on May 14, 2014 to receive input on the proposed subdivision;

WHEREAS, on May 14, 2014 the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on June 5, 2014 the City Council held a public hearing on the proposed Nirvana at Old Town Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Gigaplat Replat, as conditioned.

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 Gigaplat Replat, being a Re-Subdivision of Lots 25a, 25b, and Parking Lot F and association walkway of the Prospector Square Supplemental Amended Plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The properties are located at 1893 and 1897 Prospector Avenue within the General Commercial (GC) zoning district.

2. On December 10, 2012, the applicant submitted an application for a plat amendment to re-configure Lots 25a, 25b, Parking Lot F, and associated walkway area of the Prospector Square Supplemental Amended Plat. The purpose of the plat amendment is to re-locate the two development pads to be better oriented for energy efficient design, improved parking lot layout, to provide access and utility easements, and to reconfigure the common parking taking into consideration the relocated pads.
3. The application was deemed complete on January 14, 2014 upon receipt of the required letter from the Homeowner's Association, due to the POA being party to this application.
4. The proposed Lots 25a-R and 25b-R contain the same lot area as existing Lots 25a and 25b, specifically 4,950 square feet and 5,760 square feet respectively.
5. There is no net loss of parking spaces as a result of the reconfiguration of these lots. There are currently 99 parking spaces and the reconfigured plat will allow 110 common parking spaces within Parking Lot F for a net increase of eleven (11) spaces. An additional 20 private parking spaces are contemplated within the boundaries of Lot 25b-R, to be located under a future planned building on this lot.
6. Existing Lots 25a and 25b do not have access to a public street or access easement leading to a public street. These lots are undeveloped vacant lots.
7. Parking Lot F is an existing paved and striped parking lot utilized by the Prospector Square Subdivision development as common parking for the entire Subdivision. Parking Lot F currently exists adjacent to Silver Creek and the owner of future Lot Giga-b applied to the State Engineer for streamside construction permit for work that will not extend beyond the existing pavement of Parking Lot F and was granted an Order of the State Engineer outlining all requirements for work
8. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
9. The GC zone has no minimum lot sizes. Setbacks within the Prospector Square Overlay are permitted to be zero (0') for front, side and rear yards. Maximum building height is 35' from existing grade, with LMC height exceptions allowed.
10. Amended Lot 25a-R will have access and frontage on Prospector Avenue and amended Lot 25b-R will have access to Prospector Avenue via an access easement over Parking Lot F.
11. The plat amendment will resolve access and utility easement issues that currently exist.

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. Modified 13-D sprinklers may be required for new construction, to be determined 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.
4. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Prospector Avenue, with the exception of Lot 25a-R and shall be shown on the plat.
5. The plat will reflect access and utility easements as required by the City Engineer and utility providers.
6. Future development on Lot 25b-R is required to comply with the Order of the State Engineer regarding streamside construction application number 12-35-50SA, or as amended and restated. Reference to this requirement shall be noted on the final plat prior to recordation.
7. All required Army Corps of Engineer permits are required prior to any work in the stream corridor, including stream rehabilitation work.
8. Flood plain certificates are required prior to issuance of building permits as required by the Chief Building Official.
9. Existing access and utility easements will be adjusted accordingly to reflect existing utilities and future built out conditions.
10. The final plat shall indicate uses and easements on the POA walkway and parking lot.

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

PASSED AND ADOPTED this ____ day of June, 2014

PARK CITY MUNICIPAL CORPORATION

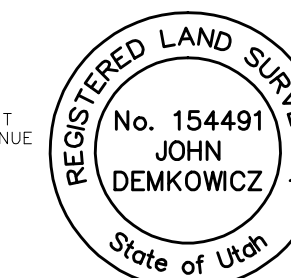
Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

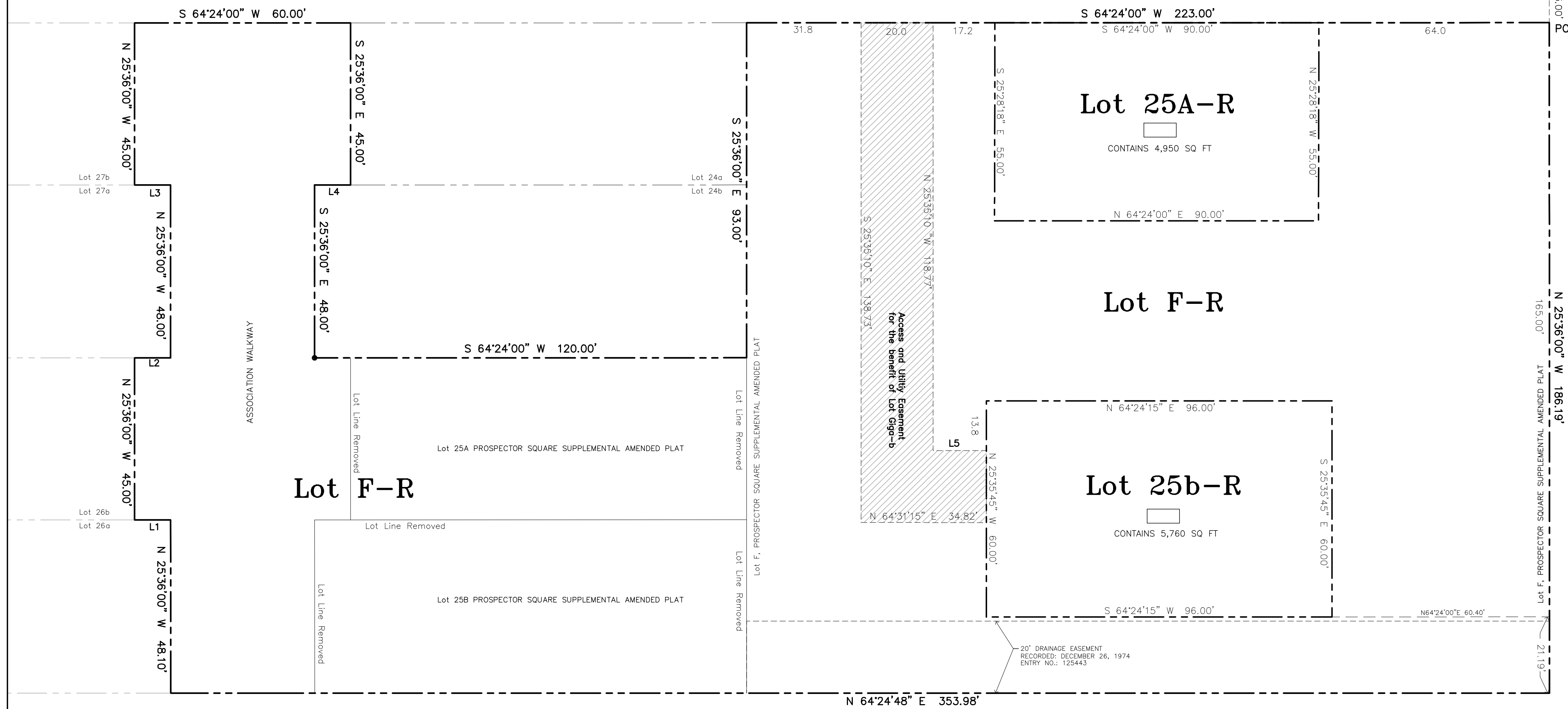


I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner(s), I have prepared this Record of Survey map of the GIGAPLAT REPLAT and that the same has been or will be monumented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

John Demkowicz Date

BASIS OF BEARING N 64°24'00" E 976.86' 807.00'

PROSPECTOR AVENUE



BOUNDARY DESCRIPTION

(Parcel 1): All of Lot 25A PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT, according to the official plat thereof, recorded as Entry No. 397064 of the official records in the office of Summit County Recorders, records of Summit County, Utah. (Parcel 2): All of Lot 25B PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT, according to the official plat thereof, recorded as Entry No. 397064 of the official records in the office of Summit County Recorders, records of Summit County, Utah. (Parcel 3): All of Lot F, PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT, according to the official plat thereof, recorded as Entry No. 397064 of the official records in the office of Summit County Recorders, records of Summit County, Utah. (Parcel 4): (Association Walkway) A parcel of land located in the northeast quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at the eastermost corner of Lot 26a of the Amended Plat of Prospector Square, recorded as Entry #125443 according to the official plat thereof on file and of record in the Office of the Recorder, Summit County, Utah, said point being located South 89°44'14" East 693.765 feet and North 64°24'48" East 613.82 feet from the center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the easterly and northerly boundaries of Lot 26a the following two (2) courses: 1) North 25°36'00" West 48.10 feet; thence 2) South 64°24'00" West 10.00 feet to the southeasterly corner of Lot 26b; thence along the easterly boundary of Lot 26b North 25°36'00" West 45.00 feet to the southerly boundary of Lot 27a; thence along the southerly, easterly and northerly boundaries of Lot 27a the following three (3) courses: 1) North 64°24'00" East 10.00 feet; thence 2) North 25°36'00" West 48.00 feet; thence 3) South 64°24'00" West 10.00 feet to the southeasterly corner of Lot 27b; thence along the easterly boundary of Lot 27b North 25°36'00" West 45.00 feet to the southerly right-of-way of Prospector Avenue. Amended Plat of Prospector Square; thence along said southerly right-of-way North 64°24'00" East 60.00 feet to the northwesterly corner of Lot 24a; thence along the westerly boundary of Lot 24a South 25°36'00" East 45.00 feet to the northerly boundary of Lot 24b; thence along the northerly, westerly and southerly boundaries of Lot 24b the following three (3) courses: 1) South 64°24'00" West 10.00 feet; thence 2) South 25°36'00" East 48.00 feet; thence 3) North 64°24'00" East 10.00 feet to the northwesterly corner of Lot 25a; thence along the westerly boundary of Lot 25a South 25°36'00" East 45.00 feet to the northerly boundary of Lot 25b; thence along the northerly and westerly boundaries of Lot 25b the following two (2) courses: 1) South 64°24'00" West 10.00 feet; thence 2) South 25°36'00" East 48.11 feet to the southerly boundary of said Amended Plat of Prospector Square; thence along the southerly boundary of the Amended Plat of Prospector Square South 64°24'48" West 40.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, IGM, LLC, A UTAH LIMITED LIABILITY CORPORATION, the undersigned owner of Parcel 1, does hereby certify that it has caused this survey to be made and Gigaplat Replat to be prepared, and does hereby consent to the recordation of this plat amendment.

In witness whereof the undersigned has executed this certificate and dedication this ____ day of _____, 2013.

IGM, LLC A Utah Limited Liability Corporation

By: Rhonda Sideris President

ACKNOWLEDGMENT

State of _____ ss: County of _____ On this _____ day of _____, 2013, personally appeared before me Teri Ekstrom, a notary public, personally appeared _____ proved on the basis of satisfactory evidence to be the person whose name are subscribed to this instrument, and acknowledged they have executed the same. Witness my hand and official seal.

Notary Public

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, FOGHORN LEGHORN, LTD, A UTAH CORPORATION, the undersigned owner of Parcel 2, does hereby certify that it has caused this survey to be made and Gigaplat Replat to be prepared, and does hereby consent to the recordation of this plat amendment.

In witness whereof the undersigned has executed this certificate and dedication this ____ day of _____, 2013.

FOGHORN LEGHORN, LTD A Utah Corporation

By: Henry Louis President

ACKNOWLEDGMENT

State of _____ ss: County of _____ On this _____ day of _____, 2013, personally appeared before me Teri Ekstrom, a notary public, personally appeared _____ proved on the basis of satisfactory evidence to be the person whose name are subscribed to this instrument, and acknowledged they have executed the same. Witness my hand and official seal.

Notary Public

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION, A _____, the undersigned owner of Parcel 2, does hereby certify that it has caused this survey to be made and Gigaplat Replat to be prepared, and does hereby consent to the recordation of this plat amendment.

In witness whereof the undersigned has executed this certificate and dedication this ____ day of _____, 2013.

PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION A Utah _____

By: _____ President

ACKNOWLEDGMENT

State of _____ ss: County of _____ On this _____ day of _____, 2013, personally appeared before me Teri Ekstrom, a notary public, personally appeared _____ proved on the basis of satisfactory evidence to be the person whose name are subscribed to this instrument, and acknowledged they have executed the same. Witness my hand and official seal.

Notary Public

A PLAT AMENDMENT A RESUBDIVISION OF LOTS 25a, 25b, Parking Lot F, & Association Walkway

GIGAPLAT REPLAT

LOCATED IN NE 1/4 SECTION 9 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

12/05/12 JOB NO.: 4-5-08 FILE: \\s\hrm\jmg\jmg\gsd2008\040508.dwg

FOUND SURVEY MONUMENT C/L PI PROSPECTOR AVENUE

FOUND SURVEY MONUMENT C/L PI PROSPECTOR AVENUE

Table with 3 columns: LINE, BEARING, DISTANCE. Rows L1 to L5.

NOTE Street address on Prospector Avenue

1. A 16' Right Of Way and Easement Grant to Mountain Fuel Company exists on the property as identified on the document recorded June 8, 1977, Entry No. 138287. Location cannot be determined.

2. A 16' Right Of Way and Easement Grant to Mountain Fuel Company exists on the property as identified on the document recorded December 9, 1975, Entry No. 129736. Location cannot be determined.



Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____, 2013 A.D. BY _____ S.B.W.R.D.

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

ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____, 2013 A.D. BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____, 2013 A.D. BY _____ PARK CITY ATTORNEY

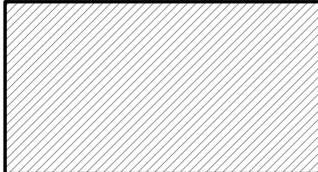
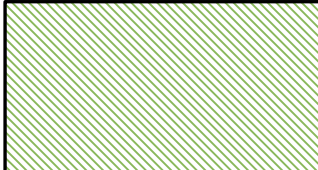
CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS DAY OF _____, 2013 A.D. BY _____ PARK CITY RECORDER


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

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



Ownership Legend:

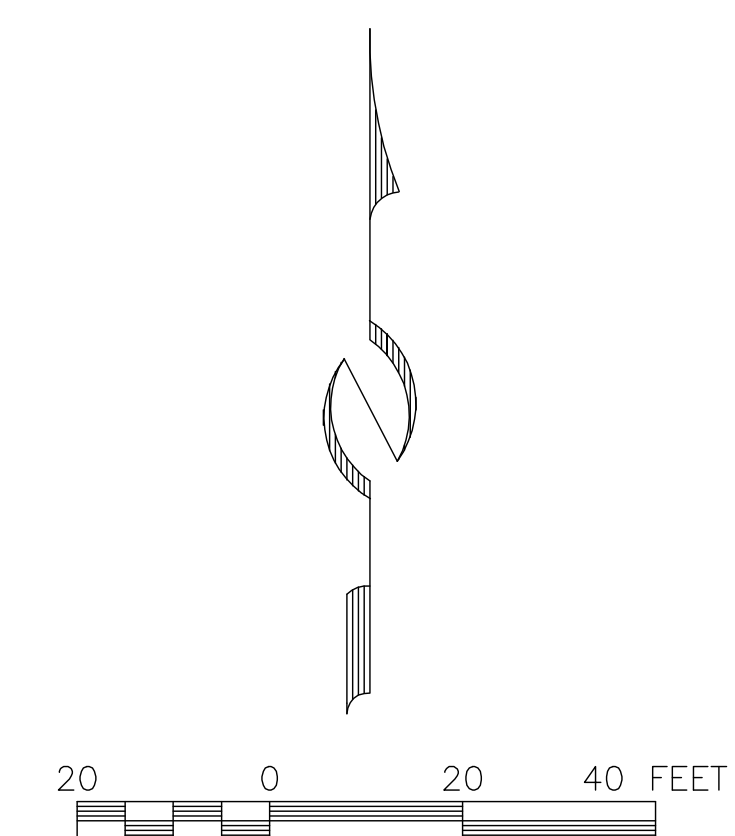
-  Prospector Square Property Owners Association Land to be re-configured.
-  Prospector Square Private Lots to be re-configured.

(435) 649-9467

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
 J. Demkowiez
 S. Schueler
DATE: 12/7/12

Gigaplat Replat
 Lots 25a, 25b, Parking Lot F
Existing Lot Summary
FOR: Giga Plex Inc.
JOB NO.: 4-5-08
FILE: x:\Prospector\dwg\sr\plat2008\gigaplat10-10-12.dwg

SHEET
1



(435) 649-9467
Alliance Engineering Inc.
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
 J. Demkowicz
 S. Schueler
DATE: 12/04/12

Gigaplat Replat
 Lots 25a, 25b, Parking Lot F
Existing Ortho Summary
FOR: Giga Plex Inc.
JOB NO.: 4-5-08
FILE: x:\Prospector\dwg\sr\plat2008\gigaplat 10-10-12.dwg

SHEET
2



 <p>(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>STAFF: S. Deckert S. Schueler</p>	<p>Gigaplat Replat Lots 25a, 25b, Parking Lot F Proposed Lots Master Plan Composite</p>	<p>SHEET 3</p>
	<p>DATE: 12/7/12</p>	<p>FOR: Giga Plex Inc. JOB NO.: 4-5-08 FILE: x:\Prospector\dwg\srvt\plat2008\gigaplat10-10-12.dwg</p>	

SURVEYOR'S CERTIFICATE

I, John Demick, certify that I am a Registered Land Surveyor and hold a valid Certificate No. 154481, as prescribed by the laws of the State of Utah, and that the boundaries of the corners, lines, monuments and other points shown on this plat, as further certified by the information on this plat is correct.



Name: John Demick
Date: _____

BOUNDARY DESCRIPTION

Parcel 1: A parcel of land located in the northeast corner of Section 9, Township 4 North, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows: _____
 Parcel 2: _____
 Parcel 3: _____
 Parcel 4: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

I, _____, owner of the above described property, hereby dedicate and consent to the recording of this plat amendment.

ACKNOWLEDGMENT

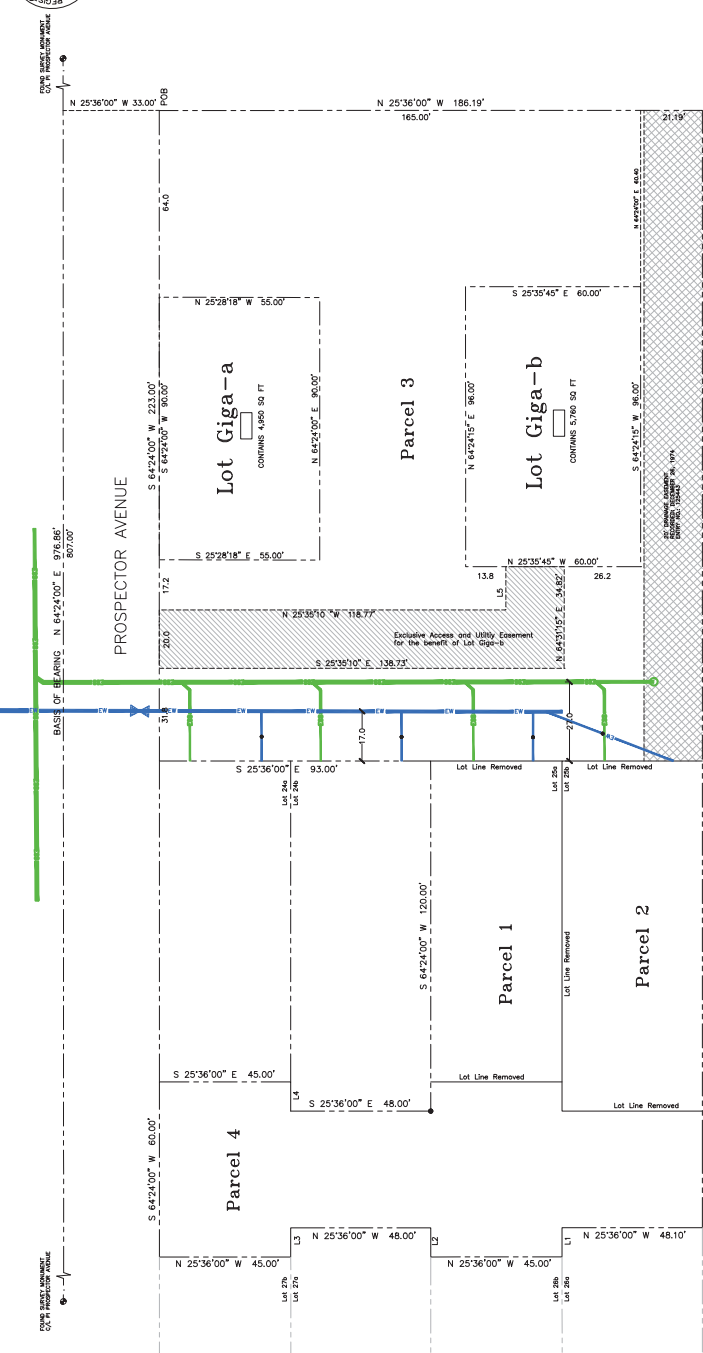
On this _____ day of _____, 2013, personally appeared before me _____, a notary public, personally appeared _____, acknowledged they have executed the same. Witness my hand and official seal.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, _____, owner of the above described property, hereby dedicate and consent to the recording of this plat amendment.

ACKNOWLEDGMENT

On this _____ day of _____, 2013, personally appeared before me _____, a notary public, personally appeared _____, acknowledged they have executed the same. Witness my hand and official seal.



LINE	BEARING	DISTANCE
L1	N 64°24'00" E	10.00'
L2	S 64°24'00" W	10.00'
L3	S 64°24'00" W	10.00'
L4	S 64°24'00" W	14.82'

NOTE: _____
 1. A 15' Right of Way and Easement Grant for the Prospector Avenue, as shown on the Plat Amendment, No. 15887.
 2. A 15' Right of Way and Easement Grant for the Prospector Avenue, as shown on the Plat Amendment, No. 15887.



EXHIBIT A

**A PLAT AMENDMENT
 A RESUBDIVISION OF LOTS 25a, 25b, Parking Lot F, & Association Walkway
 GIGAPLAT REPLAT**

LOCATED IN NE 1/4 SECTION 9
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

<p>FILED: _____ JOB NO. 4-5-05 FILE: _____</p>	<p>RECORDED</p>
<p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p>	<p>BOOK _____ PAGE _____</p>
<p>DATE _____ TIME _____</p>	<p>RECORDER _____</p>
<p>BY _____ MAYOR</p>	<p>BY _____ RECORDER</p>
<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY WAS MADE AND ACCEPTED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.</p>	<p>BY _____ PARK CITY RECORDER</p>
<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2013 A.D.</p>	<p>BY _____ PARK CITY ATTORNEY</p>
<p>ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE PLANNING COMMISSION OFFICE FILE NO. _____, 2013 A.D.</p>	<p>BY _____ PARK CITY ENGINEER</p>
<p>PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D.</p>	<p>BY _____ CHAIRMAN</p>
<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D.</p>	<p>BY _____ S.B.W.R.D.</p>

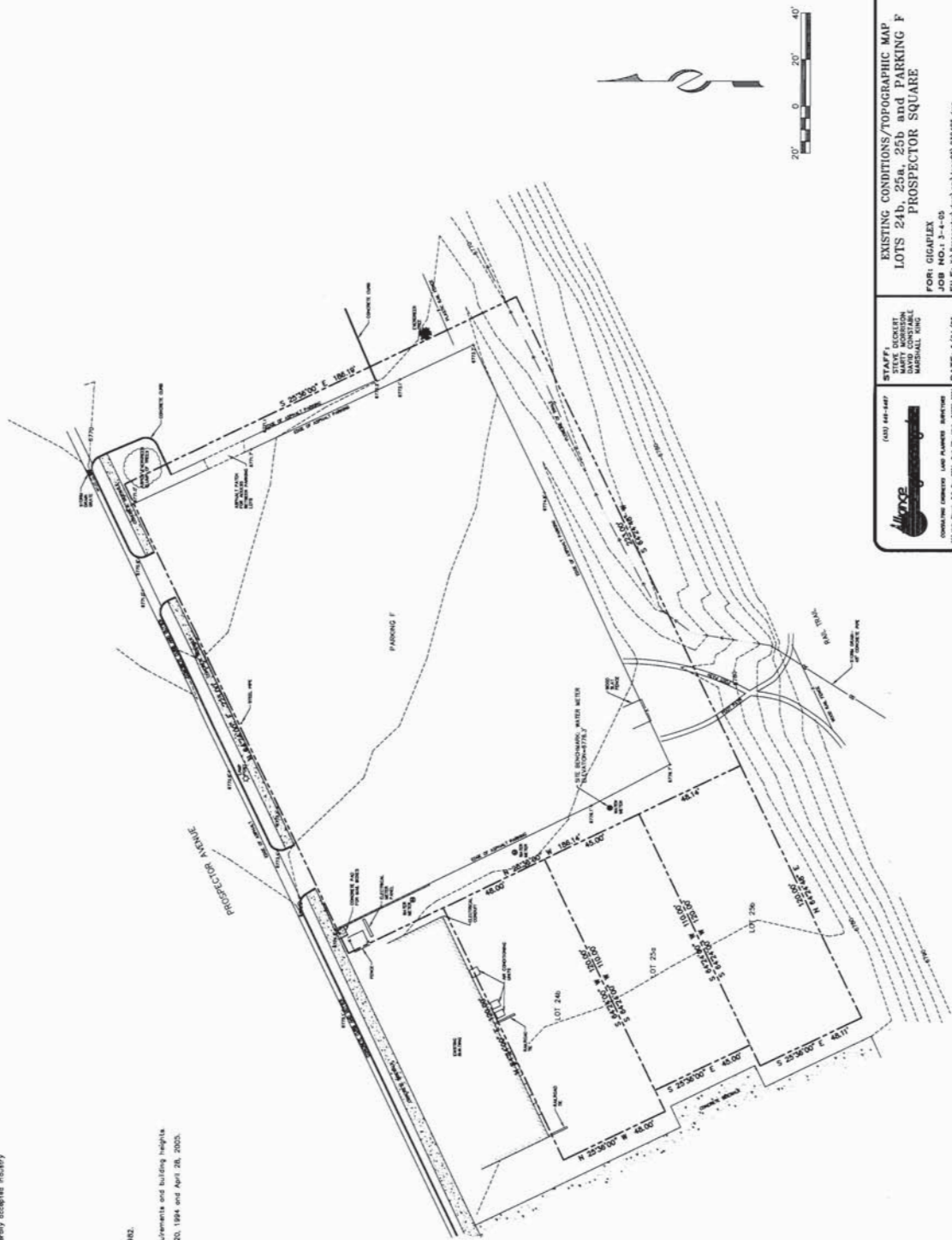
SURVEYOR'S CERTIFICATE

I, Martin A. Neuhoff, do hereby certify that I am a registered land surveyor in the State of Utah. I further certify that I have personally supervised the work of the land surveyors who have assisted me in the preparation of this plat. I further certify that this topographic map is a correct representation of the land surveyed at the time the field work was completed and complies with generally accepted industry standards for accuracy.



NOTES

1. Site Benchmarks: Water meter Elevation=4774.3'
2. The base of the elevation is the Park City Monument Central Map, 1982.
3. See record of survey plat for easements and restrictions.
4. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
5. This topographic map is based on a field survey performed on July 20, 1994, and April 28, 2005.
6. Property corners were not set.



<p>CONSULTING SURVEYORS LAND PLANNERS ARCHITECTS 123 Main Street P.O. Box 9999 Park City, Utah 84302-9999 (435) 768-8887</p>	<p>STAFF: MARTIN A. NEUHOFF MARTIN NEUHOFF MARTIN NEUHOFF MARTIN NEUHOFF</p>	<p>EXISTING CONDITIONS/TOPOGRAPHIC MAP LOTS 24b, 25a, 25b and PARKING F PROSPECTOR SQUARE</p>	<p>SHEET 1 OF 1</p>
	<p>FOR: GIGARLEY</p>	<p>JOB NO.: 3-4-05</p>	<p>DATE: 3/24/05</p>

EXHIBIT D



	STAFF: S. Schmeckel	DATE: 12/04/12
	CLIENT: SUNSHINE BEACH Lots 25a, 25b, Parking Lot F Existing Ortho Summary	
FOR: GDR - Park, Inc. FILE: X:\Prospectors\eng\proj2008\gigaplan10-10-12.dwg		

SHEET 2



Looking North from Rail Trail



Looking South from Prospector Ave.



Looking West at existing Lots 25a+b



Looking East -Parking to Rail Trail

	DATE: 12/7/12	SHEET 4
	Gageplat, Report Lots 25a, 25b, Parking Lot F Plat Amendment Panoramic Images FOR: City of Park, Inc. JOB NO.: 4-5-08 FILE: S:\Prospector\img\pano2008\gplatimg (copy).img	

Project Description

The owners of Lot 25a and 25b of the Prospector Square Subdivision propose a plat amendment for Lots 25a, 25b, and Parking Lot F of the Prospector Square Subdivision wherein Lots 25a and 25b will be replatted along the northern and southern boundaries of Parking Lot F as shown on the attached plat exhibit. The parking areas displaced by these lots will be relocated onto the area of the property which these lots are currently platted. The square footage area of the respective lots will remain the same as currently platted. This proposed replat will allow the property owners to design and build contemporary buildings that are aesthetically pleasing, provide a better relationship to existing roads and circulation patterns, reduce the continuous expanse of parking along Prospector Avenue, and allow for green building techniques to be implemented. Park City Lodging plans to consolidate their operations into a mixed-use building on Lot 25a, while Foghorn Leghorn Ltd. proposes a 6-unit live and work condominium on Lot 25b. Both owners will independently seek Conditional Use Permit approvals pending acceptance of this proposed plat amendment.

Lot 25a proposes to start construction in the Spring 2013. Lot 25b has not made a determination as to when they will commence construction.

Currently there are 99 parking stalls on Park Lot F. The proposed Plat Amendment will allow of 110 stalls for Prospector Square plus 20 private stalls within the property lines of replatted Lot 25b.

The Prospector Square Owners Association approved the proposed replat for submittal to the Park city Planning Department.



Prospector Square Property Owners Association

PO Box 680344
Park City, Utah 84068

VIA HAND DELIVERY

December 5, 2013

Park City Municipal Corporation
Planning Department
PO Box 1480
Park City, UT 84060

To Whom It May Concern:

The Prospector Square Property Owners Association (PSPOA) and its membership own portions of Lot F Prospector Square Supplemental Amended Plat. On November 16, 2013, at a duly noticed and held meeting of the members of the PSPOA, the membership approved, by an affirmative vote of 98.8% of the total votes represented in person or by proxy, the amendment of the plat or record of survey for Lot F Prospector Square Supplemental Amended Plat in connection with the replatting of the Lots 25A, 25B and Lot F by the owners of Lots 25A and 25B. The concept and conceptual drawings for the plat amendment were presented to the membership both before and at the meeting by the owners of Lots 25A and 25B.

The membership approval of this plat amendment is conditioned upon and subject to final approval by the Board of Directors of the PSPOA of the final form and substance for all associated documentation including without limitation, plat amendment documents, easement and development agreements between applicants and PSPOA, etc. If you have any questions relating to this approval please contact Alison Butz at 435-640-2732.

Best regards,



Dean S. Berrett
President, Prospector Square Property Owners Association, Inc.

cc. Rhonda Sideris
Hank Louis



HOMEOWNERS ASSOCIATION NOTIFICATION VERIFICATION

The document shall serve as verification that the Prospector Square Property Owners Association
Homeowner's Association (HOA) has been notified of Rhonda Sideris and Hank Louis (owner)
intent to build at (address) 1913 - 1915 Prospector Avenue (Lot F Replat) (lot #) 25A and 25B

Plans may be viewed at the Park City Building Department, 445 Marsac Ave.

This notice is only to inform the HOA that the owner is seeking permission to move forward with a replat.

The HOA has received notification from the owner of their intent to do the following work: **Prospector Square Property Owners Association has been in discussions with the owners of Lot 25 A and Lot 25B with regards to the replat of their property located in Lot F in Prospector Square. The association is in support of the plans discussed in the meeting with the Prospector Square Property Owners Association Executive Committee held on September 25th. The approval of this amendment is conditioned upon and subject to final approval by the Board of Directors of the Prospector Square Property Owners Association of the final form and substance of all associated documents, including without limitation, plat amendment documents, easement documents, parking space requirements, etc.**

Notice received and acknowledged

HOA Representative

12/4/2012

Date

**PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G
LOCATED IN THE NORTHEAST QUARTER OF
SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH**

OWNER'S DEDICATION AND CONSENT TO RECORD
I, the undersigned owner of the herein described tract of land, do hereby certify that I have caused this Plat to be prepared and I consent to the recording of this Plat. I have caused this Plat to be prepared and I consent to the recording of this Plat. I have caused this Plat to be prepared and I consent to the recording of this Plat. I have caused this Plat to be prepared and I consent to the recording of this Plat.

By *[Signature]*
Owner, The Prospectors, LLC

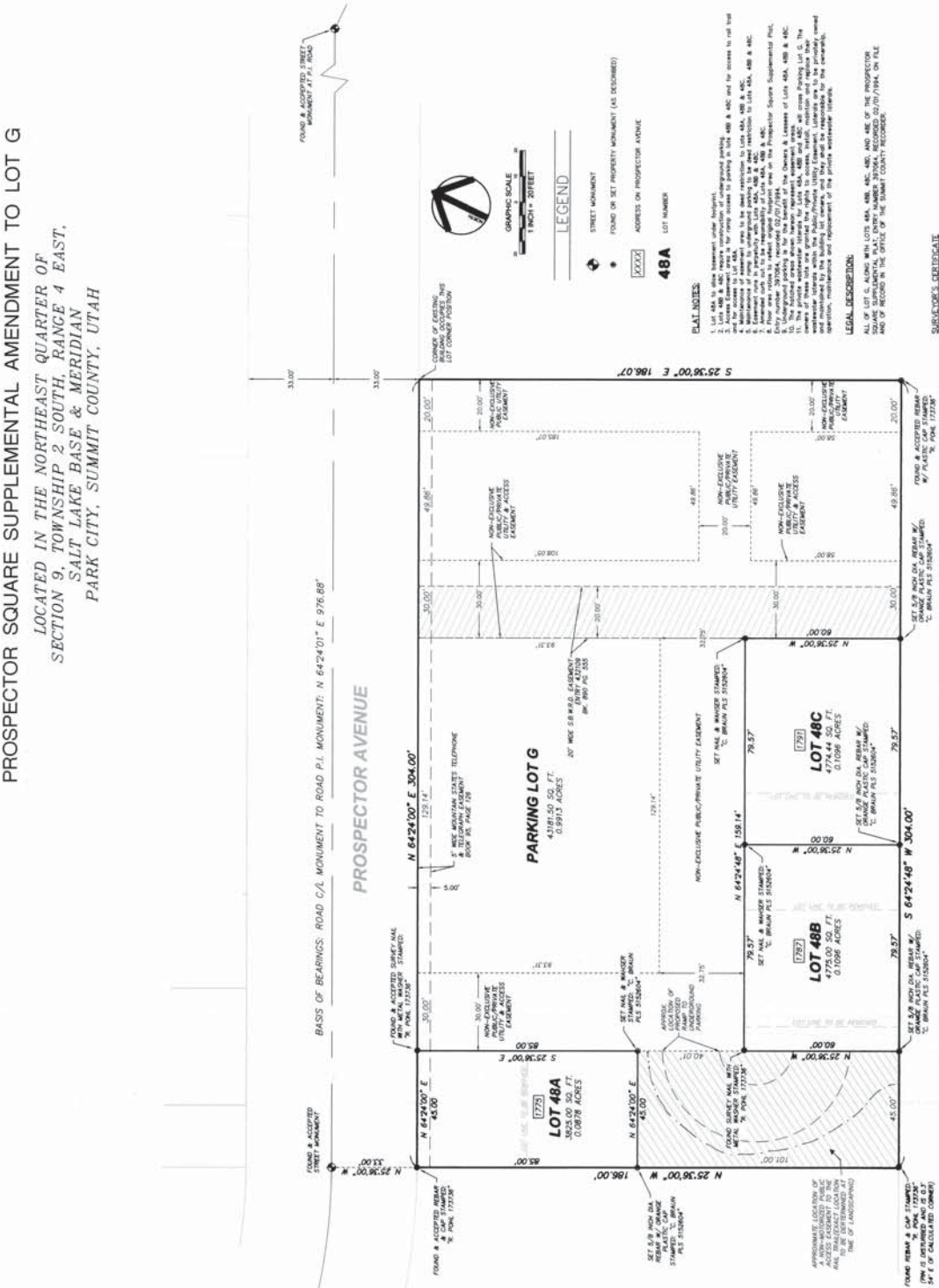
ACKNOWLEDGMENT
I, the undersigned, County Clerk of Utah, do hereby certify that the foregoing instrument was presented to me for recording on this 12th day of March, 2012, at 10:00 AM, and that the same was duly recorded in Book 11378, Page 434 of the Public Records of this County.

OWNER'S DEDICATION AND CONSENT TO RECORD
I, the undersigned owner of the herein described tract of land, do hereby certify that I have caused this Plat to be prepared and I consent to the recording of this Plat. I have caused this Plat to be prepared and I consent to the recording of this Plat. I have caused this Plat to be prepared and I consent to the recording of this Plat.

By *[Signature]*
Owner, The Prospectors, LLC

ACKNOWLEDGMENT
I, the undersigned, County Clerk of Utah, do hereby certify that the foregoing instrument was presented to me for recording on this 12th day of March, 2012, at 10:00 AM, and that the same was duly recorded in Book 11378, Page 434 of the Public Records of this County.

EXHIBIT H



PLAT NOTES
1. Lot 48A, 48B, 48C, 48D, 48E, 48F, 48G, 48H, 48I, 48J, 48K, 48L, 48M, 48N, 48O, 48P, 48Q, 48R, 48S, 48T, 48U, 48V, 48W, 48X, 48Y, 48Z, 48AA, 48AB, 48AC, 48AD, 48AE, 48AF, 48AG, 48AH, 48AI, 48AJ, 48AK, 48AL, 48AM, 48AN, 48AO, 48AP, 48AQ, 48AR, 48AS, 48AT, 48AU, 48AV, 48AW, 48AX, 48AY, 48AZ, 48BA, 48BB, 48BC, 48BD, 48BE, 48BF, 48BG, 48BH, 48BI, 48BJ, 48BK, 48BL, 48BM, 48BN, 48BO, 48BP, 48BQ, 48BR, 48BS, 48BT, 48BU, 48BV, 48BW, 48BX, 48BY, 48BZ, 48CA, 48CB, 48CC, 48CD, 48CE, 48CF, 48CG, 48CH, 48CI, 48CJ, 48CK, 48CL, 48CM, 48CN, 48CO, 48CP, 48CQ, 48CR, 48CS, 48CT, 48CU, 48CV, 48CW, 48CX, 48CY, 48CZ, 48DA, 48DB, 48DC, 48DD, 48DE, 48DF, 48DG, 48DH, 48DI, 48DJ, 48DK, 48DL, 48DM, 48DN, 48DO, 48DP, 48DQ, 48DR, 48DS, 48DT, 48DU, 48DV, 48DW, 48DX, 48DY, 48DZ, 48EA, 48EB, 48EC, 48ED, 48EE, 48EF, 48EG, 48EH, 48EI, 48EJ, 48EK, 48EL, 48EM, 48EN, 48EO, 48EP, 48EQ, 48ER, 48ES, 48ET, 48EU, 48EV, 48EW, 48EX, 48EY, 48EZ, 48FA, 48FB, 48FC, 48FD, 48FE, 48FF, 48FG, 48FH, 48FI, 48FJ, 48FK, 48FL, 48FM, 48FN, 48FO, 48FP, 48FQ, 48FR, 48FS, 48FT, 48FU, 48FV, 48FW, 48FX, 48FY, 48FZ, 48GA, 48GB, 48GC, 48GD, 48GE, 48GF, 48GG, 48GH, 48GI, 48GJ, 48GK, 48GL, 48GM, 48GN, 48GO, 48GP, 48GQ, 48GR, 48GS, 48GT, 48GU, 48GV, 48GW, 48GX, 48GY, 48GZ, 48HA, 48HB, 48HC, 48HD, 48HE, 48HF, 48HG, 48HH, 48HI, 48HJ, 48HK, 48HL, 48HM, 48HN, 48HO, 48HP, 48HQ, 48HR, 48HS, 48HT, 48HU, 48HV, 48HW, 48HX, 48HY, 48HZ, 48IA, 48IB, 48IC, 48ID, 48IE, 48IF, 48IG, 48IH, 48II, 48IJ, 48IK, 48IL, 48IM, 48IN, 48IO, 48IP, 48IQ, 48IR, 48IS, 48IT, 48IU, 48IV, 48IW, 48IX, 48IY, 48IZ, 48JA, 48JB, 48JC, 48JD, 48JE, 48JF, 48JG, 48JH, 48JI, 48JJ, 48JK, 48JL, 48JM, 48JN, 48JO, 48JP, 48JQ, 48JR, 48JS, 48JT, 48JU, 48JV, 48JW, 48JX, 48JY, 48JZ, 48KA, 48KB, 48KC, 48KD, 48KE, 48KF, 48KG, 48KH, 48KI, 48KJ, 48KK, 48KL, 48KM, 48KN, 48KO, 48KP, 48KQ, 48KR, 48KS, 48KT, 48KU, 48KV, 48KW, 48KX, 48KY, 48KZ, 48LA, 48LB, 48LC, 48LD, 48LE, 48LF, 48LG, 48LH, 48LI, 48LJ, 48LK, 48LL, 48LM, 48LN, 48LO, 48LP, 48LQ, 48LR, 48LS, 48LT, 48LU, 48LV, 48LW, 48LX, 48LY, 48LZ, 48MA, 48MB, 48MC, 48MD, 48ME, 48MF, 48MG, 48MH, 48MI, 48MJ, 48MK, 48ML, 48MM, 48MN, 48MO, 48MP, 48MQ, 48MR, 48MS, 48MT, 48MU, 48MV, 48MW, 48MX, 48MY, 48MZ, 48NA, 48NB, 48NC, 48ND, 48NE, 48NF, 48NG, 48NH, 48NI, 48NJ, 48NK, 48NL, 48NM, 48NN, 48NO, 48NP, 48NQ, 48NR, 48NS, 48NT, 48NU, 48NV, 48NW, 48NX, 48NY, 48NZ, 48OA, 48OB, 48OC, 48OD, 48OE, 48OF, 48OG, 48OH, 48OI, 48OJ, 48OK, 48OL, 48OM, 48ON, 48OO, 48OP, 48OQ, 48OR, 48OS, 48OT, 48OU, 48OV, 48OW, 48OX, 48OY, 48OZ, 48PA, 48PB, 48PC, 48PD, 48PE, 48PF, 48PG, 48PH, 48PI, 48PJ, 48PK, 48PL, 48PM, 48PN, 48PO, 48PP, 48PQ, 48PR, 48PS, 48PT, 48PU, 48PV, 48PW, 48PX, 48PY, 48PZ, 48QA, 48QB, 48QC, 48QD, 48QE, 48QF, 48QG, 48QH, 48QI, 48QJ, 48QK, 48QL, 48QM, 48QN, 48QO, 48QP, 48QQ, 48QR, 48QS, 48QT, 48QU, 48QV, 48QW, 48QX, 48QY, 48QZ, 48RA, 48RB, 48RC, 48RD, 48RE, 48RF, 48RG, 48RH, 48RI, 48RJ, 48RK, 48RL, 48RM, 48RN, 48RO, 48RP, 48RQ, 48RR, 48RS, 48RT, 48RU, 48RV, 48RW, 48RX, 48RY, 48RZ, 48SA, 48SB, 48SC, 48SD, 48SE, 48SF, 48SG, 48SH, 48SI, 48SJ, 48SK, 48SL, 48SM, 48SN, 48SO, 48SP, 48SQ, 48SR, 48SS, 48ST, 48SU, 48SV, 48SW, 48SX, 48SY, 48SZ, 48TA, 48TB, 48TC, 48TD, 48TE, 48TF, 48TG, 48TH, 48TI, 48TJ, 48TK, 48TL, 48TM, 48TN, 48TO, 48TP, 48TQ, 48TR, 48TS, 48TT, 48TU, 48TV, 48TW, 48TX, 48TY, 48TZ, 48UA, 48UB, 48UC, 48UD, 48UE, 48UF, 48UG, 48UH, 48UI, 48UJ, 48UK, 48UL, 48UM, 48UN, 48UO, 48UP, 48UQ, 48UR, 48US, 48UT, 48UU, 48UV, 48UW, 48UX, 48UY, 48UZ, 48VA, 48VB, 48VC, 48VD, 48VE, 48VF, 48VG, 48VH, 48VI, 48VJ, 48VK, 48VL, 48VM, 48VN, 48VO, 48VP, 48VQ, 48VR, 48VS, 48VT, 48VU, 48VV, 48VW, 48VX, 48VY, 48VZ, 48WA, 48WB, 48WC, 48WD, 48WE, 48WF, 48WG, 48WH, 48WI, 48WJ, 48WK, 48WL, 48WM, 48WN, 48WO, 48WP, 48WQ, 48WR, 48WS, 48WT, 48WU, 48WV, 48WW, 48WX, 48WY, 48WZ, 48XA, 48XB, 48XC, 48XD, 48XE, 48XF, 48XG, 48XH, 48XI, 48XJ, 48XK, 48XL, 48XM, 48XN, 48XO, 48XP, 48XQ, 48XR, 48XS, 48XT, 48XU, 48XV, 48XW, 48XX, 48XY, 48XZ, 48YA, 48YB, 48YC, 48YD, 48YE, 48YF, 48YG, 48YH, 48YI, 48YJ, 48YK, 48YL, 48YM, 48YN, 48YO, 48YP, 48YQ, 48YR, 48YS, 48YT, 48YU, 48YV, 48YW, 48YX, 48YY, 48YZ, 48ZA, 48ZB, 48ZC, 48ZD, 48ZE, 48ZF, 48ZG, 48ZH, 48ZI, 48ZJ, 48ZK, 48ZL, 48ZM, 48ZN, 48ZO, 48ZP, 48ZQ, 48ZR, 48ZS, 48ZT, 48ZU, 48ZV, 48ZW, 48ZX, 48ZY, 48ZZ

ENGINEERS CERTIFICATE
I, the undersigned, a duly Licensed Professional Engineer in the State of Utah, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 5153504 as provided by the State of Utah, and that this Plat was prepared under my supervision and that the property boundaries are shown are correct.

By *[Signature]*
David R. Boush
P.E. 5153504
PARK CITY ATTORNEY

APPROVAL AS TO FORM
I find this Plat to be in accordance with the provisions of the Utah Plat Act, Chapter 2, Title 13, Utah Code Annotated, 1953, and I hereby approve this Plat for recording on this 12th day of March, 2012.

By *[Signature]*
PARK CITY ATTORNEY

ENGINEERS CERTIFICATE
I find this Plat to be in accordance with the provisions of the Utah Plat Act, Chapter 2, Title 13, Utah Code Annotated, 1953, and I hereby approve this Plat for recording on this 12th day of March, 2012.

By *[Signature]*
PARK CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 12th DAY OF MARCH, 2010 A.D.

By *[Signature]*
S.B.W.S.D.

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF MAY, 2008 A.D.

By *[Signature]*
PARK CITY RECORDER

PARK CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF MAY, 2008 A.D.

By *[Signature]*
CHAIRMAN



GARY R. HERBERT
Governor
GREG BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

EXHIBIT I

ORDER OF THE STATE ENGINEER

FOR STREAM ALTERATION APPLICATION NUMBER **12-35-50SA**
IN THE NAME OF FOGHORN LEGHORN LTD FOR ALTERATION TO SILVER CREEK
IN SUMMIT COUNTY, UTAH

This **ORDER** is issued pursuant to statute and in accord with the statutory criteria for approval of a stream alteration application that are described at UTAH CODE ANN. § 73-3-29. The State Engineer has determined that this application does meet the necessary legal criteria to **ORDER** the approval of the application based upon the following information and reasoning set forth in the Findings of Fact and Discussion.

FINDINGS OF FACT

1. The application was received by the Division of Water Rights (“Division”) on December 20, 2012, and made available for comment on the Division’s webpage, provided to pertinent governmental agencies, and to other entities as warranted, for a period of 20 calendar days, said period concluding prior to January 9, 2013.
2. The application contains the following information:
 - The stated description of the proposed project is: Streamside construction associated with Silver Creek in Summit County.
 - The stated purpose of the proposed project is: To facilitate redevelopment.
3. The Division received comments or objections on the proposed project from:
 - US Army Corps of Engineers (Corps), Tim Witman

The comments or objections received by the Division are summarized as follows:

- The Corps has indicated that no Corps permit will be required.

DISCUSSION

1. Based on a review of the Division’s water rights records and/or a review of the application by personnel of the Division’s regional office, it is the opinion of the State Engineer that the project will not impair vested water rights.
2. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily affect recreational use or the natural stream environment.
3. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily endanger aquatic wildlife.



4. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily diminish the natural channel's ability to conduct high flows.
5. Other comments or concerns submitted by interested persons or parties are not believed to be within the purview of the State Engineer in evaluating an Application to Alter a Natural Stream.

ORDER

Stream Alteration Application No. **12-35-50SA**, submitted in the name of Foghorn Leghorn LTD; applicant, in order to complete streamside construction associated with Silver Creek, a natural stream located in Summit County, Utah, is hereby APPROVED, as a STATE ONLY PERMIT, contingent upon the conditions outlined in this **ORDER**. The applicant is hereby authorized to conduct the work detailed in the application and supporting documentation, as described in this **ORDER**. Any modification or addition to the work may require additional authorization and/or application resubmittal.

1. The expiration date of this order is **January 15, 2015**. Work affecting the bed and/or banks of the stream may not be conducted after this date. A request for extension must be submitted in writing to the Division and include an explanation for project delay. The request must be submitted at least 30 days prior to expiration of the order.
2. A copy of this order must be kept onsite at any time the work authorized under this order is in progress.
3. We suggest that you coordinate with potentially impacted landowners.
4. Photos must be taken before and after project construction and submitted to this office.
5. Disturbed areas must be planted with a variety of appropriate vegetation (especially woody vegetation where feasible) to help hold the soil around riprap, prevent excessive erosion, and to help maintain other riverine functions. Successful revegetation efforts must be monitored and reported to this office.
6. Best Management Practices should be implemented and maintained during any streamside or instream work to minimize sedimentation, temporary erosion of stream banks, and needless damage or alteration to the streambed.
7. Erosion control, revegetation, and noxious weed control must be implemented and monitored until revegetation becomes well established. Success of these measures must also be reported prior to the compliance inspection. This is especially important for all disturbed areas, including fill, in order to prevent sediments from entering flowing water. Particular attention is required to assure that silt fencing is properly installed and left in place until after revegetation becomes established at which time the silt fence can then be carefully removed.

8. Approval of this application does not authorize trespass, easements, rights-of-way, or any other access and land use permits. It is the responsibility of the applicant to obtain any such authorizations as may be necessary for this proposal.
9. Excavated material and construction debris may not be wasted in any stream channel or placed in flowing waters, this will include material such as grease, oil, joint coating, or any other possible pollutant. Excess materials must be wasted at an upland site well away from any channel. Construction materials, bedding material, excavated material, etc. may not be stockpiled in riparian or channel areas.
10. The applicant must maintain existing stream shade on all Class 3 A streams. Destruction of any stream shade vegetation within the project area must be replaced at a 1:1 shade ratio at mature life stage with native vegetation along a Class 3 A stream. If stream shade vegetation is to be removed, the applicant must submit an estimate in their restoration plan of the portion of the water surface area within the project area that is shaded by estimating areas with no shade, poor shade, and shade prior to the commencement of work. Time of the year, time of the day, and weather can affect your observation of shading. Therefore, the relative amount of shade is a professional best-guess estimate. Ideally the applicant would be measuring when the sun is at an angle that provides maximum stream shade and the vegetation is in full leaf-out. As noted in General Condition #6 of PGP 40 the destruction of mature trees is to be avoided to the maximum extent possible and the permittee is ultimately responsible for revegetation success.
11. If historical or archaeological resources such as human remains (skeletons), prehistoric arrowheads/spear points, waste flakes from stone tool production, pottery, ancient fire pits, historical building foundations/remains, historical artifacts (glass, ceramic metal, etc.) are found during construction, the permit holder is advised to cease work and contact the Division of State History at 801-533-3555.
12. Ingress and egress access should be kept to a minimum.
13. Work must be accomplished during a period of low flow. Sediment introduced into stream flows during construction must be controlled to prevent increases in turbidity downstream. Flows must be diverted away from the construction area using a non-erodible cofferdam or other means of bypass.
14. Machinery must be properly cleaned and fueled offsite prior to construction.
15. Cement is toxic to aquatic organisms, and its introduction into waters of the United States would constitute a violation of the Clean Water Act. Cement or concrete may not be allowed to enter stream flows. Water must be excluded from areas where concrete or cement is used until it has set. Contaminated water pumped from the construction area may not be discharged in a manner that will allow it to enter flows. Equipment used during this type of work must be washed well away from the channel.

Page 4
12-35-50SA
January 15, 2013

Your contact with the Division is Daren Rasmussen, who can be reached at telephone number 801-538-7377.

This **ORDER** is subject to the provisions of UTAH ADMIN. CODE R. 655-6-17 of the Division of Water Rights and to UTAH CODE ANN. §§ 63G-4-302 and 73-3-14, which provide for persons or parties with legal standing to file either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this **ORDER**. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this **ORDER**, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken within 20 days after the Request is filed.

Dated this 15th day of January, 2013.



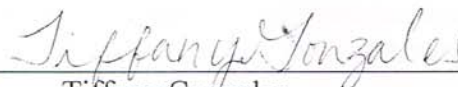
David K. Marble, P.E.
Assistant State Engineer

Mailed a copy of the foregoing Order this 15th day of January, 2013, to:

FOGHORN LEGHORN LTD
P.O. BOX 3360
PARK CITY UT 84060

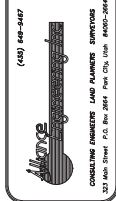
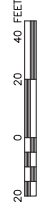
Corps of Engineers
Ross Hansen - Regional Engineer
Richard Clark - EPA
Scott Walker - Regional Wildlife Habitat Manager
David W. Gardner - Ahorizon Resources Inc.

By:



Tiffany Gonzales
Secretary

EXHIBIT J



STAFF:
S. Decker
S. Schuster

DATE: 12/7/12

Original Replat.
Lots 25a, 25b, Parking Lot F
Proposed Lots
Master Plan Composite
FOR: G&P P&C, Inc.
JOB NO.: 4-5-08
FILE: x:\Prospector\Map\map2008\glep10-10-12.dwg

SHEET
3

Planning Commission Staff Report

Subject: 1800 Park Avenue, Yarrow Hotel
Author: Ryan Wassum, Planner
Date: May 14, 2014
Type of Item: Conditional Use Permit
Project Number: PL-14-02303

Summary Recommendation

Staff recommends that the Planning Commission review and discuss the proposed Conditional Use Permit (CUP) application for a temporary structure (tent), open the public hearing, and consider approving the CUP application in accordance with the findings of fact, conclusions of law, and conditions of approval.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Project Name: Yarrow Hotel
Applicant: Melanie Gavura, Applicant Representative for Wells Street Capital
Location: 1800 Park Avenue
Proposal: Conditional Use Permit for Temporary Structures longer than fourteen (14) days or more than five (5) times per year.
Zoning: General Commercial (GC)
Adjacent Uses: Commercial/ Retail

Proposal

This application is a request for a Conditional Use Permit (CUP) for a proposed temporary structure (tent) to be located within the existing Yarrow Hotel property longer than fourteen (14) days or more than five (5) times per year. The property is located within the General Commercial (GC) District, which requires a CUP reviewed by the Planning Commission. The applicant proposes to allow a temporary structure within the hotel courtyard up to twice (2) per year at a maximum period of one-hundred and eighty (180) days (i.e. the tent could be up 180 days consecutively, up to two (2) times per year). Staff requests discussion on the maximum number of days the temporary structure should be allowed to be operable within a given year.

Background

The property is located at 1800 Park Avenue in the General Commercial (GC) District. The tent will be utilized for year around events and will be located within the Yarrow Hotel's private courtyard. The Land Management Code (LMC) was revised in 2009 to address the duration in which temporary structures may be installed. There were several temporary structures located on hotel properties in town that had been approved as temporary structure

but were left standing in virtual perpetuity. To make sure this trend would not continue, new duration parameters were adopted in 2009. The GC District allows temporary structures with the issuance of an Administrative CUP (approved by the Planning Department) so long as the temporary structure is not left erected for longer than fourteen (14) days and for not more than five (5) times a year. Longer durations or an increase in the frequency of occurrences requires a CUP and must be approved by the Planning Commission.

On April 16, 2014, the Planning Department received a complete application for a CUP to allow a temporary tent structure up to twice (2) per year for a maximum period of one-hundred and eighty (180) days (i.e. the tent could be up 180 days consecutively, up to two (2) times per year) at the Yarrow Hotel. Without the proposed CUP the Yarrow Hotel would be limited to five (5) times per year and for no more than fourteen (14) consecutive days and also requires an Administrative CUP each time. The Yarrow Hotel has numerous events (weddings and parties) in which the client prefers to be outside. In 2013 alone, the hotel was issued five (5) separate administrative CUPs for temporary structures; in 2014, the hotel has been issued two (2) administrative CUPs for temporary structures.

Analysis

Within the Land Management Code (LMC) section 15-4-16(A) (7) a temporary structure may not be installed for a duration longer than fourteen (14) days and for more than five (5) times a year, unless a longer duration or greater frequency is approved by the Planning Commission consistent with CUP criteria in LMC section 15-1-10 and the criteria for temporary structures in LMC section 15-4-16(C). The applicant is requesting that the Planning Commission consider approving a CUP to allow a temporary tent structure up to twice (2) per year at a total maximum period of one-hundred and eighty (180) days per year due to the higher frequency of outdoor events (i.e. the tent could be up for 180 days consecutively, up to two (2) times per year).

Staff requests discussion on the maximum number of days the temporary structure should be allowed to be resurrected or operable within a given year.

Staff recommends the applicant be given a maximum of two-hundred and sixty (260) days out of three-hundred and sixty-five (365) days in a year to operate the temporary structure (as stated in Condition of Approval #3), resulting in more flexibility for the Hotel to utilize the space for both indoor and outdoor events based on seasonal conditions. Building Code however only allows a temporary structure to be up for one-hundred and eighty (180) days; therefore, the applicant will need to obtain a new building permit with safety and fire inspections after the tent has been up 180 days consecutively. Staff finds that allowing the temporary structure to be operable up to two (2) times a year and up to a maximum of one-hundred and eighty (180) days consecutively reflects more of a permanent structure with a temporary use, instead of a temporary structure with a temporary use. Staff also recommends the CUP be permitted for three (3) years; however, the applicant must then resubmit an application for an extension at that time or the CUP will expire (as stated in Condition of Approval #4).

According to the Land Management Code, Section 15-4-16(C), Temporary structures on private property are a Conditional Use with consideration of the following review criteria

to be considered by the Planning Commission:

(1) The proposed Use must be on private Property. The Applicant shall provide written notice of the Property Owner's permission.

Complies. The temporary structure is within the private property common area of the Yarrow Hotel and the owner has given consent for this application.

(2) The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.

Complies. The proposed use will result in an increase in cars attending the event in the temporary structure(s). The additional cars will have to be accommodated within the existing parking areas of the Yarrow Hotel. Currently, there are 166 parking spaces and 100% of the parking lot is full during the busiest occupancy time of year (Exhibit A). They estimate that the addition of a temporary structure will not increase the number of parking spaces used since events held at the hotel are typically for guests.

(3) The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure.

Complies as Conditioned. Consistent with Condition of Approval #1, all temporary structures must be inspected by the building department prior to occupancy. The building department will inspect the structure, circulation, emergency access, and all other applicable public safety measures. The location of the proposed temporary structures would not impede pedestrian circulation.

(4) The Use shall not violate the City Noise Ordinance.

Complies as Conditioned. Consistent with Condition of Approval #7, the use shall not violate the City noise ordinance. Any violation of the City noise ordinance may result in the Condition Use Permit becoming void. The use is located within the enclosed courtyard and noise beyond the property line has not been an issue in accordance with Police records for the past two (2) years.

(5) The Use and all signing shall comply with the Municipal Sign and Lighting Codes.

Complies. Signs to the interior of a project are not regulated under the sign code. Any exterior signs must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning Department and comply with the Land Management Code.

(6) The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.

Complies. All uses within the temporary structure must be permitted. The property owner is responsible for obtaining the correct permits for each proposed use, including Building Permits, Summit County Health Code permits, Fire Code permits, Single Event Liquor Licensing and permits issued by the State of Utah.

(7) The Use shall not violate the International Building Code (IBC).

Complies as Conditioned. Consistent with Condition of Approval #1, all temporary structures must have all required building permits and be inspected by the building department prior to occupancy. The building department will inspect the temporary structure for compliance with the IBC.

(8) The Applicant shall adhere to all applicable City and State licensing ordinances.

Complies. All commercial activities within the temporary structure must be licensed. The property owner is responsible for obtaining the correct City and State licensing for each proposed use within the temporary structure.

Conditional Use Permit Criteria (LMC 15-1-10 [E])

The Planning Commission must review each of the following criteria and considering whether or not the proposed Conditional Use mitigates impacts of and addresses each of the items:

(1) Size and location of the Site;

No Unmitigated Impacts. The Yarrow Hotel is located on 4.49 acres and has one (1) location for a temporary structure: The Courtyard (4,800 sq. ft.) which is interior to the exterior walls of the building. The tent is approximately 2,400 sq. ft. and is compatible with the space allotted to this use. See Exhibit B.

(2) Traffic considerations including capacity of the existing Streets in the Area;

No Unmitigated Impacts. The Yarrow Hotel may be accessed via Park Avenue and Kearns Boulevard. Guests and patrons using the temporary structure would have to abide by the same parking restrictions as other hotel guests and visitors as outlined in the original conditions of approval. Any extra parking caused by the activity in the temporary structures must be accommodated within the Yarrow Hotel parking lots, consistent with all existing parking agreements between adjacent property owners.

(3) Utility capacity;

No Unmitigated Impacts. Any additional utilities that are necessary for the temporary structures are available through the hotel. The increase in guests for the events will result in an increase in demand for water, gas, sewer and trash. The existing infrastructure is adequate to accommodate the additional guests and demand on utilities.

(4) Emergency vehicle Access;

No Unmitigated Impacts. Emergency vehicle access will not be impacted by the proposal as the temporary structure is located within the interior courtyard.

(5) Location and amount of off-Street parking;

No Unmitigated Impacts. The proposed use typically results in an increase in vehicular traffic attending the event in the temporary structure. The additional vehicles will have to be accommodated within the existing parking lot(s) of the Yarrow Hotel. Currently, there are 166 spaces available in the parking lot. In accordance with Police records, there have been no complaints about Hotel guests overflowing into adjacent properties or lots.

(6) Internal vehicular and pedestrian circulation system;

No Unmitigated Impacts. There is no internal vehicular circulation other than the drop off areas. The building department will inspect the temporary structures for pedestrian circulation requirements prior to issuance of a certificate of occupancy.

(7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses;

No unmitigated impacts. The adjacent uses are commercial and retail uses. Fencing and screening is not required. The temporary structure will be placed appropriately within the interior courtyard.

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;

No unmitigated impacts. The temporary structure is appropriate within the hotel Site and is not visible from the outside of the property. (See Exhibit C)

(9) Usable Open Space;

No unmitigated impacts. The temporary structure that is proposed is within the usable open space of the hotel. The temporary structures will not negatively impact the open space. The open space calculation will not be changed by the existence of the temporary structure.

(10) Signs and lighting;

No unmitigated impacts. Signs to the interior of a project are not regulated under the sign code. Any exterior signs must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning and Building Departments and comply with the Land Management Code.

(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

No unmitigated impacts. The design of the temporary structure is simple. Temporary structures that are located within hotel grounds are a normal occurrence for the use and compatible.

(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

No unmitigated impacts. Consistent with Condition of Approval #7, the use shall not violate the City noise ordinance. Any violation of the City noise ordinance may result in the Conditional Use Permit becoming void.

(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

Not applicable.

(14) Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities; and

Not applicable as it does not change with this CUP.

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site.

No unmitigated impacts. The site is not located within Environmentally Sensitive Lands.

Process

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

Department Review

This project has gone through an interdepartmental review. There were no comments.

Notice

On April 30, 2014, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record on April 26, 2014.

Public Input

As of this date no public input has been received by Staff. Public comment will be taken at the regularly scheduling meeting on May 14, 2014.

Alternatives

1. The Planning Commission may approve the CUP for the temporary structure as proposed and conditioned; or
2. The Planning Commission may deny the CUP and direct staff to prepare findings supporting this recommendation; or
3. The Planning Commission may continue the discussion to a date certain to allow the applicant time to respond to any additional concerns or issues raised at the Planning Commission hearing.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The applicant will have to apply for an Administrative CUP for each temporary structure. The applicant will not be allowed to have more than five (5) temporary structures within a year and each temporary structure may stay up for a maximum of fourteen (14) days.

Recommendation

Staff recommends the Planning Commission discuss the proposed application for a CUP for a temporary tent structure to be located within the Yarrow Hotel, conduct a public hearing, and consider approving the CUP according to the following findings of fact, conclusions of law, and recommended conditions of approval, as follows:

Findings of Fact:

1. On April 15, 2014, the City received a complete application for a CUP for a temporary tent structure to be located within the Yarrow Hotel up to up to twice (2) per year for a maximum period of one-hundred and eighty (180) days (i.e. the tent could be up 180 days consecutively, up to two (2) times per year).
2. Temporary structures require a CUP in the General Commercial (GC) Zone.
3. No additional signs or lighting are proposed with this application.
4. In 2013, the hotel pulled five (5) separate Administrative CUPs for temporary structures.
5. Within the Land Management Code (LMC) section 15-4-16(A)(7) a temporary structure may only be installed for a duration longer than fourteen (14) days and for more than five (5) times a year with an Administrative CUP and the Planning Commission must approve a CUP for any longer duration or greater frequency consistent with CUP criteria in LMC section 15-1-10(E) and the criteria for temporary structures in LMC section 15-4-16(C).
6. The applicant is requesting that the Planning Commission consider approving a CUP to allow the applicant to install a temporary structure up to twice (2) per year for a maximum period of one-hundred and eighty (180) days (i.e. the tent could be up 180 days consecutively, up to two (2) times per year), due to the higher frequency of weddings and outdoor events.
7. Staff recommends the temporary structure shall be operable for a maximum of two-hundred and sixty (260) days out of three-hundred and sixty-five (365) days in a year.
8. Building Code only allows a temporary structure to be up for one-hundred and eighty (180) days; therefore, the applicant will need to obtain a new building permit with safety and fire inspections after the tent has been up 180 days consecutively.
9. The Yarrow Hotel has one (1) location for a temporary structure and that is within the interior courtyard of the Hotel (see Exhibit B).
10. The Yarrow Hotel Valley may be accessed via Park Avenue and Kearns Boulevard. People using the temporary structures would have to abide by the same parking restrictions as other hotel guests.
11. According to a recent parking analysis, there are 166 parking spaces. The applicant conducted a parking study on the busiest day of the year where occupancy was 100% and found full usage of the parking lot. Staff estimates that the addition of a temporary structure at maximum capacity would not increase parking usage since hotel events are typically for hotel guests; Police records indicate no parking-related complaints from events held at the Yarrow.

12. On April 30, 2014, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record on April 26, 2014.

13. The Findings in the Analysis Section are incorporated herein.

Conclusions of Law:

1. The Use, as conditioned complies with all requirements of the Land Management Code, Section 15-1-10.
3. The Use, as conditioned is consistent with the Park City General Plan.
4. The Use, as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.
5. The effects of any differences in use or scale have been mitigated through careful planning.
6. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review criteria for Conditional Use Permits and 15-4-16(C) review criteria for temporary structures.

Conditions of Approval:

1. All temporary structures require a permit issued by the Building Department. All temporary structures must be inspected by the Building Department prior to occupancy. The Building Department will inspect the structure, circulation, emergency access, and all other applicable public safety measures.
2. Prior to installing a temporary structure, the Planning Department must sign off on a building permit and record the date within the CUP application folder.
3. The temporary structure within the Hotel courtyard shall be operable for a maximum of two-hundred and sixty (260) days out of three-hundred and sixty-five (365) days in a year.
4. The CUP shall be permitted for three (3) years; however, the applicant must then resubmit an application for an extension at that time or the CUP will expire.
5. The applicant will need to obtain a new building permit with safety and fire inspections after the tent has been up 180 days consecutively.
6. If the Planning Commission approves the applicant's request to allow a temporary structure within the hotel courtyard up to twice (2) per year at a maximum period of one-hundred and eighty (180) days, the CUP shall expire in three (3) years.
7. The use shall not violate the City noise ordinance. Any violation of the City noise ordinance may result in the CUP becoming void.
8. Exterior signage 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.
9. Operation of the temporary structure with expired permits from any applicable City Department may result in the CUP becoming void. Building and Fire Permits must be up to date to operate the temporary structure.

Exhibits

Exhibit A – Survey

Exhibit B – Site Plan

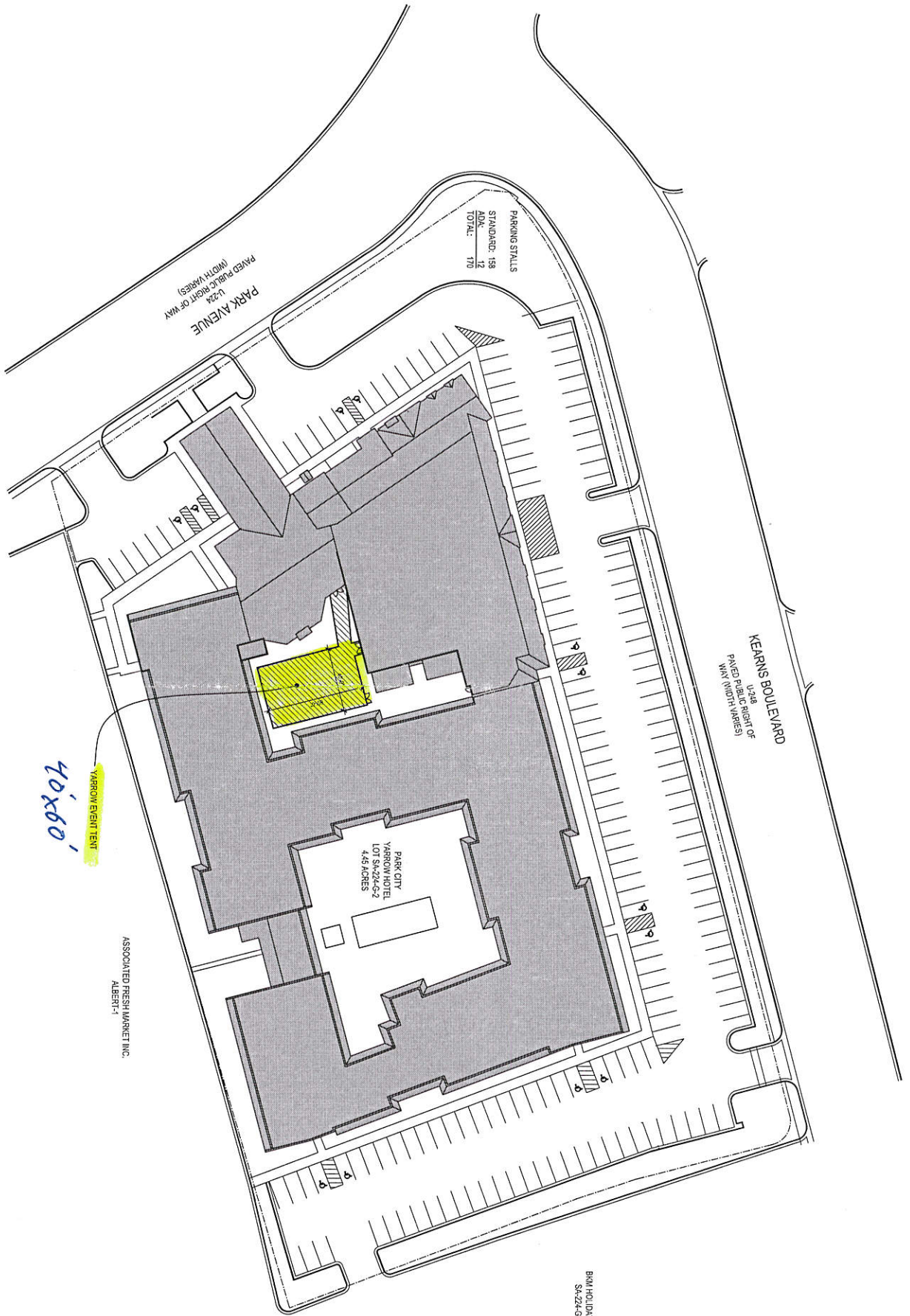
Exhibit C – Tent/ Courtyard Photos

Exhibit B

PARK CITY YARROW HOTEL
 CONDITIONAL USE PERMIT
 APPLICATION FOR TENT STRUCTURE
 MARCH 6, 2014
 SCALE: 1" = 30'-0"



1 A 1
 SITE PLAN
 SCALE: 1" = 30'-0"



MW PROPERTY LTD. ET AL
 SA-224-G-7
 SA-224-G-7A
 SA-224-G-7B
 SA-224-G-7C

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 PARK CITY
 PLANNING DEPT.

Exhibit C



Aerial view of the tent within the Yarrow Hotel Courtyard



Entrances into the enclosed tent within the Yarrow Hotel Courtyard

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 129 Main Street
Project #: PL-14-02251
Author: Anya Grahn, Historic Preservation Planner
Date: May 14, 2014, 2014
Type of Item: Administrative – Steep Slope Conditional Use Permit (CUP)

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 129 Park Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Staff reports reflect the professional recommendation of the Planning Department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Owner/ Applicant: Jeff Creveling
Location: 129 Main Street
Zoning: Historic Residential (HR-2, Subzone B)
Adjacent Land Uses: Residential single family
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for a new single family home with a proposed square footage of approximately 1,709 square feet (sf) on a vacant 1,208.5 sf lot located at 129 Park Avenue; this is a substandard lot which has received a variance. The total floor area exceeds 1,000 sf and the construction is proposed on a slope of 30% or greater.

Background

This property is Lot 8, Block 13 of the Park City Survey. Historically, there was a large two (2) story single-family residence on this lot; however, due to its dilapidated condition, the house was demolished in the 1980s. In 2007, the previous owner of the property submitted a Historic District Design Review (HDDR) application to construct a new single-family residence on this site; this application was put on hold while the applicant worked through the necessary variances. Due to the lot's substandard size, the applicant requested a variance to the required lot size from 1,875 square feet to 1,208.5 square feet. This variance was approved by the Board of Adjustment in 2005. Two (2) years later, the property was sold to the present owner, Jeff Creveling, who had

served as the architect/developer for the previous applicant. Mr. Creveling requested a second variance, and the BOA approved a variance to reduce the required front, rear, and side yard setbacks in 2007. A third variance was requested, and the BOA denied the request for a variance to the maximum footprint as well as a special exception to staircase height in the front yard setback. The applicant appealed this variance request to district court; the court upheld the denial of the footprint variance but overturned the denial for the special exception for the staircase height.

In January 2008, the applicant submitted a steep slope conditional use permit (CUP); however, the Planning Department expired this application in 2011 due to the submittal not meeting the requirements of the Land Management Code. On February 5, 2014, the City received an application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 129 Main Street. The application was deemed complete on March 24, 2014. The property is located in the Historic Residential (HR-2, Subzone B) District.

Because the total proposed single-family structure is greater than 1,000 sf, and construction is proposed on an area of the lot that has a thirty percent (30%) or greater slope, the applicant is required to file a Conditional Use Permit (CUP) application. The measurement included a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The CUP is required to be reviewed by the Planning Commission, pursuant to LMC §15-2.3-7.

The lot is a vacant, platted lot with existing grasses and little other vegetation. The lot is located between the historic landmark Alaskan house at 125 Main Street and historically significant David McLaughlin House at 133 Main Street. There are additional historic houses located across the street at 122 and 140 Main Street that contribute to the high concentration of locally designated landmark and significant historic structures in this neighborhood. There are no existing structures or foundations on the lot; however, the roof of the historic structure at 133 Main Street encroaches into the property at 129 Main Street. Utility services are available for this lot.

A Historic District Design Review (HDDR) application is being reviewed concurrently with this application and found to be in compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. Staff reviewed the final design, included as Exhibit A. The applicant will also be requesting a variance from the Board of Adjustment (BOA) so that the property does not have to meet LMC 15-2.3-6(B) which requires a minimum ten foot (10') horizontal step on the downhill façade that shall take place at twenty-three (23') from where the building footprint meets the lowest point of existing grade, unless the First story of the structure is located completely under the finished grade on all sides of the structure. If this steep slope CUP application is approved, there will be a condition of approval that it is subject to the variance being granted.

Purpose

The purpose of the Historic Residential (HR-2, Subzone B) District is to:

- A. allow for adaptive reuse of Historic Structures by allowing commercial and office Uses in Historic Structures in the following Areas:
 - 1) Upper Main Street;

- 2) Upper Swede Alley; and
 - 3) Grant Avenue,
- B. encourage and provide incentives for the preservation and renovation of Historic Structures,
 - C. establish a transition in Use and scale between the HCB, HR-1, and HR-2 Districts, by allowing Master Planning Developments in the HR-2, Subzone A,
 - D. encourage the preservation of Historic Structures and construction of historically Compatible additions and new construction that contributes to the unique character of the Historic District,
 - E. define Development parameters that are consistent with the General Plan policies for the Historic core that result in Development that is Compatible with Historic Structures and the Historic character of the surrounding residential neighborhoods and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and the HR-2 regulations for Lot size, coverage, and Building Height, and
 - F. provide opportunities for small scale, pedestrian oriented, incubator retail space in Historic Structures on Upper Main Street, Swede Alley, and Grant Avenue,
 - G. ensure improved livability of residential areas around the historic commercial core,
 - H. encourage and promote Development that supports and completes upper Park Avenue as a pedestrian friendly residential street in Use, scale, character and design that is Compatible with the historic character of the surrounding residential neighborhood,
 - I. encourage residential development that provides a range of housing opportunities with the community's housing, transportation, and historic preservation objectives,
 - J. minimize visual impacts of the automobile and parking by encouraging alternatives parking solutions,
 - K. minimize impacts of Commercial Uses on surrounding residential neighborhood.

Analysis

The proposed house contains a total of 1,709 sf of floor area. The proposed building footprint is 533 sf, which is less than the maximum permitted based up the 1,208.5 sf lot size. The house complies with all setbacks and building footprint requirements determined by the 2005, 2007, and 2008 variances. The applicant will be requesting a variance from the BOA for the required ten foot (10') horizontal step in the downhill façade at twenty-three feet (23') as well. Staff recommends a condition of approval regarding approval of variance to grant an exception to the ten foot (10') horizontal step stipulating that if the BOA does not approve the requested variance then the Steep Slope CUP plans and the HDDR plans shall be revised to comply with the LMC regarding horizontal articulation. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	2005, 2007, & 2008 Variance	Proposed
Lot Size	Minimum of 1,875 sf	1,208.5 sf	1,208.5 sf, <u>complies due to variance.</u>
Building Footprint	565sf (based on lot area) <u>maximum</u>	N/A – variance not granted	533 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (20 feet total)	Front Yard: 6 ft. 8 in., variance granted Rear Yard: 6 ft. 10 in., variance granted	10 ft. 6in. (front) to projecting gable and 18 feet 6 in (front) to garage entrance, <u>complies.</u> 7 feet (rear), <u>complies.</u>
Side Yard	3 feet minimum	Side (South) Yard: 1 ft. 5 in., variance granted Side (North) Yard: N/A	1 ft. 5 in. (south side), 3 ft. (north side), <u>complies due to variance.</u>
Height	27 feet above existing grade, <u>maximum.</u>	N/A	27 feet above existing grade, <u>complies.</u>
Height (continued)	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.	N/A	26 ft. 11 in., <u>complies.</u>
Vertical and horizontal articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.	N/A	Applicant has submitted an application requesting a variance for the required 10 ft. horizontal step.

Final Grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	N/A	Maximum difference is 2 ft. <u>complies</u>
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch	N/A	The main roofs have 9:12 pitches, <u>complies.</u>
Parking	Two (2) off-street parking spaces required.	N/A	One (1) space within a single car garage and one uncovered space on the driveway, within the lot area, compliant with required dimensions, <u>complies.</u>

LMC § 15-2.3-7 requires a Conditional Use permit for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sf) of floor area, including the garage, and stipulates that the Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of the construction on the steep slope can be mitigated:

Criteria 1: Location of Development.

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

The proposed single family house is located on a platted lot of record in a manner that reduces the visual and environmental impacts of the Structure. Much of the lower level will be located beneath finished grade on the north, south, and west side; however, 11 feet 8 inches of the foundation will be exposed on the façade in order to accommodate the single car garage entrance on the lower level. The proposed footprint is significantly less than that of adjacent historic structures, which exceed today’s footprint requirement. (Because these structures are historic, however, they are valid complying structures.) The design of the front façade includes a front entry porch, which is in keeping with the design guidelines and the neighboring historic structures. Further, the placement, proportions, and style of the windows and door relate to the surrounding historic structures.

Criteria 2: Visual Analysis.

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

The applicant submitted a photographic visual analysis, including street views, to show the proposed streetscape and how the proposed house fits within the context of the slope, neighboring structures, and existing vegetation.

The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the neighborhood, smaller in scale and mass than surrounding structures, and visual impacts are mitigated. Potential impacts of the design are mitigated with minimized excavation and the lower profile of the roof height. Additionally, the garage door is located approximately 18 feet back from the front property line in order to diminish the appearance of the garage entrance. The projecting front gabled, extending eight feet (8') above the garage, will help further shadow the presence of the garage door.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. The garage sits below the street level reducing the fill needed to access the garage and the front door. Common driveways and Parking Areas, and side Access to garages are strongly encouraged; however a side access garage is not possible on this site. **No unmitigated impacts.**

The proposed design incorporates access off of Main Street with a twelve foot (12') wide driveway that minimizes grading of the natural topography and places the single car garage halfway below existing grade. The garage door is recessed behind the front façade of the house, by approximately eight feet (8'). Grading is minimized for the driveway. The maximum allowed driveway slope of 14%, and the applicant has proposed a 14% slope. The single car driveway is designed to minimize grading of the natural topography and the location of the single door beneath the existing grade reduces overall Building scale.

The applicant is proposing to construct a retaining wall along the north side of the driveway to retain grade. The height of the retaining wall will be approximately seven feet (7') at the garage wall (18 feet back from the property line) and approximately three feet (3') at the street level to match the height of the neighbor's historic stacked stone wall; per LMC 15-4-2(A)(1), the height of retaining walls within the Front Yard may exceed four feet (4') measured from Final Grade, subject to approval by the Planning Director and City Engineer. Retaining walls are common along the west side of Main Street in this neighborhood due to the changing grade of the street. On the south side of the driveway, the applicant proposes to construct a stairway that will access the main level of the house. The stairway will retain the grade; should the stairway encroach into the City right-of-way, the applicant will be required to enter into an encroachment agreement with the City Engineer's office.

Criteria 4: Terracing.

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

The lot has a steeper grade at the rear property line with a slope of 51%. The average slope is 27% across the entire length of the lot. Due to the substandard size of the lot and the limited setbacks, there is limited space for terracing. Creating terracing from the front property line to the house would significantly impact the existing grade at the historic structures at 125 and 133 Main Street. Staff finds that the proposed design will help further preserve the streetscape. The retaining walls measures approximately seven feet (7') at the garage wall and approximately 3.5 feet at the street level,

Due to the limited lot size and side yard setbacks, staff finds that terracing the side yards to regain Natural Grade would adversely affect the Natural Grade surrounding the neighboring historic structures. The applicant's proposal of a retaining wall that's height slopes up to meet the neighboring retaining wall at the street will allow the applicant to better preserve the slope of the Natural Grade.

Criteria 5: Building Location.

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

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The Final Grade will be almost identical to the Existing Grade, with the exception of the garage entrance and the existing grade by four feet (4') on the northwest corner of the house so as to prevent the hillside from burying the corner of the house. The site design and building footprint provide an increased front setback area in front of the garage. Side setbacks and building footprints are maintained consistent with the pattern of development and separation of structures in the neighborhood. The driveway width is 12 feet.

Criteria 6: Building Form and Scale.

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

The house steps with the grade and is broken into a series of smaller components that are compatible and consistent with the pattern in the District and surrounding structures. The garage is subordinate in design in that it is recessed from the entry and set back significantly from the projecting gable above. In addition, the garage sits half way below the street level reducing the fill needed to access the garage, and will also provide elevation proportions more in keeping with existing historic homes on that side of the street. This both decreases the visibility of the garage and decreases the perceived bulk of the house.

Steps leading up to the front porch above the lower level will be of similar height and proportion to the porch element directly to the north at the Alaskan House. Due to the overall small size of the house and its small proportions, the house's main level is constructed on the flattest portion of the small 1,208.5 square foot lot. Only a portion of the house at the rear, will be constructed atop the steep slope of the rear yard. The applicant has provided minimal grade changes so as not to substantially alter the existing grade in the rear yard.

The structure reflects the historic character of Park City's Historic Sites such as simple building forms, unadorned materials, and restrained ornamentation. The style of architecture was selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. Exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc.—are of human scale and are compatible with the neighborhood and even traditional architecture. The scale and height of the new structure follows the predominant pattern of the neighborhood. The Historic District Design Review (HDDR) for this project has not yet been approved.

Criteria 7: Setbacks.

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

Front setbacks are increased as the garage portion of the house is set back 18 feet from the property line to accommodate the code required parking space entirely on the lot. The entry area is the focal point of the design due to the stairway on the south side of the façade. Side setbacks are consistent with the pattern of development and separation in the neighborhood. The profile roof and overall reduced mass of the design does not create a wall effect along the street front or rear lot line.

Criteria 8: Dwelling Volume.

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

The proposed massing and architectural design components are compatible with both the volume and massing of existing structures and adjacent historic structures. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and existing historic structures. The applicant has proposed a volume that meets the setback exceptions granted by the 2007 variance, and this house is 32 feet less than the allowed footprint for a lot this size (564 square feet); however, most of the height of the structure is lower than the maximum height of 27' above finished grade at the rear of the house, with some portions exactly at a height of 27' at the front.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-2A District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure complies with the 27 feet maximum building height requirement measured from existing grade. The tallest portion of the house at the northeast corner is 27 feet with much of the house at 26 feet or less from existing grade. Overall the proposed height is less than the allowed height. The LMC requires a ten foot (10') minimum horizontal step in the downhill façade below 23 feet but the applicant has submitted a variance application for an exception to this requirement. The proposed height measurement from the lowest finish floor plane to the point of the highest wall top plate is 26 ft. 11 inches (26'11") in height, significantly lower than the allowable maximum of 35 feet.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. The applicant has submitted variance application for the exception of the required ten foot (10') minimum horizontal step at 23 feet on the downhill façade; this application will be reviewed by the Board of Adjustment (BOA). If the variance is not approved then the applicant will have to revise these Steep Slope CUP plans to include the ten foot horizontal step in the downhill façade prior to finalization of the HDDR application and submittal of the building permit. Staff recommends a condition of approval regarding approval of variance to grant an exception to the ten foot (10') horizontal step stipulating that if the BOA does not approve the requested variance then the Steep Slope CUP plans and the HDDR plans shall be revised to comply with the LMC regarding horizontal articulation. The HDDR application has not yet been approved.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up other than standards items that have been addressed by revisions and/or conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet on April 17, 2014. Legal notice was also published in the Park Record in accordance with requirements of the LMC, on April 3, 2014.

Public Input

No input has been received regarding the Steep Slope CUP.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for 129 Main Street as conditioned or amended, or

- The Planning Commission may deny the Conditional Use Permit and provide staff with Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

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

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 129 Main Street and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact

1. The property is located at 129 Main Street.
2. The property is described as Lot 8, Block 13 of the Park City Survey. It measures 25 along Main Street (east side), 45.09 feet across the south property line, 26.83 feet across the west (rear) property line, and 51.59 feet across the north property line.
3. This is a substandard lot that contains 1,208.5 square feet. The allowable building footprint is 565 sf for a lot of this size. The proposed building footprint is 533 sf.
4. The site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.
5. The property is located in the HR-2, Subzone B, zoning district, and is subject to all requirements of the Park City Land Management Code (LMC) and the 2009 Design Guidelines for Historic Districts and Historic Sites.
6. The Board of Adjustment (BOA) granted a variance to the required lot size in 2005, reducing the minimum lot size from 1,875 to 1,208.5 square feet for this property.
7. The BOA approved a variance to the front yard setback in order for the applicant to construct a staircase eight feet (8') in height within the front yard setback in 2007.
8. In 2007, the BOA approved a variance to reduce the required setbacks to 1'6" on the south (side) yard, 6'8" on the east (front) yard, and 6'10" on the west (rear) yard.
9. In 2008, the BOA denied a request for a variance to the maximum allowed footprint as well as a special exception to the staircase height in the front yard setback. The applicant appealed this determination to District Court; the court upheld the denial of the footprint variance, but overturned the BOA's denial for the special exception of the staircase.
10. Access to the property is from Main Street, a public street. The lot is an uphill lot.
11. Two (2) parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.

12. The neighborhood is characterized by primarily historic and non-historic single family, duplex, and boarding houses.
13. A Historic District Design Review (HDDR) application is under review by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
14. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.
15. The roof of the historic structure at 125 Main Street encroaches over the north property line and on to 129 Main Street.
16. The proposed design is a single family dwelling consisting of approximately 1,709 square feet of total area (including the 252 sf single car garage) with a proposed building footprint of 533 sf.
17. The driveway is proposed to be a maximum of 9.5 feet in width and 18 feet in length from the edge of the front property line to the garage in order to place the entire length of the second parking space entirely within the lot. The garage door complies with the maximum width and height of nine feet (9').
18. The proposed structure complies with all setbacks, outlined by the 2008 variance.
19. The proposed structure complies with allowable height limits and height envelopes for the HR-2B zoning as the three (3) story house measures no more than 27 feet in height from existing grade, and the structure is less than the maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
20. The applicant submitted a variance application on March 26, 2014. The application was deemed complete on April 17, 2014, and the BOA hearing is tentatively scheduled for June 17, 2014.
21. The proposal, as conditioned, complies with the Historic District Design Guidelines as well as the requirements of 15-5-5 of the LMC.
22. The proposed materials reflect the historic character of Park City's Historic Sites, incorporating simple forms, unadorned materials, and restrained ornamentation. The exterior elements are of human scale and the scale and height follows the predominant pattern of the neighborhood.
23. The structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as the foundation, roofing, materials, as well as window and door openings. The single car attached garage and off-street parking area also complies with the Design Guidelines and is consistent with the pattern established on the west side of Main Street
24. No lighting has been proposed at this time. Lighting will be reviewed at the time of the building permit for compliance with the Land Management Code lighting standards.
25. The applicant submitted a visual analysis/ perspective, cross canyon view from the east, and a streetscape showing a contextual analysis of visual impacts on adjacent streetscape.
26. There will be no free-standing retaining walls that exceed six feet in height within the front yard setback, and the portion of the retaining wall within the front yard setback will not exceed four feet (4') in height. The building pad location, access, and

infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.

27. The site design, stepping of the building mass, articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% slope areas.
28. The plans include setback variations, increased setbacks, decreased building heights and an overall reduction in building volume and massing that mimics the scale and smaller proportions of neighboring landmark and significant historic structures.
29. The proposed massing, articulation, and architectural design components are compatible with the massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.
30. The findings in the Analysis section of this report are incorporated herein.
31. The applicant stipulates to the conditions of approval.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.3-7(B).
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. No Building permit shall be issued until the Plat has been recorded.
3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house to the north from damage.
4. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
6. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation. Lawn area shall be limited in area.
7. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure to the north.

8. This approval will expire on April 23, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
9. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
10. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade, except that retaining walls in the front yard shall not exceed four feet (4') in height, unless an exception is granted by the City Engineer per the LMC, Chapter 4.
11. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
12. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
13. Construction waste should be diverted from the landfill and recycled when possible.
14. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain.

Approval by the Board of Adjustment of a variance to the ten foot (10') horizontal step in the downhill façade is a condition precedent to final approval of the CUP plans as submitted. If the BOA does not approve the requested variance then these Steep Slope CUP plans shall be revised to comply with the LMC regarding horizontal articulation on the downhill façade and this CUP will have to be amended.

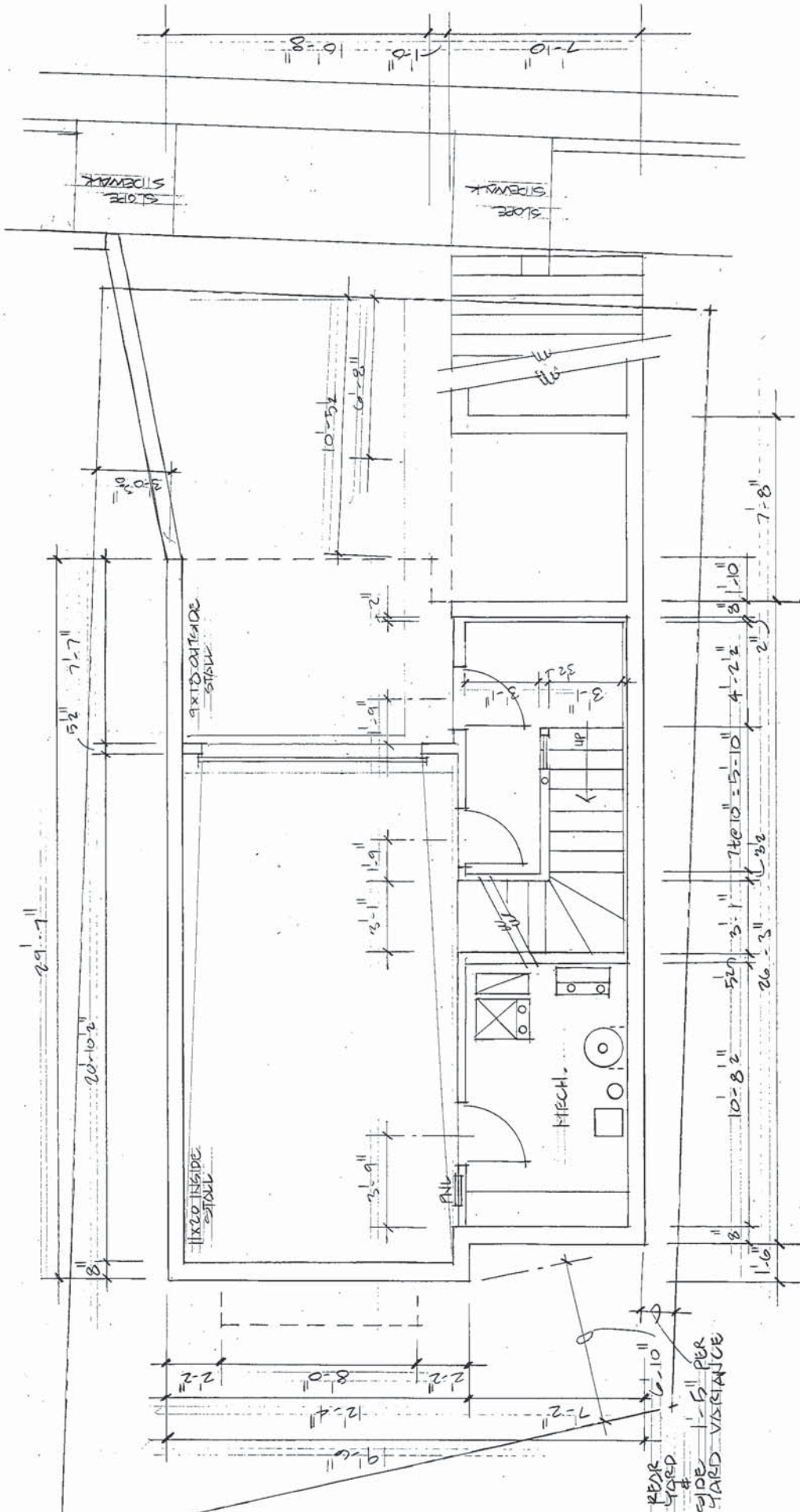
Exhibits

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

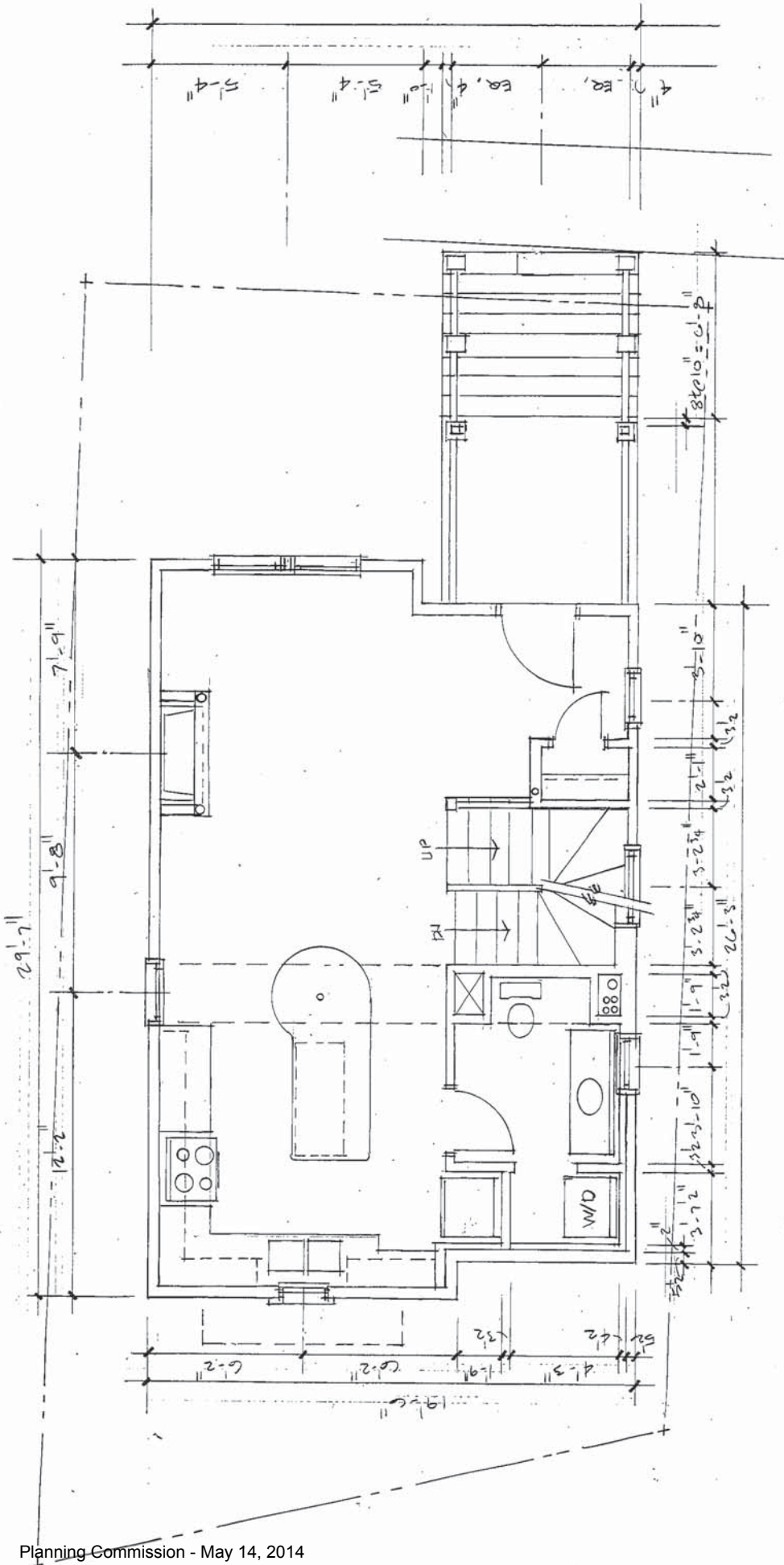
Exhibit B- Existing Conditions Survey

Exhibit C- Visual Analysis/Streetscape

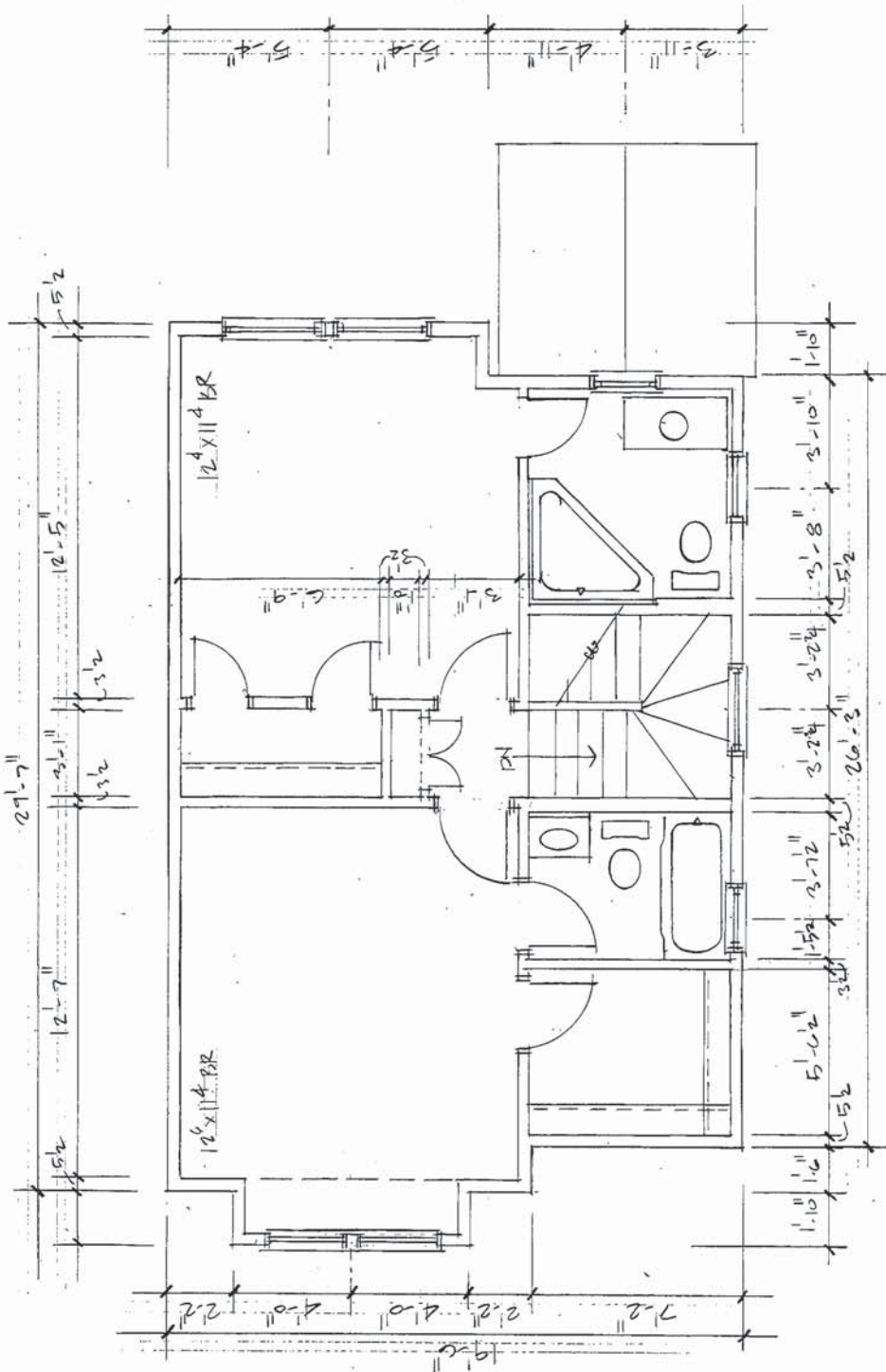
Exhibit D- Existing Photographs



LOWER LEVEL

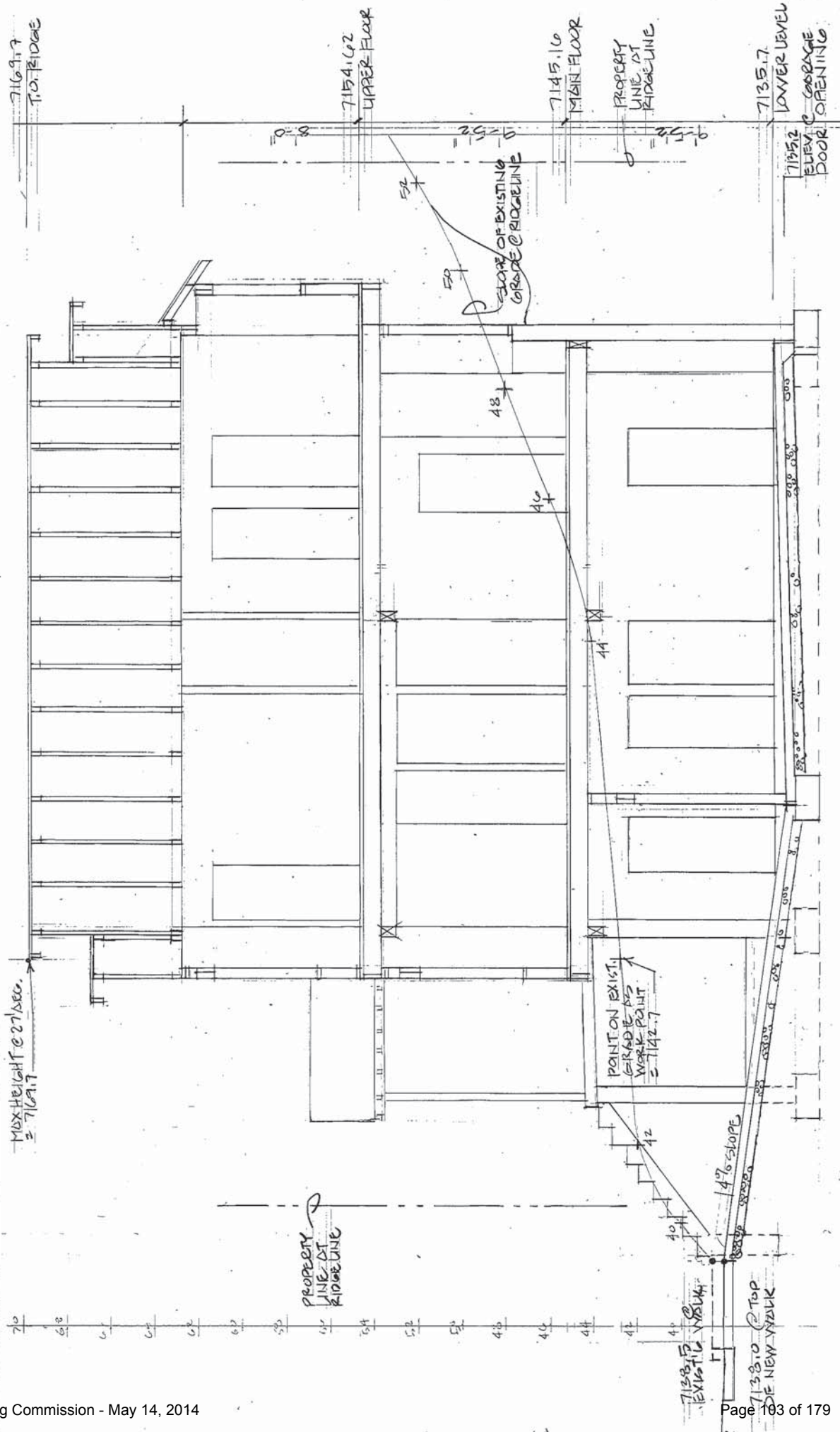


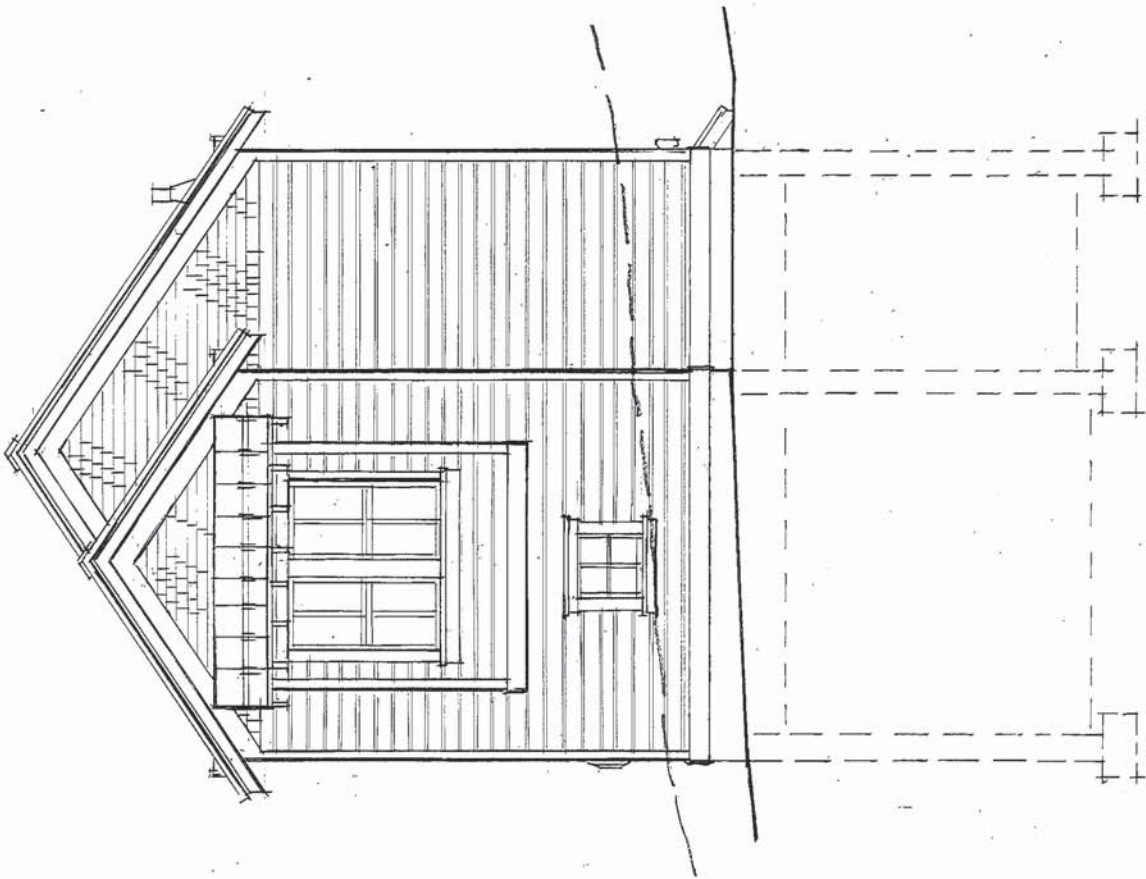
○ MAIN FLOOR



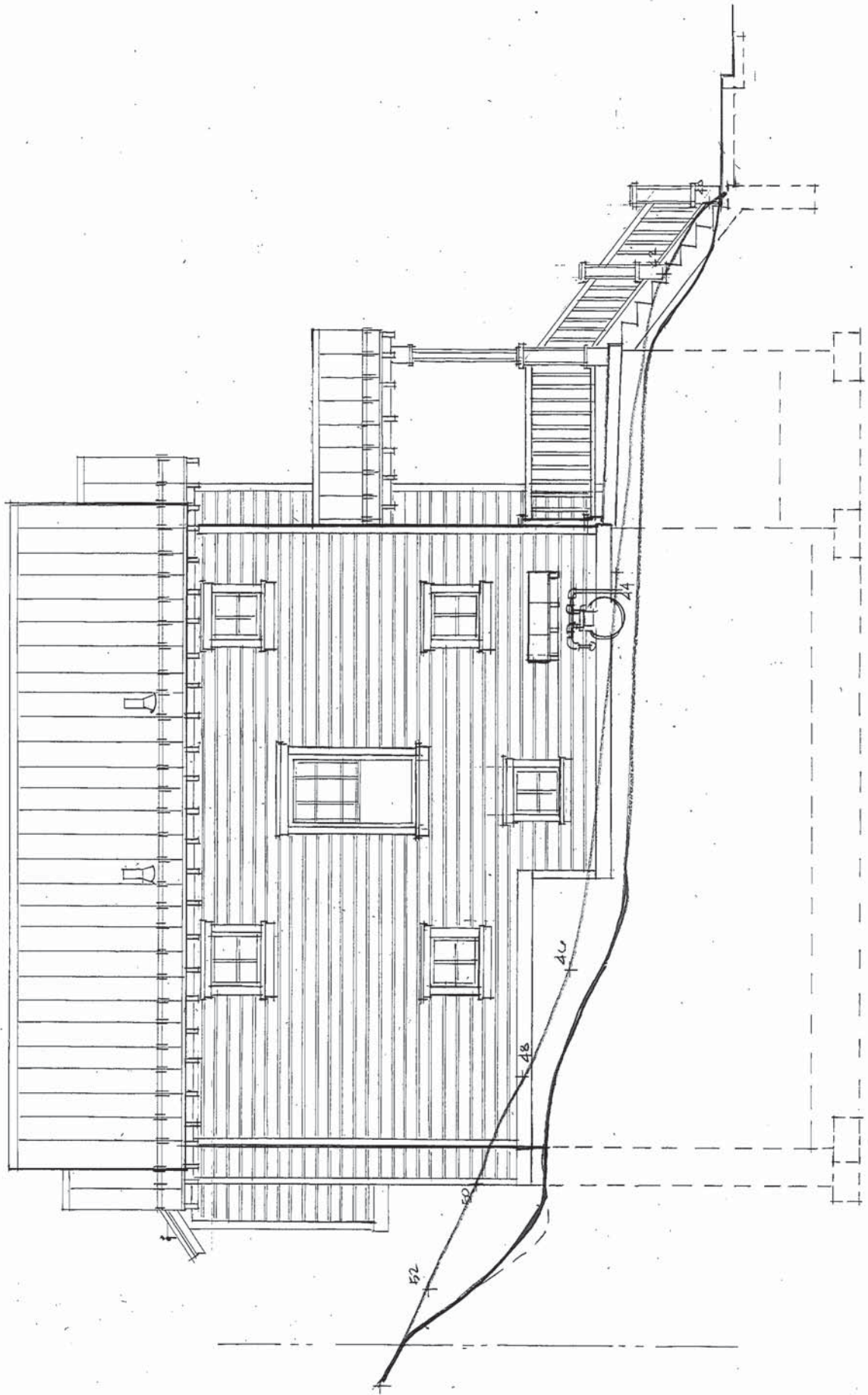
UPPER FLOOR

BUILDING SECTION
@ RIDGELINE (FRSHING)

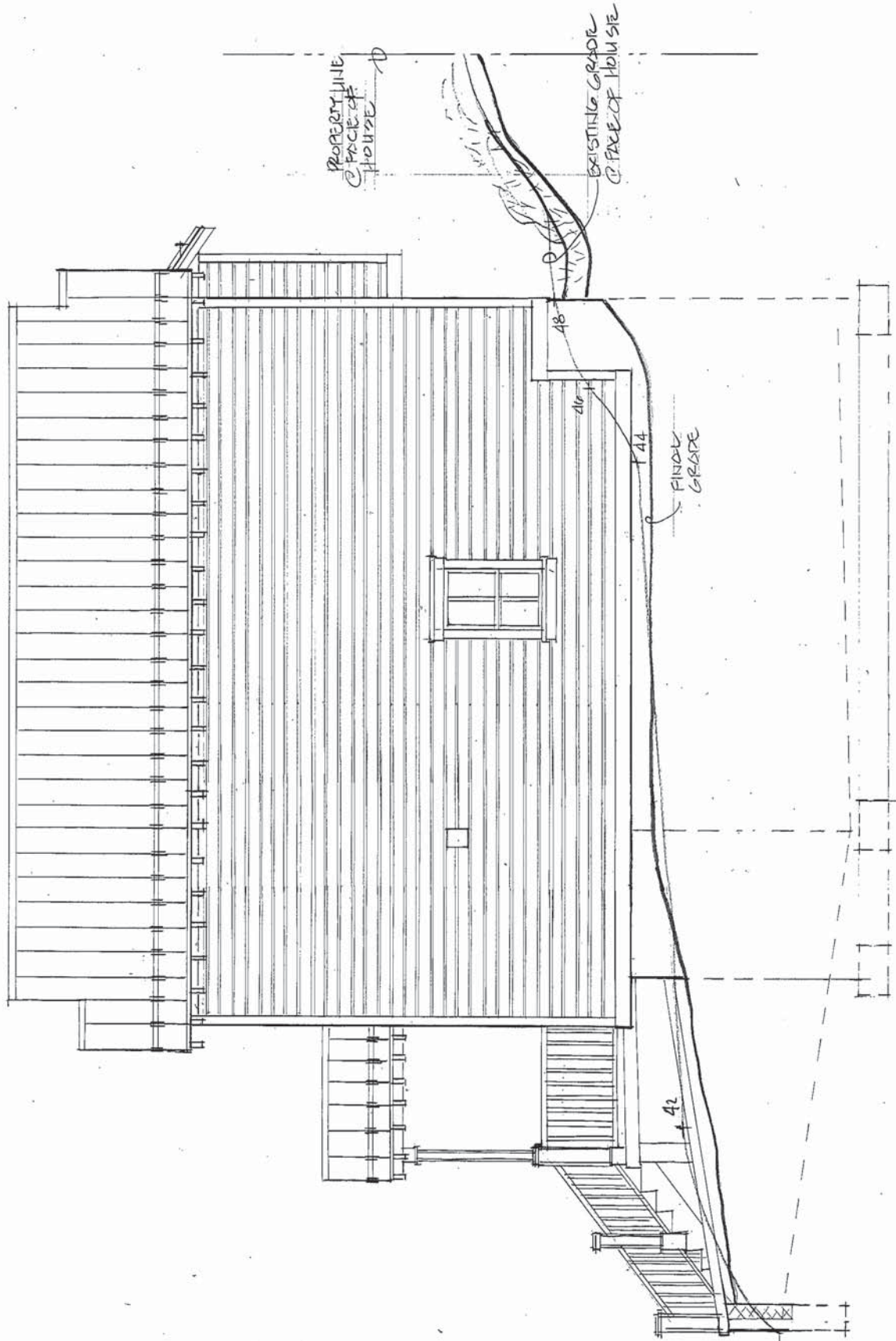




SOUTH ELEVATION



NORTH ELEVATION

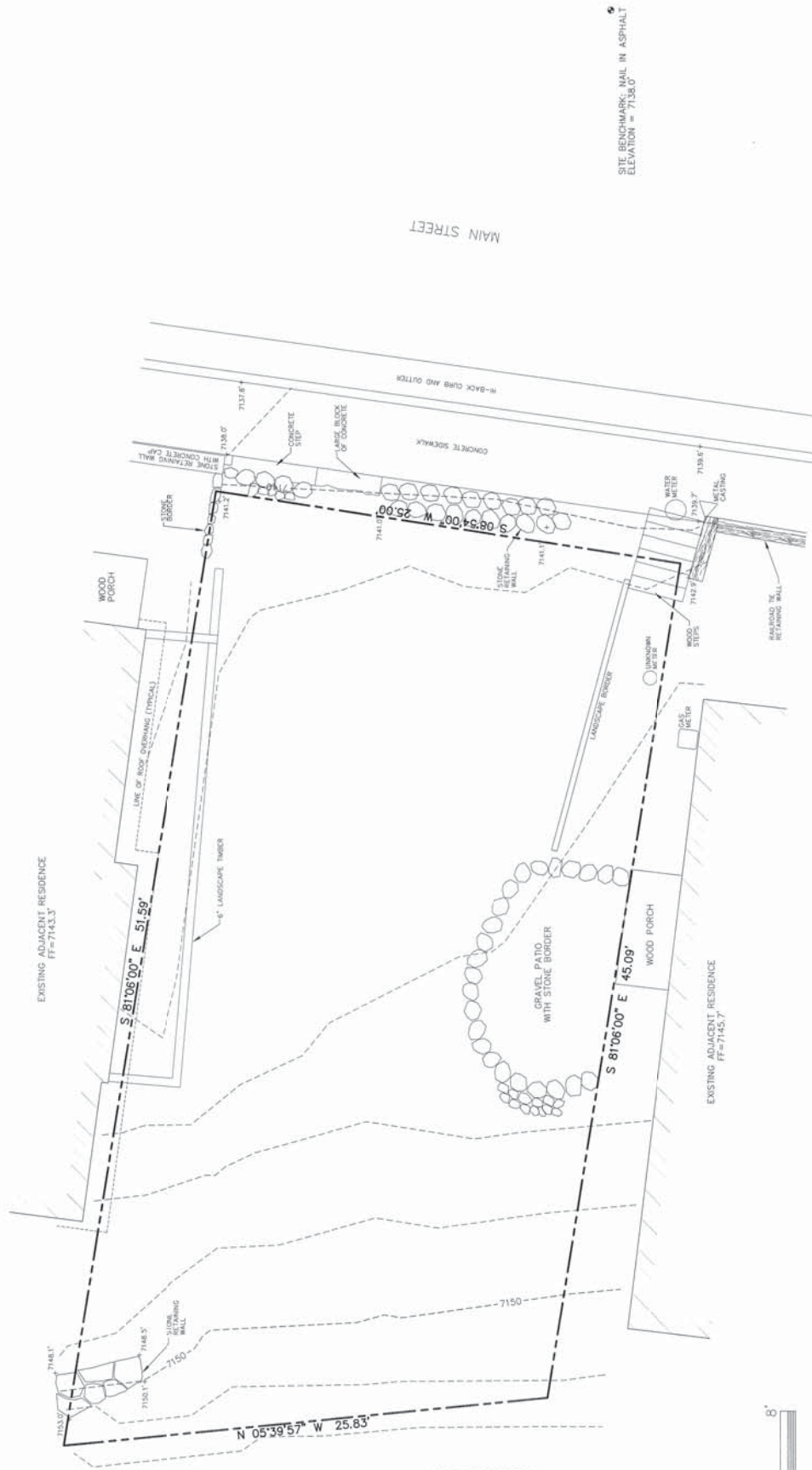


NOTES

1. Project Benchmark: Monument Pl Main Street/Daly Avenue
Elevation=7158.05'
The basis of the elevation is the Park City Monument Control Map, 1982.
2. Site Benchmark: Nail in asphalt
Elevation=7138.0'
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
4. This topographic map is based on a field survey performed on June 10, 2005.
5. Purpose of topographic survey: Future development
6. Property corners were set in a previous survey.

SURVEYOR'S CERTIFICATE

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



SITE BENCHMARK: NAIL IN ASPHALT
ELEVATION = 7138.0'



<p>STAFF: MARTY MORRISON BLAKE MYERS MARSHALL KING</p>	<p>EXISTING CONDITIONS/TOPOGRAPHIC MAP 129 MAIN STREET LOT 8, BLOCK 13, PARK CITY SURVEY</p>	<p>SHEET 1 OF 1</p>
	<p>FOR: DONALD BARBER JOB NO.: 4-6-05 FILE: X:\ParkCitySurvey\dwg\topo05\040605.dwg</p>	<p>DATE: 6/30/05</p>

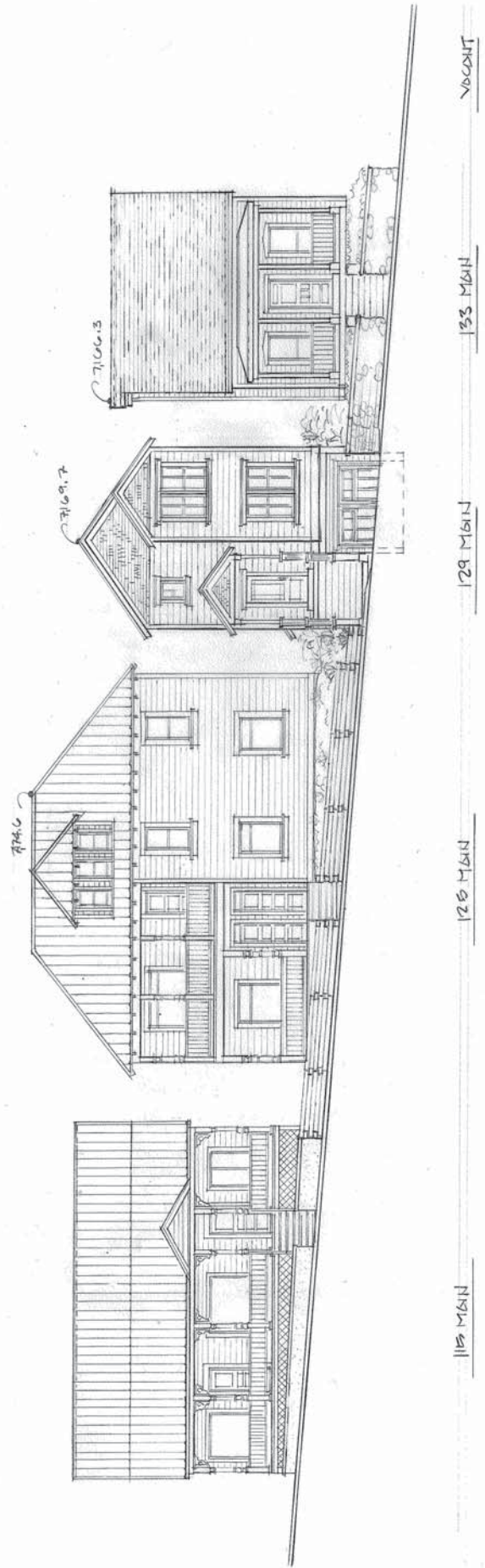
(435) 649-9467

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 222 Main Street P.O. Box 2664 Park City, Utah 84060-2664

11/10/14

Exhibit C

STREETSCAPE ELEVATION
129 MAIN
PARK CITY, UTAH

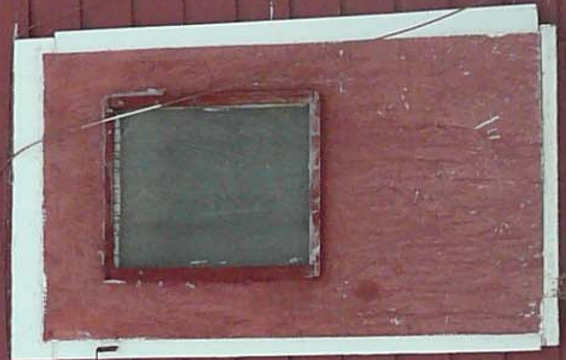


STREETSCAPE ELEVATION
SCALE IN FEET 0 4 8 16 1/8" = 1'-0"

























Planning Commission Staff Report



Subject: 919 Woodside Avenue Subdivision
Author: Christy J. Alexander, AICP, Planner II
Date: May 14, 2014
Type of Item: Administrative – Plat Amendment
Project Number: PL-14-02296

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for the 919 Woodside Avenue Subdivision, located at 919 Woodside Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Jack & Louise Mahoney, owners, represented by Craig Elliot & Carla Lehigh, Elliott Workgroup, architects
Location: 919 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 removing the existing interior lot line between Lot 5 and the southerly half of Lot 6 on Block 10 of the Snyder's Addition to the Park City survey. The owner owns both properties which had a historic single-family home built in 1904 sitting across the lot lines. The historic home was demolished in 2010 with a Financial Guarantee and Preservation Plan in place requiring full reconstruction of the home (identified as 'Significant' on the Historic Sites Inventory) after demolition. The lots are zoned Historic Residential 1 (HR-1). The amendment is a request to reconfigure one and a half (1.5) platted lots into one (1) which will enable the historic home to be reconstructed.

Purpose

The purpose of the HR-1 District is to:

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

Background

On March 26, 2014 the applicant submitted a complete application for the 919 Woodside Avenue Subdivision plat amendment, to combine one and half (1.5) lots into one (1) lot of record. The property is located at 919 Woodside Avenue in the Historic Residential (HR-1) District. The site is currently vacant; however, there is a Financial Guarantee to reconstruct a historic home (identified as 'Significant' on the Historic Sites Inventory). An interior lot line is proposed to be removed to create a one lot Subdivision of 2,812.5 square feet in size. The proposed home is currently being reviewed under a separate Historic District Design Review application for reconstruction with a possible addition.

This project has been in the works for 5 years and has a lot of history with it. Below is a detailed timeline of events that have occurred to date:

- On May 7, 2009 the City Council along with Chief Building Official and other City representatives visited threatened historic properties in town which had been subject to neglect. 919 Woodside was one of the properties visited on that date.
- On May 11, 2009 the property owners of 919 Woodside were sent a *Notice and Order to Repair, Vacate or Demolish Building* by the Chief Building Official. The property owners were notified of the dangerous condition in which the building was in and were given a timeframe of which to respond to documenting and removing the structure.
- On June 30, 2009 in response to the Chief Building Official's Order of Notice to Demolish/Repair, a Preservation Plan was submitted documenting the existing historic structure. The Preservation Plan was approved by staff on October 30, 2009. A Financial Guarantee for \$131,500 was recorded as a lien on the property prior to demolishing the structure.
- On August 14, 2009 Elliott Workgroup submitted a Historic District Design Review application which included an addition to the historic structure. The application was closed on April 28, 2010 due to inactivity. The applicant representative indicated the project was put on hold and a new design may be submitted at a future date.
- On August 18, 2010 a permit was issued to remove the dangerous structure. The Financial Guarantee includes a timeline of events of which an application for

building permit be submitted within 24 months of demolition permit, or by August 18, 2012. The Preservation Plan only related to the original historic structure and did not contemplate additions proposed to the structure. Any modification to the original design would trigger an additional historic review (HDDR).

- On February 16, 2011 Elliott Workgroup submitted a Pre-Application, as required, in order to design an addition to 919 Woodside. The proposed design concept was different than the August 14, 2009. On February 23, 2011 the applicant representatives met with the Design Review Team as part of the regular agenda. At this meeting the applicant representative indicated they proposed moving the historic structure in order to accommodate a design at the rear of the property, among other changes.
- The architect was made aware of the LMC and Historic District design guideline requirements limiting moving a historic structure and was asked to turn in additional information with their full Historic District Design Review responding to the LMC and Guideline requirements.
- Following the pre-application meeting, a complete application for a Historic District/Site Design Review (HDDR) was received on March 17, 2011. In that application, Applicant requested that the reconstructed historic structure be moved six (6) feet towards Woodside Avenue to accommodate a rear addition.
- A Plat Amendment application was also received on March 17, 2011 and was deemed complete on March 21, 2011. The plat was reviewed at the Development Review Committee on April 12, 2011. There is no further record as to what happened to the plat amendment application as it was not taken to the Planning Commission.
- Staff notified the interim acting Chief Building Official and Planning Director of the request to move the historic structure. Prior to reviewing the rest of the application, the Building Official and Planning Director reviewed the application and the 'unique conditions' submitted in regards to the request to relocate the historic structure. On April 27, 2011 they found the site did not meet the criteria as outlined in the LMC and Historic Guidelines for relocation. An Action Letter of Denial to relocate was sent to the Project Representative on April 28, 2011.
- On May 9, 2011, the applicant submitted a written appeal (Exhibit A) pursuant to Chapter 15-1-18(A) of the Land Management Code. Appeals made within ten (10) days of the staff's determination of compliance with the Design Guidelines are heard by the Historic Preservation Board (HPB).
- On June 15, 2011 The Historic Preservation Board heard the appeal of staff's determination and voted to deny the request to move the historic structure.
- No further revised plans were submitted and the applicant never received an HDDR approval for an addition to the home, nor did the applicant ever receive plat approval or reconstruct the home.
- In early January 2014, a neighbor notified staff that the home at 919 Woodside Ave was never reconstructed as per the Preservation Plan. After some research a Notice of Non-Compliance was sent to the applicant on January 31, 2014 by certified mail.
- On March 4, 2014 the applicant's representative mentioned the applicant had received the Notice of Non-Compliance and wishes to move forward on the

project before further action is taken. The applicant's representative submitted a Historic District Design Review Pre-app for an addition to the home and requested permission to move the structure as was previously requested in 2011.

- On March 12, 2014 the applicant representatives met with the Design Review Team. At this meeting the applicant representative indicated they proposed moving the historic structure in order to accommodate a design at the rear of the property, among other changes along with interest to move forward on the plat amendment. They requested to know if moving the structure would be possible given their previous denial in 2011.
- On March 19, 2014 Staff determined that the applicant would still not be allowed to move the historic structure and that any proposed addition would need to comply with current LMC requirements. The applicant agreed to redesign the addition and submitted a new HDDR application and Plat Amendment application on March 26, 2014.
- Also on March 19, 2014 Staff set a deadline that the applicant must submit their HDDR and Plat applications within 7 days from the March 19, 2014 email (which the applicant met) and then they must record the plat within 30 days of plat approval and submit an application for a building permit within 30 days of HDDR and plat approval, whichever comes first. The applicant then has 90 days to pull a building permit from the time of application. They must keep the building permit active and receive a certificate of occupancy on the home within 12 months from the time they pulled the building permit. If this timeline is not adhered to then the City reserves the right to declare default and claim all the funds described in the Encumbrance and Agreement for Historic Preservation for 919 Woodside Avenue dated July 2, 2010.

Analysis

The proposed plat amendment creates one (1) lot of record consisting of 2,812.5 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. There is currently a Preservation Plan and Financial guarantee in place to reconstruct the historic home built in 1904.

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

Required	Permitted by LMC
Lot Size	Minimum of 1,875 square feet. The lot as proposed will contain 2,812.5 square feet.
Building Footprint	1200.67 square feet for the Lot (based on the lot area of 2,812.5 square feet).
Front/rear yard setbacks	10 feet minimum, 20 feet total (based on the lot depth of 75 feet).
Side yard setbacks	3 feet minimum, 6 feet total (based on the lot width of 37.5 feet).

Height	27 feet above existing grade, maximum. 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval.
Height (continued)	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the final Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch
Parking	Zero off-street parking spaces per historic dwelling required.

Staff has identified that the historic single-family home to be reconstructed does not meet current LMC standards outlined above such as the side yard and rear yard setbacks, but because it's a reconstruction of a historic home on the inventory, it is a legal complying structure. The applicant states his intentions are to reconstruct and build an addition onto the existing historic miner's cabin which was built in 1904 which was located at 919 Woodside Ave. The proposed plat amendment will 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. Removing the property line will allow proper reconstruction of the historic home and will bring the property into compliance with the approved Preservation Plan. 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 requirements, and Historic District Design Guidelines.

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 June 5, 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 919 Woodside Avenue Subdivision as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 919 Woodside Avenue Subdivision and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 919 Woodside Avenue Subdivision 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 the lot at 919 Woodside Avenue would remain as is without the ability to reconstruct the historic home over the lot.

Recommendation

Staff recommends the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for the 919 Woodside Avenue Subdivision 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 – Ownership Plat

Exhibit C – Topographical Survey completed in 2009 prior to demolition of home

Exhibit D – Vicinity Map/Aerial Photograph with Existing Conditions & Streetscape Images

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE 919 WOODSIDE AVENUE SUBDIVISION PLAT LOCATED AT 919 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the properties known as Lot 5 and the south half of Lot 6 in Block 10, Snyder's Addition to Park City Survey, located at 919 Woodside Avenue, have petitioned the City Council for approval of the 919 Woodside 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 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on May 14, 2014 to receive input on the proposed subdivision;

WHEREAS, on May 14, 2014 the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on June 5, 2014 the City Council held a public hearing on the proposed 919 Woodside Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 919 Woodside Avenue 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 919 Woodside Avenue 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 919 Woodside Avenue within the Historic Residential (HR-1) District.
2. On March 26, 2014, the applicant submitted an application for a plat amendment to amend one and a half (1.5) lots containing a total of 2,812.5 square feet into one (1) lot of record which will remove an existing lot line and enable the historic home to be reconstructed without sitting on the lot line.
3. The proposed Lot will contain 2,812.5 square feet.

4. The application was deemed complete on March 26, 2014.
5. 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.
6. Based on the lot area, the maximum footprint allowed for the Lot is 873.8 square feet.
7. The properties have frontage on and access from Woodside Avenue.
8. The Lot contains a Preservation Plan to reconstruct a historic single family dwelling in the same location as it was located before being demolished in 2010.
9. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
10. 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 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 shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable, if any additions are proposed.
4. 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.
5. 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.
6. The historic structure shall be reconstructed exactly as was approved in the October 30, 2009 Preservation Plan and any proposed addition would need to comply with current LMC requirements.
7. The applicant must move the existing fence, on the southeast side of their property, off of the property of 909 Woodside Avenue. The fence may be removed altogether or moved to the property line, prior to receiving certificate of occupancy.

8. The applicant must record the plat within 30 days of plat approval and submit an application for a building permit within 30 days of HDDR and plat approval, whichever comes first. The applicant then has 90 days to pull a building permit from the time of application. The applicant must keep the building permit active and receive a certificate of occupancy on the home within 12 months from the time they pulled the building permit. If this timeline is not adhered to then the City reserves the right to declare default and claim all the funds described in the Encumbrance and Agreement for Historic Preservation for 919 Woodside Avenue dated July 2, 2010.

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

PASSED AND ADOPTED this ____ day of June, 2014

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A - PROPOSED PLAT



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the 919 WOODSIDE AVENUE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

John Demkowicz

Date

BOUNDARY DESCRIPTION

ALL of LOT 5 and the south half of LOT 6, BLOCK 10, SNYDERS ADDITION TO PARK CITY, according to the official plat thereof, on file and of record in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that MAHONEY ENTERPRISES, L.P., a California limited partnership, the undersigned owner of the herein described tract of land to be known hereafter as 919 WOODSIDE AVENUE SUBDIVISION, does hereby certify that it has caused this Plat Amendment to be prepared. MAHONEY ENTERPRISES, L.P., hereby consents to the recordation of this Plat Amendment. ALSO, the owner, or its representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this _____ day of _____, 2011.

MAHONEY ENTERPRISES, L.P., a California limited partnership

Jack Mahoney, Manager

ACKNOWLEDGMENT

State of _____
County of _____

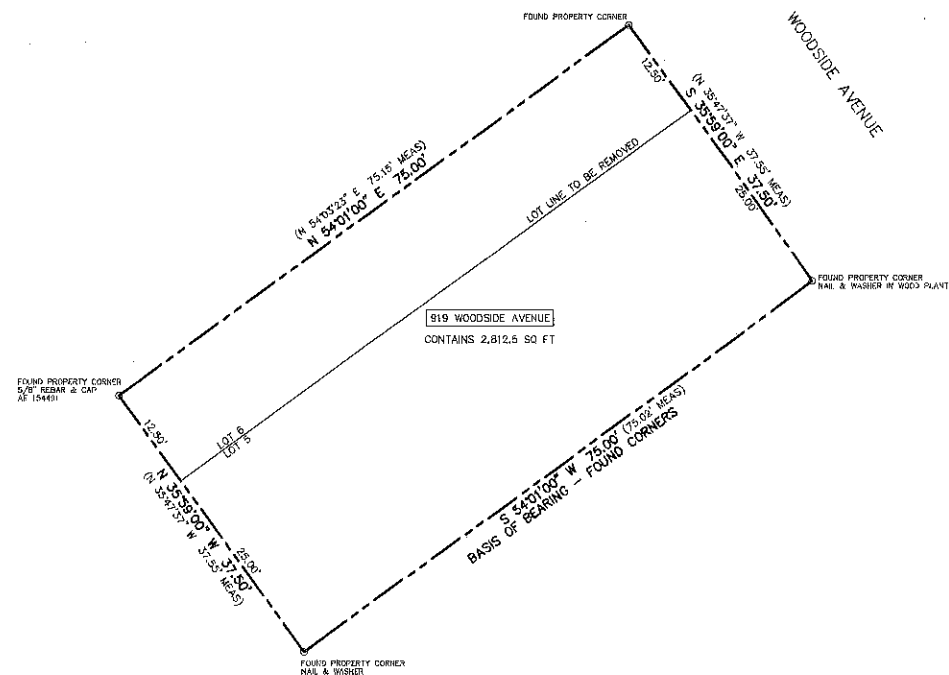
On this _____ day of _____, 2011, Jack Mahoney personally appeared before me, the undersigned Notary Public in and for said state and county. Having been duly sworn, Jack Mahoney acknowledged to me that he is the managing member of MAHONEY ENTERPRISES, L.P., a California limited partnership, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____

Residing In: _____

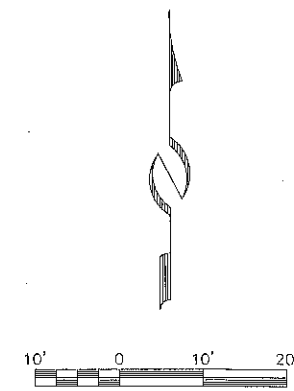
My commission expires: _____



A PARCEL COMBINATION PLAT
A COMBINATION OF LOT 5 & THE SOUTH HALF OF 6 IN BLOCK 10, SNYDER'S ADDITION

919 WOODSIDE AVENUE SUBDIVISION

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



SHEET 1 OF 1

J:\M\JOB NO.: 9-6-09 FILE: X:\SnydersAddition\dwg\sr\plat2009\050609.dwg

 <small>(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small>	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2011 A.D. BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2011 A.D. BY _____ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2011 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2011 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2011 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2011 A.D. BY _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER _____
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EXHIBIT B - OWNERSHIP PLAT

PARK CITY - BLOCKS 3, 10, 54, SECTION 16, T2S R4E, S.L.B. 8.M.
SNYDERS ADDITION



BOOK PAGE
NOTE: REFER TO
STREET ADDITIONS

SUMMIT COUNTY, UTAH

REVISIONS - DATE AND INITIAL (In Pencil)	DATE	BY

Approved Utah State Tax Comm. *[Signature]*
Engineering Associates Inc.

SCALE
ONE INCH = 40 FEET
BOOK PAGE

EXHIBIT C - TOPOGRAPHICAL SURVEY FROM 2009 PRIOR TO DEMOLITION

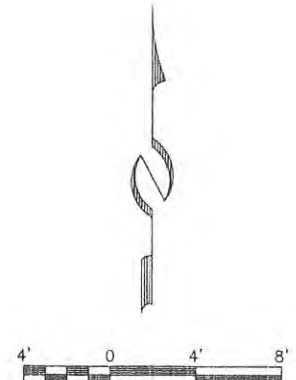
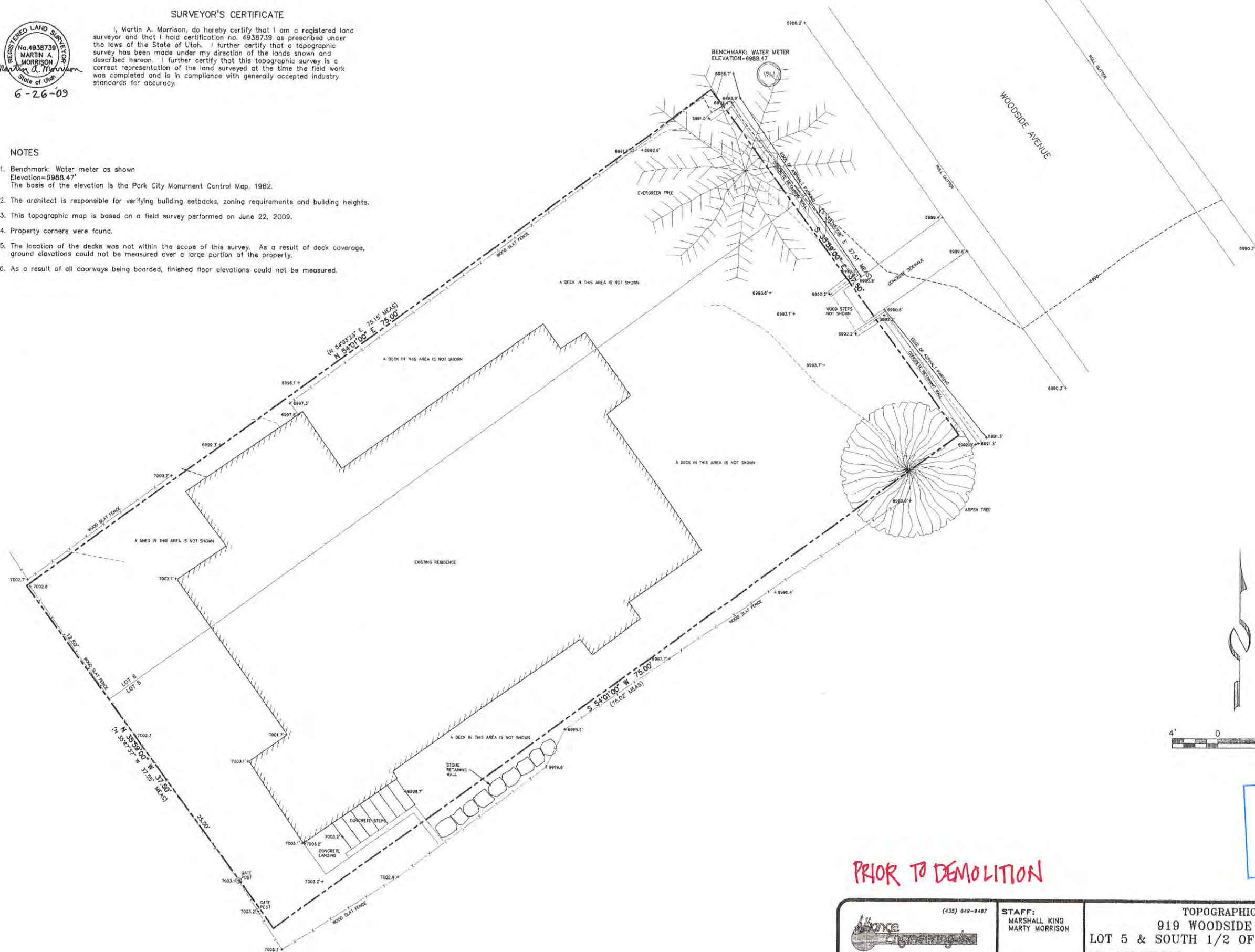


SURVEYOR'S CERTIFICATE

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

NOTES

1. Benchmark: Water meter as shown
Elevation=6988.47'
The basis of the elevation is the Park City Monument Control Map, 1982.
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 June 22, 2009.
4. Property corners were found.
5. The location of the decks was not within the scope of this survey. As a result of deck coverage, ground elevations could not be measured over a large portion of the property.
6. As a result of all doorways being boarded, finished floor elevations could not be measured.



RECEIVED
APR 17 2011
PARK CITY
PLANNING DEPT.

PRIOR TO DEMOLITION

 (435) 649-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2564 Park City, Utah 84050-2564	STAFF: MARSHALL KING MARTY MORRISON	TOPOGRAPHIC MAP 919 WOODSIDE AVENUE LOT 5 & SOUTH 1/2 OF LOT 6, BLOCK 10	SHEET 1 OF 1
	DATE: 6/26/09	JOB NO.: 5-6-09 FILE: X:\SnydersAdd\lton\dwg\arv\topo2009\050809.dwg	



1 Existing Streetscape
SCALE: N.T.S.



2 Aerial View
SCALE: N.T.S.




SUBJECT
PROPERTY

0 50 100'

RECEIVED

APR 17 2011

 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>325 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small>	<small>(435) 649-9467</small> STAFF: MARSHALL KING	AERIAL PHOTOGRAPH 919 WOODSIDE AVENUE BLOCK 10, SNYDER'S ADDITION	SHEET 1
	DATE: 3/3/11	FOR: JACK MAHONEY JOB NO.: 5-6-09 FILE: X:\SnydersAddition\dwg\Exhibits\919woodside-ortho.dwg	PARK CITY PLANNING DEPT.



STREET VIEW
835-899 Woodside Ave
Park City, UT 84060 - approximate address

Woodside Avenue © 2014 Google



Planning Commission Staff Report

Subject: Broph's Place Condominiums
Author: Francisco Astorga, Planner
Project Number: PL-14-02269
Date: May 14, 2014
Type of Item: Administrative – Condominium Record of Survey Plat

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for the Broph's Place Condominium Record of Survey Plat located on 500 Deer Valley Drive 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.

Staff reports reflect the professional recommendation of the Planning Department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Edward F. Brophy, owner
represented by Eileen B. Kintner, daughter
Location: 500 Deer Valley Drive
Zoning: Residential (R-1)
Adjacent Land Uses: Residential
Reason for Review: Condominium Record of Survey Plats require Planning Commission review and City Council review and action

Proposal

The property owner proposes to record a Condominium Record of Survey Plat for the existing duplex to create two (2) separate dwelling units which would allow the property owner to sell each unit individually.

Background

On March 21, 2014 the City received a completed application for the Broph's Place Condominiums Record of Survey. The property is located at 500 Deer Valley Drive in the Residential (R-1) District. The subject property consists of Lots 15 and 16, Block 63 of the Park City Survey. The lots were not platted in the traditional Old Town configuration (25'x75'), see Exhibit E – County Tax Map.

In 1995 Ed Brophy built a duplex on the property. In the 1990's the City did not require the property owner to combine the lots in order to entertain a building permit. A duplex is currently an allowed use in the R-1 District. The proposed Condominium Record of Survey plat would memorialize each portion of the duplex as a separate unit while at the

same time it removes the lot line which bifurcates the structure. No exterior changes are proposed.

In March 2013 the property owner received a business license from the City to operate an Elder Care Home facility. The LMC indicates that this type of use is exempt from specific LMC regulations regarding Group Care Facilities provided that the maximum number of elderly persons receiving care does not exceed eight (8). The owner agreed to this threshold which if exceeded would require a Conditional Use Permit to be reviewed and approved by the Planning Commission.

District Purpose

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

- A. allow continuation of land Uses and architectural scale and styles of the original Park City residential Area,
- B. encourage Densities that preserve the existing residential environment and that allow safe and convenient traffic circulation,
- C. require Building and Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile,
- D. require Building design that is Compatible with the topographic terrain and steps with the hillsides to minimize Grading,
- E. encourage Development that protects and enhances the entry corridor to the Deer Valley Resort Area,
- F. provide a transition in Use and scale between the Historic Districts and the Deer Valley Resort; and
- G. encourage designs that minimize the number of driveways accessing directly onto Deer Valley Drive.

Analysis

A condominium is not a type of use but a form or ownership. The following requirements apply to duplex dwellings in the R-1 District:

- Minimum lot size: 3,750 square feet, 4,308 square feet, complies.
- Minimum lot width: 37.5 feet, 79 feet, complies.
- Minimum front yard setback: 20 feet, 10 feet, does not comply as it exists.
- Minimum rear yard setback: 10 feet, 5 feet, does not comply as it exists.
- Minimum side yard setbacks: 5 feet, 5 feet, complies.
- Maximum building height: 32 feet, 28 feet, complies
- Minimum parking requirements: 2 per units, 2 per unit, complies.
- The building sits on top of the lot line, does not comply

Staff recognizes that the duplex does not comply with current Land Management Code (LMC) development standards regarding front and side yard setbacks and because it sits on a lot line. Staff was able to locate the original building permit when the City authorized construction of the duplex in 1995. The building permit indicates that the duplex met the requirements of the 1995 LMC and because the structure has remain as is with no variations regarding the two (2) current non-compliances (front yard and rear yard setbacks) the City identifies the structure as a legal non-compliant which allows the structure to remain as is per LMC Chapter 9 Non-Complying Structures.

After thorough review of the LMC Chapter 9, Staff has determined that there are no provisions that would prohibit a Condominium Record of Survey plat to be approved for a non-complying structure. The proposed record of survey also removes the common lot line between Lots 15 and 16.

Staff finds good cause for the Condominium Record of Survey Plat as the lot line bifurcating the existing structure will be removed and the form of ownership is not detrimental to the overall character of the neighborhood. No exterior changes are proposed. This application allows unit 1 to be 2,118 square feet and unit 2 to be 1,232 square feet. Common spaces include the roof, foundation, exterior walls, and shared staircase.

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 1-18.

Department Review

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

Notice

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

Public Input

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

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Broph's Place Condominiums Record of Survey as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Broph's Place Condominiums Record of Survey and direct staff to make Findings for this decision; or

- The Planning Commission may continue the discussion on Broph's Place Condominiums Record of Survey.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The site would remain as is and the property owner would not have the option to sell the units individually.

Summary Recommendation

Staffs recommends the Planning Commission hold a public hearing for the Broph's Place Condominium Conversion located on 500 Deer Valley Drive and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Applicant's Project Description

Exhibit C – Aerial Photograph

Exhibit D – Survey

Exhibit E – County Tax Map

Ordinance No. 14-XX

AN ORDINANCE APPROVING THE BROPH'S PLACE CONDOMINIUMS LOCATED AT 500 DEER VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 500 Deer Valley Drive has petitioned the City Council for approval of the record of survey 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 May 14, 2014, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on May 14, 2014, forwarded a recommendation to the City Council; and,

WHEREAS, on June 5, 2014, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Broph's Place Condominiums Record of Survey.

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

SECTION 1. APPROVAL. The Broph's Place Condominiums Record of Survey 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 500 Deer Valley Drive.
2. The property is in the Residential (R-1) District.
3. The property consists of Lots 15 and 16, Block 63 of the Park City Survey.
4. In 1995 the property owner built a duplex on the property.
5. In the 1990's the City did not require the property owner to combine the lots in order to obtain a building permit.
6. A duplex is currently an allowed use in the R-1 District.
7. The proposed condominium Record of Survey plat memorializes each dwelling unit within the duplex as a separate unit that can be leased or owned separately.
8. A condominium is not a type of use but a form or ownership.

9. The duplex does not meet the minimum requirements of front and rear yard setbacks of 20 and 10 feet, respectively.
10. When the duplex was built in 1995 it met the front and rear yard setback requirements of 10 and five feet, respectively, as was required by the Land Management Code at the time of the permit.
11. The structure is considered a legal non-complying structure because it does not meet current development standards but was legally constructed.
12. There are no provisions that would prohibit approval of a Condominium Record of Survey plat for a legal non-complying structure.
13. The proposed record of survey plat removes the common lot line between Lots 15 and 16 and separates the duplex into two (2) separate units.
14. This application allows unit 1 to be 2,118 square feet and unit 2 to be 1,232 square feet.
15. Common spaces include the roof, foundation, exterior walls, and shared staircase.
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. The condominium record of survey plat is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed condominium record of survey.
3. Approval of the condominium record of survey, 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 for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Public snow storage along Deer Valley Drive frontage.
4. A tie breaker mechanism shall be included in the CC&Rs.

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

PASSED AND ADOPTED this 5th day of June, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4936739, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the BROPH'S PLACE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plot.

BOUNDARY DESCRIPTION

LOTS 15 AND 16, BLOCK 63, PARK CITY SURVEY (and as Amended), according to the Official Plat thereof, on file and of record in the Office of the Summit County Recorder.

ALSO, beginning at the easternmost corner of said Lot 16; and running thence North 70 degrees 38'00" West along the northeasterly line of said Lots 15 and 16, 65.76 feet to the back of an existing curb; thence South 82 degrees 31'48" East along a curb line 2.26 feet; thence South 70 degrees 38'00" East parallel with the northeasterly line of said Lots 15 and 16, 64.05 feet to the intersection with the northeasterly extension of the southeasterly line of said Lot 16; thence South 66 degrees 22'00" West 0.68 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as BROPH'S PLACE SUBDIVISION, does hereby certify that he has caused this Plat to be prepared, and I, Edward F. Brophy, Trustee of the Edward F. Brophy Trust, UTAD 7/26/06, does hereby consent to the recording of this Plat.

ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City all the streets, land for local government uses and easements shown on the plot in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____, 2014.

Edward F. Brophy, Trustee

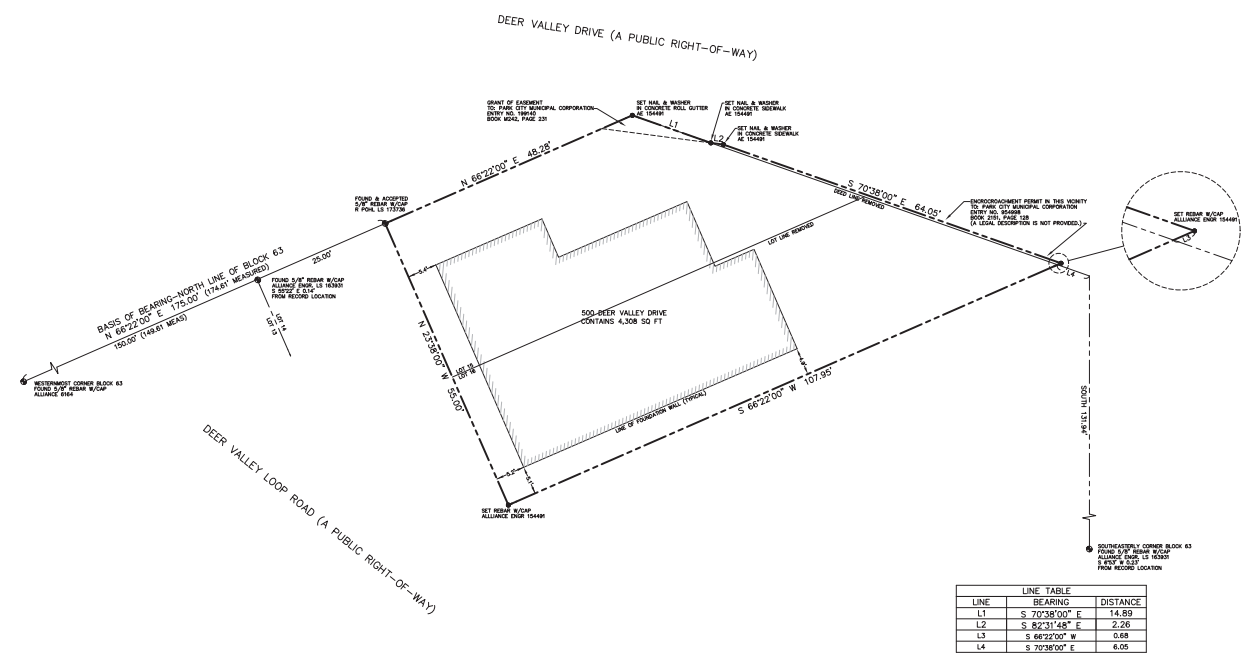
ACKNOWLEDGMENT

State of _____
County of _____

On this _____ day of _____, 2014, Edward F. Brophy personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Edward F. Brophy acknowledged to me that he is the trustee of the Edward F. Brophy Trust, and that he signed the above and foregoing Owner's Dedication and Consent to Record on behalf of said Trust; and that he has been duly appointed as Trustee by the Declaration of the Trust and that he has executed this document in his capacity as Trustee as the act of said Trust for the purpose set forth herein.

A Notary Public commissioned in Utah

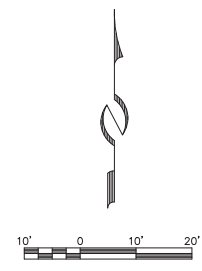
Printed Name _____
Residing in _____
My commission expires: _____



LOTS 15 & 16 IN BLOCK 63, PARK CITY SURVEY

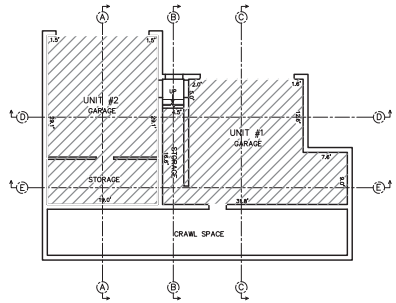
BROPH'S PLACE CONDOMINIUMS

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

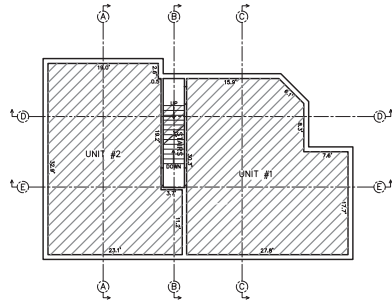


SHEET 1 OF 2

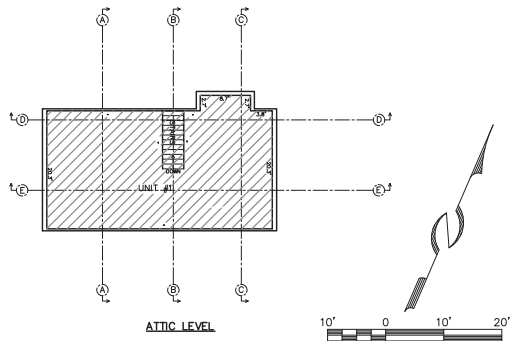
 (435) 649-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2664, Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014 A.D. BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2014 A.D. BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014 A.D. 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 PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D. BY _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ ENTRY NO. _____ FEE _____ RECORDER _____
	JOB NO.: 11-10-13 FILE: X:\ParkCitySurvey\dwg\lrv\plot2013\111013.dwg						



GARAGE LEVEL

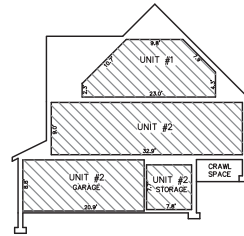


MAIN LEVEL

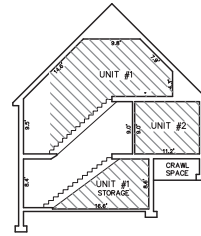


ATTIC LEVEL

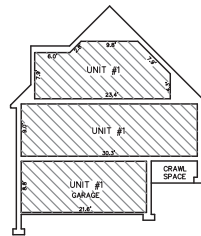
UNIT AREA TABLE		
	UNIT #1	UNIT #2
GARAGE LEVEL	569 SQ FT	552 SQ FT
MAIN LEVEL	737 SQ FT	680 SQ FT
ATTIC LEVEL	813 SQ FT	0 SQ FT
TOTAL	2118 SQ FT	1232 SQ FT



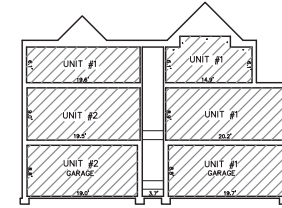
SECTION A



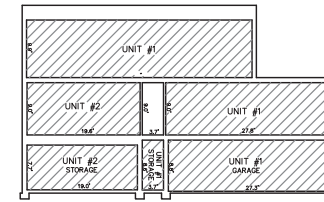
SECTION B



SECTION C

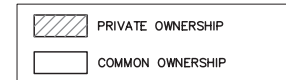


SECTION D



SECTION E

OWNERSHIP DESIGNATIONS



BROPH'S PLACE CONDOMINIUMS

SHEET 2 OF 2

JOB NO.: 11-10-13 FILE: X:\PerkCitySurvey\dwg\er\plot2013\111013.dwg

1/24/14

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

ENTRY NO. _____ FEE _____ RECORDER _____

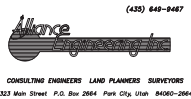
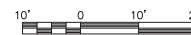


Exhibit B – Applicant's Project Description

Project Intent and Scope of Work

The property at 500 Deer Valley Drive is two units joined by a common entry way and located on two lots in Park City. The east side is larger, and lived in by my father. The west side is available for rentals. We would like to separate these units to be able to sell them both to different owners or to keep one in the family and sell the other, if we desire. Currently, my father has a single mortgage covering both units. In the future, we may want the opportunity to only encumber one unit, or to hold separate mortgages on both units.

For the foreseeable future, my 85 year old father, Ed Brophy, will own and live in the home, and we will operate the assisted living home the city previously approved for this property. At some point in the future, our 81 year old mother would like to move to Park City and occupy the smaller unit located on the west side. If my father predeceases my mother, we want to have a home for our mother to live in for the rest of her life. When both parents have passed, my sisters would like to keep one unit and possibly sell the other.


The city informed us we had to apply as a condominium to divide the properties into two separate units. For the above reasons, we request this separation of properties. This request will not impact the current building, occupancy limits, zoning, or other city restrictions to incur this division.

Thank you for considering this request, Eileen Kintner on behalf of Ed Brophy



Exhibit C – Aerial Photograph



 <p>(435) 949-9467 CONSULTING ENGINEERS AND PLANNERS SERVICES 801 West Street, P.O. Box 2884, Park City, Utah 84060-2884</p>	<p>STAFF: MARSHALL KING HARRISON HOLLEY</p>	<p>AERIAL PHOTOGRAPH 500 DEER VALLEY DRIVE</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 1/21/14</p>	<p>FOR: EILEEN KINTNER JOB NO.: 11-18-13 FILE: X:\ParkCitySurvey\dwg\Exhibits\500 deer valley drive-ortho.dwg</p>	

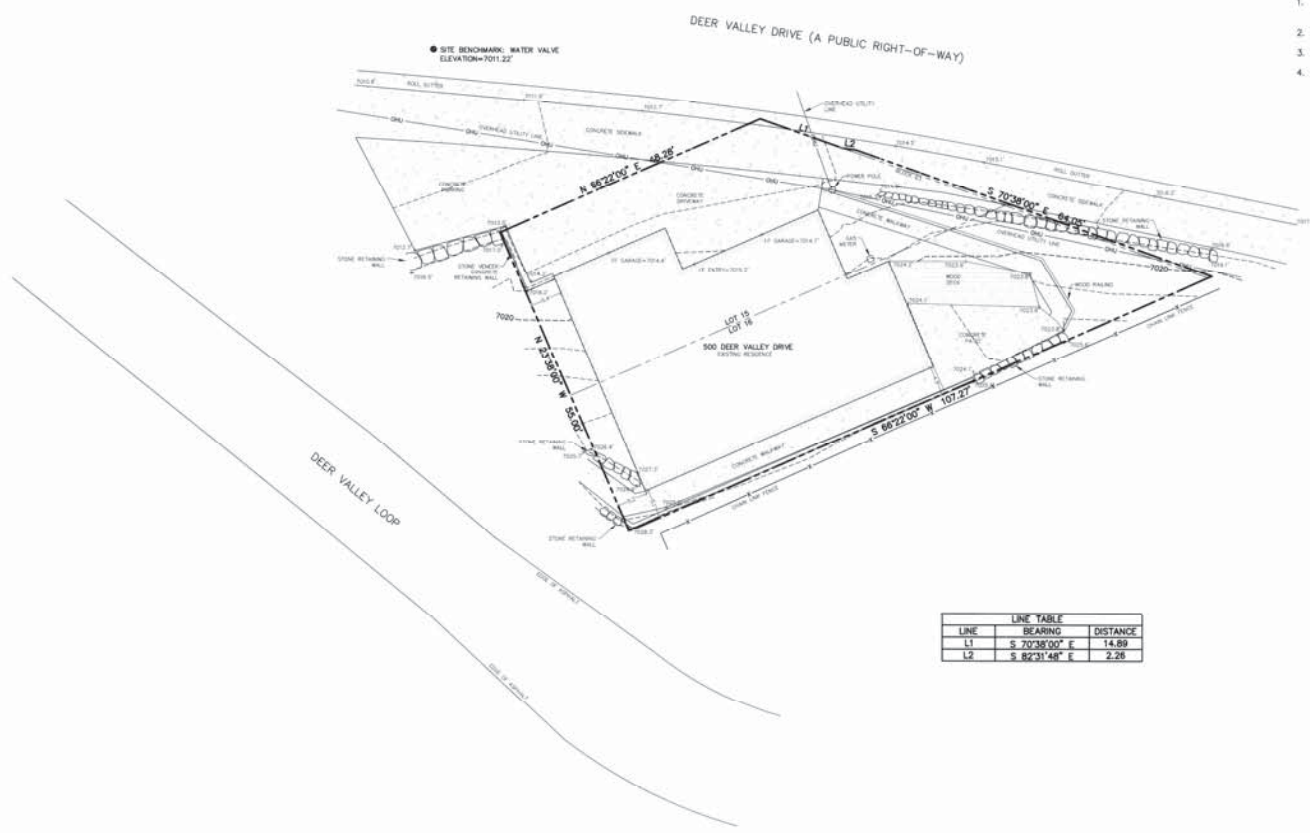


SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4838739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described herein. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

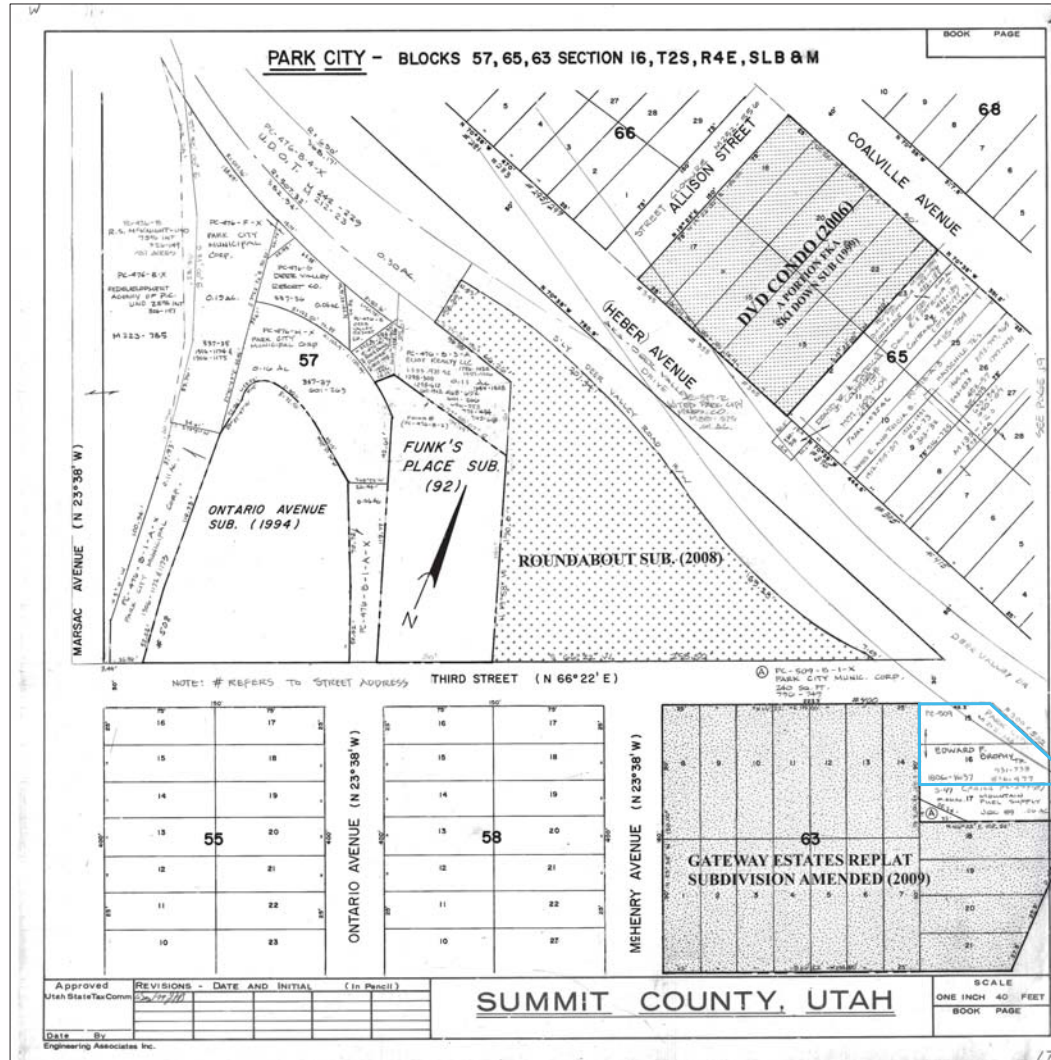
1. Site Benchmark: Water Valve Elevation=7011.22'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on November 5, 2013.
4. Property corners were set.



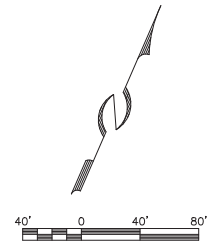
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 70°36'00" E	14.89
L2	S 82°31'48" E	2.26




<p>(435) 449-9467 CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS 225 Main Street, P.O. Box 2004, Park City, Utah 84060-2004</p>	<p>STAFF: MARSHALL KING MARTY MORRISON HARRISON HOLLEY</p>	<p>EXISTING CONDITIONS AND TOPOGRAPHIC MAP 500 DEER VALLEY DRIVE LOTS 15&16, BLOCK 63, PARK CITY SURVEY</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 11/20/13</p>	<p>FOR: EILEEN KINTNER JOB NO.: 11-10-13 FILE: X:\ParkCitySurvey\dwg\ar\topo2013\111013.dwg</p>	



SUBJECT PROPERTY



 <p>(435) 648-9467 CONSULTING ENGINEERS AND PLANNERS SURVEYORS 222 Main Street, P.O. Box 2654 Park City, Utah 84060-2654</p>	<p>STAFF: MARSHALL KING</p>	<p>OWNERSHIP PLAT 500 DEER VALLEY DRIVE</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 1/14/14</p>	<p>FOR: EILEEN KINTNER JOB NO.: 11-10-13 FILE: X:\ParkCitySurvey\dwg\Exhibits\500 deer valley drive-ownership map.dwg</p>	

Planning Commission Staff Report

Subject: Dority Springs Subdivision
Author: Francisco J. Astorga, Planner
Project Number: PL-12-01733
Date: May 14, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for the Dority Springs Subdivision Plat Amendment located at 1851 Little Kate Road and provide input and direction to staff regarding the proposed plat amendment. No formal action is requested. Staff recommends the Planning Commission continue this item to May 28, 2014 following discussion and public hearing.

Description

Applicant: Michael and Kathleen Baker, owners,
represented by Alliance Engineering, Inc.
Location: 1851 Little Kate Road, Road
Lot 83, Dority Springs, Holiday Ranchettes Subdivision
Zoning: Single Family (SF) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and City Council review and action

Proposal

The property owner requests to subdivide the existing lot into two (2) lots of record. Dority Springs bifurcates the existing lot. The applicant has obtained a Wetland Delineation Report from the US Army Corps of Engineers outlining the amount and location of the spring.

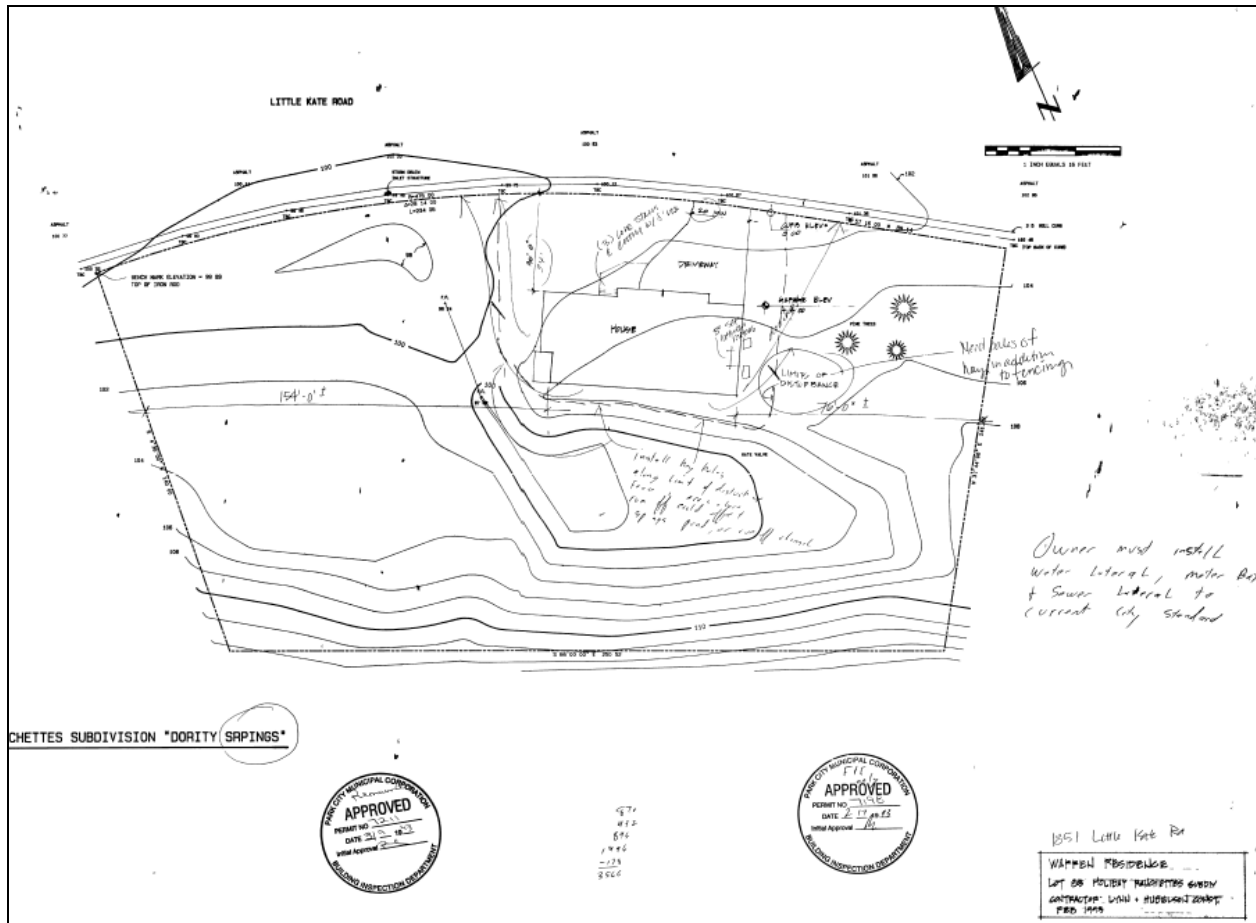
Background

In February 2014 the City received a completed application for the Dority Springs Subdivision plat amendment. The property is located at 1851 Little Kate Road within the SF District. The subject property consists of lot 83 of the Holiday Ranchettes Subdivision. The Holiday Ranchettes Subdivision was recorded with the County in 1974. The lot is 0.999 acres or approximately 43,516.44 square feet. The site also contains Dority Springs. In 1993 the property owner built a single family dwelling (SFD) on the property. The proposed plat amendment creates two (2) lots of record from one (1) platted lot.

According to the applicant the reason that their Lot 83 is exempted from the Holiday Ranchettes (which is confirmed within the CC&Rs) is due to the Dority Springs (and pond) that existed on the property at the time that Holiday Ranchettes Subdivision was

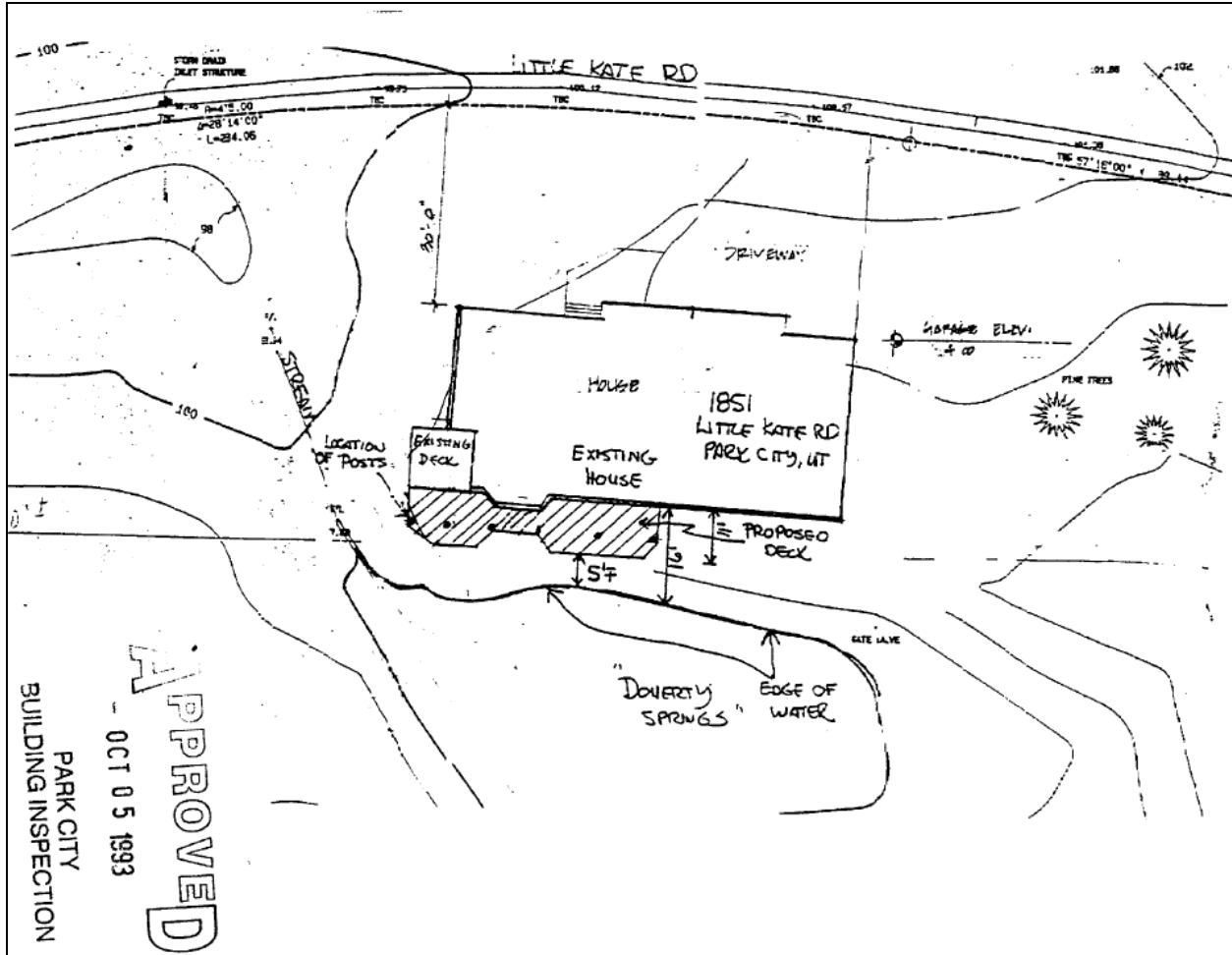
recorded in 1974. According to the applicant, at that time, fire hydrants did not exist in Park Meadows and the PC Fire Dept. needed to access to the pond with their pumper truck in order to fight fires. Fire hydrants were eventually developed and the fire dept. no longer needed access to the pond.

In 1992/1993 Larry Warren applied for appropriate Building Department permits to grade the site and remove part of the pond and building a Single Family Dwelling (SFD) in front of the pond. See approved site plans below:



Above, site plan, Permit No. 7211.

In 1993 the property owner obtained a building permit to add a deck to the house built in 1992/1994. See approved site plan below which shows the approved deck five feet (5') from the "pond" Dority Springs.



Above, site plan, Permit No. 7802.

District Purpose

The purpose of the SF District is to:

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

Analysis

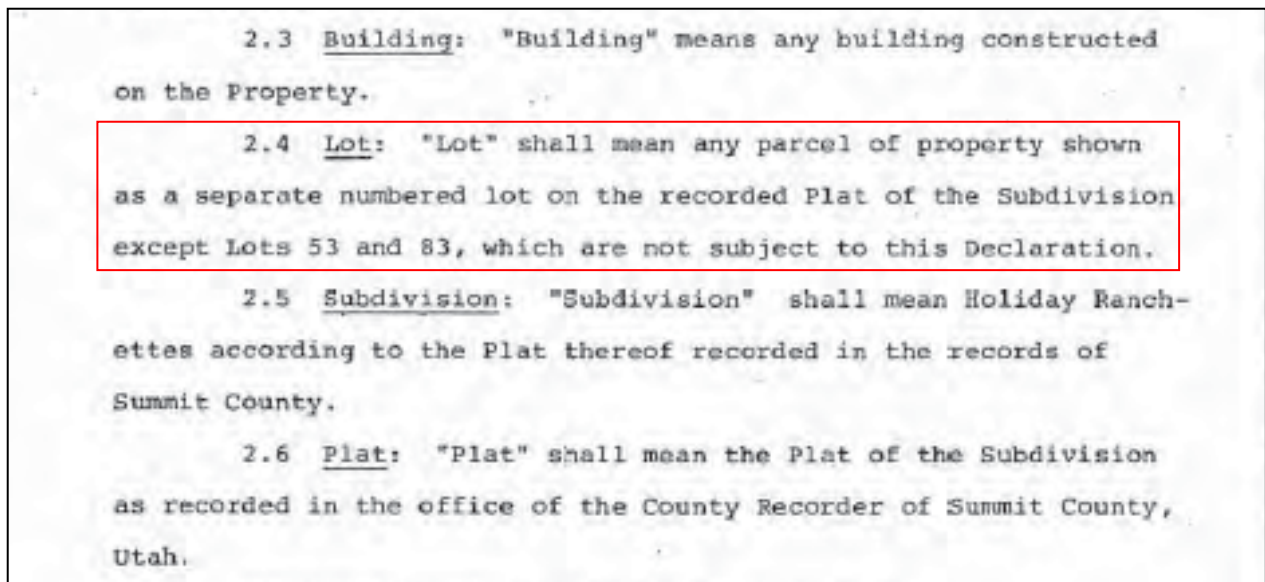
A single family dwelling (SFD) is an allowed use in this District. A duplex dwelling is permitted only on lots designated for duplexes on the official subdivision plat. This lot has not been designated as a duplex lot. The maximum density for Subdivisions in the SF District is three (3) units per acre. Therefore, in terms of density alone, the minimum lot area is 14,520 square feet or 1/3 acre.

The minimum front yard is twenty feet (20'). New front facing garages for SFD must be at least twenty-five feet (25'). The minimum rear yard is fifteen feet (15'). The minimum side yard is twelve feet (12'). No structure shall be erected to a height greater than twenty-eight feet (28') from existing grade. A gable, hip, or similar pitched roof may extend up to five feet (5') above the zone height, if the roof pitch is 4:12 or greater. A SFD requires a minimum of two (2) parking spaces.

In terms of use, density, setbacks, height, and parking the proposed plat amendment, if taken on its own terms, would comply with all of the parameters outlined in Land Management Code (LMC) Chapter 2.11 SF District for the two (2) proposed lots. Lot 83a would still have the existing family dwelling. Proposed lot 83a would be 0.605 acres or approx. 26,353.8 square feet. Proposed lot 83b would be 0.395 acres or approx. 17,206.2 square feet.

CC&Rs

The City does not enforce any Subdivision Covenants, Conditions, & Restrictions (CC&Rs). Furthermore, per section 2.4 of the Holiday Ranchettes Declarations, Lot 83, the subject site, is not subject to the Subdivision Declaration: See text below copied directly from the Subdivision Declarations:



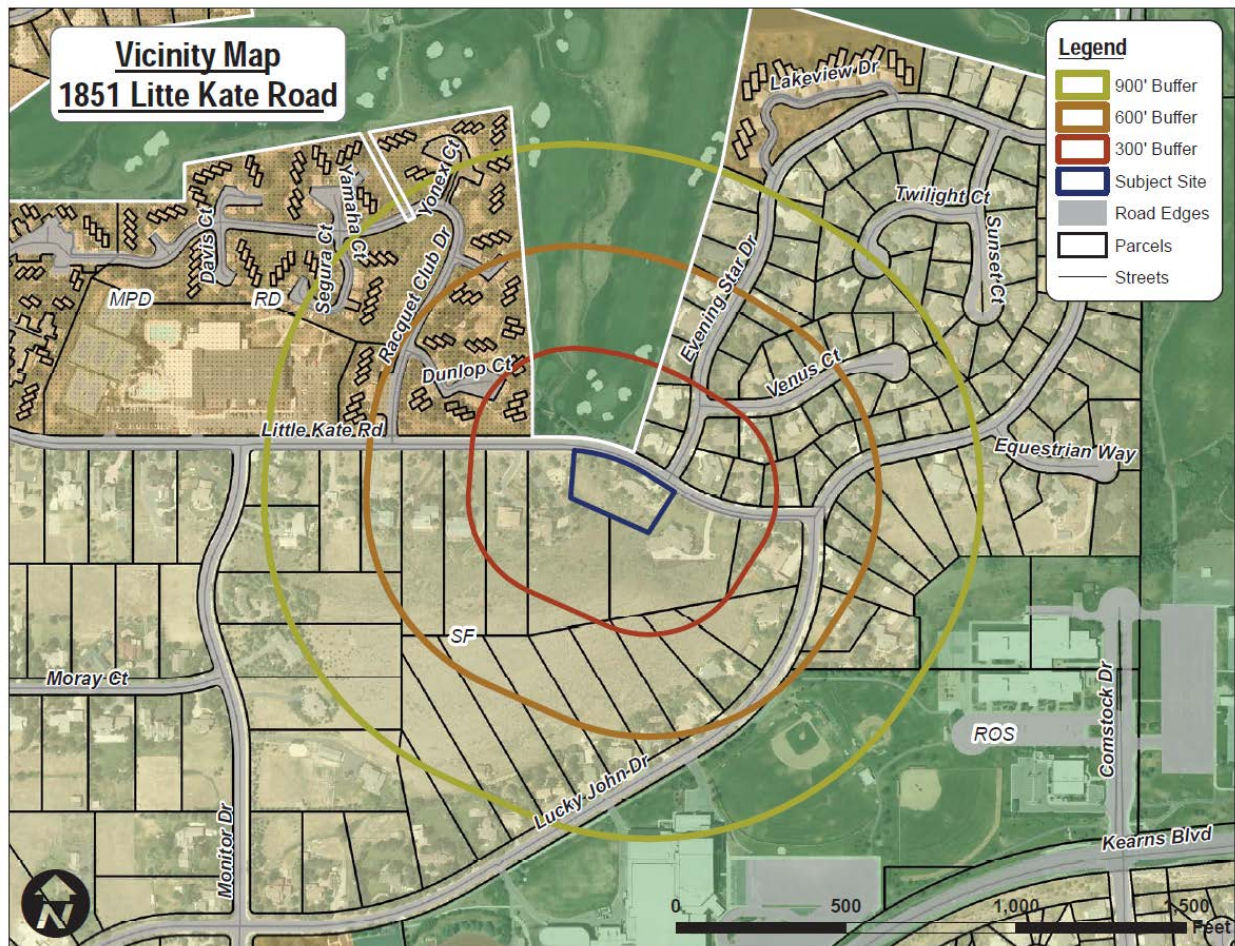
Character & Compatibility

Holiday Ranchettes (HR) was platted in 1974. It contains a total of 102 lots and is 107.98 acres. Most of it was platted as one (1) acre lots. This subdivision contains seven (7) lots just under one (1) acre including the subject site, seventy-five (75) lots ranging from one to two (1-2) acres, seventeen (17) lots from two to three (2-3) acres, and three (3) lots over three (3) acres. The density of the Holiday Ranchettes Subdivision is 0.597 units per acre (102 units divided by 170.98 acres), which equates to an average lot size of 1.676 acres per unit.

Should another unit be added to the Holiday Ranchettes Subdivision, it would increase density to 0.602 units per acre (103 units divided by 170.98 acres) and the average lot size would be 1.661 acres per unit.

The subject site is located on the outer perimeter of the Holiday Ranchettes Subdivision, adjacent to the T intersection of Little Kate Road and Evening Star Drive, which is part of the Park Meadows Subdivision No. 5. This subdivision which is located directly northeast of the subject site contains lots much smaller than Holiday Ranchettes as they range in size from 0.249 to 0.801 acres.

Given purpose statement B which indicates that the Single Family District should allow for single family development compatible with existing developments, Staff finds that the compatibility should not be limited to its own subdivision but to single family dwellings with a specific proximity. The following analysis below was prepared by staff utilizing the two (2) single family dwelling subdivisions which completely surround the subject site. See map and table below:



The above map clearly shows that the lots south of Little Kate Road, where the site is located are much bigger than the current subject site, which is part of the same Holiday Ranchettes Subdivision. The lots north of Little Kate Road, which are part of the Park Meadows Subdivision No. 5 show that the proposed subdivision would be much more harmonious with the proposed plat amendment. The results below are from an internal analysis based on a 300, 600, and 900 foot radius analysis which simply shows the number of lots in each radius and the corresponding average of lot size.

Neighborhood radius	Number of lots	Average lot size
300 feet	9	0.918 acres
600 feet	32	0.717 acres
900 feet	66	0.707 acres

Discussion Requested: Does the Planning Commission concur with this compatibility analysis? When it comes to allowing for single family development compatible with existing developments, the LMC is unclear as to how to determine this compatibility in terms of lot size. Should staff come back with larger radiuses? i.e. 1200 foot or 1500 foot radius, etc.

This analysis reflects that the proposed plat amendment in terms of size is not substantially compatible with the neighborhood. The applicant proposes Lot 83a to be 0.605 acres and lot 83b to be 0.395 acres. The average lot size in the neighborhood consisting of single family lots, 900 foot radius from the subject site, is 0.707 acres. The proposed lots are 86% and 56% of the neighborhood average. The proposed plat amendment meets the maximum density as the lots meet the minimum lot size of 1/3 acres (.333 acres) or 14,520 square feet when only this property is taken into consideration. However, in terms of neighborhood compatibility in terms of lots size with existing developments the proposed lots are below the average.

Staff does not find other compatibility issues in terms of use, height, scale, mass, bulk of building, pedestrian and vehicular circulation, parking, landscaping and architecture, environmentally sensitive areas, building patterns, etc. The only identified compatibility issues are regarding lot size.

Regarding lot length the LMC does not have a standard within the SF District. However, after a visual analysis of the pattern using the same map staff would find similarities with the lot size analysis based on the pattern of the Holiday Ranchettes and Park Meadows No. 5 subdivisions.

Regarding lot width the LMC does not have a standard within the SF District. However, after a visual analysis of the pattern using the same map staff would not find any issues as the lots on both subdivision tend to have smaller a more compatible pattern in terms of lot width.

Dority Spring Examination

The property owner hired a wetland consultant to work with the U.S. Army Corps of Engineers as they submitted a preliminary jurisdictional wetland delineation. The prepared delineation was accepted by the Corps. See Exhibit F – Jurisdictional Delineation Letter and Exhibit G – Jurisdictional Delineation Map

According to the Park City Engineer if the proposed plat amendment gets approved the applicant needs to submit for a jurisdictional determination. If the wetlands are determined to be jurisdictional, the applicant will have a specific setback requirement and will not be allowed to disturb the wetlands. If it is determined that the wetlands are not jurisdictional, they applicant can, in effect, eliminate them or build right up to the edge of the wetlands.

The applicant does not request to disturb any of the identified wetland as they request to subdivide the property to build a new SFD. The wetland would not be disturbed by the applicant. Should the owner request to disturb the wetland they would have to file a permit with the U.S. Army Corps of Engineers as well as the state. The applicant would also have to file appropriate permit with the City.

LMC § 15-7.3-1(D), under general subdivision requirements, indicates that the Planning Commission may place restrictions due to the character of the land:

Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, Physical Mine Hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger.

The applicant does not request to alter the delineated wetland and does not plan of contesting any water rights associated with Dority Springs as they plan to not disturb any of the delineated wetland.

The LMC does not indicate a specific standard of setback protection for wetlands outside the Sensitive Lands Overlay (SLO). The site is not within the SLO.

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 1-18.

Department Review

This project has gone through an interdepartmental review. The Water Department brought issues regarding the Dority Spring that have been addressed in the Staff Report. The Water Department also indicated that should the City approve the plat amendment the property owner would be responsible of paying Impact Fees.

No additional issues were brought up at that time.

Notice

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

Public Input

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

Significant Impacts

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

Consequences of not taking the Planning Commission's Recommendation

The lot would remain as is and no construction of another single family dwelling could take place on the property.

Summary Recommendation

Staffs recommends the Planning Commission hold a public hearing for the Dority Springs Subdivision Plat Amendment located at 1851 Little Kate Road and provide input and direction to staff regarding the proposed plat amendment. No formal action is requested. Staff recommends the Planning Commission continue this item to May 28, 2014 following discussion and public hearing.

Exhibits

- Exhibit A – Proposed Plat
- Exhibit B – Survey
- Exhibit C – Aerial Photograph
- Exhibit D – Site Photographs
- Exhibit E – Project Description
- Exhibit F – Jurisdictional Delineation Letter
- Exhibit G – Jurisdictional Delineation Map
- Exhibit H – Holiday Ranchettes Subdivision
- Exhibit I – Park Meadows No. 5 Subdivision
- Exhibit J – Vicinity Maps with 300, 600, 900 foot radius
- Exhibit K – Holiday Ranchettes Declaration page 2
- Exhibit L – Public Comments

Exhibit A – Proposed Plat



SURVEYOR'S CERTIFICATE
 I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of the DORITY SPRINGS SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION
 LOT 83, HOLIDAY RANCHETTES SUBDIVISION, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as DORITY SPRINGS SUBDIVISION, does hereby certify that he has caused this subdivision plat to be prepared, and I, MICHAEL E. BAKER, Trustee of the MICHAEL AND KATHLEEN BAKER FAMILY LIVING TRUST, dated March 25, 2005, hereby consent to the recordation of this Plat.
 In witness whereof, the undersigned set his hand this _____ day of _____, 2013.

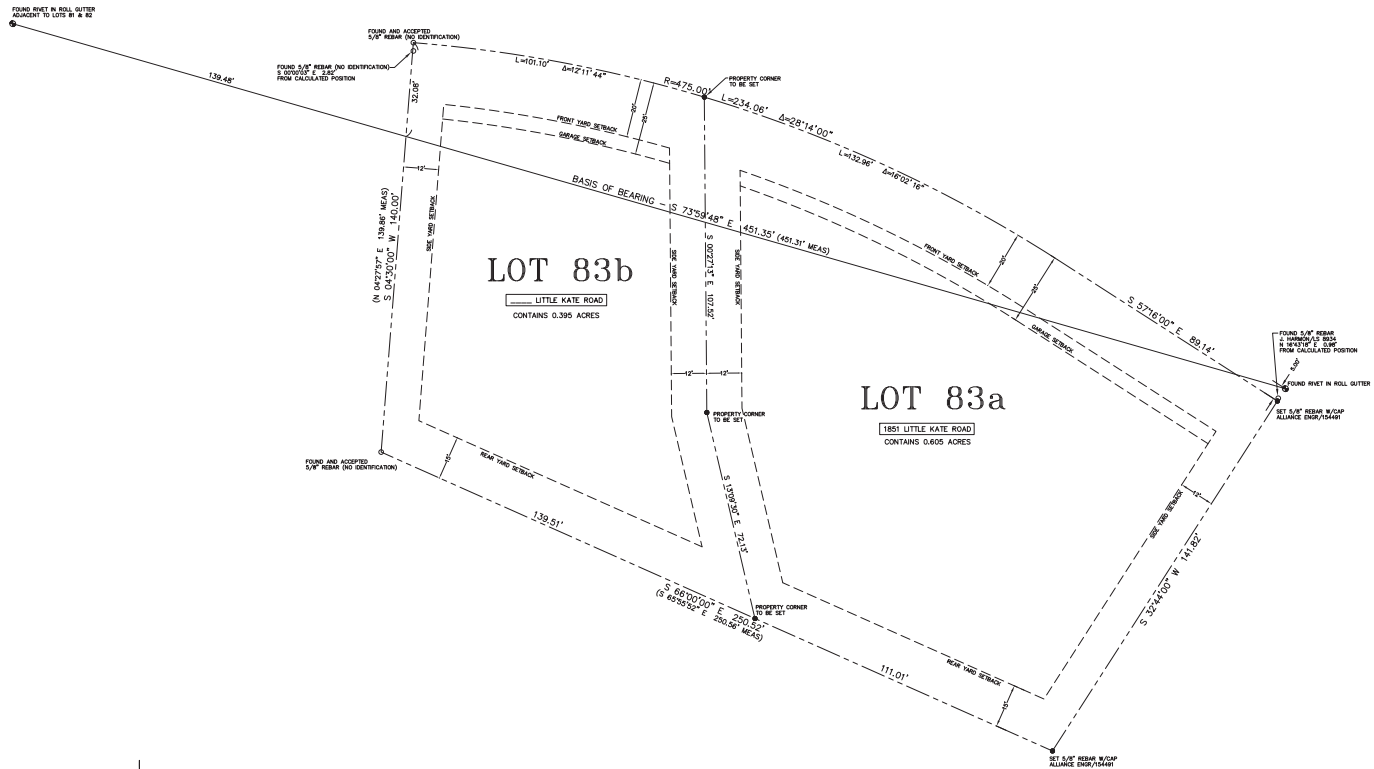
ACKNOWLEDGEMENT
 State of _____ ss: _____
 County of _____ ss: _____
 On this _____ day of _____, 2013, Michael E. Baker personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Michael E. Baker acknowledged to me that he is a trustee of the MICHAEL AND KATHLEEN BAKER FAMILY LIVING TRUST, dated March 25, 2005, and that he signed the above and foregoing Owner's Dedication and Consent to Record on behalf of said Trust and that he has been duly appointed as a TRUSTEE by the Declaration of the Trust and that he has executed this document in his capacity as trustee as the act of said Trust for the purpose set forth herein.

A Notary Public commissioned in Utah
 Printed Name _____
 Residing in: _____
 My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as DORITY SPRINGS SUBDIVISION, does hereby certify that she has caused this subdivision plat to be prepared, and I, KATHLEEN M. PAPI-BAKER, Trustee of the MICHAEL AND KATHLEEN BAKER FAMILY LIVING TRUST, dated March 25, 2005, hereby consent to the recordation of this Plat.
 In witness whereof, the undersigned set her hand this _____ day of _____, 2013.

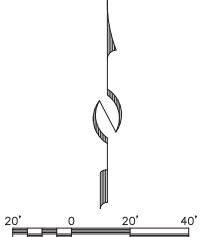
ACKNOWLEDGEMENT
 State of _____ ss: _____
 County of _____ ss: _____
 On this _____ day of _____, 2013, Kathleen M. Papi-Baker personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Kathleen M. Papi-Baker acknowledged to me that she is a trustee of the MICHAEL AND KATHLEEN BAKER FAMILY LIVING TRUST, dated March 25, 2005, and that she signed the above and foregoing Owner's Dedication and Consent to Record on behalf of said Trust and that she has been duly appointed as a TRUSTEE by the Declaration of the Trust and that she has executed this document in her capacity as trustee as the act of said Trust for the purpose set forth herein.

A Notary Public commissioned in Utah
 Printed Name _____
 Residing in: _____
 My commission expires: _____



A SUBDIVISION OF LOT 83, HOLIDAY RANCHETTES SUBDIVISION DORITY SPRINGS SUBDIVISION

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



SHEET 1 OF 1

	(435) 649-9467 SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D. BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D. BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2013 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2013 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D. BY _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ ENTRY NO. _____ FEE _____ RECORDER _____
	11/28/13 JOB NO.: 4-10-12 FILE: K:\Park Meadows\dwg\enr\plat2012\041012.dwg						

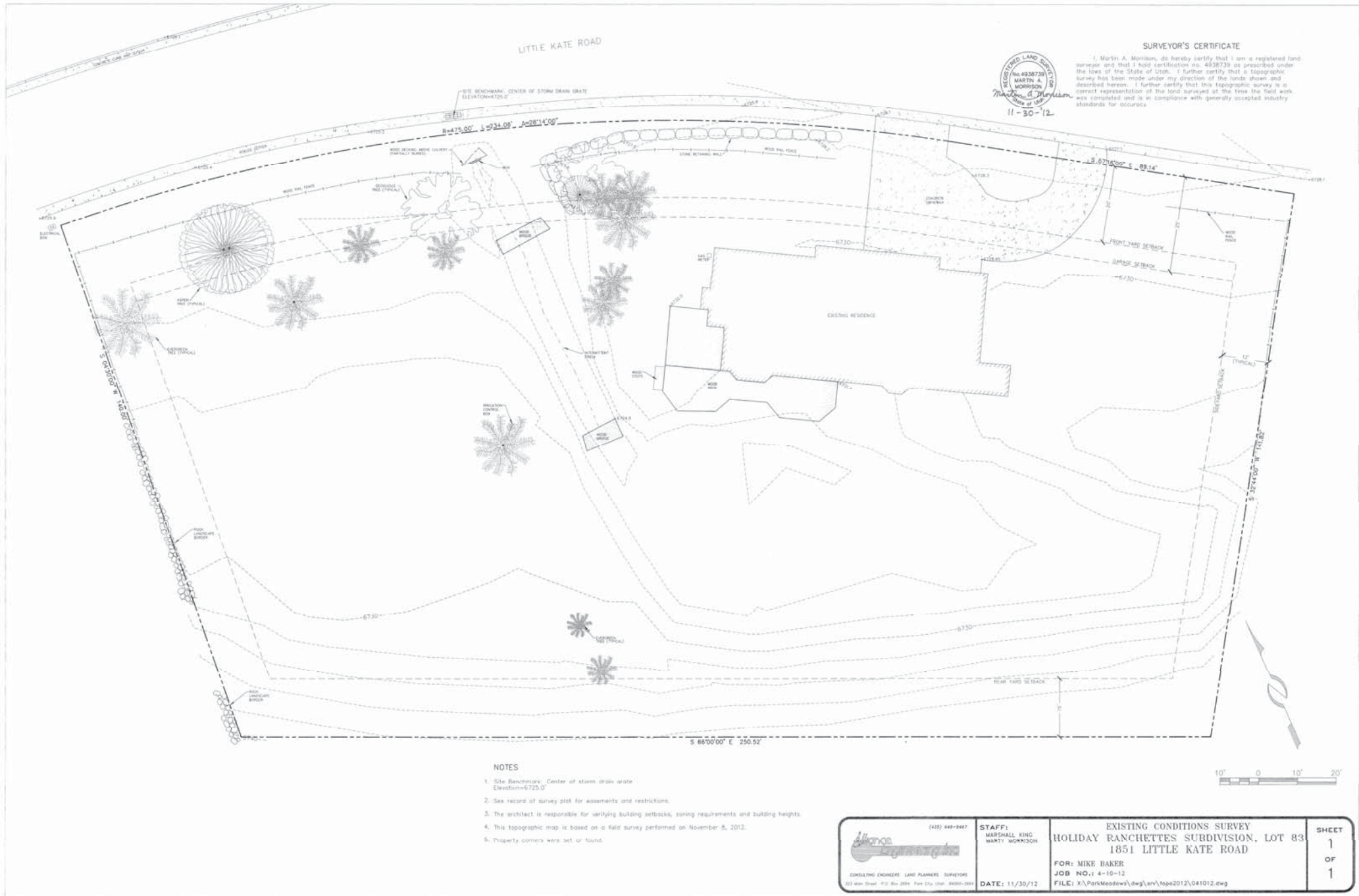


Exhibit C – Aerial Photograph



SUBJECT
PROPERTY




 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2864 Pen City, Utah 84060-2864</small>	<small>(435) 648-9467</small> STAFF: MARSHALL KING MARTY MORRISON	AERIAL ORTHO-PHOTO HOLIDAY RANCHETTES, LOT 83 1851 LITTLE KATE ROAD	SHEET 1 OF 1
	DATE: 11/20/12	FOR: MIKE BAKER JOB NO.: 4-10-12 FILE: X:\PorkMeadows\dwg\ar\topo2012\041012.dwg	

Exhibit D – Site Photographs



Looking Southeast on Little Kate Road




Looking East from west property line



Looking North from west property line



Looking West from east property line

 (435) 649-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS <small>323 Main Street P.O. Box 2654 Park City, Utah 84050-2654</small>	STAFF: MARSHALL KING MARTY MORRISON	Panorama Images HOLIDAY RANCHETTES, LOT 83 1851 LITTLE KATE ROAD	SHEET 1 OF 1
	DATE: 11/29/12	FOR: MIKE BAKER JOB NO.: 4-10-12 FILE: X:\ParkMeadows\dwg\env\tops2012\041012.dwg	

SUBDIVISION APPLICATION FOR DORITY SPRINGS AT 1851 LITTLE KATE ROAD

Michael and Kathleen Baker have applied to the city to subdivide their property from one, one acre lot (Lot 83), into two, half acre lots. They are legally allowed to apply to amend the plat (subdivide) because their lot (and only one other lot in Holiday Ranchettes subdivision), “Are not subject to the declarations, or the restrictions, or limitations...or benefits,” of the Holiday Ranchettes Homeowners Association (CC&R’s). Therefore, the Baker’s have no water rights to DORITY Springs water (many Holiday Ranchettes lots were provided water rights with their lots).

HISTORY: the reason that their Lot 83 is exempted from the Holiday Ranchettes CC&R’s is due to the DORITY Springs (and pond) that existed on the property at the time that Holiday Ranchettes was recorded on May 31, 1974. At that time, fire hydrants did not exist in Park Meadows and the PC Fire Dept. needed to access to the pond with their pumper truck in order to fight fires. Fire hydrants were eventually developed and the fire dept. no longer needed access to the pond. In 1993, Bill Coleman, with Prudential Coleman Real Estate, was on the Park City City Council, and he applied to the city to purchase Lot 83 (which was approved). Bill and his business partner Larry Warren (with KPCW) built several “Spec” homes in Park City in the 1990’s. They built the existing home at 1851 Little Kate Road in 1994, with the pond located directly behind the home. The home was purchased in 1994, then back on the market in 1996, at which time the Baker’s purchased the home, and have lived, as their primary residence, since that time. Due to the growth and development in Park City, in the early 2000’s, the city started looking for additional water sources. The city approved the development of a water pipeline from Rockport Reservoir, and a new water purification plant on Kearns Boulevard. In 2002, the city drilled a new well, due to the failure of a well that had been in use since 1979, near the Baker’s property for an additional city water source. The aquifer that the new well tapped, is also the origination of the spring that fed into DORITY Springs, which made the pond and stream run-off. This action resulted in the loss of the pond behind their home at 1851 Little Kate.

Due to their plat amendment application, the Baker's were asked to perform a wetlands analysis for the new lot that would be platted. A wetlands expert was hired (David Gardner) and he performed an extensive analysis of the potential new lot, and determined that no wetlands exist on the new lot. A thorough report was developed and is available. Mr. Gardner then met with the Utah Engineer with the Army Corps of Engineers, at the lot to review his report/analysis, and the Engineer concurred that "No wetlands exist on that potential lot." The Utah engineer followed up and wrote a "Jurisdictional Determination-JD- report" stating the fact that no wetlands exist on that land.

If the plat amendment/subdivision is approved, the Baker's plan to build a retirement home on the lot. The setbacks in that area are 12 feet on the sideyards and all the homes in that area are 24 feet apart. The home that the Baker's would like to build (of approx. 2800 sq ft), would be about 75 feet from the adjacent home, and about 50 feet from their existing home.



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

January 21, 2014

Regulatory Division (SPK-2013-00796-UO)

Mr. Mike Baker
1851 Little Kate Road
Park City, Utah 84060

Dear Mr. Baker:

We are responding to your August 14, 2013 request for a preliminary jurisdictional determination (JD), in accordance with our Regulatory Guidance Letter (RGL) 08-02, for the Dority Springs Lot 83b site. The approximately 1-acre site is located in Section 4, Township 2 South, Range 4 East, Salt Lake Meridian, Latitude 40.6708°, Longitude - 111.4973°, Park City, Summit County, Utah (enclosure 1).

Based on available information, **we concur with the amount and location of wetlands as depicted on the enclosed July 15, 2013 Wetland Delineation drawing prepared by AHorizon Resources LLC (enclosure 2).** The approximately 0.14-acre of wetlands within the survey area are potential waters of the United States regulated under Section 404 of the Clean Water Act.

We have enclosed a copy of the *Preliminary Jurisdictional Determination Form* for this site (enclosure 3). Please sign and return a copy of the completed form to this office. Once we receive a copy of the form with your signature we can accept and process a Pre-Construction Notification or permit application for your proposed project.

You should not start any work in potentially jurisdictional waters of the United States unless you have Department of the Army permit authorization for the activity. You may request an approved JD for this site at any time prior to starting work within waters. In certain circumstances, as described in RGL 08-02, an approved JD may later be necessary.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.


This preliminary determination has been conducted to identify the potential limits of wetlands and other water bodies which may be subject to Corps of Engineers' jurisdiction for the particular site identified in this request. A combined Notification of Appeal Process fact sheet and Request for Appeal form is enclosed to notify you of your

options with this determination (enclosure 4). This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey from the link on our District program website at <http://www.spk.usace.army.mil/Missions/Regulatory.aspx>.

Please refer to identification number SPK-2013-00796-UO in any correspondence concerning this project. If you have any questions, please contact John Urbanic at the Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, by email at John.E.Urbanic@usace.army.mil, or telephone at 801-295-8380 extension 11.

Sincerely,

A handwritten signature in black ink, appearing to read "John Urbanic".

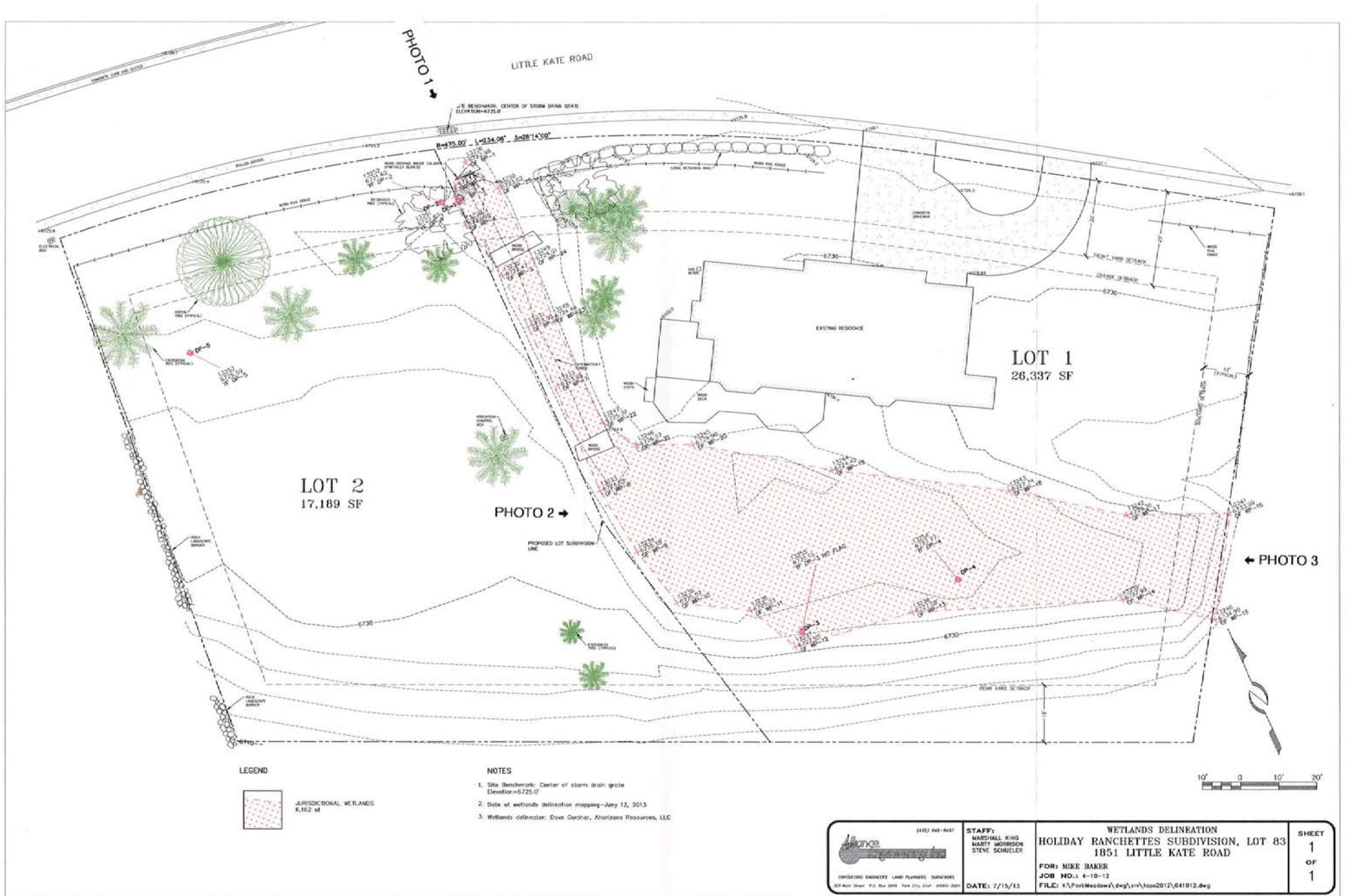
John Urbanic
Senior Project Manager
Utah Regulatory Office

Enclosures

cc: (w/o encls)

Mr. David Gardner, ahorizon Resources LLC, Post Office Box 307, Park City, Utah
84060

Exhibit G – Jurisdictional Delineation Map



LEGEND



JURISDICTIONAL WETLANDS
6,162 sq ft

NOTES

1. Site Benchmark: Center of storm drain grate
Elevation=6725.0'
2. Date of wetlands delineation mapping—July 12, 2013
3. Wetlands delineator: Dove Gardner, Arizona Resources, LLC


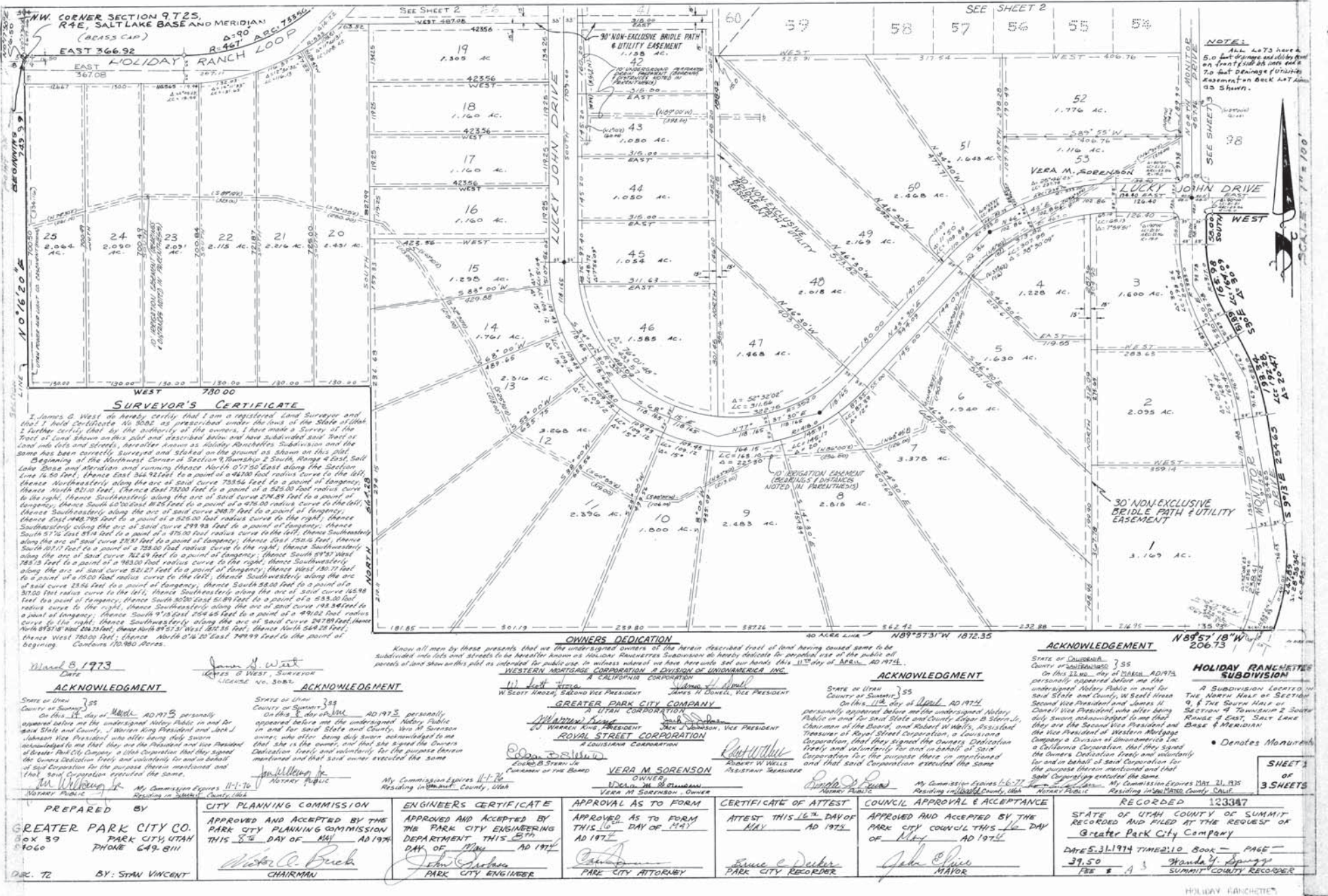
 (435) 449-9457 CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS 107 Main Street, P.O. Box 2089, Park City, Utah 84060-2089	STAFF: MARSHALL KING MARTY MORRISON STEVE SCHUELER	WETLANDS DELINEATION HOLIDAY RANCHETTES SUBDIVISION, LOT 83 1851 LITTLE KATE ROAD	SHEET 1 OF 1
	DATE: 7/15/13	FOR: MIKE BAKER JOB NO.: 4-10-12 FILE: K:\ParkMeadow\1.dwg\1\1\topo2012\641012.dwg	

Exhibit H - Holiday Ranchettes Subdivision



SURVEYOR'S CERTIFICATE

I, JAMES G. WEST DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO 3082 AS PROVIDED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACTS OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STRIPS, HEREIN KNOWN AS HOLIDAY RANCHETTES SUBDIVISION AND THIS SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

March 8 1973
DATE

James G. West
JAMES G. WEST, SURVEYOR

NOTE:
All lots have a 2-foot drainage of utilities easement on each lot lines as shown.



ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF SAN FRANCISCO }
ON THIS 22nd DAY OF MARCH AD 1973 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, W. SCOTT WARD SECOND VICE-PRESIDENT AND JAMES M. DONNELL VICE-PRESIDENT, WHO AFTER BEING DULY SWORN ACKNOWLEDGED TO ME THAT THEY ARE THE SECOND VICE-PRESIDENT AND THE VICE-PRESIDENT OF WESTERN MORTGAGE COMPANY A DIVISION OF UNIONBANKERS INC. A CALIFORNIA CORPORATION, THAT THEY HAVE THE OWNERS' EXECUTION, POWER AND AUTHORITY TO SIGN AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

My Commission Expires MAY 21 1975
RESIDING IN SAN MATEO COUNTY, CALIF.

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 22nd DAY OF MAY AD 1973 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, W. SCOTT WARD SECOND VICE-PRESIDENT AND JAMES M. DONNELL VICE-PRESIDENT, WHO AFTER BEING DULY SWORN ACKNOWLEDGED TO ME THAT THEY ARE THE SECOND VICE-PRESIDENT AND THE VICE-PRESIDENT OF WESTERN MORTGAGE COMPANY A DIVISION OF UNIONBANKERS INC. A CALIFORNIA CORPORATION, THAT THEY HAVE THE OWNERS' EXECUTION, POWER AND AUTHORITY TO SIGN AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

My Commission Expires 11-1-76
RESIDING IN SUMMIT COUNTY, UTAH

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 11th DAY OF MAY AD 1973 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, J. WARREN KING PRESIDENT AND JACK J. JOHNSON VICE PRESIDENT WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE PRESIDENT AND VICE-PRESIDENT OF GREATER PARK CITY COMPANY A UTAH CORPORATION, THAT THEY SIGNED THE FOREGOING CERTIFICATE FREELY AND VOLUNTARILY AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

My Commission Expires 11-1-76
RESIDING IN SUMMIT COUNTY, UTAH

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 11th DAY OF MAY AD 1973 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED Notary Public in and for said State and County Edgar B. Stern Jr., Chairman of the Board and Robert W. Wells Assistant Treasurer, who after being duly sworn, acknowledged to me that they are the Chairman of the Board and the Assistant Treasurer of Royal Street Corporation, a Louisiana Corporation, that they signed the Foregoing Certificate freely and voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

My Commission Expires 6-1-77
Residing in Washoe County, NV

PREPARED BY
GREATER PARK CITY CO.
BOX 39
PARK CITY, UTAH
84060
PHONE 649-8111

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE
PARK CITY PLANNING COMMISSION
THIS 8th DAY OF MAY AD 1973

ENGINEERS CERTIFICATE
APPROVED AND ACCEPTED BY THE
PARK CITY ENGINEERING
DEPARTMENT THIS 12th
DAY OF MAY AD 1973

APPROVAL AS TO FORM
APPROVED AS TO FORM
THIS 16th DAY OF MAY
AD 1973

CERTIFICATE OF ATTEST
ATTEST THIS 16th DAY OF
MAY AD 1973

COUNCIL APPROVAL & ACCEPTANCE
APPROVED AND ACCEPTED BY THE
PARK CITY COUNCIL THIS 16th DAY
OF MAY AD 1973

RECORDED 123087
STATE OF UTAH COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
Greater Park City Co.

DATE: 5/14 TIME: 10 BOOK PAGE
39.50
FEE \$
Wanda Y. Spang
SUMMIT COUNTY RECORDER

BY: STAN VINCENT

Chairman

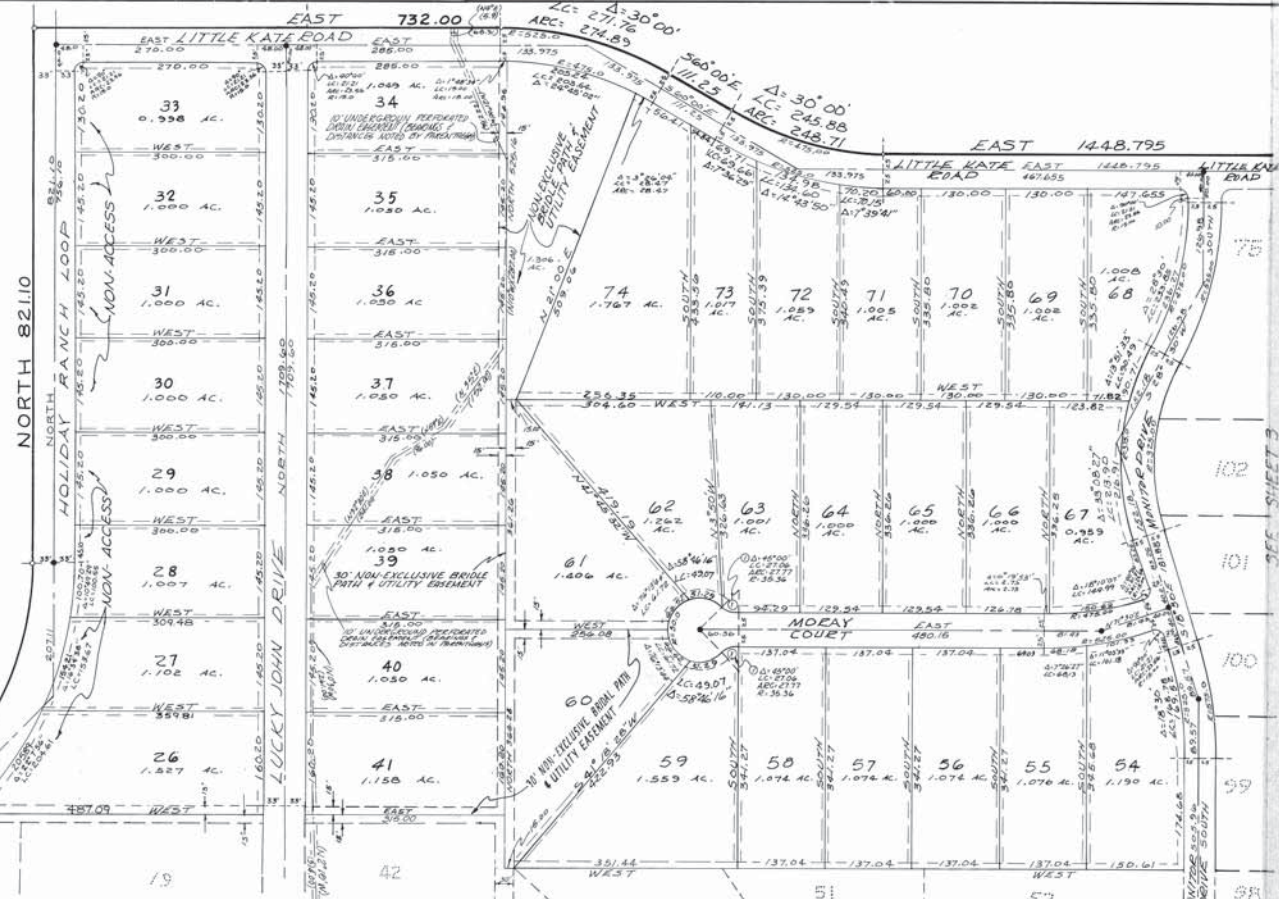
Park City Engineers

Park City Attorney

Park City Recorder

Mayor

SHEET
2
OF
3
SHEETS



EAST 1448.795

LITTLE KATZ ROAD

$\Delta = 32^{\circ}44'$
 $LC = 295.87$
 $ARC = 299.93$

$\Delta = 32^{\circ}44'$
 $LC = 267.69$
 $ARC = 271.37$

SURVEYOR'S CERTIFICATE

I, JAMES G. WEST DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HAVE CERTIFICATE NO 3082 AS PROVIDED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER KNOWN AS HOLIDAY RANCHETTES SUBDIVISION AND THE SAME HAS BEEN ACCURATELY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

May 8, 1973
DATE

James G. West
JAMES G. WEST, SURVEYOR

NOTE:

All lots have a 3.0 foot drainage if utilities easement on front lot lines and 10.0 foot drainage if utilities easement on back lot lines as shown.

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 8th DAY OF MAY, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, W. Scott Hines, second vice-president and James M. Donnell, vice-president, and other being Holly Swann, acknowledging to me that they are the second vice-president and the vice-president of Western Mortgage Company, a Division of Union America Inc. a California Corporation, that they signed the owners Dedication (Declaration) voluntarily for and in behalf of said corporation for the purpose therein mentioned and that said corporation executed the same.

W. Scott Hines
NOTARY PUBLIC
My Commission Expires MAY 21, 1975
Residing in SALT LAKE County, UTAH

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 8th DAY OF MAY, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, Vera M. Sorenson, owner, who after being duly sworn, acknowledged to me that she is the owner that she signed the owners Dedication (Declaration) voluntarily for and in behalf of said corporation for the purpose therein mentioned and that said corporation executed the same.

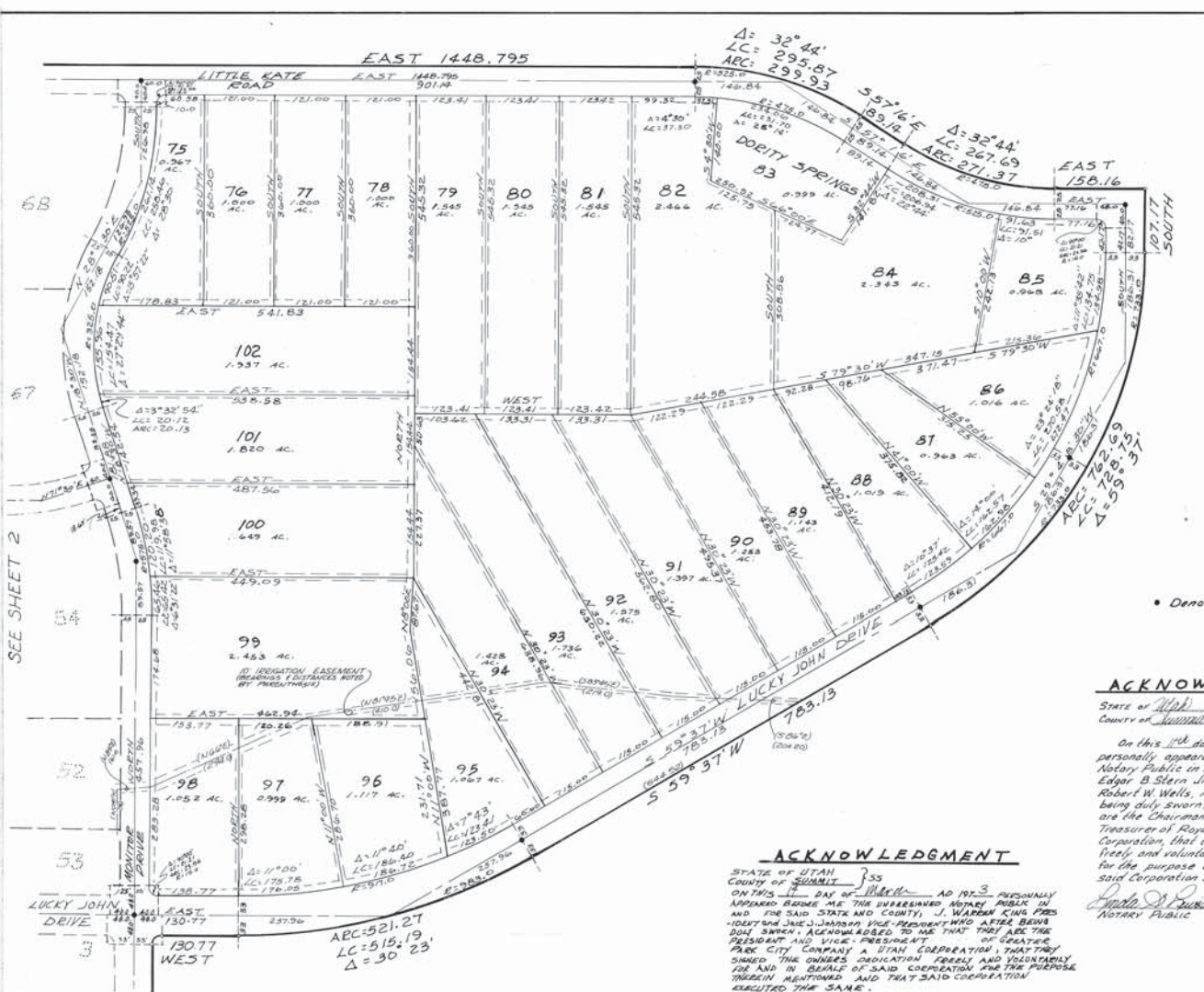
Vera M. Sorenson
NOTARY PUBLIC
My Commission Expires 11-1-76
Residing in SUMMIT County, UTAH

HOLIDAY RANCHETTES SUBDIVISION

A SUBDIVISION LOCATED IN THE NORTH HALF OF SECTION 9 & THE SOUTH HALF OF SECTION 4 TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE BASE & MERIDIAN

SHEET
3
OF
3
SHEETS

RECORDED 323347
STATE OF UTAH COUNTY OF SUMMIT.
RECORDED AND FILED AT THE REQUEST OF:
Greater Park City Co.
DATE 5/17/74 TIME 2:10 PM PAGE
39.50
FILE # 3
Nevada B. Springs
SUMMIT COUNTY RECORDER



ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 8th DAY OF MAY, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, J. WARDEN KING PRESIDENT AND VICE PRESIDENT OF GREATER PARK CITY COMPANY A UTAH CORPORATION, THAT THEY SIGNED THE OWNERS DEDICATION (DECLARATION) VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

J. Warden King
NOTARY PUBLIC
My Commission Expires 11-1-76
Residing in SUMMIT County, UTAH

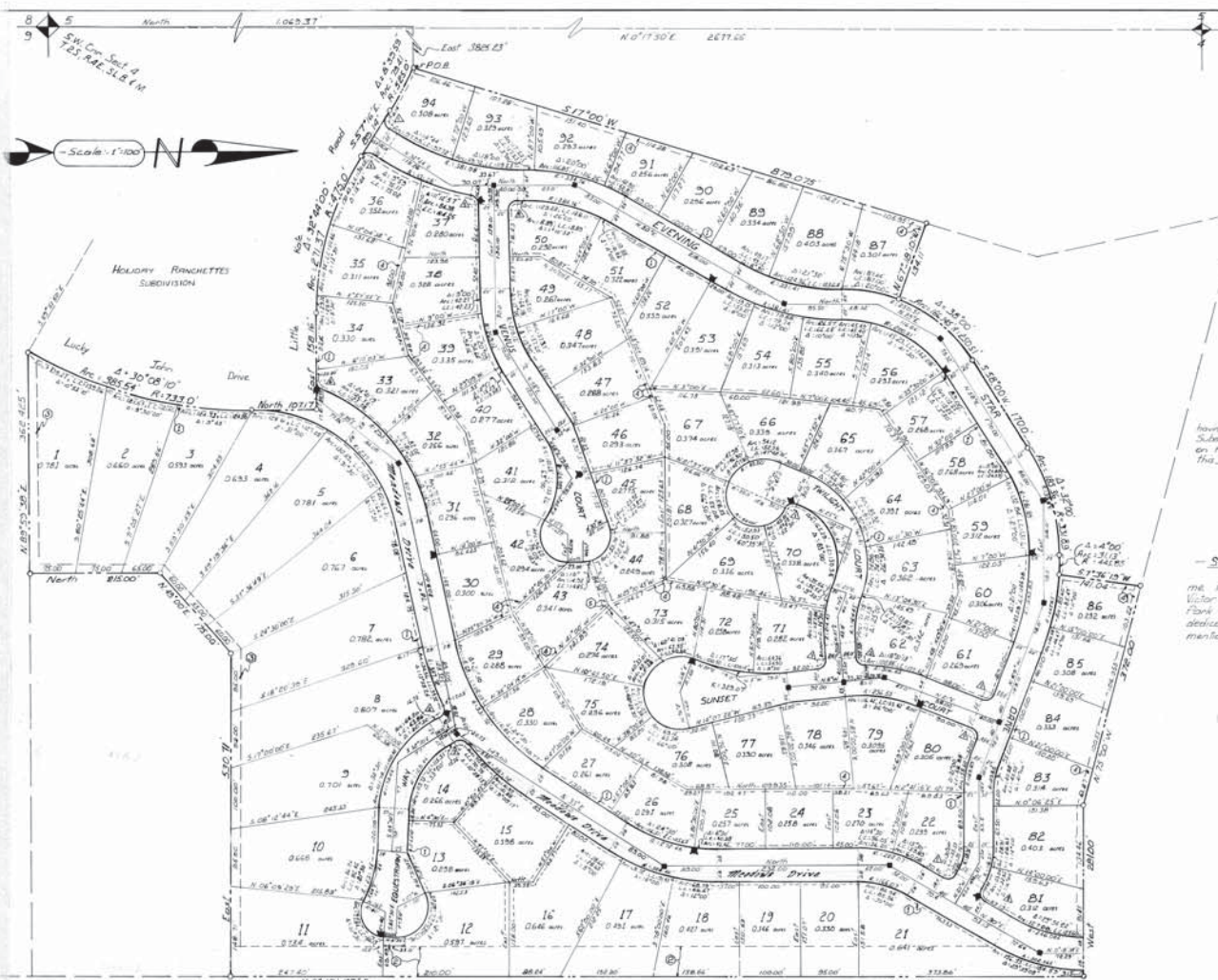
ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }
ON THIS 8th DAY OF MAY, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, Edgar B. Stern Jr. Chairman of the Board, and Robert W. Wells, Assistant Treasurer, who after being duly sworn, acknowledged to me that they are the Chairman of the Board and the Assistant Treasurer of Royal Street Corporation, a Louisiana Corporation, that they signed the Owners Dedication (Declaration) voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

Edgar B. Stern Jr.
Robert W. Wells
NOTARY PUBLIC
My Commission Expires 6-1-77
Residing in SUMMIT County, UTAH

PREPARED BY GREATER PARK CITY CO. BOX 39 PARK CITY, UTAH 84060 DEC. 72 BY: STAN VINCENT	CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 8th DAY OF MAY, AD 1973 <i>Victor A. Bush</i> CHAIRMAN	ENGINEERS CERTIFICATE APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT THIS 8th DAY OF MAY, AD 1973 <i>John Sorenson</i> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 16th DAY OF MAY, AD 1973 <i>John Sorenson</i> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST ATTEST THIS 16th DAY OF MAY, AD 1973 <i>Bruce C. Decker</i> PARK CITY RECORDER	COUNCIL APPROVAL & ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS 16th DAY OF MAY, AD 1973 <i>John S. Price</i> MAYOR	RECORDED 323347 STATE OF UTAH COUNTY OF SUMMIT. RECORDED AND FILED AT THE REQUEST OF: Greater Park City Co. DATE 5/17/74 TIME 2:10 PM PAGE 39.50 FILE # 3 Nevada B. Springs SUMMIT COUNTY RECORDER
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Exhibit I - Park Meadows No. 5 Subdivision



Surveyor's Certificate

I, Jack J. Johnson do hereby certify that I am a Registered Land Surveyor and that I hold Certificate N° 4436 as prescribed under the Laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below and have subdivided said tract of land into lots and streets, hereinafter to be known as Park Meadows Subdivision N° 5, and that same has been correctly surveyed and stated on the ground as shown on this plat.

Beginning at a point on a curve on the North line of Little Hole Road, said point being North 10°23'37" East 3825.23 feet from the southeast corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, the radius point of which bears South 84°00'00" West 555.00 feet and running thence Southeastly along the arc of said curve and said North line 79.41 feet to a point of tangency, thence South 52°16'00" East 83.14 feet to a point of a 475.00 foot radius curve to the left, thence Southeastly along the arc of said curve 271.37 feet to a point of tangency, thence East 678.16 feet, thence South 207.77 feet to a point of a 733.00 foot radius curve to the right, said curve being the East line of Lucky John Drive, thence Southwestly along the arc of said curve 385.54 feet, thence North 85°59'58" East 327.425 feet thence North 215.00 feet, thence North 49°00'00" East 795.00 feet, thence East 580.75 feet, thence North 0°14'38" East 1425.35 feet, thence West 2810.00 feet, thence North 82°00'00" West 1020.00 feet, thence South 2126.19 feet to a point on a curve the radius point of which bears South 4°00'00" West 428.85 feet, thence Southwestly along the arc of said curve 313 feet to the point of a compound curve to the left the radius point of which bears South 23.28 feet, thence Southwestly along the arc of said curve 182.32 feet, thence South 3870.00 West 1030.00 feet to a point of a 210.00 foot radius curve to the left, thence Southwestly along the arc of said curve 162.48 feet, thence North 67°18'10" West 134.11 feet, thence South 1730.00 West 875.00 feet to the point of beginning. Containing 42.48 acres.

Jack J. Johnson
July 3, 1977
District Director

Know all men by these presents that we the undersigned owners of the herein described tract of land having caused same to be subdivided into lots and streets to be hereinafter known as Park Meadows Subdivision No. 5 do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as hereinafter for public use. In witness whereof we have hereunto set our hands this 27th Day of July A.D. 1977.

Ernest R. Smith Victor R. Ayers
Ernest R. Smith - General Partner Victor R. Ayers - General Partner

Acknowledgment

State of Utah - County of Summit -

On this 27th Day of July A.D. 1977 personally appeared before me the undersigned Notary Public in and for said state and county, Ernest R. Smith and Victor R. Ayers who after being duly sworn, acknowledged to me that they are partners of Park Meadows Development Company a Utah partnership, that they signed the owners dedication freely and voluntarily for and in behalf of said Company for the purposes therein mentioned and that said Company executed same.

Jack J. Johnson
Notary Public My Commission Expires May 1, 1981
Residing in Summit County Utah

Park Meadows Subdivision No. 5

A Subdivision located in the East 1/2 Section 4, Township 2 South, Range 4 East, Salt Lake Base & Meridian.

Curve Data				Legend		Symbols Legend	
No.	R	Δ	Ac.	L.C.			
1	18.00	30°00'00"	23.52	8.21	① 3' wide non-exclusive utilities and drainage easement	■ Monument	
2	15.00	83°28'24"	61.85	13.27	② 5' wide non-exclusive utilities, drainage and access easement	■ Fire Hydrant	
3	15.00	84°21'13"	51.62	13.82	③ 3' wide non-exclusive utilities, drainage and access easement		
4	15.00	5°10'30"	21.87	21.43	④ 10' wide non-exclusive utilities and drainage easement		
5	15.00	78°27'37"	20.54	18.37	⑤ 20' wide non-exclusive utilities and drainage easement		
6	15.00	44°41'18"	17.46	14.45			
7	15.00	81°07'36"	22.13	20.15			

Prepared By: J.J. Johnson & Associates Civil Engineering Planning Surveying 1700 Park Avenue P.O. Box 1661 Park City, Utah 84060	City Planning Commission Approved & Accepted by the Park City Planning Commission this 27th Day of July A.D. 1977 <i>Burton Smith</i> Chairman	Engineers Certificate Approved & Accepted by the Park City Engineering Department this 11th Day of July A.D. 1978 <i>John L. Roberts</i> Park City Engineer	Approval as to Form Approved as to Form this 19th Day of July A.D. 1978 <i>Michael J. McGeary</i> Park City Attorney	Certificate of Attest Attest this 27th Day of July A.D. 1978 <i>David W. Southern</i> Park City Recorder	Council Approval & Acceptance Approved & Accepted by the Park City Council this 18th Day of July A.D. 1977 <i>John C. Evans</i> Mayor	Consent To File Consent to filing of plat granted this 25th day of January, 1978. Walker Bank & Trust Company By <i>J.R. Wood</i> Title VICE PRESIDENT	Recorded Recorded concurrently herewith: A description of protective covenants for Park Meadows Subdivision No. 5. Date 1/25/78 Time 11:21 AM Page 12	No. _____ Recorded State of Utah, County of Summit, Recorded and Filed at the request of: Date _____ Time _____ Fee _____ Summit County Recorder
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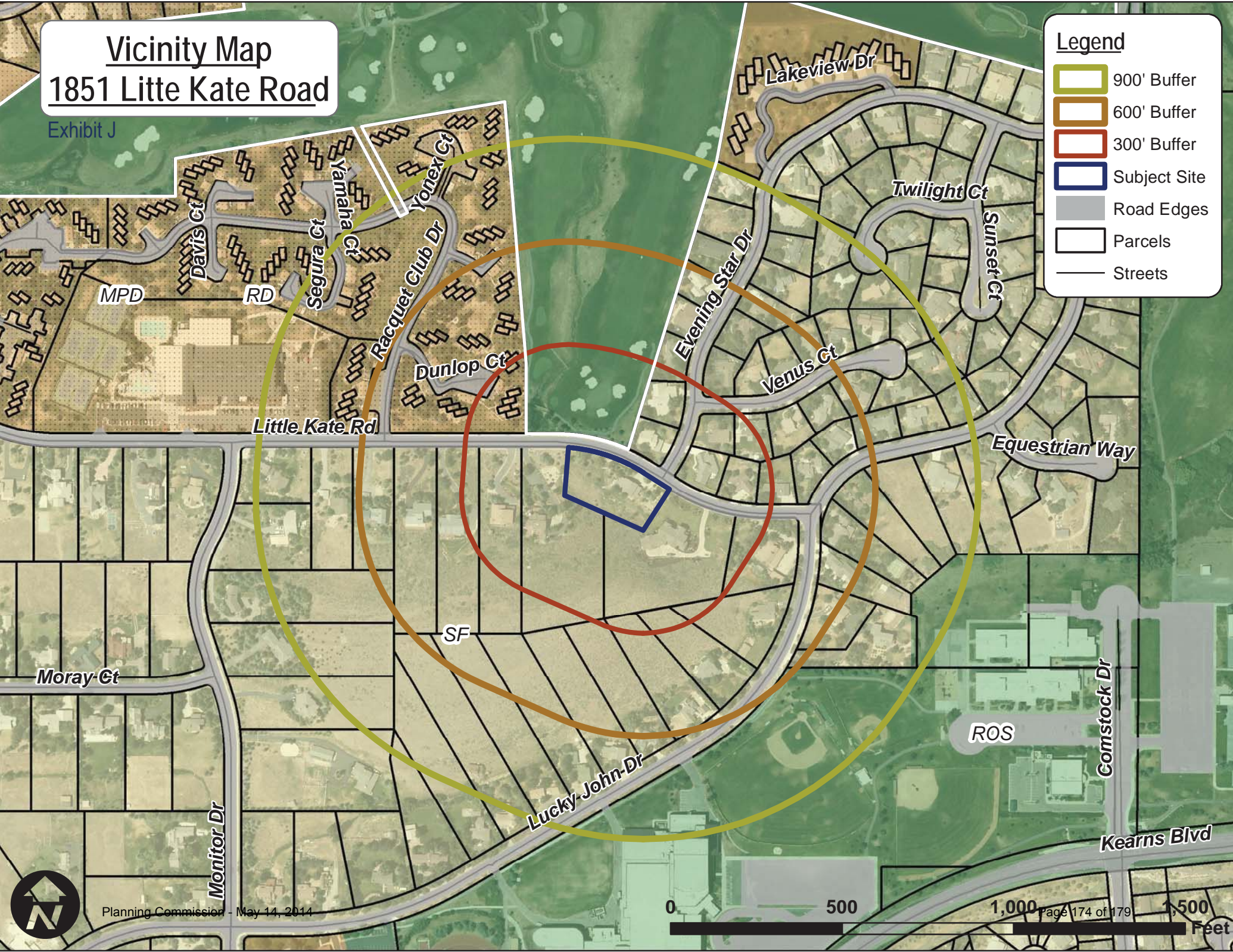
Vicinity Map

1851 Litte Kate Road

Exhibit J

Legend

- 900' Buffer
- 600' Buffer
- 300' Buffer
- Subject Site
- Road Edges
- Parcels
- Streets



visions hereof shall be deemed to run with the land as covenants running with the land or as equitable servitudes as the case may be, and shall constitute benefits and burdens to the Declarant, its successors and assigns, and all parties hereafter owning any interest in the Property.

II. DEFINITIONS

2.1 Declarant: "Declarant" means Greater Park City Company, together with its successors and assigns.

2.2 Property: "Property" means that certain real property located in Summit County, Utah, described in Exhibit A attached hereto with the exception of the lots described in Section 6.7 hereof which are not subject to the provisions of this Declaration.

2.3 Building: "Building" means any building constructed on the Property.

2.4 Lot: "Lot" shall mean any parcel of property shown as a separate numbered lot on the recorded Plat of the Subdivision except Lots 53 and 83, which are not subject to this Declaration.

2.5 Subdivision: "Subdivision" shall mean Holiday Ranchettes according to the Plat thereof recorded in the records of Summit County.

2.6 Plat: "Plat" shall mean the Plat of the Subdivision as recorded in the office of the County Recorder of Summit County, Utah.

III. HOLIDAY RANCHETTES HOMEOWNERS ASSOCIATION

3.1 General Purposes and Powers: Holiday Ranchettes Homeowners Association (the "Association") has been formed and incorporated as a Utah non-profit corporation to be constituted and to perform functions as provided in this Declaration and to

BOOKM57 PAGE236 :

Francisco Astorga

From: Jennifer Seabury <jenandpaul55@gmail.com>
Sent: Sunday, May 04, 2014 2:03 PM
To: Francisco Astorga
Subject: PL-12-01733

Dear Planning Commission:

I am opposed to their subdivision request and it's not the Baker's fault But the mile-long monstrosity built to the east of them disallowed animals to come down from the hill at night to feed on the plants and water in the Park Meadows low lands. Now if they add asphalt, lawns, roofs, light, noise, and structures the moose, elk, and other precious wildlife will have no place to travel.

Please consider the wild animals we are so rapidly killing with cars and habitat destruction.

Utah is paving over fields and wetlands the second fastest of any place in the world and maybe we don't need to constantly consider profit and maybe can consider the planet?

Thank you very much,

Jen Seabury

7 May 2014

Francisco Astorga
City Planner
Park City Municipal Corporation

Dear Mr. Astorga:

My name is Brian Schiller and I reside at 1919 Evening Star Drive, Park City. I just received notice of the effort by a nearby neighbor to subdivide his lot to create another building parcel to be sold. The parcel in question is at 1851 Little Kate Road and the owners who wish to divide land are Michael and Kathleen Baker. Due to employment commitments, I am unable to attend the Planning Commission meeting, where this issue will be addressed, set for Wednesday, May 14. I am writing this letter concerning this issue in lieu of attendance at that meeting.

For several reasons, my wife Danielle Bean and I **oppose the request** to subdivide this current property into two lots.

1. It is my understanding that their current property and home should not have been developed, sold and built upon in the first place. I am not clear on the history concerning that question. To further divide a parcel of land already in question does not make sense to me.
2. The proposed split of the current property would make the lot sizes for the existing house and a new one, to be constructed by the new owners, inconsistent with the other large lot properties on the south side of Little Kate Road and may tempt other owners to propose similar less than aesthetic property splits.
3. The land in question is a wildlife corridor for various animals moving to and from the flat lands of the Park Meadows Country Club golf course and the surrounding private land parcels. It is not uncommon to have deer, even moose on occasion, in our yard. We believe that splitting the parcel in question will further negatively impact this natural corridor.
4. Dority Springs is located on the hillside above the parcel in question. This water source, along with several others, feeds the old high altitude wetlands that used to be Park Meadows before human interlopers arrived. Nothing should be allowed to further disrupt, nor denigrate this natural feature.
5. Just because we can accomplish property divisions, such as the one proposed, does not mean that we should. Park City is about progress while sustaining quality of life and quality environmental conditions for its citizens. To subdivide the property in question may prove financially advantageous for the current owners but would adversely impact immediate neighbors and neighborhoods and further erode environmental quality.

Thank you for consideration of our view on the proposed question in application PL-12-01733. Please know that we oppose the requested change.

We wish the Park City Planning Commission well as you consider this request and in your decision making.

Sincerely,

Brian T. Schiller
1919 Evening Star Drive
P.O. Box 2035
Park City, Utah 84060
cell: (801) 209-6845
beandfit@aol.com

5/7/14

RE Application #: PL-12-01733

Project Location: 1851 Little Kate Rd, ParkCity
Michael & Kathleen Baker/Alliance Engineering, Inc.

My wife and I are owners of 1870 Evening Star, Park City which is across the street from the proposed project location. Thank you for notifying us of the proposed zoning change with the intent to subdivide a lot. We are currently part time residents of Park City but will be full time residents next year. We will not be in town for the first public meeting 5/14/14.

We did an extensive search regarding the risk of further construction in the Park Meadows and Holiday Ranchette neighborhoods when we purchased our home 2 years ago. Holiday Ranchettes is zoned as a neighborhood with only single unit dwellings with lots that are 1 acre or above. Since all the lots are an acre or above almost any one of the plots could theoretically fit another house on it. However the neighborhood's intent is not to have denser housing since plots have a covenant that prohibits second inhabited guest houses on each plot. The houses were all purchased knowing the lot size and with full knowledge that these were zoned as single unit plots.

The area in question is easily viewed from our deck, upstairs balcony and rear windows placing it directly in our view scape. We purchased our house because of the zoning in the area made the risk of further building with denser housing low. Permitting a sub division of the lot for construction would by definition increase the housing density and increase the building pad to lot size ratio, a contradiction from the goals of the zoning board in this neighborhood.

The lot itself has a few special features that would make subdivision problematic. It is bisected by Dorite Spring with feeder springs that is a major source of the water for the Park Meadows ponds. Further disruption could interfere with the water supply for wildlife and water flow through the system. The spring with the surrounding lot is used as a wild life corridor for deer and moose. Building would cause further displacement of our pressured wildlife.

The only situation in which I could support a division of the lot would be if the intent was to cede the land to the Land Conservancy to protect against further construction in this area.

I there are any questions or further input is needed from Jeannine and myself we are readily available through phone or email.

Thank you.

Sincerely,

Donald Seibert	seibert.donald@gmail.com	540-915-1441
Jeannine Seibert	jestrobl@gmail.com	540-915-1551