

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
June 11, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF May 28, 2014

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

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATIONS

1310 Lowell Avenue – Amendment to Master Planned Development <i>Public hearing and continuation to June 25, 2014</i>	PL-13-02136 <i>Planner Astorga</i>
1310 Lowell Avenue – Conditional Use Permit <i>Public hearing and continuation to June 25, 2014</i>	PL-13-02135 <i>Planner Astorga</i>
1604 & 1608 Deer Valley Drive – Plat Amendment <i>Public hearing and continuation to date uncertain</i>	PL-14-02344 <i>Planner Boehm</i>
257 McHenry Avenue – Plat Amendment <i>Public hearing and continuation to June 25, 2014</i>	PL-14-02338 <i>Planner Grahn</i>
333 Main Street – The Parkite Condominiums Record of Survey Plat for a Commercial Unit <i>Public hearing and continuation to June 25, 2014</i>	PL-14-02302 <i>Planner Whetstone</i>

WORK SESSION – *Discussion items only, no action taken*

Work session regarding Land Management Code Chapter 15-5.5 – Architectural Review <i>Discussion on consideration of Vinyl siding</i>	<i>Planner Boehm</i> 21 <i>Director Eddington</i>
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REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

337 Daly Avenue – Steep Slope Conditional Use Permit <i>Public hearing and possible action</i>	PL-14-02290 51 <i>Planner Grahn</i>
333 Main Street – The Parkite Condominiums Record of Survey Plat for Residential Units <i>Public hearing and recommendation to City Council on June 26th, 2014</i>	PL-14-02301 81 <i>Planner Whetstone</i>

WORK SESSION – *Discussion items only, no action taken*

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
May 28, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, 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 5:55 p.m. and noted that all Commissioners were present except Commissioners Campbell and Gross who were excused.

ADOPTION OF MINUTES

May 14, 2014

Chair Worel referred to page 7 of the Staff report, Page 5 of the Minutes, last paragraph and corrected Commissioner Preston to read **Commission Campbell**.

MOTION: Commissioner Strachan moved to APPROVE the minutes of May 14, 2014 as amended. Commissioner Stuard seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioners Worel and Strachan stated that they would be absent for the June 11, 2014 meeting. There was some question as to whether Commissioner Campbell would be absent, also. However, Commissioner Gross was expected to return for that meeting and the Planning Commission would have a quorum.

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

1. 1201 Norfolk, Nirvana at Old Town Subdivision – Plat Amendment
(Application PL-14-02298)

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

MOTION: Commissioner Strachan moved to CONTINUE the public hearing on 1201 Norfolk Avenue, Nirvana at Old Town Subdivision plat amendment to June 25, 2014. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION

1. Round Valley Annexation and Zoning Map Amendment
(Application PL-13-01857)

The Planning Commission held a site visit prior to the Regular Meeting.

MOTION: Commissioner Strachan moved to CONTINUE the public hearing for the Round Valley Annexation and Zoning Map Amendment to June 25, 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)

The Planning Commission held a site visit prior to the Regular Meeting.

Planner Astorga explained that at the last meeting the Planning Commission continued this item to June 11, 2104. Therefore, a motion to Continue was not required this evening.

REGULAR AGENDA – Discussion, public hearing, action.

1. **820 Park Avenue – Rio Grande – Condominium Plat**
(Application PL-14-02309)

Planner Anya Grahn reported that the applicant applied for a plat several weeks ago. The plat was approved by the City Council and it was now in the process of redlines. On February 12, 2014 the Planning Commission approved a conditional use permit, which is reflected in the Staff report, as well as the proposal regarding the condominiumization. The applicant was proposing to construct ten residential condominiums and four commercial units. The exhibits in the Staff report displayed the locations, size, etc.

The applicant, Rory Murphy was available to answer questions.

Chair Worel opened the public hearing.

Jeff Devore, a resident at Park Station across the street from the project. Mr. Devore asked about the timeline for this project.

Mr. Murphy replied that the timeline was approximately 14-15 months. He noted that there is approximately 6 feet of contaminated soil that needs to be removed and trucked to Tooele, and that process has already begun.

Mr. Devore asked if there was some type of dust mitigation involved in the process.

Mr. Murphy replied that it was being watered down. He offered to give Mr. Devore his cell phone number so he could contact him with any issues related to the project.

Mr. Devore asked about work hours. Mr. Murphy stated that the hours of construction are defined by the City. It is 7:00 a.m.-9:00 p.m. on weekdays and 9:00 a.m.-7:00 p.m. on weekends. He did not anticipate overtime, so construction in general should not occur on the weekends. In addition, there would be no construction during the Art Fest, Sundance, Christmas and other major events.

Mr. Devore clarified that he lives across the street and his main concern was dust. The pool at Park Station would be opening soon and all 80 units were reserved. Mr. Murphy encouraged Mr. Devore to contact him personally with any issues.

Hope Melville was pleased with the pedestrian walkway and the fencing around the project. She was very impressed with what they had done. She thanked Mr. Murphy for a wonderful example and she hoped to see more of it in the future.

Chair Worel closed the public hearing.

Commissioner Joyce referred to the table on page 52. He assumed the reference to the upper and lower parking areas was language from when two parking levels were proposed. Planner Grahn agreed and changed it to Parking Area.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for 820 Park Avenue Condominium Record of Survey Plat, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Strachan 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) District.
2. City Council approved the Town Lift Subdivision, Plat B1-3, Lot B-3, First Amended and 820 Park Avenue Subdivision plat amendment on May 15, 2014. This plat amendment combined approximately 229 square feet of the City-owned property which was sold to the applicant on the north edge of the lot, the metes and bounds parcel at 820 Park Avenue, and approximately 123 square feet of Lot B-3 of the Town Lift Subdivision to the south.
3. The sale of the 229 square feet of the City-owned property at the southeast corner of 9th Street and Park Avenue to 820 Park Avenue LLC was ratified by City Council on May 15, 2014.
4. The applicant is currently negotiating the sale of the 123 square feet of Lot B-3 of the Town Lift Subdivision to the south.
5. The Planning Director and Chief Building Official determined unique conditions did not exist to warrant the relocation of the historic Rio Grande building to the southeast corner of 9th Street and Park Avenue on October 9, 2013. This determination was overturned by the Historic Preservation Board during the appeal hearing on November 13, 2013.
6. The Planning Director granted the applicant 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 the zone height, or forty-eight feet (48'). This determination was made on April 14, 2014.

7. The Historic District Design Review (HDDR) was approved by staff on April 14, 2014.

8. The Planning Commission reviewed and approved the applicant's request for a Conditional Use Permit (CUP) on February 12, 2014. The CUP included the following uses: multi-unit dwelling; commercial retail and service, minor; café and deli; outdoor dining; office (intensive); and a parking area or structure with five (5) or more spaces.

9. The applicant intends to redevelop the site into a mixed-use development containing ten (10) residential and four (4) commercial condominium units. It will also include 4,241 square feet of commercial retail and service, minor; café or deli; outdoor dining; office, intensive; and a 24-space underground parking structure accessible from 9th Street.

10. The first level of the development will contain 3,637 square feet of commercial space: Unit C-101 containing 694 square feet; Unit C-102, 602 square feet; Unit C-103, 1,279 square feet; and C-104, 1,062 square feet.

11. The ground level will also have two (2) residential condominium units: Unit 105 containing 938 square feet, and Unit 106, 1,532 square feet.

12. The second level will contain 604 square feet of commercial space on the second story of the historic Rio Grande building as well as four (4) residential condominium units: Unit 201 containing 1,078 square feet; Unit 202, 1,705 square feet; Unit 203, 1,987 square feet; and Unit 204, 1,776 square feet.

13. The third level will contain four (4) residential condominium units: Unit 301 containing 1,078 square feet; Unit 302, 1,705 square feet; Unit 303, 1,993 square feet; and Unit 304, 1,583 square feet.

14. Unit 304 has two (2) stories and 1,010 square feet of its second floor will be located on the fourth floor.

15. Common areas include the exterior plaza space, parking ramp and garage, elevator and stairs, and mechanical areas. The parking level will contain 10,830 square feet of common area; the ground level, 3,512 square feet of indoor and exterior space; the second level, 953 square feet; the third level, 716 square feet; and the fourth level, 615 square feet.

16. Limited common areas include the spaces directly in front of each storefront, the

rear yard to the east, patio areas and the rooftop deck, storage areas, and the interior staircase on the southeast corner of the building. The parking level will contain 795 square feet of limited common area; the ground level, 2,461 square feet; the second level, 358 square feet; the third level, 626 square feet; and the fourth level, 3,228 square feet.

17. One (1) level of underground parking will be constructed, accessible from 9th Street. It will include twenty-four (24) parking spaces. Ten (10) spaces will be reserved for resident parking and five (5) additional spaces for residents' guest parking. The remaining nine (9) spaces will be utilized by the commercial spaces on the ground level.

18. Per Land Management Code 15-2.5-3(G)(1), the floor area ratio (FAR) for non-residential structures built after October 1, 1985, and located east of Park Avenue is 1.0. The proposed FAR of this development is .33, which is less than the allowed maximum FAR of 1.0.

19. The proposed condominium record of survey memorializes each portion of the development as separate units.

20. The proposed development will meet the required front and rear yard setbacks of ten feet (10').

21. The proposed development will meet the required five foot (5') side yard setback along the north property line.

22. The development will have a zero foot (0') side yard setback along the south property line; this is permitted by LMC 15-2.5-3(E) where the structure 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.

23. The applicant submitted a Condominium Record of Survey plat application on April 10, 2014; the application was deemed complete on April 22, 2014.

24. The property was posted and notice was mailed to affected property owners within 300 feet (') of the property on May 13, 2014.

25. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 820 Park Avenue

1. The condominium record of survey 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 – 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 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. All original Conditions of Approval for the 820 Park Avenue Subdivision shall apply, and shall be noted on the plat.
4. Rio Grande LLC shall have purchased approximately 123 square feet of Lot B-3 of the Town Lift Subdivision, Plat B1-3 prior to recording the record of survey plat with Summit County.

2. 1255 Park Avenue – Carl Winters School – Ratification of MPD Development Agreement (Application PL-13-020855)

Planner Grahn reported that this item was the Development Agreement for the Library renovation and addition. The Planning Commission reviewed and approved the Master Planned Development (MPD) amendment on December 11, 2013. The applicant has six months from the time of the approval to come back and ask the Planning Commission to finalize the Findings and Conditions of the MPD through this Development Agreement.

Planner Grahn thought the Development Agreement was straightforward. She noted that Exhibit D was missing from the packet; however, the Staff had received a letter from the

Economic Development Manager stating that there were no mining hazards on the Library site.

Commissioner Strachan remarked that a letter from the Economic Development Director was typically not good enough evidence. It was not critical for this project because they know that there are no mine hazards, but for future projects he recommended better documentation regarding mining hazards.

Assistant City Attorney McLean explained that once the Development Agreement is ratified it goes directly to the Mayor for his signature; not to the full City Council.

MOTION: Commissioner Joyce moved to RATIFY the MPD Agreement for 1255 Park Avenue, Library and Education Center, as written. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

3. Land Management Code Amendments (Application PL-14-02348)

Planner Whetstone reviewed the four proposed amendments to the LMC.

1. Public Improvement Warranty Guarantees (LMC Section 15-1-13).

The proposed amendment would amend Chapter 1, Section 13 – Completion of Site Work Improvements; specifically the Improvement Warranty Guarantees and the amount of money that the City can retain. Planner Whetstone noted that the State changed the law and this amendment would update the Code to be consistent with State Law. The current language allows the City to retain 25% of the actual cost for a period of one year following final inspection. Per State law, the amendment would reduce the amount to 10%. Planner Whetstone remarked that the City Engineer has said that the City could request 100%, retain 10% and return 90%. Another option was the language shown in red on page 21 of the Staff report, "...or the lesser of the engineer's original estimated cost of completion or the actual construction." That language was taken directly from the State Code.

The Staff recommended that the Planning Commission discuss the amendment, conduct a public hearing and forward a recommendation to the City Council for final action.

Commissioner Stuard asked if the 10% limit was a Statutory Limit.

Assistant City Attorney McLean explained that the State Code changed from 25% to 10%, but it was only for the Warranty amount. As currently written, the LMC does not comply with the State Code. If the LMC is not amended, the City would have to follow the State Code. Not amending the language for compliance with State Code creates the possibility for errors because of the discrepancy. Ms. McLean stated that the City always tries to update the existing LMC to comply with the State Code.

Commissioner Strachan asked about the current warranty. Assistant City Attorney McLean stated that it was more for larger subdivisions. For example, the movie studio has to do the infrastructure per City specifications, and they have to warranty the infrastructure for a one or two year period after completion to make sure there are no cracks in the road, etc.

Commissioner Stuard thought that reducing the amount from 25% to 10% puts a burden on the City Engineer to make sure that public improvements were completed to the correct specifications before accepting and starting the warranty period. Ms. McLean stated that there was a process for how that is done. She would convey his concern to the City Engineer; however, the City is tied to the State Code. Commissioner Stuard cited several examples where the infrastructure has failed or created other issues. It is a major issue that could be expensive to remedy.

Commissioner Strachan remarked that Park City Heights and the movie studio were the two largest developments. He asked if they were subject to the 10% or the 25% warranty retention. Assistant City Attorney McLean replied that they were subject to 10% because of when the permit was issued. The building permit is the trigger. She explained that the movie studio has a guarantee of 125% for several items, but once the work is completed and the City accepts the improvements, the guarantee drops down to 10%. At that point all the funds will be released except for 10%.

Commissioner Strachan concurred with Commissioner Stuard. With large projects like Park City Heights and the movie studio, it would be a major task for the City Engineer to check all the infrastructure to make sure it meets the specs. Assistant City Attorney McLean clarified that the City does not wait until the end to inspect it. The City has put out an RFP for inspectors for Park City Heights to examine and inspect the infrastructure as it progresses.

Planner Whetstone understood that once the infrastructure has been completed, the City Engineer takes a report to the City Council for approval and acceptance. After that, the City holds the warranty for a year.

Chair Worel wanted to know who bears the cost of paying the inspectors hired by the City for a specific project. Ms. McLean replied that it is paid by the developer as part of the inspection fees.

Commissioner Stuard asked if the language in red, "...or the lesser of..." was also mandated by the State. Planner Whetstone answered yes.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

2. Clarify by codifying the existing prohibition of nightly rentals within April Mountain and Mellow Mountain Estates Subdivisions (Sections 15-2, 13-5).

Planner Whetstone reported that this was an administrative issue. The proposed amendment would amend Chapter 2.13, which is the RD zone. She noted that when the April Mountain and Mellow Mountain Estates subdivisions were approved; both subdivisions were approved with a condition, which is on the plat, that no nightly rentals are allowed. Planner Whetstone explained that when someone asks about nightly rentals, the Planner may not be aware of the prohibition in those two subdivisions and tells them that nightly rentals are allowed in the RD zone.

Planner Whetstone clarified that this amendment would put a footnote on nightly rentals in the Code to say that nightly rentals are not permitted in April Mountain or Mellow Mountain Estates subdivisions.

Commissioner Joyce disclosed that he lives in April Mountain. He asked if April Mountain and Mellow Mountain were the only two subdivisions in the RD zone that have this limitation. Planner Whetstone answered yes. Commissioner Joyce recalled a significant amount of discussion as part of the General Plan update, that the City does not enforce Homeowner Association limitations. Where this is platted and if it becomes part of the LMC, he asked if the City would get involved if someone did nightly rentals in one of those subdivisions. Director Eddington replied that it would be an issue for the City Code Enforcement.

Planner Whetstone pointed out that it would help the Planning Department Staff be more aware because it would be on the plat and in the LMC. Without the footnote, a planner may be given an address and just assume nightly rentals are allowed because the address is in the RD zone. Planner Whetstone remarked that because the condition is on the plat, it is

already a City Code Enforcement issue and that would not change. The footnote would simply add clarification.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

3. Animal Services in GC and LI zoning districts (LMC Sections 15-2, 18-2, 15-2, 19.2 and 15-15-1)

Planner Whetstone noted that the proposed amendment addresses animal services such as grooming, boarding, and doggy daycare. The Staff has been asked questions about these uses and where they are allowed to occur. Kennels were defined in the definitions; however, the Staff had not yet identified an area or zones where kennels would be an allowed or conditional use.

Planner Whetstone stated that the Municipal Code has a definition for kennels, which is defined as over four dogs. She explained that for any of the animal services she had mentioned, if they have over four dogs it is considered a kennel.

Planner Whetstone noted that the LMC does not address animal services specifically. There is an animal grooming service in the GC zone, but it was approved as minor retail, similar to a hair cutting business. She reported that when someone had asked about having a doggy daycare in the GC or LI zone the Staff decided to craft definitions for the Code. Planner Whetstone clarified that veterinarians are now an allowed use in the GC zone under the definition of office and clinic medical in the definition section. Veterinarians are a conditional use in the LI zone.

Planner Whetstone remarked that the Code does not identify locations for boarding, daycare, or grooming as a conditional use. She referred to page 103 and noted that those uses were added to the list of uses in the GC zone and in the LI zones.

Planner Whetstone read the proposed definitions for boarding, daycare and grooming from page 95 of the Staff report. She also read the definition for kennels. Planner Whetstone recalled that the Staff had discussed kennels as conditional uses in the GC and LI zones but had decided not to include. However, it was still listed in the Staff report and she asked the Planning Commission for their thoughts on kennels.

Commissioner Joyce did not understand the restriction of no more than four animals at one time. Using Petco as an example, they constantly have dogs and cats in and out of their grooming center all day. He asked if the restriction was four at a time or four in one day. Planner Whetstone replied that it is four at a time. Director Eddington pointed out that the definition did not specify number of animals for the grooming use. It only applied to daytime and overnight boarding.

Commissioner Stuard stated that in the definitions for boarding and doggy daycare, he questioned the meaning of “takes in”. He understood that they were talking about actual dogs on the premises and he thought it meant more than “takes in”. Director Eddington suggested replacing “takes in” with “houses”. Planner Whetstone raised the issue of whether the limit would include the owner’s personal dog in the total number. Commissioner Stuard assumed it would be the number of dogs they were providing occupancy for or services to at any point in time, or in the case of boarding, overnight.

Planner Whetstone stated that boarding has never been an issue, but the Staff has been approached regarding daytime care and grooming.

Commissioner Joyce felt they were opening a can of worms and they were not even close to the right definition. He noted that everything was generalized to animals. He referred to the debate in Summit County about allowing horses and now bringing in dogs. Commissioner Joyce asked if they would allow somebody to have an animal kennel for cows or horses. He was concerned about leaving it open to any type of animal, and whether animal kennel would include chickens and roosters. Commissioner Joyce noted that all the examples refer to dog boarding, but the language does not limit it to dogs or cats. He thought the definition was too broad.

Commissioner Joyce questioned why they would want to allow a kennel in Park City. Planner Whetstone clarified that no one has inquired about kennels. Commissioner Joyce pointed out that kennels went from being a non-allowed use to an allowed use. Planner Whetstone reiterated that the Staff had discussed removing kennels from the language as an allowed use. She pointed out that kennels were listed as a conditional use in the GC and LI zones, and she recommended removing the reference to kennels for both of those zones.

Commissioner Stuard suggested that the Staff and the Planning Commission needed more time to work on this item. Planner Whetstone remarked that animal grooming and doggy daycare were the pressing issues. She suggested that they strike animal kenneling, and not assign a number to grooming. She noted that people have small pets other than cats or dogs that should be considered in this section. The LMC has a separate section for

raising and grazing horses. Commissioner Phillips suggested using the wording “house pets.”

Commissioner Strachan thought the Staff should research how other jurisdictions have addressed this issue and which animals were included or excluded. Planner Whetstone stated that she had reviewed five codes and they all used the word “animals.” Commissioner Strachan thought the definition of veterinarian as “One trained and authorized....” should be changed to read, “One trained and licensed by the State of Utah to treat animals medically.” Chair Worel concurred.

Chair Worel opened the public hearing.

Bob Saylor stated that he and his wife may have been the one who raised the question about animal daycare because they had applied for a business license. He and his wife were interested in having a doggy daycare facility in the City limits. Their market would be local pet owners and visitors. There is more pet friendly lodging and it gives a choice to the lodging operators for their clients to have a place to house their pets when they are skiing or enjoying other activities. Mr. Saylor noted that the suggested definition for animal services day care says fewer than four animals. From his perspective as a business person, to have commercial space but be limited to less than four animals is an impossible business model. However, the definition for animal services for kennels was broader and states four or more. Mr. Saylor asked if a doggy daycare was ever allowed, if it would be limited to three or less animals. He reiterated that the limit would make it impossible to have that type of business in Park City. He commented on a business near the Jeremy Ranch exit in a small retail center. Among those is a business called Dog in House and they take in between 60-75 dogs per day. It is a combination of 3,000 square feet of enclosed space and a couple thousand square feet of open space behind the building where the dogs can migrate in and out at will supervised by Staff. Mr. Saylor commented on the difference between fewer than four and 60-75 in terms of a successful business model. He thought there needed to be more clarification.

Mr. Saylor understood from the comments this evening and from the redlines that animal services/kenneling actually means all of the above.

Chair Worel thanked Mr. Saylor for his comments and noted that the Commissioners were also uncomfortable with the wording. They looked forward to having the Staff come back with other examples and recommendations. Mr. Saylor stated that he has only been in Park City a short time and he was not familiar with the process. Chair Worel explained that it would go back to Staff for more research and work and the item would be scheduled on another agenda and publicly noticed. Commissioner Strachan informed Mr. Saylor that he

was free to communicate his concerns to the Staff. Commissioner Stuard thought the Staff could benefit from Mr. Saylor's knowledge regarding the type of business.

Commissioner Stuard believed they should consider the possibility of a square footage ratio, requirements for sound attenuation for adjacent tenants, and other elements. Mr. Saylor stated that those were all important elements for this type of business. Others included health and safety, waste elimination, and odor. He believed there was enough history to address those issues.

Planner Whetstone noted that all those elements would be addressed by the Planning Commission at the time of the conditional use permit. There is certification that will state the specific requirements. When someone applies for a conditional use permit for a kennel, the requirements would be reviewed by the Planning Commission. Planner Whetstone noted that in the Staff discussions regarding kennels, the question was raised as to whether some of the uses could be allowed uses in the GC zone if it was three or fewer animals. Outdoor uses should be reviewed as a CUP per the 15 criteria established in the Code.

Commissioner Joyce appreciated Mr. Saylor's business interest. However, Park City is a more compact business area with historic districts and residential areas. He was surprised when he read the Staff report to find that kennels were being considered in Park City. He wanted to know what was pushing the use and whether they even wanted kennels as a conditional use. Commissioner Joyce understood that you needed more than three animals to have a successful business. The question was whether they would prefer that Mr. Saylor take his business to Summit County or whether they wanted it in the City. Commissioner Joyce was unsure how they had even reached the point of having this discussion. It was not mentioned as part of the General Plan. If they polled the people of Park City he believed the answer would be overwhelmingly No.

Planner Whetstone noted that the definition of a kennel is four or more animals. Commissioner Joyce commented on the number of issues the County has faced regarding kennels; particularly noise, odor and waste management.

PJ Saylor stated that she and her husband would not be asking for a business license if the polling had not already been done. The answer was a resounding Yes, people do want it here. Ms. Saylor commented on the number of doggy daycare facilities in Salt Lake. She stated that they could move their business to the County where the use has already been approved, but that would take away from the City the people who drop-off their dog for daycare while they go out to dinner, or ski, or participate in other activities. If Park City does not have a doggy daycare, people will go to Salt Lake or Midway where doggy daycare is available.

Commissioner Joyce noted that everyone in Park City has a dog and there is a demand for dog parks. The problem is that no one wants one near their house. If the polling shows an interest for doggy daycare, the question is where do these uses go, what neighbor lives next to it, and do those people want it.

Ms. Saylor assumed the Planning Commission would invite the public to comment to help find the answers. She commented on the amount of research available about decibel levels of a dog barking being equal to children on a playground. She noted that the EPA makes recommendations regarding animal waste. The EPA has done a lot of studies to address the issues. Ms. Saylor stated that she and her husband intend to focus their business on the vacationers. It is a changing environment and Park City is behind most other cities. Ms. Saylor noted that they had done a lot of research and talked to a lot of people. She gets calls every day from people expressing a need for doggy daycare. She noted that the Dog In House maxes out every day. It is a service to the citizens and the citizens of Park City are very interested.

Commissioner Stuard remarked that three of the four proposed amendments were administrative and minor. However, the one regarding animal services is in a completely different category and it deserved its own separate discussion. Chair Worel agreed.

Ms. Saylor explained the difference between doggy daycare and kenneling. She offered to provide the Commissioners with information from her research before the next meeting.

Sue Wong stated that she and her husband live in Virginia and they are thinking about moving to Park City. Besides the beautiful mountain, she is amazed that Park City is dog-friendly. However, one inside the city limits there is nowhere to put your dog if you want to go out to a restaurant. Ms. Wong noted that dogs are social animals who want to play. That is the major difference between kenneling and doggy daycare. When dogs are put in kennels they are left there until their owners pick them up. In doggy daycare the dogs socialize and play until their owners pick them up. To a lot of people their pets are their children. Ms. Wong stated that currently there are more dogs in this Country than there are children. She knows Mr. and Mrs. Saylor well enough to know that wherever they choose to put a doggy daycare, it would not interrupt any surrounding business. She truly believed they would be cognizant of their surroundings and respectful of the neighbors. Ms. Wong encouraged the Planning Commission to give them a chance.

Chair Worel closed the public hearing.

4. Planning Commission Rules of Order (LMC Section 15-12-10)

Planner Whetstone noted that the State enabling legislation requires a municipality to have a Planning Commission; as well as items within the Code to address the rules and procedures of the Planning Commission. She noted that the required language is currently included in Chapter 12 of the LMC - Planning Commission. State law requires either the Planning Commission or the City Council to adopt Rules of Order and Procedure for the Planning Commission to follow.

Planner Whetstone noted that Exhibit B on page 112 of the Staff report was a Resolution Adopting Planning Commission Rules of Order and Procedure. Attached to the Resolution were the actual Rules of Order. The document was prepared by the Legal Department for Planning Commission consideration and adoption.

Planner Whetstone noted that the actual language proposed in Section 15-12-10 was identified in red on page 107 of the Staff report. The Planning Commission would forward their recommendation on that language. The Resolution itself would be adopted by the Planning Commission.

Commissioner Joyce noted that the redlined language on page 107 states that the Rules of Order and Procedure for use by the Planning Commission in all public meetings shall be the Rules of Order and Procedure adopted by City Council unless the Planning Commission adopts its own rules. He asked why the Planning Commission would care about adopting its own rules.

Assistant City Attorney McLean replied that during a previous training in work session she had distributed the rules of procedure associated with the City Council. The feedback from the Planning Commission was that the rules did not apply to them. One example is that it says Mayor rather than Chair. In response to that feedback, the Legal Department used the same template and updated the Rules and Procedures to be more specific to the Planning Commission. Ms. McLean remarked that the State Code requires the Planning Commission to have rules and procedures and that there be an adopted ordinance for the rules and procedures. She explained that adopting the rules and procedures by resolution as opposed to having it in the Code provides more flexibility because it eliminates the need for an LMC amendment to make any changes.

Commissioner Joyce wanted to know why the redline language on page 107 was included as an amendment to the LMC, since the Planning Commission would adopt its own Rules and Procedures, if the City Council Resolution did not fit with the Planning Commission. Assistant City Attorney replied that the City Council will always have a Resolution. She expected that the Planning Commission would always have its own Resolution, but including the language ensures that one is always in existence.

Chair Worel understood that if the Planning Commission adopted the Resolution this evening, it would remain in effect until a new one was adopted. Ms. McLean replied that this was correct. The red line language is needed because State Law requires an ordinance that addresses the Rules and Procedures.

Assistant City Attorney McLean noted that Attachment 5 was missing the Section number for the redlined language. It should be its own Section 15-12-10.5.

Commissioner Stuard asked if adopting the Rules of Order and Procedure would have any practical effect on how the Planning Commission currently conducts their meetings. Assistant City Attorney McLean replied that the Resolution would only memorialize their current practice for conducting meetings.

Chair Worel opened the public hearing.

There were not comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Amendments to the LMC for Section 15-1-13 as contained in Attachment 1 of the Draft Ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for Amendments to the LMC, Section 15-2.13-2, regarding nightly rentals in April Mountain and Mellow Mountain Estates Subdivisions. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to CONTINUE the public hearing on the amendments to Section 15-2.18.2, regarding animal service uses in the General Commercial Zone to the June 25, 2014 Work Session. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to CONTINUE the Land Management Code amendments to Section 15-2.19-2, regarding animal service uses in the Light Industrial Zone to the June 25, 2014 Work Session. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the amendments to the Land Management Code, Section 15-12-10.5 regarding the Rules of Order and Procedure, as amended by renumbering the Section to 10.5. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to ADOPT the Resolution regarding the Planning Commission Rules of Order and Procedure attached as Exhibit B to the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

DRAFT

Park City Planning Commission meeting adjourned at 7:10 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Subject: Vinyl Siding Exemption
Author: John Paul Boehm, Planner
Thomas Eddington, Planning Director
Date: June 11, 2014
Type of Item: Worksession

At the May 14th, 2014 Planning Commission Meeting, Ben and Melanie Martin presented information (Exhibit A) to the Planning Commission noting existing vinyl siding on houses in their neighborhood and requesting consideration for changes to the Land Management Code (LMC) that would allow for vinyl siding. Based on this presentation, the Planning Commission requested staff to do a reconnaissance analysis and research regarding the applicability of vinyl siding in that neighborhood and return during the first meeting in June with our assessment.

Background

At present, vinyl siding is prohibited under the City's Land Management Code section 15-5-5, Architectural Design Guidelines. Vinyl is listed under subsection (B), Prohibited Siding Materials. That subsection reads as follows:

(B) PROHIBITED SIDING MATERIALS.

The following siding, fascia, and soffit materials are prohibited because they have proved to be unsuitable for Use in Park City due to the extreme climate, or because their appearance is such that the values of adjoining or abutting Properties are adversely affected:

- (1) *Thick shake shingles;*
- (2) *Ceramic tiles;*
- (3) *Slump bloc, weeping mortar;*
- (4) *Plastic or vinyl siding;*
- (5) *Used brick;*
- (6) *Synthetic stone products such as simulated stone or brick, cultured stone or brick, pre-cast stone or concrete imbedded with stone fragments;*
- (7) *Lava rock, clinkers;*

(8) Asphalt siding;

(9) Plywood siding, except that plywood may be approved by the Planning Director if utilized as a base for board and batten siding;

(10) Aluminum siding is generally not considered an appropriate material. The Planning Director may, however, consider requests for the Use of aluminum siding. The design of the Structure shall be consistent with the Park City Design Guidelines. The Applicant will be required to bring a sample of the type and color of siding to be approved by the Planning Director. When aluminum siding is approved by the Planning Director, it shall have a minimum thickness of .019 inches and shall be backed or insulated with a minimum of 3/8 inch fiberboard of polystyrene foam;

*(11) **Exemption.** Aluminum siding, including soffits and fascia, and synthetic stone products may be permitted upon approval by the Planning Director, on Structures when such Structures are located in Areas predominately developed with Structures utilizing the same type of materials, such as in Prospector Village, Park Meadows and Prospector Park Subdivisions.*

Existing Buildings with synthetic stone products and aluminum or vinyl siding may be re-sided or repaired using synthetic stone products and aluminum or vinyl siding with specific approval by the Planning Director.

The Applicant is required to bring a sample of the material and description of the application method of the requested siding and/or synthetic stone to be approved by the Planning Director and an exhibit documenting siding materials found in the surrounding neighborhood.

As noted above in subsection (B)(11), exemptions are given to aluminum siding and synthetic stone products if the applicant can demonstrate that similar products are utilized throughout the surrounding neighborhood. The Planning Director will make a determination of approval for the exemption based on evidence submitted by the applicant. This evidence is weighed and analyzed based on a visual and quality assessment of the materials in neighborhood in question.

Analysis

Staff visited the Prospector Park Neighborhood and found that the information provided to the Planning Commission by the Martin's was fairly accurate in terms of the number of homes that currently have vinyl siding. Currently 44 of the 160 homes in Prospector Park have vinyl siding, which is about 30% of the homes in the neighborhood. The rest of the homes are sided in either aluminum and Masonite-like products with a small number of homes sided with wood.

Staff also performed a very high level investigation of the pros and cons of vinyl siding in terms of life-cycle, cost, durability, sustainability, and energy efficiency. Our research

was inconclusive as the information we gathered was extremely varied. Staff also feels that in order to be fair and equitable, further investigation into siding materials should include all potential exterior materials, not just vinyl.

In the past, the Planning Department has supported the prohibition of vinyl as a siding material based on its aesthetic character and susceptibility to breakdown in high altitude climates (e.g. high UV rays and variable temperatures). While staff believes that some improvements have been made to vinyl siding in terms of appearance, we feel that there is still significant uncertainty regarding the durability and maintenance of vinyl products. Therefore, staff continues to feel that vinyl siding should remain on the list of prohibited siding materials.

Next Steps

If the Planning Commission concurs with Staff's recommendation, Staff will begin to conduct thorough research and analysis for a variety of exterior materials used in Prospector and Park Meadows subdivisions. This research could begin this fall and would not only look at the aesthetic character of these materials but also life-cycle, cost, cradle-to-grave cost analysis, durability, sustainability, and energy efficiency. These efforts would be wrapped into our ongoing LMC revisions and would not likely be completed this summer.

Conversely, if the Planning Commission decides to include an exemption for vinyl siding under certain circumstances, similar to the exception for aluminum siding, the updated code language could read as follows:

*(11) **Exemption.** Aluminum **or vinyl** siding, including soffits and fascia, and synthetic stone products may be permitted upon approval by the Planning Director, on Structures when such Structures are located in Areas predominately developed with Structures utilizing the same type of materials, such as in Prospector Village, Park Meadows and Prospector Park Subdivisions.*

This exemption would still be subject to review and approval by the Planning Director. The applicant would need to provide a sample of the proposed material and exhibits documenting the siding materials found in the surrounding neighborhood. If the Planning Commission does decide to include vinyl in the exemption outlined in subsection (B)(11), staff recommends that additional language be added to the code to ensure the use of a higher quality material. This language could include requirements for material thickness, quality, and appearance, if deemed necessary

This would have to be voted upon by the Planning Commission at the June 25th meeting with a positive recommendation to the City Council for their consideration on July 17th.

Exhibits

Exhibit A – Submittal Materials from Ben and Melanie Martin (14 May 2014)

HANDOUT
MELANIE MARTIN
PUBLIC INPUT 5/14/14

Our names are Melanie and Ben Martin. We are owners of a home in Prospector Park, which we bought almost 2 years ago. We are here today to request an exception for a permit which would allow us to place vinyl siding on our home which is currently sided in a masonite type product.

After receiving multiple bids from contractors, we had decided that we wanted to go with a premium grade vinyl. Upon our contractors trying to pull a permit, we discovered that the Municipal Code prohibits this, unless it had pre-existing vinyl on the structure. The code in Title 15, chapter 5-5-5B states that the reasons for prohibiting re-siding with vinyl are:

- 1: It has been deemed inappropriate for use in Park City due to the extreme weather climate.
- 2: Its appearance is such that the values of adjoining or abutting properties may be negatively affected.

In opposition to reason number 1:

Vinyl has come a long way in regard to its durability and performance in extreme climates. The Alside Odyssey Plus vinyl we chose is a premium grade vinyl. It has a .044" panel thickness which is above the standard contractor grade thickness, and a locking system and double nail hem to provide rigidity and extra holding power against high winds of up to category 5 hurricane strength. The panels are screwed, not nailed in place. It is full of impact modifiers to prevent moisture infiltration in extreme weather, to protect against UV degradation and to prevent dings and dents. This siding is warranted against excessive fading, hail, blistering, corroding, flaking and peeling. Should any part of it ever need replacement, it is possible to remove and replace just the damaged areas, in contrast to aluminum siding which more typically needs the entire side redone, yet aluminum can be given exception upon approval from the Planning Director when surrounding structures are utilizing the same type of material. This siding and insulation also would provide an R-9 value, reducing our energy consumption, and it has shown to have less of an overall environmental impact than fiber cement products. It is also accredited by the Better Business Bureau.

In opposition to reason number 2:

Our home is currently sided with a very old Masonite type product. It is swollen, rotten and delaminated in multiple areas, and not only does it pose a risk to the structural integrity of our home, but it is aesthetically very worn out and unpleasing. If anything, in its current condition it diminishes the value of the homes surrounding ours. There is no product match that we can find to repair the damaged areas, and it is too wide spread. It needs to be replaced. As you can see from our sample board, we chose a wider, 5" exposure with a thicker, architectural grade custom trim and corner package, in effort to keep the appearance of the home similar to what exists. We believe that replacing the existing siding with this high grade vinyl could only improve the value of our home and those surrounding us. Our neighbors are in agreement and have signed a petition asking that Park City allow us to do this. These signatures include all of the surrounding and abutting properties and other properties in the neighborhood. It has also been approved by the Prospector Park Architectural Committee, as the CCRs allow for vinyl siding.

Several independent studies have shown that upon resale of a home that has been sided in vinyl, homeowners typically recoup about 70% of their costs. Studies have also shown that homeowners more typically are drawn to long lasting, low maintenance options, therefore improving property values.

Our home is surrounded by vinyl sided homes, some of which we know were not previously sided in vinyl. From our yard we can see 5 vinyl properties. We have a plat map highlighting vinyl homes in the area to show that our home would not be the exception. About 1/3rd of the homes in Prospector Park are in vinyl. We also have pictures of our home and some of those in the neighborhood with vinyl siding. The others are mostly aluminum, and then composite products.

We believe that the reasoning behind this code is somewhat outdated and inapplicable to the Prospector Park area. It is our opinion that the code should be reviewed and amended to be more current with existing data and the surroundings of Prospector Park. We think that it is a very reasonable and logical request to at least be extended the same opportunity for review by the board, and to be given the same exceptions that are given to those wanting to side with aluminum and stone veneer.

Please review the following:

- 1: Samples of our current siding and the proposed siding material
- 2: Written approval from the Prospector Park Architectural Committee and the CCRs which allow for vinyl in Article IV 4-f. (page 12) .
- 3: A map highlighting vinyl properties in Prospector Park
- 4: Pictures of our home and of many properties sided with vinyl in Prospector Park
- 5: Signatures from our adjoining and abutting neighbors, as well as from many other Prospector Park Owners giving written support

Please consider our appeal and grant us an exemption.

Sincerely,

Melanie + Ben Martin



**HOMEOWNERS ASSOCIATION
NOTIFICATION VERIFICATION**

This document shall serve as verifications that the PROSPECTOR PARK
(Subdivision)

Homeowner's Association has been notified of MELANIE & BEN MARTIN
(Owner)

Intent to build at 2475 ANNIE OAKLEY DR. PARK CITY UT 84060
(Address)

This notice is only to inform the HOA that the owner is seeking a Building permit from Park City Municipal Corporation. These plans may change and it is the HOA's responsibility to follow the process if necessary.

Check One:

____ Notice received and acknowledged

1) [Signature]

HOA Representative: GARY PINNELL Print
PPHOA

Date: 04.27.14

I hereby certify that I attempted to contact the HOA to execute the above Acknowledgement and was unsuccessful. Attached is the signed return receipt of The certified letter which included a true and accurate copy of this notification.

(Owner signature and attach receipt)

* REPLACE EXISTING SIDING WITH "ALIDE" BRAND, ODYSSEY PLUS STYLE.
COLOR: BODY - COASTAL SAGE
TRIM - ANTIQUE PARCHMENT

RESTRICTIONS ON IMPROVEMENTS

4. All Improvements on any Lot shall be subject to the following restrictions and architectural design standards:

a. Number of Dwellings. Only one single family Dwelling may be constructed on any Lot. Registered accessory apartments are permitted subject to applicable City Laws and approval. All Dwellings shall have a garage large enough to enclose two cars but no more than three cars.

b. Building Setback. All portions of the Dwelling or any other Improvements (except for access driveways and underground utilities) must maintain a minimum front yard set back from property line of twenty feet; a minimum side yard set back of ten feet on each side of the Lot, and a minimum rear yard set back of fifteen feet from the rear Lot line. The minimum side yard for a private garage or other approved accessory building located at least six (6) feet from the rear of the main building shall be five (5) feet. On corner Lots, the side yard which faces on a street for both the main and accessory buildings shall not be less than fifteen (15) feet.

c. Building Size. The minimum Floor Area on the main level of any Dwelling shall be at least 1,000 square feet, 580 square feet of which shall be on the ground floor. Garages are not counted in the Floor Area, unless they exceed 600 square feet, in which case the area in excess of 600 square feet is counted.

d. Building Height. No structure on any Lot may exceed twenty-eight feet in height as measured at the natural grade on the Lot prior to construction to a point half-way between the eaves and the ridge line of the roof.

e. Roof Design. All roofs shall be Victorian in character. Architectural grade asphalt shingles or metal roofs in neutral colors are permitted. Wood shake shingles and tiles are prohibited.

f. Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: wood (paint grade), aluminum and vinyl siding. Wood shingles may be utilized for decorative accents only. Textured plywood, masonite or similar manufactured siding materials are prohibited. There shall be no more than two separate exterior wall materials on any wall surface (excluding trim), and no more than three on any one Building. Exterior wall colors must harmonize with surrounding buildings.

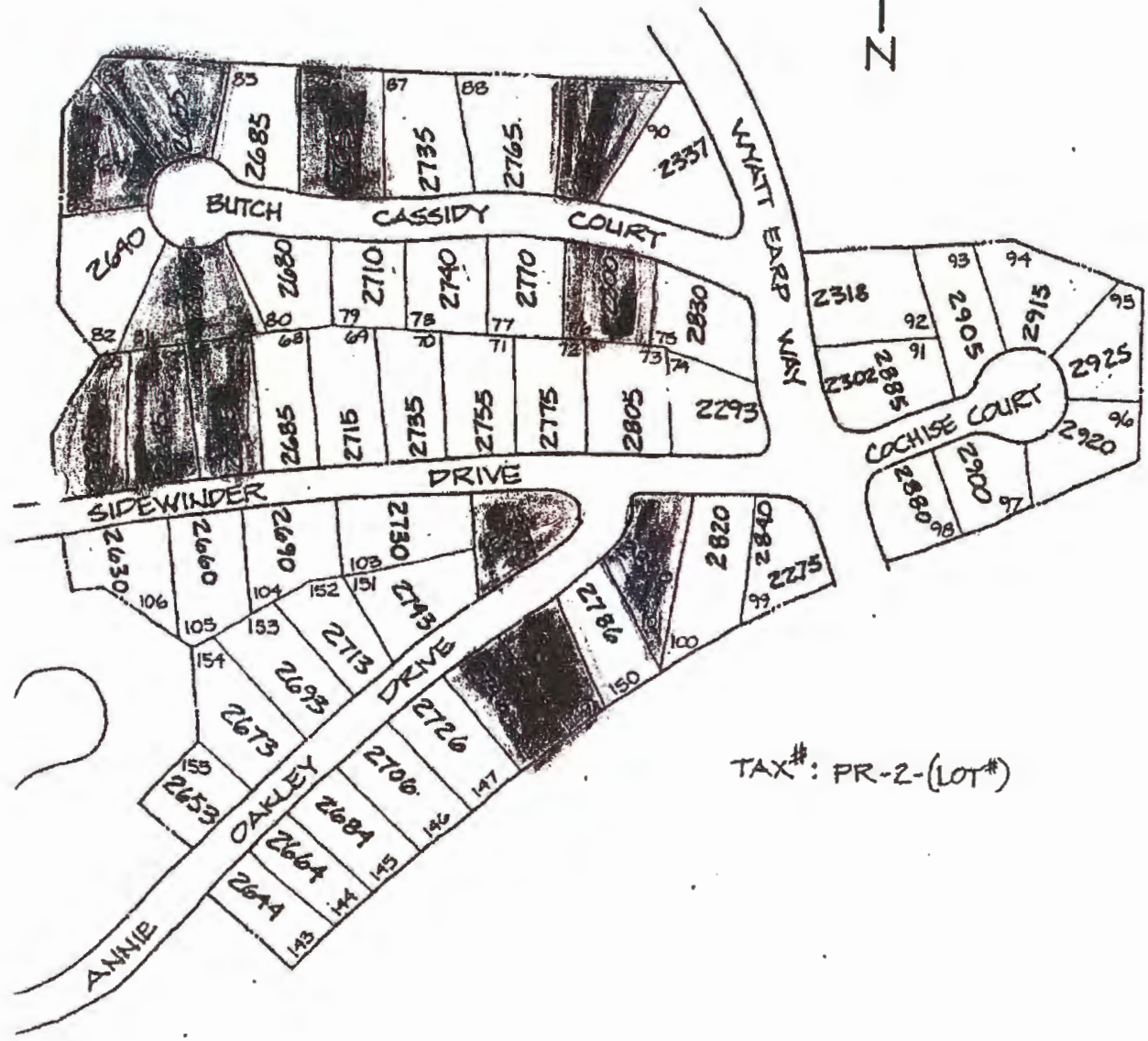
f. Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: wood (paint grade), aluminum and vinyl siding.

On behalf of our neighbors, Melanie and Ben Martin, owners of 2475 Annie Oakley Drive in Prospect Park, we request the planning committee to allow them to install vinyl siding on their home.

1. *Leslie Fleming* 2502 Annie Oakley
2. *Micheal Poul*
3. *Richard + Sue Wesley* 2505 Annie Oakley
4. *Tom M. L.* 2482 Annie Oakley Drive
5. *Kelly Perkins, Kelly R* 2525 Annie Oakley Drive.
6. *Cynthia Sullivan* 2522 Annie Oakley
7. *CHARLES BERWALD* 2522 ANNIE OAKLEY
8. *Elizabeth Demers* 2615 Sidewinder DR
9. ~~*[Signature]*~~ 2515 Sidewinder
10. ~~*[Signature]*~~ 2470 Sidewinder Dr.
11. *Conn SAA* 2440 Sidewinder
12. *Jay Simons* 2440 SIDEWINDER
13. *Jeremy Wilstein* 2465 Sidewinder
14. *Jeremy Wilstein* 2318 Wyatt Earp
15. *Walter Gladstone* 2482 Annie Oakley Dr.
16. *Shirley J. SHENOAN* 2197 DOC HENDRY DR.
17. *Bob JASPER* 2555 Sidewinders
18. *Matt Hopkins* 2730 Sidewinder
19. *Kathryn Belczyk* 2730 Sidewinder Dr.
20. *Greg Carter* 2293 Wyatt Earp Way
21. *HENRY WEEKS* 2315 BUFFALO BILL DR.
22. *Alie Downing* 2293 DOCTHLODY DR.
23. *Heather Matysja* 2472 Lily Langtry Ct
24. *Sean Matysja* 2472 Lily Langtry Ct
25. *Kerry Johnston* 2431 Lily Langtry Ct.
26. *Mark & Maile McKinn* 2452 Lily Langtry Ct
27. *Vivian Hilary BURKE* 2020 Sidewinder Dr.

Glenn
 Stanley Waight 2404 Doc Holiday Dr.
 Timothy Govin 2605 Sidewinder Dr.
 Ed ORSCHEL 2840 SIDEWINDER ARCH COMMITTEE MEMBER
 Paul TAN 2192 Doc Holiday Arch. committee member
 Cheryl Govin 2605 Sidewinder Dr.
 Jody Woods 2684 Annie Oakley Dr jodywoods@msa-wa 435-740-0485
 PPHOA V.P.
 Helen Strachan 2743 Annie Oakley Dr helstrachan@gmail.com
 Jorch & Sally Elliott 2690 Sidewinder Dr - sally cousins@ed.ott@gmail.com
 PPHOA Treasurer
 DPHOA Pres.
 435-655-5605
 Sandy Winzeler 2460 Sidewinder Dr.

PROSPECTOR PARK SUBDIVISION No. 2



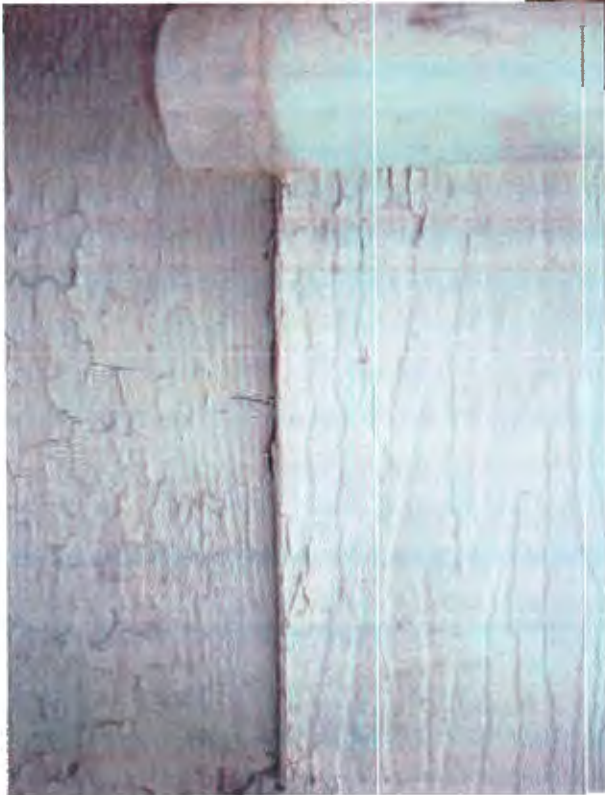
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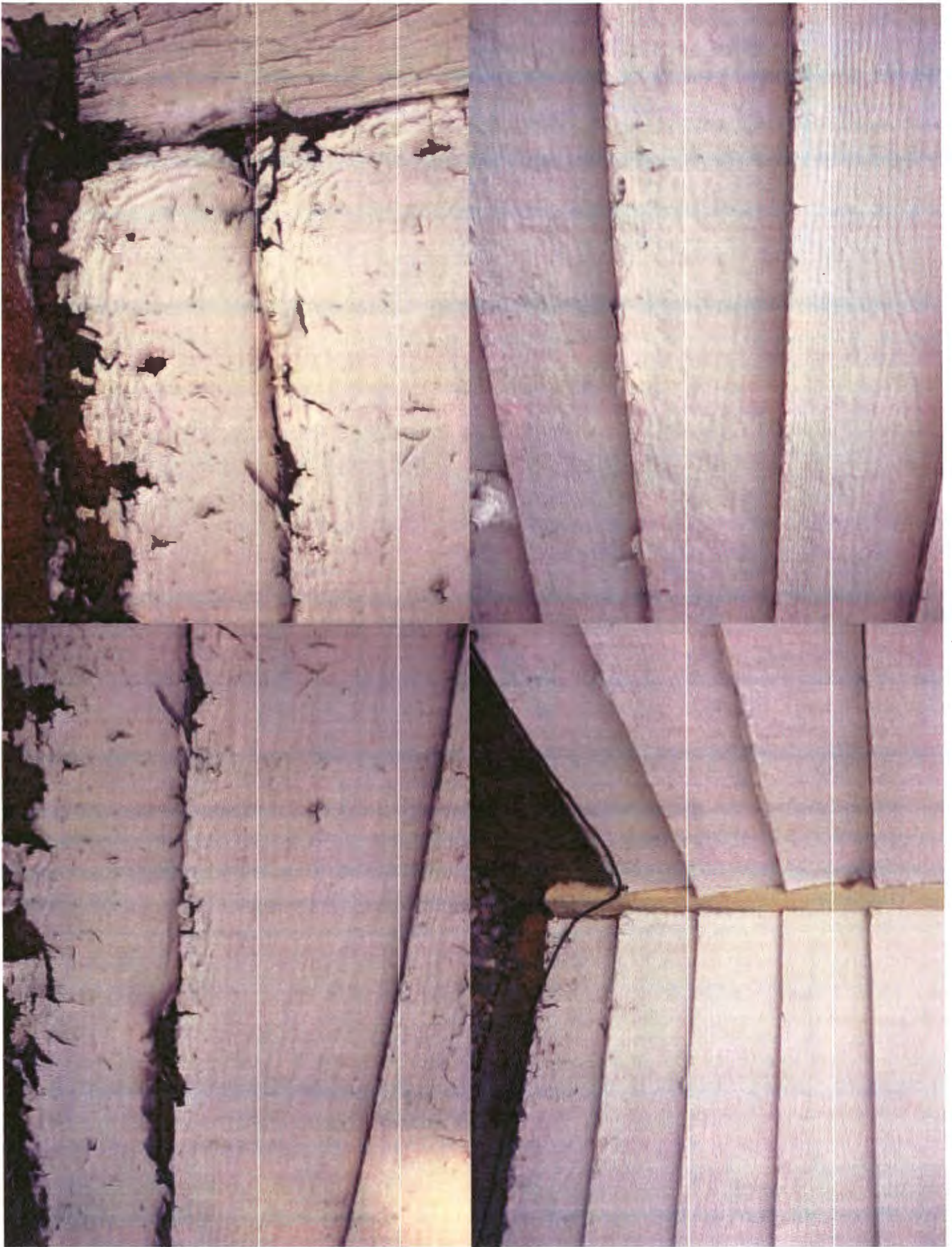
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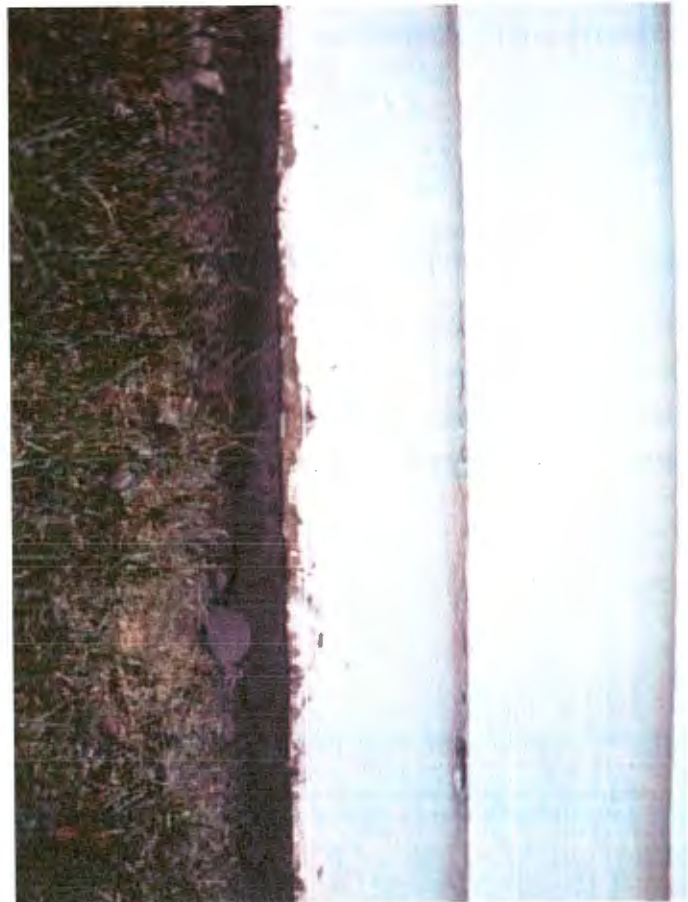
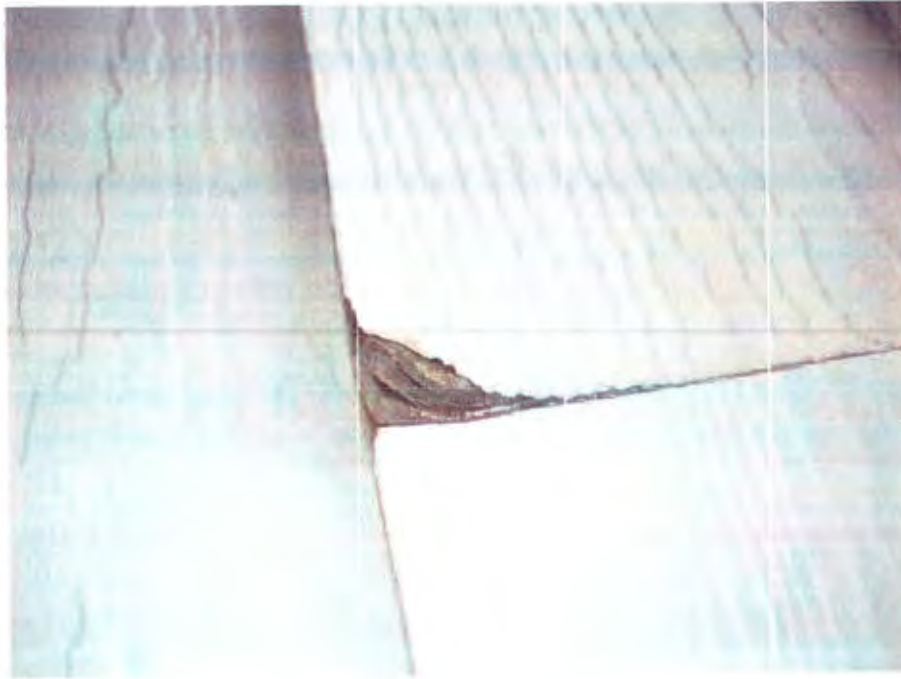
2475 Annie Oakley Dr. - Current Siding (Masonite) Damage

Melanie and Ben Martin
2475 Annie Oakley
Park City, UT 84060











List of Homes in Prospector Park with Vinyl Siding

Melanie and Ben Martin

2475 Annie Oakley

Park City, UT 84060



2505 Annie Oakley Dr.



2525 Geronimo Ct.



2533 Geronimo Ct.



2557 Geronimo Ct.



2584 Annie Oakley Dr.

2746 Annie Oakley Dr.



2400 Belle Star Ct.

2113 Belle Star Ct.



2116 Belle Star Ct.



2141 Belle Star Ct.



2142 Belle Star Ct.



2420 Sidewinder Dr.



2550 Sidewinder Dr.



2460 Sidewinder Dr.



2590 Sidewinder Dr.



2490 Sidewinder Dr.



2665 Sidewinder Dr.

2645 Sidewinder Dr.

2625 Sidewinder Dr.

2605 Sidewinder Dr.





2360 Sidewinder Dr.



2 Annie Oakley Dr.



2746 Annie Oakley Dr.



2775 Annie Oakley Dr.



2200 Doc Holiday Dr.



2449 Doc Holiday Dr.



2225 Little Bessie Ave.



2164 Little Bessie Ave.



2279 Monarch Dr.



2277 Monarch Dr.



2273 Monarch Dr.



2243 Monarch Dr.



2169 Comstock Dr.



2175 Comstock Dr.



2298 Sidewinder Dr.



2206 Comstock Dr.



2213 Comstock Dr.



2211 Comstock Dr.



2212 Ina Ave.



2199 Sunshine Ct.

Planning Commission Staff Report



Subject: 337 Daly Avenue
Project #: PL-14-02290
Author: Anya Grahn, Historic Preservation Planner
Date: May 11, 2014
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit (CUP) at 337 Daly Avenue, conduct a public hearing, and approve the Steep Slope CUP for 337 Daly Avenue. 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: Tori Shaver, owner; represented by Steve Schueler, Alliance Engineering
Location: 337 Daly Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Vacant lot, residential single family, multi-family units, nightly rentals, estate zone (to the west)
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 3,132 square feet (sf) (including the 275 square foot single car garage) on a vacant 3,917.5 square foot lot located at 337 Daly Avenue. The total floor area exceeds 1,000 sf and the construction is proposed on a slope of 30% or greater.

Background

On March 13, 2014, the City received an application for a Steep Slope-Conditional Use Permit (CUP) at 337 Daly Avenue. The application was deemed complete on March 20, 2014; however, upon initial review, staff found that the proposed design was over footprint. The applicants have redesigned the house to meet footprint. The property is located in the Historic Residential (HR-1) District.

This application is a request for a Conditional Use Permit (CUP) for construction of a new single family dwelling on a vacant platted lot of record. Lot 5 is part of the Daly West Subdivision, which was reviewed by the Planning Commission on July 11, 2007 and approved by City Council on August 16, 2007 (Exhibit E).

Because the total proposed structure is greater than 1,000 square feet, and construction is proposed on an area of the lot that has a thirty percent (30%) or greater slope, the applicant is required to file a Conditional Use Permit (CUP) application. The CUP is required to be reviewed by the Planning Commission, pursuant to LMC § 15-2.3-7, prior to issuance of a building permit.

The lot is a vacant, platted lot with existing grasses and little other vegetation. The lot is located between an existing non-historic single-family home, a vacant lot, and is located across the street from a small historic mining shack. There are no existing structures or foundations on the lot.

A Historic District Design Review (HDDR) application is being reviewed concurrently with this application (Exhibit A).

Purpose

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

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

Analysis

The proposed house contains a total of 3,132 square feet, including the 275 square foot single car garage proposed on the lower level. The proposed footprint is 1,568square feet, which is approximately 4 square feet less than the allowable 1,571 square feet. The house complies with all setbacks, building footprint, and building height requirements of the HR-1 zone. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	3,917.5 sf, <u>complies.</u>
Building Footprint	1,571 square feet (based on plat notes) <u>maximum</u>	1,568 square feet, <u>complies.</u>
Front Yard	12 feet minimum	12 feet (front) to second

		level porch, <u>complies</u> ; 14.5 ft. to front gable, <u>complies</u> .
Rear Yard	12 feet minimum	Increases from 15 feet to 17 feet across rear property line, <u>complies</u> .
Side Yard	5 feet minimum, total 10 feet.	5 feet on each side, <u>complies</u> . Total of ten feet, <u>complies</u> .
Height	27 feet above existing grade, <u>maximum</u> .	26.5 ft., ridge of gable on the north elevation, <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.	20 feet, <u>complies</u> .
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	Maximum difference is 48" (4 feet) on the southeast corner with most of the grade change much less than 48", <u>complies</u> .
Vertical 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. Architectural features, that provide articulation to the upper story façade setback may encroach into the minimum 10 ft. setback but shall be limited to no more than 25% of the width of the building encroaching no more than 4 ft. into the setback.	The peak of the front gable measures 25 ft. in height. Less than 25% of the width of the building encroaches into the minimum 10 ft. setback no more than 4 ft. <u>complies</u> .
Roof Pitch	Between 7:12 and 12:12.	The main roofs have 7:12 pitches, <u>complies</u> . A front gable has a 12:12 pitch, <u>complies</u> .
Parking	Two (2) off-street parking spaces required.	One (1) space within a single car garage and one uncovered space on the driveway, within the lot

		area, compliant with required dimensions, <u>complies.</u>
--	--	--

The overall slope of the lot is roughly 28.8%. The rear thirty-two feet (32') of the house sits on a slope of roughly 38%. The applicant proposes to construct a patio area in the rear yard. The slope within the rear yard setback is approximately 63%. A deck will extend from the second level of the house to the hill side. The hillside will then be terraced with retaining walls no greater than six feet (6') in height from existing grade to create a stepped patio.

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. The majority of the house sits on the relatively flat portion of the lot. The steepest grade is located along the back half of the house, where the grade increases steadily to form the Daly Canyon hillside. The applicant has located the majority of the structure at the front of the lot to minimize the impacts to the hillside. Along the front property line, there is a change in grade of approximately four feet (4') from north to south, or nine percent (9%). The applicant has utilized this grade change to reduce the mass and bulk of the structure. The single car garage is on the north side of the structure where the grade change allows for a driveway entrance. Steps on the south side of the façade extend up to meet the porch.

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. There is minimized excavation except the rear fifteen feet (15') of the house which is located on the grade that dramatically rises to form the wall of Daly Canyon. On this portion of the house, the applicant proposes to

maintain the existing grade, allowing the house to sink into the hill. The first floor of the rear portion of the house will be located underground. Vegetation will be added as necessary and retaining walls will be limited to the rear patio area. Additionally, the garage door is tucked eight feet (8') beneath the front porch to minimize its appearance.

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 a relatively level driveway from Daly Avenue to the single car garage. Grading is minimized for both the driveway and the foundation. The proposed driveway has a slope of less than 14%; its slope is roughly 9%. The driveway is designed to minimize grading of the natural topography and to reduce overall Building scale. The applicants have proposed a driveway width of nine feet (9'); however, the minimum driveway width for a single family residence is ten feet (10'). This has been addressed in Condition of Approval #12.

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 within the thirteen foot (13') rear yard setback with a slope of 53% . The average slope is 28.8% across the entire length of the lot. Because the lot gradually climbs and then creates a steep slope to form the wall of Daly Canyon, the majority of the lower level is above grade except at the back of the house. The applicant proposes to construct a patio area accessible from the second level in the rear yard. Stepped low retaining walls are proposed in the rear yard to regain Natural Grade and to create a terraced patio area. New retaining walls will not exceed six feet (6') in height, with the majority of the walls measuring five feet (5') in height. These retaining walls are located in the rear yard setback.

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. As previously noted, the house is located on relatively flat grade except at the rear fifteen feet (15') of the house which sits on the steep slope of the hillside. The first floor of the rear portion of the house will be located underground in order to maintain existing grade and reduce the height of the structure. A deck will extend from the second level to the hillside, reducing the need for fill and grading. Terraced stone retaining walls, not exceeding six

feet in height from Existing Grade, will be constructed to retain the hillside and accommodate the patio area.

The Final Grade will be almost identical to the Existing Grade. 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 proposed at nine feet (9') has been corrected by Condition of Approval #12 that states the minimum driveway width is ten feet (10') and maximum is twelve feet (12').

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 sits on relatively flat grade, with the exception of the back of the house which is located on the steep slope. The house is compatible and consistent with the pattern of development on neighboring properties which consists of deep lots with development that extends back from the façade to the cliff face of the hill at the rear of the property. Much of the mass and bulk of the structure is hidden behind the cross-wing design of the façade and will not be visible from the street. The vacant lot to the north will allow some visibility of the north elevation; however, this elevation is broken up by material changes, stone foundation, and a stone chimney.

Staff finds that the proposed design is consistent with the Design Guidelines for Historic Districts and Historic Sites. 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 selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. The Historic District Design Review (HDDR) application for this project has not yet been approved.

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. Further, this style of this house is consistent with the Design Guidelines. It does not detract from nearby historic properties, but rather lends itself to the overall character of the neighborhood.

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.**

The applicant has proposed a cross-wing design in which the projecting gable is located approximately sixteen feet (16') from the front property line. A projecting porch extends beyond the plane of the gable to meet the twelve feet (12') front yard setback. By overhanging the porch, the garage door is recessed approximately eight feet (8'). Within the rear yard setback, the applicant proposes to construct three (3) patio areas that step with the grade from north to south.

Side setbacks are consistent with the pattern of development and level of separation in the neighborhood. The profile roof, varied front setbacks, and overall reduced mass of the design does not create a wall effect along the street front. The property is steeply sloped down from the west property line atop Daly Canyon.

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. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and the neighboring new developments and nearby existing historic structures. The building volume is almost maxed out in terms of footprint; however most of the height of the structure is lower than the maximum height of 27', with a maximum height of 26.5'. The majority of the mass and volume of the proposed house is located behind the front façade and backs to the canyon wall.

Criteria 9: Building Height (Steep Slope).

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

The proposed structure complies with the 27 feet maximum building height requirement measured from existing grade. The highest roof point measures approximately 26.5 feet at the center of the house. The other gables on the north and south elevations as well as the façade measure between 20 and 25 feet from existing grade. As previously noted, this is an uphill lot with the steepest slope being located at the rear of the property.

The applicant also meets the criteria outlined in LMC 15-2.2-5(A) stating that the structure shall have a maximum height of thirty-five feet (35') measured from the lowest finished floor plane to the point of the highest wall top plate that supports the ceiling

joists or roof rafters. The height from the lowest finished floor plane to the highest wall plate is twenty feet (20').

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 a Historic District Design Review (HDDR) application; however, this has not yet been approved.

Department Review

This project has gone through an interdepartmental review. During the Development Review Committee meeting, it was discovered that soil mitigation will likely be necessary due to the site's proximity to historic mines. As this property was historically a residential property, no mine hazards are suspected. 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 May 27, 2014. Legal notice was also published in the Park Record in accordance with requirements of the LMC on May 22, 2014.

Public Input

No input has been received regarding the Steep Slope CUP.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for 337 Daly Avenue 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. Due to the site's proximity to the mining sites, the site will be required to submit a soil mitigation plan at the time of their building permit.

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 337 Daly Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact

1. The property is located at 337 Daly Avenue.
2. The property is described as Lot 5 of the Daly West Subdivision. The allowable building footprint is 1,571 sf for a lot of this size. The proposed building footprint is 1,568 sf.
3. Ordinance 07-51, 3,
4. which approved the Daly West Subdivision, limits the footprint to 1,571 square feet and requires that only a single-family residence be constructed on this property. The applicant is proposing to construct a single-family residence.
5. The site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.
6. The property is located in the HR-1 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.
7. Access to the property is from Daly Avenue, a public street. The lot is an uphill The lot is a vacant, platted lot with existing grasses and little other vegetation. The lot is located between an existing non-historic single family home, a vacant lot, and is located across the street from a small historic mining shack. There are no existing structures or foundations on the lot.
8. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.
9. The neighborhood is characterized by primarily historic and non-historic single family and duplex houses. Daly Canyon forms the rear yard.
10. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.
11. The applicant submitted an HDDR application in March 2014; the application was deemed complete on March 20, 2014.
12. The proposed design is a single family dwelling consisting of 3,132 square feet of living area (including the 275 sf single car garage) with a proposed building footprint of 1,568 sf.
13. The driveway is proposed to be a maximum of 9 feet in width and 19 feet in length from the edge of the street 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').
14. The proposed structure complies with all setbacks.
15. The proposed structure complies with allowable height limits and height envelopes for the HR-1 zoning as the two (2) story house measures less than 27 feet in height from existing grade, 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.
16. The proposal, as conditioned, complies with the Historic District Design Guidelines as well as the requirements of 15-5-5 of the LMC.
17. 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, in particular the pattern of houses on the Daly Avenue.

18. 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 Daly Avenue.
19. 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.
20. 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.
21. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at six feet (6') or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.
22. 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. The Building Department will require a shoring plan for stabilizing the slope above.
23. The plans include setback variations, increased setbacks, decreased building heights, and an overall decrease in building volume and massing.
24. 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.
25. The findings in the Analysis section of this report are incorporated herein.
26. The applicant stipulates to the conditions of approval.
27. The lot is located in a Zone A Special Flood Hazard Area based on the FEMA Flood Insurance Rate Maps.

Conclusions of Law

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

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. 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 west 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. Altering of the site topography may require a stream study to determine impacts to the flood plains.
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 west and the non-historic structure to the north.
8. This approval will expire on June 11, 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. The driveway width must be a minimum of ten feet (10') and will not exceed twelve feet (12') in width.
13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
14. Construction waste should be diverted from the landfill and recycled when possible.
15. 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.
16. As stipulated by Ordinance 07-51, any relocation of the existing utility pole and guy wires located on this property will not be the responsibility of Park City.
17. Also stipulated by Ordinance 07-51, the city acknowledges that there is an existing private water channel along the frontages of Lots 5 and 6 of the Daly West Subdivision. The channel begins with a diversion from Silver Creek on the property

owned by United Park City Mines Company and continues through Lots 1 through 6. The City has no obligation to operate, maintain, or repair the existing private channel.

Exhibits

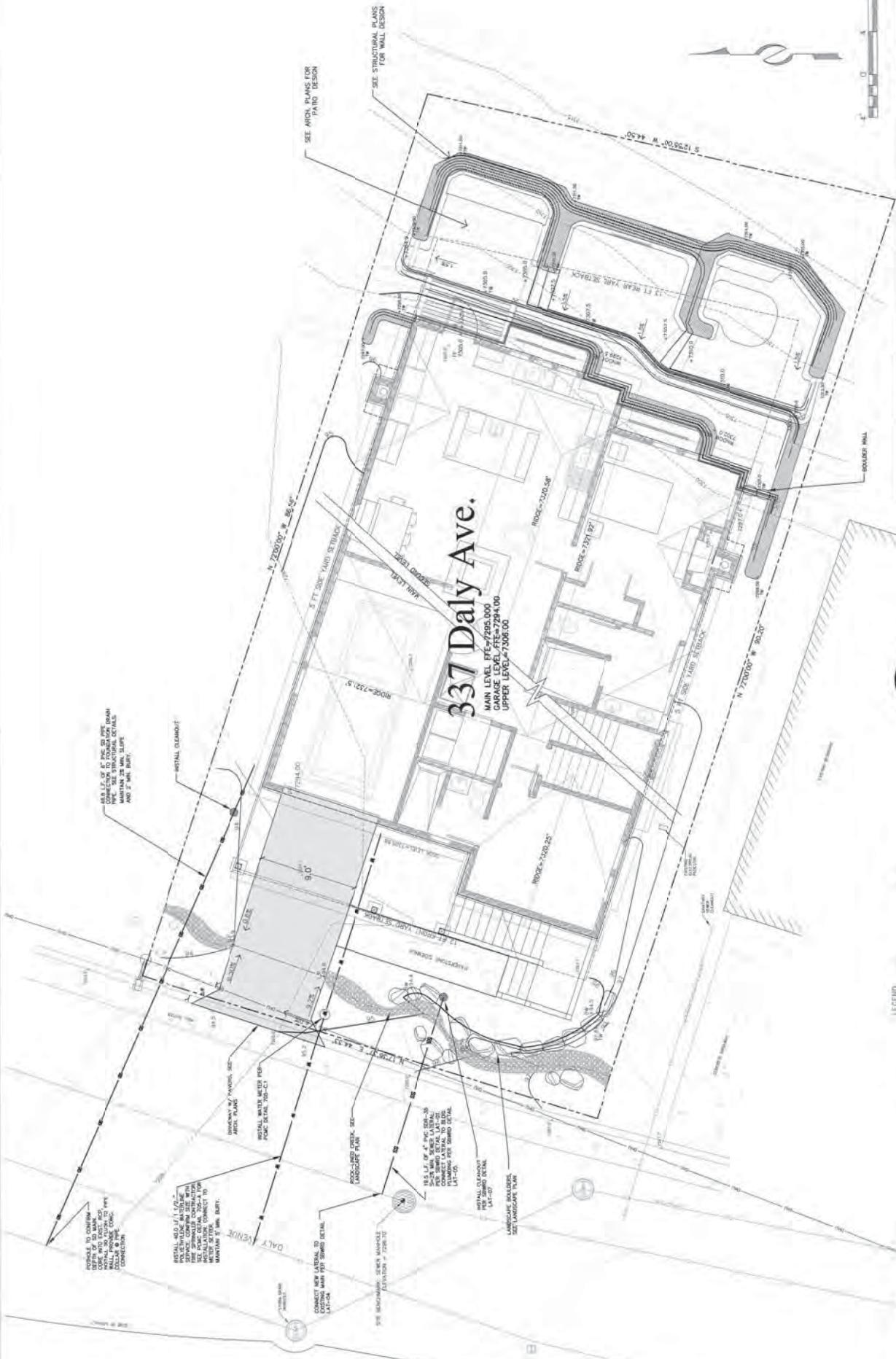
Exhibit A- Plans (existing conditions, site plan, elevations, floor plans)

Exhibit B- Existing Conditions Survey

Exhibit C- Visual Analysis/Streetscape

Exhibit D- Existing Photographs

Exhibit E- Ordinance 07-51



UTILITY NOTES:
 ALL NEW CONSTRUCTION SHALL COMPLY WITH ILLINOIS CITY MUNICIPAL REGULATIONS.
 ALL EXISTING CONSTRUCTION SHALL COMPLY WITH ILLINOIS CITY MUNICIPAL REGULATIONS.
 ALL EXISTING CONSTRUCTION SHALL COMPLY WITH ILLINOIS CITY MUNICIPAL REGULATIONS.
 REGULATIONS OF THE STATE OF ILLINOIS CITY OF ILLINOIS CITY MUNICIPAL REGULATIONS.

LEGEND:
 EXISTING WATER MAIN
 EXISTING SEWER MAIN
 EXISTING STORM DRAIN
 EXISTING POWER

STAFF:
 MICHAEL BERNOWITZ
 MICHAEL BERNOWITZ

**DAILY WEST SUBDIVISION, LOT 5
 337 DALY AVENUE
 UTILITY AND GRADING PLAN**

FOR: TORI SHAWER
JOB NO.: 2-1-14
FILE: \\PorchSurvey\dwg\337 Daly Hwy AC Site Plans-2-14.dwg

DATE: 5/8/14

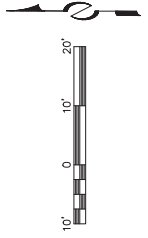
SHEET 1 OF 3





337 DALY AVE

LOCATED IN SECTION 21
 TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE BASE
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



(435) 644-9447

CONSULTING SERVICES
 337 Main Street, P.O. Box 2044, Park City, Utah 84002-2044

STAFF:
 STEVE SCHUELER

ORTHOPHOTO
 337 DALY AVE.
 PARK CITY SURVEY

SHEET
 1
 OF
 1

FOR: TORI SHAVER
 2-1-14
 JOB # 100 Park City Survey\dwg\337 Daly Ave. SS CUP\ortho + photo.dwg
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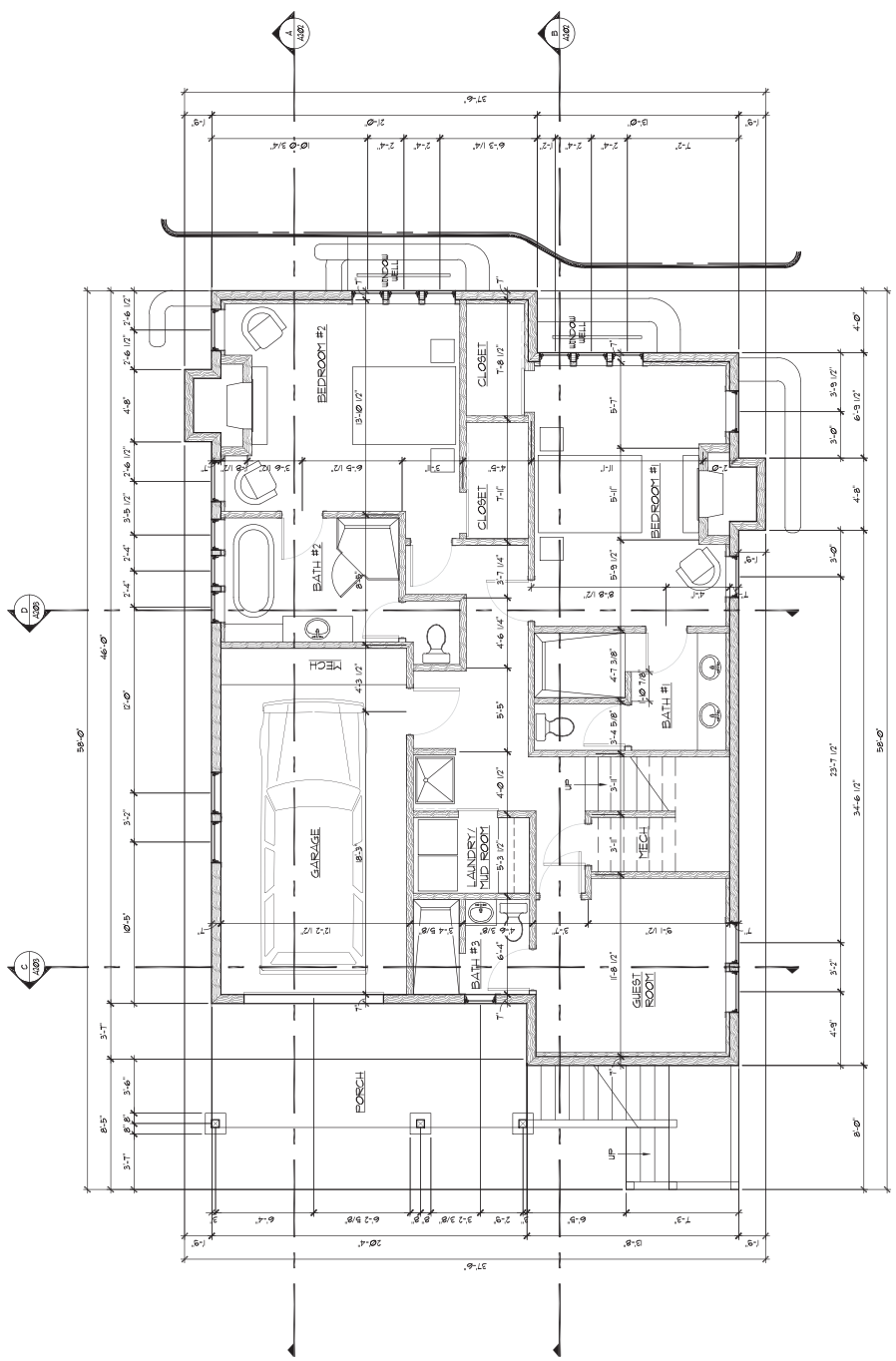
REVIEW SET

SHAVER RESIDENCE
 PARK CITY, UTAH

MAIN LEVEL FLOOR PLAN

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND FINISHES BEFORE CONSTRUCTION.
 DRAWING SCALE APPLIES TO 27 X 36 SHEET SIZE.
 REVISION: DATE:

DESIGNED BY: H. VAZZARRA
 CHECKED BY: XXXX
 DRAWN BY: XXXX
 PROJECT NUMBER: 13326
 PROJECT DATE: MAY 9, 2014
 SHEET NUMBER: A100 OF XXXX



MAIN LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 AREA (FOOTPRINT): 1566.67 SF (157172 ALLOWABLE)

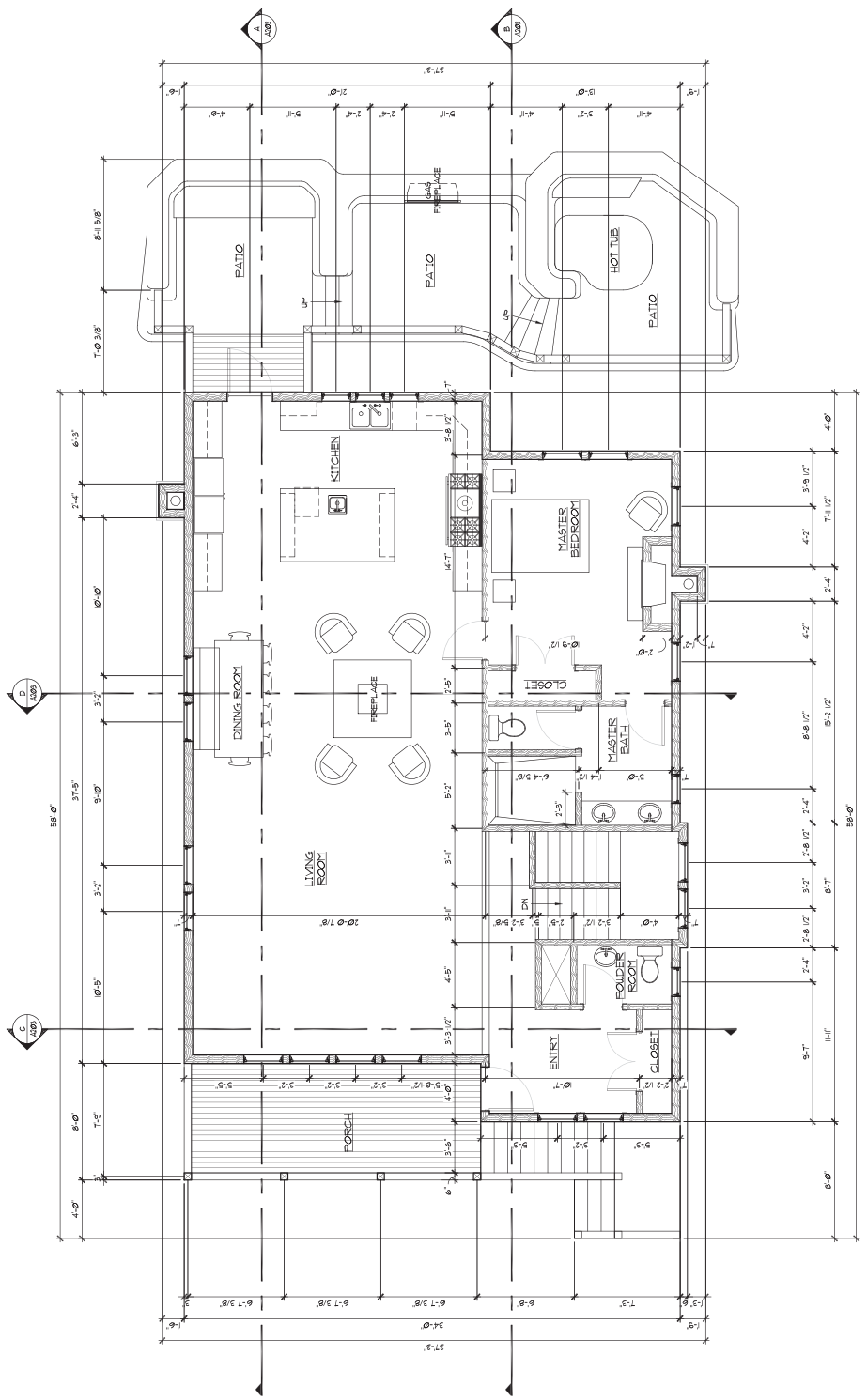
REVIEW SET

PROJECT: SHAVER RESIDENCE
 SHEET TITLE: PARK CITY, UTAH

UPPER LEVEL FLOOR PLAN

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE COMMENCING WORK.
DESIGNER SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE COMMENCING WORK.
DATE: MAY 9, 2014
PROJECT: SHAVER RESIDENCE
NUMBER: 13326
BY: H. MAZZAROSA
CHECKED: XXXX
DATE: XXXX
REVISION: DATE

SHEET A101 OF XXXX



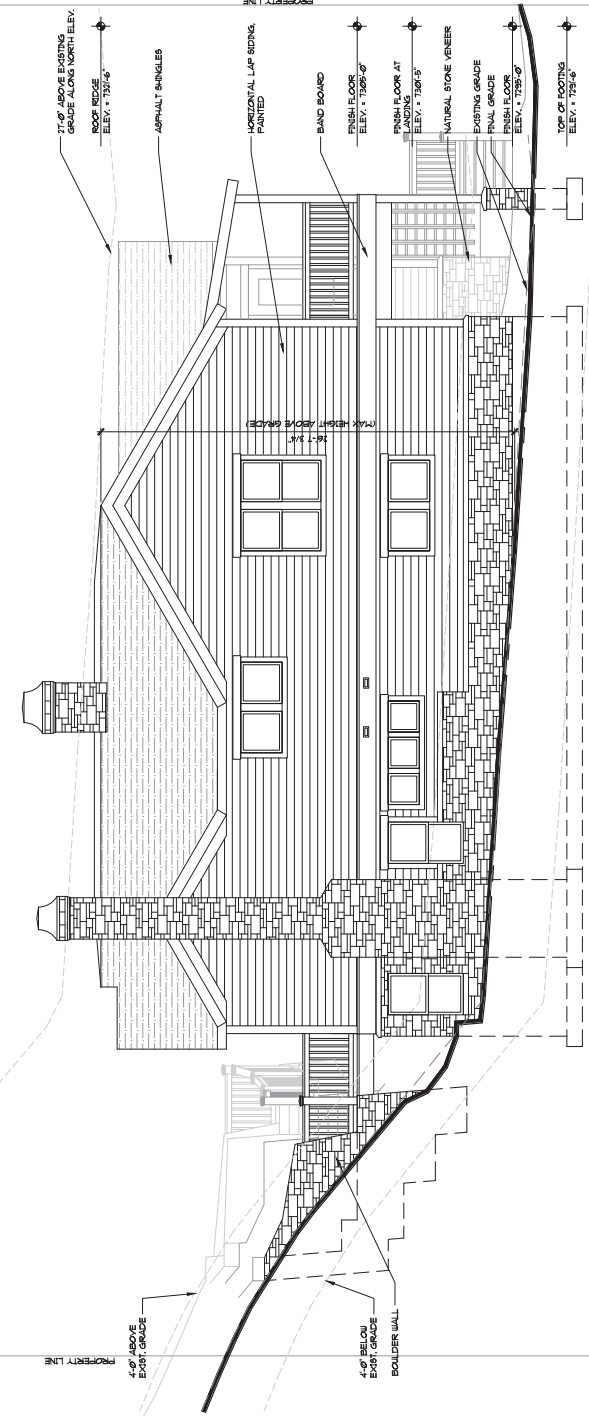
UPPER LEVEL FLOOR PLAN
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 AREA (FOOTPRINT): 15709 SF (15717 ALLOWABLE)

REVIEW SET

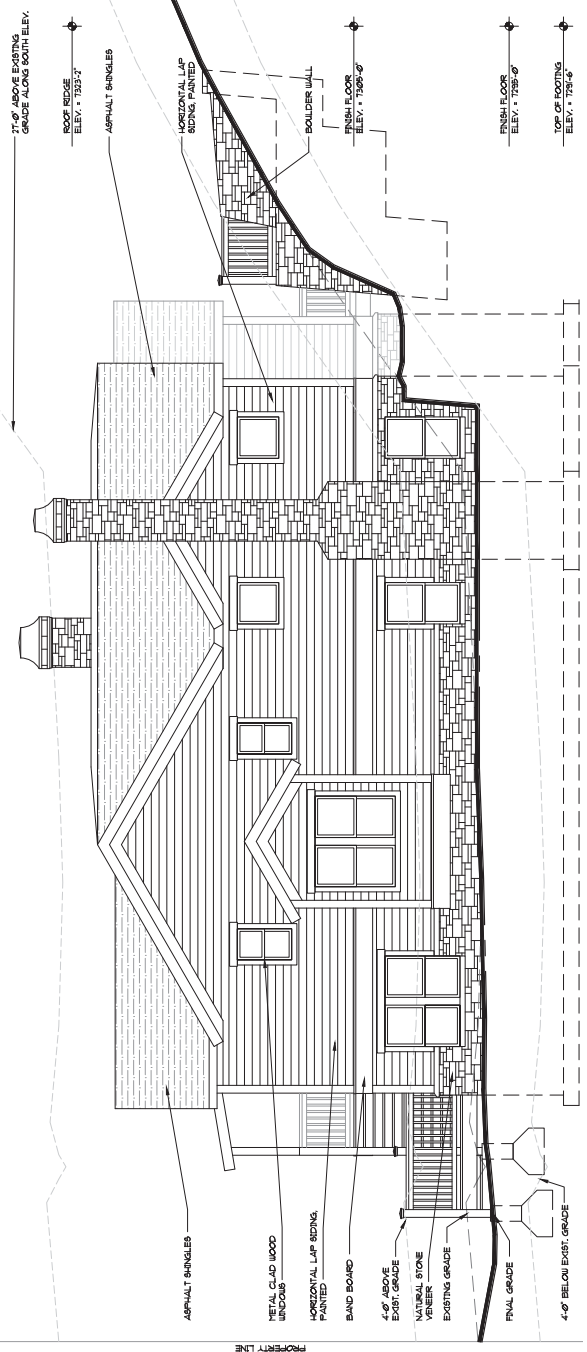
SHAVER RESIDENCE
 PARK CITY, UTAH

EXTERIOR ELEVATIONS

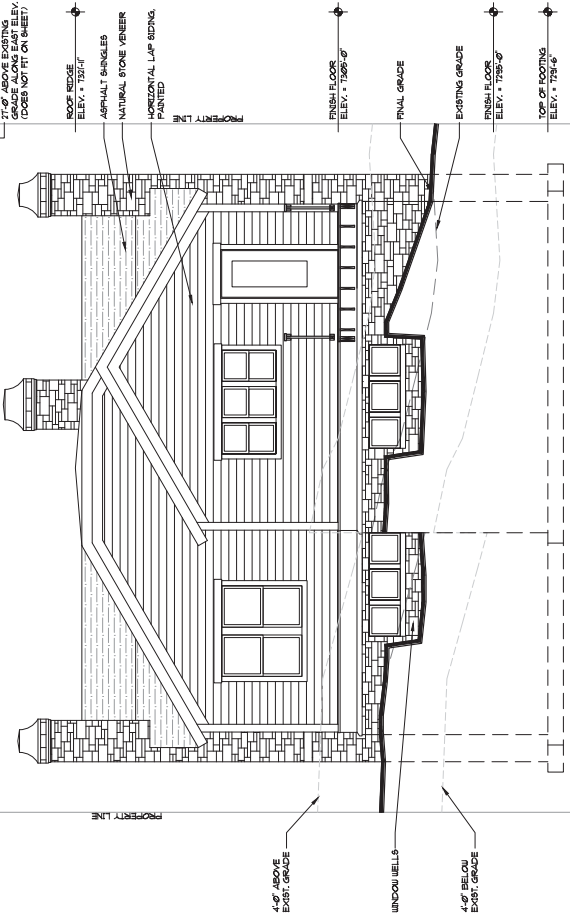
CONTRACTOR/ARCHITECT	ALL RIGHTS RESERVED
DATE	DATE
BY	DATE
PROJECT NUMBER	DATE
PROJECT	DATE
SHEET	DATE
OF	DATE
A200	DATE
OF	DATE
XXXX	DATE



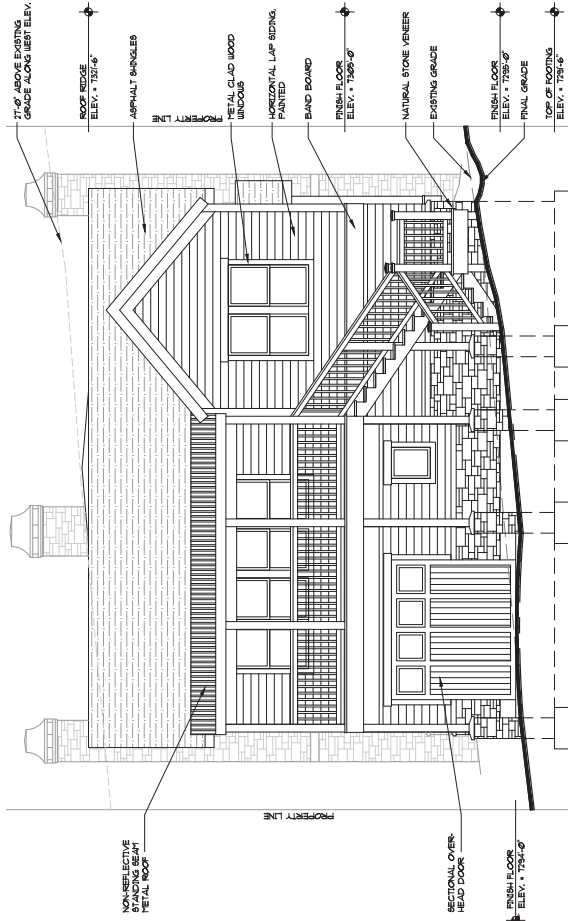
NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

101 North Main Street, Suite 300 • Evansville, Indiana 47603 • Tel: (317) 436-1111 • Fax: (317) 436-1112
 Myers ■ Anderson
 Architecture
 Interior Design
 Landscape Architecture

REVIEW SET

SHAVER RESIDENCE
 PARK CITY, UTAH

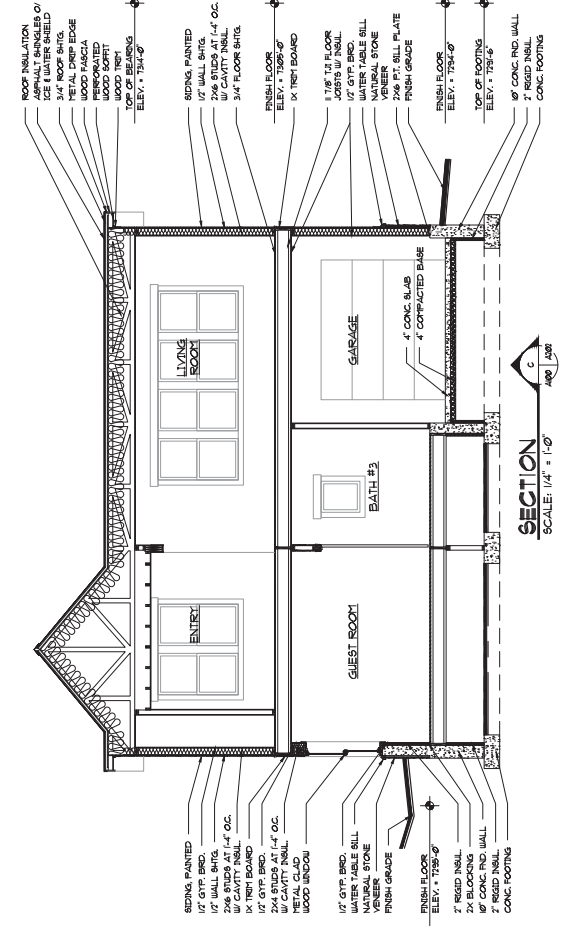
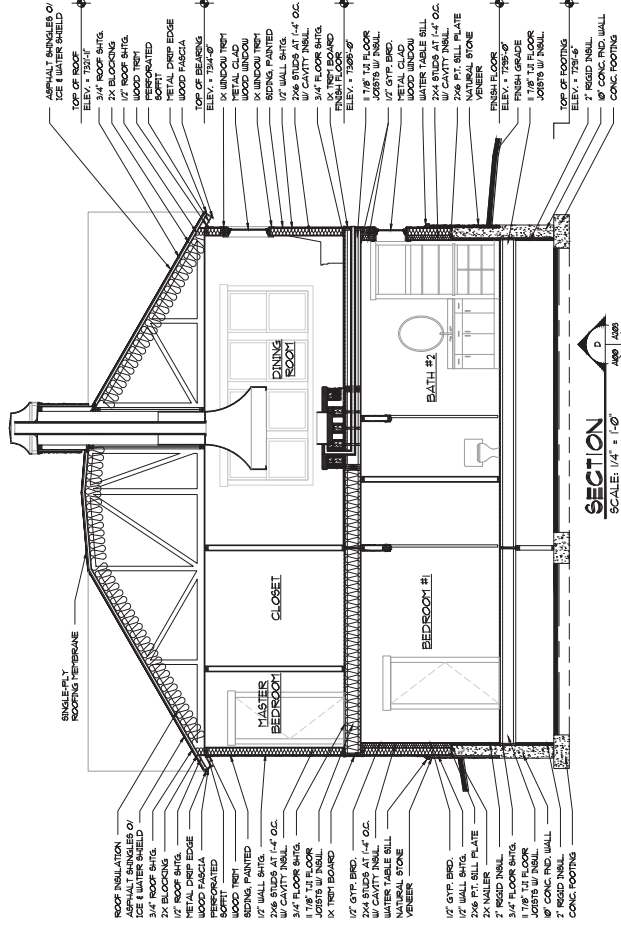
EXTERIOR ELEVATIONS

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHALL BE AS SHOWN ON THESE DRAWINGS.	
DATE	DATE
BY	DATE
CHECKED	DATE
BY	DATE
PROJECT NUMBER	13336
PROJECT NAME	SHAVER RESIDENCE
SHEET	OF
A201	X000

CONTRACTOR SHALL VERIFY ALL WORK IS AS SHOWN
DATE: 05/29/2014
DRAWING NO.: 1339 A203
PROJECT NO.: 1339
CLIENT: H. VAZZARRO
DESIGNER: MYERS ANDERSON ARCHITECTURE
DATE: MAY 9, 2014

PROJECT
SHAVER RESIDENCE
PARK CITY, UTAH

SHEET TITLE
REVIEW SET

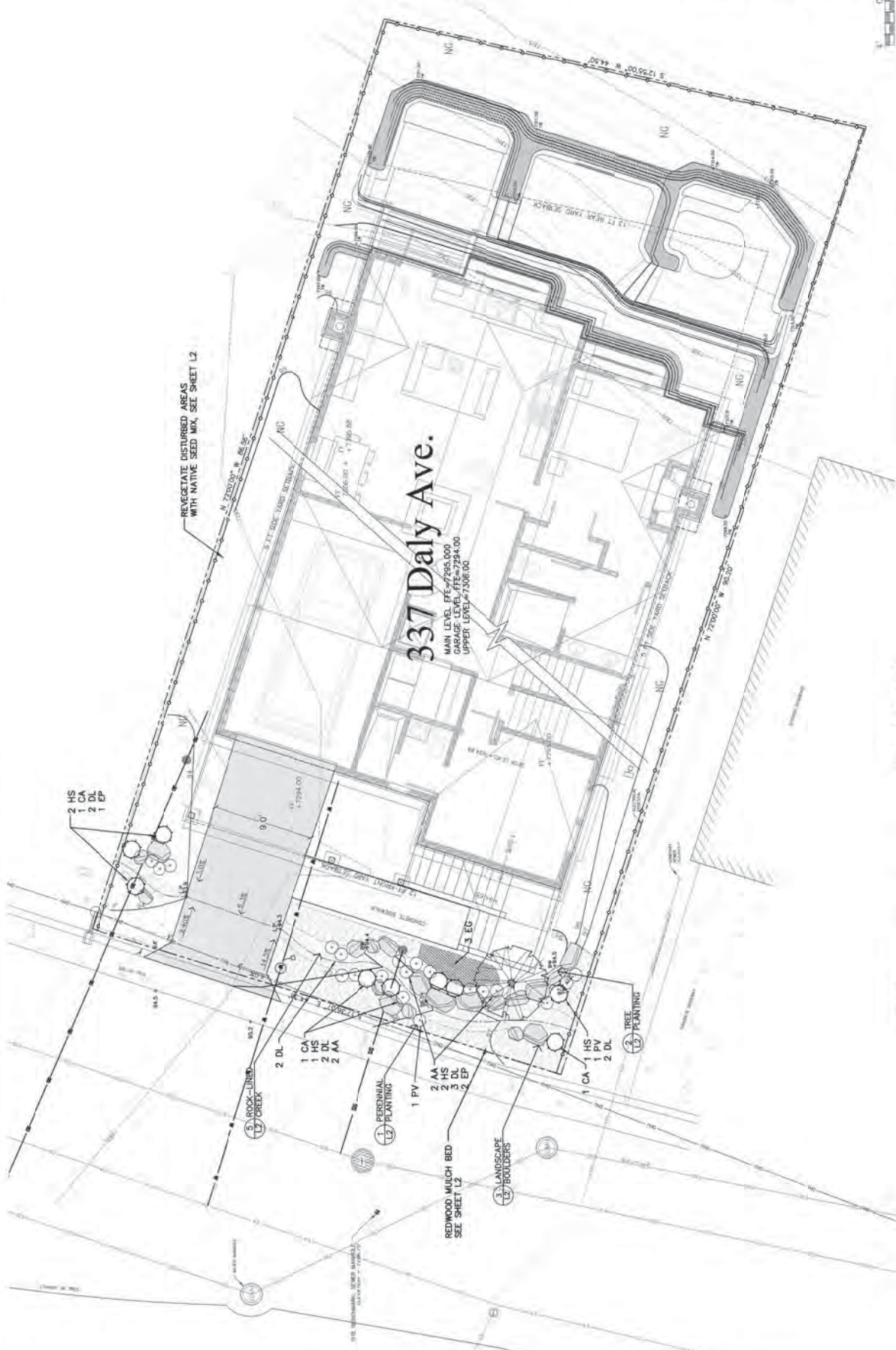


SECTIONS

REVIEW SET

Myers ■ Anderson
Architecture
Interior Design
Landscape Architecture

1871 Main Street, Suite 300 • Escalante, Utah 84304 • Tel: (435) 832-2323 • Fax: (435) 832-2324



LEGEND

- Deciduous Tree
- Native Grass
- Proposed Perennials
- Proposed Wood Mulch Beds

SEED MIX

PLANT	QUANTITY	PLANTING	PLANTING
PERENNIAL PLANTING	1		
TREE PLANTING	2		
WOOD MULCH BEDS	1		
DECIDUOUS TREES	1		
NATIVE GRASS	1		

- NOTES:
1. PROVIDE 2" DEPTH OF 1" WOOD MULCH IN ALL PERENNIAL AND SHRUB BEDS
 2. PLANT SPACING—PER PLAN

GENERAL LANDSCAPE NOTES:

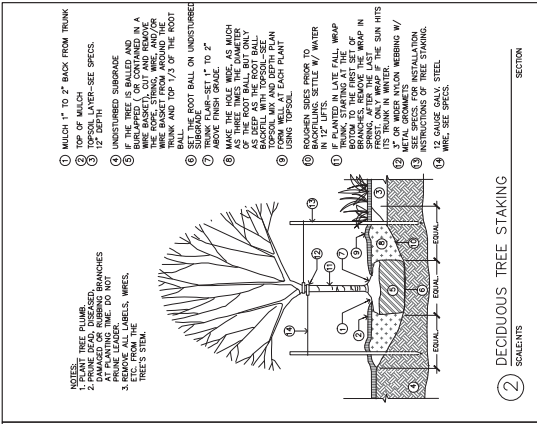
1. THE CONTRACTOR SHALL LOCATE AND VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK.
2. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON ALL DRAWINGS.
3. ALL PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE CURRENT AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN OR EQUIVALENT.
4. NO PLANT SHALL BE PUT INTO THE GROUND BEFORE ROUGH GRADING HAS BEEN COMPLETED AND APPROVED BY THE LANDSCAPE ARCHITECT OR EQUAL.
5. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE, BE FROM THE CONTAINER, BEE, OR IF TRANSPLANTED.
6. ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN. NO CONTAINER GROWN STOCK WILL BE REMOVED AT THE TIME OF PLANTING.
7. WITH CONTAINER GROWN STOCK, THE CONTAINER SHALL BE REMOVED AND THE CONTAINER BALL SHALL BE CUT THROUGH THE SURFACE IN TWO VERTICAL LOCATIONS.
8. THE DAY PRIOR TO PLANTING, THE LOCATION OF ALL TREES AND SHRUBS SHALL BE STAKED FOR APPROVAL BY THE LANDSCAPE ARCHITECT OR EQUAL.
9. AT PLANTING TIME, ALL PLANTS SHALL BE THINNED BY REMOVING A MAJOR ONE-THIRD OF THE VEGETATIVE MATERIAL. DO NOT CUT LEAVES.
10. TREES SHALL BE THINNED WITH AN ANT-DESICCANT WITHIN 24 HOURS AFTER PLANTING. ALL PLANTS SHALL BE SHOWN WITH AN ANT-DESICCANT AT THE BEGINNING OF THEIR FIRST WINTER.
11. ALL PLANTS SHALL BE WATERED THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING. ALL PLANTS SHALL THEN BE WATERED AS NEEDED AND SUGGESTED BY LOCAL CONDITIONS DURING THE FIRST GROWING SEASON.
12. AREAS TO BE SEEDED SHALL BE RAKED OF STONES AND DEBRIS. DEBRIS AND STONES OVER 1" IN DIAMETER SHALL BE REMOVED FROM THE SITE.
13. MAINTENANCE SHALL BEGIN AFTER EACH PLANT HAS BEEN INSTALLED AND SHALL CONTINUE UNTIL THE PLANT IS FULLY ESTABLISHED. MAINTENANCE SHALL INCLUDE WEEDING, MULCHING, REPLACEMENT OF SICK OR DEAD PLANT MATERIAL, AND ANY OTHER CARE NECESSARY FOR THE PROPER GROWTH OF THE PLANT MATERIAL.
14. THE CONTRACTOR SHALL REVIEW ARCHITECTURAL/ENGINEERING PLANS TO BECOME FAMILIAR WITH GRADING AND SURFACE UTILITIES.
15. THE CONTRACTOR SHALL INSURE THAT HIS WORK DOES NOT INTERRUPT ESTABLISHED OR PROJECTED DRAINAGE PATTERNS.
16. THE CONTRACTOR SHALL COORDINATE WITH LIGHTING AND IRRIGATION CONTRACTORS REGARDING TIMING OF INSULATION OF PLANT MATERIAL.
17. EVERY POSSIBLE SAFEGUARD SHALL BE TAKEN TO PROTECT BUILDING SURFACES, EQUIPMENT AND FURNISHINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSON OR PROPERTY WHICH MAY OCCUR AS A RESULT OF NEGLIGENCE ON THE PART OF THE CONTRACTOR IN THE EXECUTION OF THE WORK.
18. ALL PLANTS SHALL BE INSTALLED EITHER ENTIRELY IN OR ENTIRELY OUT OF PLANTING BEDS.
19. THE CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR STABILITY AND PLUMB CONDITIONS OF ALL TREES AND SHRUBS, AND SHALL BE LEGALLY LIABLE FOR ANY DAMAGE CAUSED BY INSTABILITY OF ANY PLANT MATERIALS. STAKING SHALL BE PROVIDED FOR ALL TREES AND SHRUBS. STAKING SHALL BE DONE UTILIZING A METHOD AGREED UPON BY THE LANDSCAPE ARCHITECT, AS INDICATED ON THE DOCUMENTS.
20. UPON COMPLETION OF ALL LANDSCAPING, AN INSPECTION FOR ACCEPTANCE OF THE WORK SHALL BE HELD. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OR OWNER FOR SCHEDULING THE INSPECTION AT LEAST SEVEN (7) DAYS PRIOR TO THE ANTICIPATED INSPECTION DATE.
21. ALL TREES, SHRUBS, AND PERENNIALS SHALL BE GUARANTEED FOR 12 MONTHS FROM THE DATE OF ACCEPTANCE. REPLACEMENT PLANTS USED SHALL BE GUARANTEED FOR AN ADDITIONAL 90 DAYS.
22. ALL PERENNIALS SHALL BE GUARANTEED FOR 12 MONTHS FROM THE DATE OF ACCEPTANCE. REPLACEMENT PLANTS USED SHALL BE GUARANTEED FOR AN ADDITIONAL 90 DAYS.
23. ALL LAWN AREAS TO BE SEEDED BY 15"-18" O.C. IN CLUSTERS OF 3-10 PER SPECIES AS SPECIFIED ON PLAN. LANDSCAPE ARCHITECT SHALL VERIFY SITE PLACEMENT OF PLANTS BEFORE PLANTING BEGINS.
24. CONTRACTOR TO VERIFY QUANTITIES.
25. ALL PERENNIAL BEDS TO BE MULCHED WITH A MINIMUM OF 4" PINE BARK.
26. LANDSCAPE AREA WILL BE COVERED 100% BY EITHER DRIP OR SPRAY IRRIGATIONS. AN IRRIGATION PLAN WILL BE INCLUDED AS A DESIGN-BUILD CONTRACT AND WILL BE SUBMITTED AND APPROVED BY CLIENT PRIOR TO IRRIGATION AND PLANT MATERIAL INSTALLATION.
27. ALL PLANTS AND PERENNIALS WILL BE COVERED BY AN IRRIGATION, RESERVOIR SYSTEM, AREAS DESIGNATED AS NON-IRRIGATED SHALL HAVE TEMPORARY SPRINKLERS INSTALLED UNTIL WHITE GRASSES ARE ESTABLISHED.

PLANT LIST

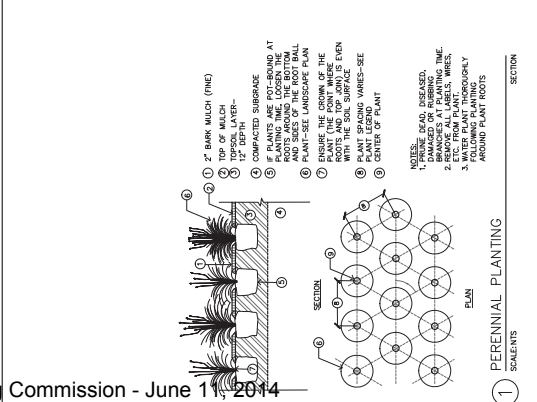
QTY	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE & CONDITION	TOPSOIL
1	AG	<i>Aster glaberrimus</i> Thunberg	Aster Maple	9"-10" Clump	12"
PERENNIALS & GRASSES					
3	CA	<i>Chamaecrista nictitans</i> (Mill.) Benth	Golden grass	1 GAL. 18" o.c.	6"
3	LA	<i>Liatris scariosa</i> (Mill.) Benth	Blue Star	3 GAL. 18" o.c.	6"
6	IS	<i>Hebe x exoniifolia</i> (Mill.) Benth	Blue Star	1 GAL. 18" o.c.	6"
3	EP	<i>Echinacea purpurea</i>	Purple Cone Flower	1 GAL. 18" o.c.	6"
7	PI	<i>Panicum virgatum</i> (Mill.) Benth	Blue Switchgrass	1 GAL. 18" o.c.	6"
1	LA	<i>Liatris scariosa</i> (Mill.) Benth	Blue Star	1 GAL. 18" o.c.	6"
28	LA	<i>Liatris scariosa</i> (Mill.) Benth	Blue Star	1 GAL. 18" o.c.	6"
REVEGETATION + SOIL TOPSOIL REQUIREMENTS					
850 SF WHITE GRASSES 6"					
90 SF WOOD MULCH 6"					

MATERIAL LEGEND

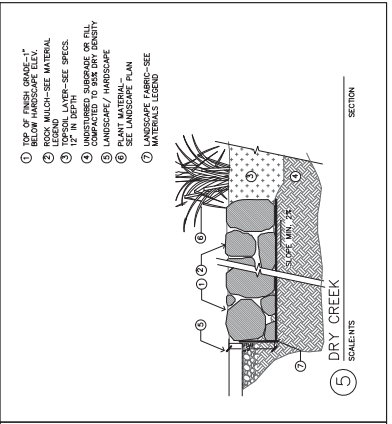
ITEM	FINISH MATERIAL	COLOR / AMOUNT	COMMENTS
1	LANDSCAPE BOLLERS-SEE SPECIFICATIONS	SEE SPECIFICATIONS	CONTRACTOR SHALL VERIFY QUANTITIES AND PLACEMENT OF BOLLERS WITH OWNERS REPRESENTATIVE FOR APPROVAL.
2	REMOVED MULCH	1" FRESHLY REMOVED MULCH	REMOVED MULCH
3	60-INSIDE FIBRE	60-INSIDE FIBRE	60-INSIDE FIBRE
4	RIVER ROCK	3"-4" ROUNDED RIVER ROCK	1 CY



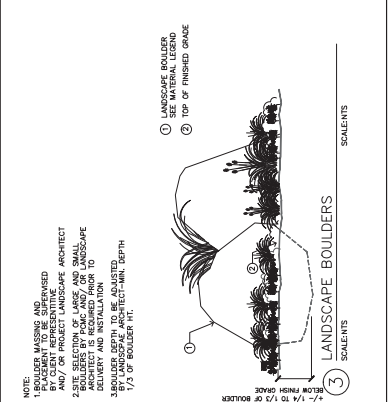
1 PERENNIAL PLANTING



2 DECIDUOUS TREE STAKING



3 LANDSCAPE BOLLERS



4 DRY CREEK

DAILY WEST SUBDIVISION, LOT 5
337 DALY AVENUE
LANDSCAPE DETAILS

STAFF: STEVE SCHUELER
 MICHAEL DEMONICO

FOR: TORI SHAUER
 JOB NO. 2014-114
 FILE: XY\Facility\Survey\137 Doly Av., AE landscape plan.dwg

DATE: 5/8/14

SHEET
 L1
 OF
 L2

Exhibit B

SURVEYOR'S CERTIFICATE


I, Matt A. Harbeck, do hereby certify that I am a registered land surveyor and hold a valid certification no. 1438239 as evidenced under the laws of the State of Utah. Further, only this topographic map was used in the making of this survey. I further certify that this topographic map is a true and correct representation of the ground as surveyed and compiled and is in compliance with generally accepted industry standards for accuracy.



NOTES

1. See Berneche/Schubert Survey Mapbook 2008-2010-2012.
2. See record of survey plat for easements and restrictions.
3. The applicant is responsible for verifying building setbacks, zoning requirements and building height.
4. This topographic map is based on a field survey performed on January 8, 2014.
5. Some coverage at the time of the survey was obscured by 1"-3" snow. As a result, ground elevations may vary from elevations shown on this survey. In addition, improvements and/or conditions may exist which are not shown on this survey.



 STAFF: MATT HARBECK MATT HARBECK HARBESON HOLLEY	DAILY WEST SUBDIVISION, LOT 5 337 DALY AVENUE TOPOGRAPHIC MAP	SHEET 1 OF 1
	FOR: TOM SHAWER JOB NO.: 2-1-14 FILE: X:\Proj\CD\Survey\Map\Map2013\020114.dwg	DATE: 1/10/14

REVIEW SET

SHAVER RESIDENCE
PARK CITY, UTAH

STREETSCAPE
ELEVATION

CONTRACTOR SHALL VERIFY ALL INFORMATION PROVIDED IS ACCURATE
DRAWING SCALE APPLIES TO 22 X 34 SHEET SIZE
REVISION: _____ DATE: _____
DRAWN BY: _____
CHECKED BY: B. LEOPOLD
DATE: _____
PROJECT NUMBER: 13326
PROJECT NAME: PARK S, 2014
SHEET NUMBER: A001
TOTAL SHEETS: 0000



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

REVIEW SET

SHAYER RESIDENCE
 PARK CITY, UTAH

CONTEXT ANALYSIS IMAGES

CONTRACTOR: HALL ASBURY	DATE: MAY 9, 2014
ALL DRAWINGS AND NOTATIONS SHALL BE IN ACCORDANCE WITH THE UTAH ARCHITECTURAL BOARD RULES AND REGULATIONS	
DRAWING SCALE: AS SHOWN	
22 X 34 SHEET SIZE	
REVISION	DATE
BY: B. LEZARD	
CHECKED: XXXX	
DATE: XXXX	
PROJECT NUMBER: 13326	
PROJECT NAME: SHAYER RESIDENCE	
SHEET NUMBER: 13	
TOTAL SHEETS: 13	
A002 OF XXXX	



CROSS-CANYON VIEW
 N.T.S.



NORTH-FACING STREET VIEW
 N.T.S.



SOUTH-FACING STREET VIEW
 N.T.S.



STREET FRONTAGE LOOKING EAST



BACK OF LOT LOOKING WEST



LOOKING SOUTH FROM NORTH LOT LINE



LOOKING NORTH FROM SOUTH LOT LINE

337 DALY AVE

LOCATED IN SECTION 21
TOWNSHIP 2 SOUTH RANGE EAST SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



STAFF:
STEVE SCHUELER

PANORAMIC VIEWS AT 90 DEGREES
337 DALY AVE.
PARK CITY SURVEY

TORI SHAVER
FOR: NO. 2-1-14
DATE: 3/3/14
FILE: AVPark_City_Survey\dwg\337 Daly Ave. SS CIP\ortho + pano.dwg

SHEET
1
OF
1

Ordinance No. 07-51

ORDINANCE APPROVING THE DALY WEST SUBDIVISION LOTS 5 & 6 CREATING TWO LOTS OF RECORD AT 331 AND 337 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property known as 331 and 337 Daly Avenue, has petitioned the City Council for approval of a subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on July 11, 2007 to receive input on the Daly West Subdivision Lots 5 & 6.

WHEREAS, the Planning Commission, on July 11, 2007, forwarded a positive recommendation to the City Council; and

WHEREAS, on August 16, 2007 the City Council approved the Daly West Subdivision Lots 5 & 6; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Daly West Subdivision Lots 5 & 6.

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 Daly West Subdivision Lots 5 & 6 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 331 (Lot 6) and 337 (Lot 5) Daly Avenue.
2. The two lots are not of equal dimensions. The lot area of lot 5 is approximately 3917.5 square feet. The lot area of lot 6 is approximately 3756.1 square feet
3. The zoning is Historic Residential (HR-1).
4. The neighborhood is characterized by single family new and historic homes, as well as duplexes and multi-family homes.
5. The subdivision will create two lots of record.
6. The two lots are vacant.
7. There is an existing power pole and guy wires on Lot 5 of the subdivision.
8. There is an existing private water channel along the frontage of Lots 5 and 6 of

the Daly West Subdivision. The channel begins with a diversion from Silver Creek on property owned by United Park City Mines Company and continues through Lots 1 through 6.

9. The property is located within a defined flood zone.
10. Access to the property is from Daly Avenue.
11. The minimum lot size in the HR-1 zone is 1,875 square feet for a single family home.
12. The minimum lot width in the HR-1 zone is 25 feet.
13. The maximum height limit in the HR-1 zone is 27 feet from existing grade.
14. Setback requirements for each of the lots are 5' on the side yard, 12' minimum in the front and rear yard with a minimum of 25' total.
15. The maximum footprint for a building on Lot 5 is 1571 sq. ft.
16. The maximum footprint for a building on Lot 6 is 1520 sq. ft.
17. Minimal construction staging area is available along Daly Avenue.
18. All findings within the Analysis section are incorporated herein.
19. The applicant agrees to all the conditions of approval.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

Conditions of Approval:

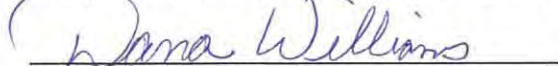
1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. Prior to the receipt of a building permit for construction on the lots, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable Historic District Design Guidelines and the Land Management Code.
4. The applicant will record the subdivision 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 and the plat will be void.
5. Any relocation of the existing utility pole and guy wires located on Lot 5 of the Daly West Subdivision will not be the responsibility of Park City. A note to this effect shall be added to the plat.
6. The City acknowledges that there is an existing private water channel along the frontage of Lots 5 and 6 of the Daly West Subdivision. The channel begins with a diversion from Silver Creek on property owned by United Park City Mines Company and continues through Lots 1 through 6. The applicant acknowledges that City has no obligation to operate, maintain or repair the existing private

- channel. A note to this effect shall be added to the plat.
7. The applicant stipulates to restricting the development to a single family home on each lot. A note to this effect shall be added to the plat.

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

PASSED AND ADOPTED this 16th day of August, 2007.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Daly West Subdivision,
Lots 5 & 6
Lot Line Adjustment

RECEIVED
FEB 22 2014
PARK CITY
PLANNING DEPT.

1. The applicant has submitted a plan for the adjustment of the lot lines of Lots 5 and 6 of the Daly West Subdivision, as shown on the attached plan. The plan shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines. The plan also shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines. The plan also shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines.

2. The applicant has submitted a plan for the adjustment of the lot lines of Lots 5 and 6 of the Daly West Subdivision, as shown on the attached plan. The plan shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines. The plan also shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines. The plan also shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines.

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4. The applicant has submitted a plan for the adjustment of the lot lines of Lots 5 and 6 of the Daly West Subdivision, as shown on the attached plan. The plan shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines. The plan also shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines. The plan also shows the proposed adjustment of the lot lines of Lots 5 and 6, and the resulting new lot lines.

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<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>	<p>DATE: 02/11/2014</p> <p>BY: [Signature]</p>
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Planning Commission Staff Report



Subject: The Parkite Residential
Condominiums
Author: Kirsten A Whetstone, MS, AICP
Date: June 11, 2014
Type of Item: Administrative – Condominium Plat
Project Number: PL-14-02301

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing for the Parkite Residential Condominiums record of survey plat for fifteen residential condominium units located at 333 Main Street (aka the Main Street Mall) 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.

Topic

Applicant: AG-WIP 333 Main Street Owner, LLC
Location: 333 Main Street (aka Main Street Mall)
Zoning: Historic Commercial Business (HCB) and Historic Residential 2 (HR-2)
Adjacent Land Uses: Main Street retail, offices and residential; Park Avenue residential
Reason for Review: Condominium plats require Planning Commission review and recommendation to City Council with final action by the City Council.

Proposal

The applicant requests a condominium record of survey plat for the purpose of platting fifteen residential condominium units on the upper floors of the old Main Street Mall building (Exhibit A). The condominium plat also includes residential common area and fifteen residential parking spaces on the lowest level. The plat is consistent with the approved Historic Design Review. Commercial condominium spaces within the building are also being platted with the concurrently submitted Parkite Commercial Condominiums record of survey plat application.

Background

The property is located between Main Street and Park Avenue and consists of Lots 7-15 and 18-26, Block 11 of the Amended Park City Survey. The property was combined into

one lot of record on March 26, 2009. An extension was granted on March 8, 2010. The 333 Main Street Subdivision plat was recorded at Summit County on April 12, 2011 (Exhibit B). The building has a single entity as owner and is currently being remodeled with an active building permit.

Constructed across the zone boundary between the Historic Commercial Business (HCB) on the Main Street side and Historic Residential Two (HR2) on the Park Avenue side, the building contained allowed uses, such as retail, restaurants, offices, within the HCB zone and legal non-conforming uses, such as office and retail within the HR2 zone portion. Residential uses currently under construction within the HCB zone are allowed uses. Residential uses currently under construction within the HR2 zone are permitted per the Board of Adjustment approval on June 18, 2013, of an application for a change of non-conforming use. The BOA approved the change of use for the area of the building within the HR2 zone (Park Avenue side) from legal non-conforming retail/office uses to multi-unit residential (Exhibit D).

Included with the 2011 one lot subdivision plat amendment were five (5) easements for existing emergency and pedestrian access, utility, and parking easements as described in the title report and land title of survey for 333 Main Street. These easements and all conditions of the one lot plat amendment continue to apply to this condominium record of survey plat and will be noted on the plat prior to recordation.

On February 27, 2009, a Historic District Design Review was approved for a complete renovation of the building. On May 2, 2011, a revised Historic District Design Review application was approved for modifications to the interior space and exterior skin of the building in compliance with the current revised 2009 Design Guidelines for Historic Districts and Sites (Exhibit C) and to reflect the proposed residential uses where the interior spaces changed the exterior elevations, windows, access, patios, etc. An additional revision to the May 2, 2011 action letter clarifying access to the building, to include language that the north and south tunnels provide access to the building in addition to Main Street and Park Avenue, was approved on July 30, 2012.

On August 11, 2011, the City Council approved an application for a condominium plat to create 2 (two) condominium units (Unit A and Unit B) and convertible space within the existing space of the Main Street Mall building in conformance with the approved Historic District Design Review. The plat provided two separate ownership units that would allow the proposed Main Street Mall renovation and financing to occur in separate phases. A one year extension of the approval was approved by Council on September 20, 2012. The plat was not recorded by August 11, 2013 and it expired.

On April 1, 2014, an application was submitted for a condominium record of survey plat for fifteen residential units consistent with the May 2, 2011, HDDR and the June 18, 2013, Board of Adjustment approved change of non-conforming use application. The application was deemed complete on April 25, 2014.

Analysis

	CODE REQUIREMENT	EXISTING
FRONT SETBACKS	0' in HCB and 10' in HR-2	Varies, 4' to 23' in HCB <u>Complies</u> and 15' in HR-2- <u>Complies.</u>
SIDE SETBACKS	0' in HCB and depends on Lot width in HR-2 (100' width requires 10' minimum and 30' total side setbacks)	0' in HCB- <u>Complies</u> 0'- 3' in HR-2- <u>Existing Non-complying.</u>
REAR SETBACKS	0' in HCB and 10' in HR-2 for single family	There is no rear property line because the center property line was removed with the plat amendment and the lot has frontage on Park Ave and Main Street (2 front setbacks no rear setbacks).
HEIGHT	30' at property line on Main following a 45 degree angle to a maximum height of 45' in HCB. 27' in HR2	Constructed in compliance with the maximum height requirements and allowed volumetric in HCB and HR2 zones. <u>Complies.</u>
MINIMUM LOT SIZE	1,250 sf in HCB 1,875 sf in HR-2 for SF and 3,750 sf for duplex	33,709 sf* <u>-Complies.</u>
MINIMUM LOT WIDTH	25'	224.73'* <u>-Complies.</u>
FLOOR AREA RATIO	4.0 (134,856 sf) based on the total lot area of 33,714 sf. 4.0 (67,420 sf) within the HCB only based on 16,855 lot area within HCB only. No FAR requirements in the HR2 zone.	91,449 sf (final gross floor area, including penthouse addition), including 32,610 sf of residential units and residential common area. HCB gross floor area is 48,755 sf. <u>Complies.</u>
PARKING	26.5 spaces required for the 15 residential units. Special Improvement District assessed and fully paid for 1.5 FAR (retail/commercial uses on main and lower floors).	56 spaces per 1986 Parking Agreement (paid in-lieu) plus Special Improvement District for 1.5 FAR, plus 15 on-site, and 10 private spaces off of Swede Alley. <u>Complies</u>

*Actual surveyed square footage and lot width, based on the actual survey and monumentation.

This property is subject to a February 28, 1986 Master Parking Agreement which was amended in 1987 to effectuate an agreement between the City and the owner with regards to providing parking for a third floor of the Main Street Mall (for office uses

proposed with the initial building construction). The property was also assessed and paid into the Main Street Parking Improvement District for the 1.5 FAR (for the lower floors).

In addition to parking required for the existing building, the property is encumbered with a lease agreement to provide a garage for the property at 364 Park Avenue. This lease agreement is identified on the subdivision plat because of the 99-year duration (approximately 50 years remaining). This parking is currently provided within a garage in the Main Street Mall building with access to Park Avenue. The lease agreement addresses relocation of this garage in the event of construction/remodel of the building. This garage is identified on the condominium plat as well, as Unit 1G (559 sf), a privately owned parking garage "unit".

Fifteen residential units are platted with this record of survey. Units range in size from 1,334 sf to 3,586 sf for the two level penthouse unit. Average unit size is 2,174 sf. Residential units are located on the first floor (one unit), second floor (five units), third floor (7 units), and fourth floor (one unit). The condominium plat is required in order for the units to be sold individually.

The main entrance for the residential units, with a lobby and entry area, is located off of Main Street in the location of the current north entrance. Commercial space is located at the street along the Main Street frontage, including commercial space within the historic structures, with residential space located above. All of the storefront units comply with the vertical zoning ordinance.

Access is also contemplated via the existing north tunnel to a proposed parking garage with fifteen parking spaces. The parking garage is located in the lowest level. The City has utilities in the tunnel and recommends that the access and maintenance agreements be revised to address the tunnel access and that the agreement be recorded prior to or concurrent with the plat.

Staff finds that the condominium plat, as conditioned, will not cause undo harm to adjacent property owners because the proposed plat meets the requirements of the Land Management Code (excepting the existing non-complying side setback in the HR2 zone), is consistent with the approved HDDR, and active construction has been reviewed for compliance with requisite Building and Land Management Code requirements in effect at the time of application for building permits. The plat also memorializes required access, parking, and utility easements and is consistent with the recorded one lot subdivision plat that removed the underlying property lines.

Good Cause

Staff finds good cause for this condominium plat as it plats residential condominium units consistent with the HDDR and the non-conforming use change applications and allows for individual ownership of the residential units. The condominium plat is consistent with the State condominium act, complies with the Land Management Code and is consistent with the approved Historic District Design Review that provided for

improved architectural design, building energy efficiency, and a positive visual and vital impact on Main Street.

Department Review

This project has gone through an interdepartmental review on April 22, 2014, and issues raised have been addressed with conditions of approval or revisions to the submitted plat.

Notice

On May 28, 2014, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on May 28, 2014.

Public Input

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

Future Process

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

Alternatives

- The Planning Commission forward a positive recommendation to City Council to approve the condominium plat as conditioned or amended, or
- The Planning Commission may forward a negative recommendation to City Council to deny the condominium plat and direct staff to make Findings for this decision, or
- The Planning Commission may continue discussion on the plat and provide direction to staff and the applicant regarding any additional information, findings, or conditions necessary to take final action on the requested application.

Significant Impacts

There are no negative fiscal or significant environmental impacts to the city from this record of survey plat application.

Consequences of not taking the Suggested Recommendation

The entire building would continue to be owned by one entity and the residential units could not be sold separately.

Recommendation

Staff recommends that the Planning Commission hold a public hearing for the Parkite Residential Condominiums record of survey plat for fifteen residential condominium units located at 333 Main Street (aka the Main Street Mall) and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A- Proposed condominium plat

Exhibit B- Recorded 333 Main Street one lot plat amendment

Exhibit C- Approved Historic Design Review plans
Exhibit D- Board of Adjustment approval action letter

Ordinance No. 14-

AN ORDINANCE APPROVING THE PARKITE RESIDENTIAL CONDOMINIUMS RECORD OF SURVEY PLAT, LOCATED AT 333 MAIN STREET, PARK CITY, UTAH.

WHEREAS, owners of the property known as 333 Main Street (aka the Main Street Mall), Lot A of the 333 Main Street plat amendment, have petitioned the City Council for approval of a condominium plat for fifteen residential condominium units, associated residential common area, and associated parking spaces (Exhibit A).

WHEREAS, the property was properly noticed and posted on May 28, 2014 according to requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners on May 28, 2014; and

WHEREAS, the Planning Commission held a public hearing on June 11, 2014, to receive input on the condominium plat; and

WHEREAS, the Planning Commission, on June 11, 2014, forwarded a recommendation to the City Council; and,

WHEREAS, on June 26, 2014, the City Council held a public hearing on the Parkite Residential Condominiums; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Parkite Residential Condominiums record of survey plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The condominium 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 property is located at 333 Main Street between Main Street and Park Avenue and consists of Lot A of the 333 Main Street plat amendment that combined lots 7-15 and 18-26, Block 11, of the Amended Park City Survey. There is an existing four story commercial building on the property.
2. The existing building, known as the Main Street Mall, was constructed in 1984 across property lines and zone lines.
3. On March 26, 2009, the City Council approved a plat amendment to create a single lot of record from the multiple underlying lots for the existing Main Street Mall building. On March 8, 2010, the Council extended the approval for one year to allow the applicants additional time to finalize the plat in preparation for signatures

and recordation at Summit County. The 333 Main Street one lot subdivision plat was recorded at Summit County on April 12, 2011.

4. On April 1, 2014 an application for a condominium record of survey plat was submitted to the City to plat fifteen residential units (total of 32,610 sf), residential common area, and fifteen parking spaces on the lowest level of the old Main Street Mall building. Access to the parking is contemplated through the north tunnel.
5. Fifteen residential units are platted with this record of survey. Units range in size from 1,334 sf to 3,586 sf for the two level penthouse unit. Average unit size is 2,174 sf. Residential units are located on the first floor (one unit), second floor (five units), third floor (7 units), and fourth floor (one unit). The condominium plat is required in order for the units to be sold individually. Common area for a lobby, recreation uses, and outdoor patios and decks is also being platted with this record of survey.
6. The building currently has a single entity as owner and is currently being remodeled with an active building permit.
7. Residential uses currently under construction within the HCB zone are allowed uses. Residential uses currently under construction within the HR2 zone are permitted per the Board of Adjustment approval on June 18, 2013, of an application for a change of non-conforming use. The BOA approved the change of use for the area of the building within the HR2 zone (Park Avenue side) from legal non-conforming retail/office uses to multi-unit residential.
8. Commercial condominium spaces within the building are also being platted with the concurrently submitted Parkite Commercial Condominiums record of survey plat application.
9. The Main Street portion of the building is located in the Historic Commercial Business District (HCB) with access to Main Street and the Park Avenue portion of the building is located in the Historic Residential 2 (HR-2) zoning district with limited access to Park Avenue. The building has existing non-complying side yard setbacks within the HR2 zone.
10. Main Street is important to the economic well being of the Historic Commercial business district and is the location of many activities important to the vitality and character of Park City. The Main Street Mall architecture is out dated and not in compliance with the 2009 Design Guidelines for Historic Sites and Districts and the owners are currently renovating and improving the building with an active building permit. The building is currently owned by one entity.
11. On February 27, 2009, a Historic District Design Review was approved for a complete renovation of the building. On May 2, 2011, a revised Historic District Design Review application was approved for modifications to the interior space and exterior skin of the building in compliance with the current revised 2009 Design Guidelines for Historic Districts and Sites (Exhibit C) and to reflect the proposed residential uses where the interior spaces changed the exterior elevations, windows, access, patios, etc. An additional revision to the May 2, 2011 action letter clarifying access to the building, to include language that the north and south tunnels provide access to the building in addition to Main Street and Park Avenue, was approved on July 30, 2012.
12. The property is encumbered with a recorded 99 year lease agreement to provide parking for the property at 364 Park Avenue. This lease agreement is identified on the plat because of the duration of the lease. The parking subject to the lease is

currently provided within a garage in the Main Street Mall building with access to Park Avenue. The private 559 sf garage space is platted as unit 1G on this record of survey plat.

13. Five (5) easements for existing emergency and pedestrian access, utility, and parking easements as described in the title report and land title of survey for 333 Main Street were memorialized with the recorded subdivision plat. These easements are also included on the proposed condominium plat.
14. On June 27, 2011, the City received a complete application for a condominium plat to create 2 two non-residential condominium units (Unit A and Unit B) within the existing space of the Main Street Mall building and consistent with the May 2011, approved Historic District Design Review plans. The two unit plat was approved by Council however it was not recorded and it expired.
15. This property is subject to a February 28, 1986 Master Parking Agreement which was amended in 1987 to effectuate an agreement between the City and the owner with regards to providing parking for a third floor of the Main Street Mall (for office uses proposed with the original construction). The property was assessed and paid into the Main Street Parking Improvement District for the 1.5 FAR (for the lower floors). The residential units have a 26.5 space parking requirement that is met by the 56 spaces (in-lieu payment), 15 on-site, and 10 private spaces off of Swede Alley.
16. Commercial space is located at the street along the Main Street frontage, including commercial space within the historic structures, with residential space located above and/or behind commercial space. All of the storefront properties comply with the vertical zoning ordinance.
17. Access is also contemplated via the existing north tunnel to a proposed parking garage with fifteen parking spaces. The parking garage is located in the lowest level and is designated as common area for the residential uses. The City has utilities in the tunnel and the City Engineer recommends that the existing encroachment agreement between the City and Property Owner regarding the tunnels be revised to address the tunnel access, utilities, maintenance, etc. and that the agreement be recorded prior to or concurrent with the plat.

Conclusions of Law:

1. There is good cause for this condominium plat.
2. The condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat.
4. Approval of the condominium plat, 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 condominium plat for compliance with State law, the Land Management Code, the recorded subdivision plat, and any conditions of approval, prior to recordation of the plat.
2. The applicant will record the condominium 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 an extension request is made in writing prior to the expiration date and the extension is granted by the City Council.

3. All conditions of approval of the 333 Main Street Subdivision plat and approved Historic District Design Review shall continue to apply.
4. All conditions of approval of the June 18, 2013 Board of Adjustment approval of an application for a change of non-conforming use for the HR2 portion of the property shall continue to apply.
5. All new construction at this property shall comply with all applicable building codes and any current non-compliance issues for tenant spaces, such as ADA access and bathrooms, restaurant grease traps, etc. within the building shall be addressed with tenant improvement building permits for those spaces.
6. Prior to or concurrent with recordation of the plat, the existing Encroachment Agreement between the City and Property Owner, regarding the tunnels, shall be revised, executed, and recorded.

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

PASSED AND ADOPTED this ___ day of ____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A

SURVEYOR'S CERTIFICATE



I, John Demkowicz, do hereby 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 I have caused to be made under my direction and by authority of the center, this plat of the PARKITE RESIDENTIAL CONDOMINIUMS, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

PROPERTY DESCRIPTION

Lot A, 333 Main Street Plat Amendment, according to the official plat thereof of record in the office of the Summit County Recorder.

Together with perpetual, non-exclusive easements for the construction of tunnels under Main Street for the sole purpose of providing pedestrian and freight access, as created by that certain Easement Agreement recorded July 9, 1984, as Entry No. 22208, in Book 306, at Page 589, of the office of the Summit County Recorder, said easements being more particularly described as follows:

EASEMENT FOR NORTH PEDESTRIAN TUNNEL, SILVER MILL MAIN STREET MARKET PLACE
 Located in the southeast quarter of Section 16, Township 2 South Range 4 East, Salt Lake Base and Meridian.

BEGINNING at a point which is North 23°38'00" West 146.03 feet from the southeast corner of Lot 7, Block 11, Park City Survey Amended; and running thence North 23°38'00" West 25.00 feet along the westerly right-of-way of Main Street; thence North 66°22'00" East 70.00 feet to a point on the easterly right-of-way of Main Street and running thence southerly along said right-of-way South 23°38'00" East 25.00 feet; thence South 66°22'00" West 50.00 feet to the true point of beginning.

EASEMENT FOR SOUTH PEDESTRIAN TUNNEL, SILVER MILL MAIN STREET MARKET PLACE
 Located in the southeast quarter of Section 16, Township 2 South Range 4 East, Salt Lake Base and Meridian.

BEGINNING at a point which is North 23°38'00" West 52.50 feet from the southeast corner of Lot 7, Block 11, Park City Survey Amended; and running thence North 23°38'00" West 25.00 feet along the westerly right-of-way of Main Street; thence North 72°00'00" East 60.27 feet to a point on the easterly right-of-way of Main Street and running thence along said right-of-way South 23°38'00" East 25.00 feet; thence South 75°00'00" West 50.57 feet to the true point of beginning.

Together with a non-exclusive easement for parking of automobiles and for pedestrian and vehicular ingress and egress, as created by that certain Easement Agreement recorded January 28, 1994, as Entry No. 396881, in Book 783, at Page 242 and the First Amendment to Easement Agreement and First Amendment to Easement and Maintenance Agreement, recorded June 25, 1999, as Entry No. 542230, in Book 1268, at Page 173, of the official records, said easement being more particularly described as follows:

BEGINNING at a point South 23°17'00" East 2.03 feet from the northeast corner of Lot 11, Block 69, Park City Survey, according to the official plat thereof on file in the office of the Recorder, Summit County, Utah; and running thence South 66°34'24" West 8.44 feet to a point on the exterior face of a concrete wall which is the perimeter of a parking garage; thence along the face of said wall and parking garage the following eleven (11) courses: (1) South 66°34'24" West 112.00 feet; thence (2) South 23°25'34" East 22.60 feet; thence (3) North 66°34'24" East 18.20 feet; thence (4) South 23°25'34" East 6.90 feet to a point on the northerly line of an existing utility easement; thence (5) North 66°34'24" East 2.50 feet; thence (6) North 69°19'34" East 2.05 feet; thence (7) South 23°25'34" East 11.39 feet; thence (8) North 66°34'24" East 7.45 feet; thence (9) North 24°02'00" West 19.50 feet to a point on a 3.00 foot radius curve to the right, whose radius point bears North 66°34'24" East; thence (10) along the arc of said curve 6.13 feet to a point on the central angle of 90°00'00"; thence (11) North 66°34'24" East 14.90 feet; thence (12) North 66°34'24" East 8.47 feet to a point on the east line of Lot 11; thence along said east line North 23°17'00" East 17.25 feet to the point of beginning.

Together with non-exclusive easement for pedestrian ingress and egress across the Staleyway Property, as created by that certain Easement and Maintenance Agreement recorded January 28, 1994, as Entry No. 396882, in Book 783 at Page 254, and the First Amendment to Easement Agreement and First Amendment to Easement and Maintenance Agreement, recorded June 25, 1999, as Entry No. 542230, in Book 1268 of the official records, said easement being more particularly described as follows:

BEGINNING at a point on the east right-of-way line of Main Street, South 23°17'00" East 1.15 feet from the northeast corner of Lot 8, Block 22, Park City Survey, and running thence along the east right-of-way line of Main Street North 23°17'00" East 19.84 feet; thence North 66°39'04" East 25.80 feet; thence South 23°17'00" East 19.75 feet; thence North 66°27'18" West 27.78 feet to the point of beginning.

Together with a non-exclusive easement to use portions of the North Tunnel, the entrance/exit of the North Tunnel, and ingress and egress, as created by that certain Easement Agreement, recorded January 28, 1994, as Entry No. 396883, in Book 783 at Page 260 of the official records in the office of the Summit County Recorder.

Together with a non-exclusive underground easement for storm sewer purposes, and together with a limited ingress and egress easement, as created by that certain Easement Agreement, recorded February 28, 2001, as Entry No. 582300, in Book 1354, at Page 1496 of the official records in the office of the Summit County Recorder, said easements being more particularly described as follows:

STORM SEWER EASEMENT
 A 3.0 foot wide storm drain easement being 3.0 feet each side of the existing storm drain line whose centerline is described as follows:

BEGINNING at a point South 23°17'00" East 9.80 feet from the northeast corner of Lot 14, Block 69, Millrite Reservation; and running thence South 60°08'28" West 48.63 feet; thence North 66°15'37" West 13.44 feet to the point of beginning.

NORTH TUNNEL INGRESS AND EGRESS EASEMENT
BEGINNING at a point South 23°17'00" East 29.00 feet from the northeast corner of 3501 Main Street, a Lot Line Adjustment Plat recorded 1-24-2005, Entry No. 507719 in the office of the Recorder, Summit County, Utah; said point also being on the westerly line of Casper Alley, a public right-of-way; and running thence along the westerly line of Main Street North 23°17'00" East 6.00 feet; thence North 66°18'41" West 6.40 feet to a point on the exterior corner of an existing concrete block wall; thence along the face of said block wall the following fifteen (15) courses: (1) South 66°18'41" West 34.16 feet; thence (2) South 23°17'00" East 6.00 feet; thence (3) North 66°18'41" East 0.20 feet; thence (4) South 23°17'00" East 6.20 feet; thence (5) South 65°59'30" West 11.87 feet; thence (6) North 24°02'00" West 3.64 feet; thence (7) North 20°57'47" East 3.77 feet; thence (8) North 66°45'17" East 1.94 feet; thence (9) North 23°16'43" West 0.63 feet; thence (10) South 66°43'17" West 2.20 feet; thence (11) North 22°37'40" West 4.30 feet; thence (12) South 24°02'00" East 17.08 feet; thence (13) South 66°03'00" West 8.12 feet; thence (14) North 34°59'20" West 6.69 feet; thence (15) North 65°12'44" West 1.00 feet to a point on the exterior corner of said block wall; thence South 65°12'44" West 0.14 feet to a point on the westerly line of said 3501 Main Street Plat; thence along the westerly line North 23°16'43" West 15.00 feet; thence North 66°28'39" East 0.07 feet to a point on the exterior corner of an existing concrete block wall; thence along the face of said block wall the following three (3) courses: (1) North 66°28'39" East 1.00 feet; thence (2) North 23°17'00" East 6.50 feet; thence (3) North 66°15'37" East 54.40 feet to a point on the exterior corner of a concrete block wall; thence North 66°15'37" East 6.33 feet to the point of beginning.

Subject to a non-exclusive easement limited solely to allow installation, emergency access and maintenance of a window, as created in an easement recorded November 27, 1996, as Entry No. 468173, in Book 1010, at Page 616, of the official records, said easement being more particularly described as follows:

BEGINNING at the northwest corner of Lot 18, Block 11, Park City Survey; and running thence along the northerly line of Lot 18 North 66°45'00" East 14.00 feet; thence South 23°38'00" East 3.00 feet; thence South 66°50'00" West 14.00 feet; thence along the westerly line of Lot 18 North 23°38'00" West 3.00 feet to the point of beginning.

Together with a non-exclusive easement to use those portions of the following described property (the Main Street/Suede Alley Access Property) as created in that certain First Amendment to Easement Agreement and First Amendment to Easement and Maintenance Agreement, recorded June 22, 1999, as Entry No. 542230, in Book 1268, at Page 173, of the official records, said easement being more particularly described as follows:

BEGINNING at a point on the east right-of-way line of Main Street, South 23°17'00" East 1.15 feet from the northeast corner of Lot 8, Block 22, Park City Survey; and running thence along the east right-of-way line of Main Street North 23°17'00" East 6.33 feet; thence North 66°27'18" East 124.60 feet; thence along the east line of Millrite Reservation South 23°17'00" East 6.03 feet; thence South 66°32'56" West 2.57 feet; thence along the northerly edge of the existing building (Exposition Theater) South 66°32'56" West 15.41 feet; thence along the north line of Main Street North 23°17'00" East 5.33 feet; thence along the northerly edge of the existing metal roof line South 66°27'18" West 108.61 feet to the point of beginning.

NOTES

- This condominium Plat ("Plat") depicts the Parkite Residential Condominiums project which encompasses a portion of the land (the "Property") and building situated at approximately 333 Main Street, Park City, Utah (collectively, the "Project"), which is created and governed by that certain Declaration of Condominium for the Parkite Residential Condominiums, and subsequent amendments, if any, thereto (the "Declaration"). The Declaration sets forth the easements, restrictions, and general plan of improvement for the Project as described in this Plat. The Project is also subject to that certain Master Declaration of Covenants, Easements, and Restrictions for 333 Main Street (the "Master Declaration"). Unless the context clearly indicates otherwise, all capitalized terms so used on this Plat shall have the meanings set forth in the Declaration and the Master Declaration.
- The Units are served by a common private lateral wastewater line. The 333 Main Street Condominiums Master Owners Association, Inc., a Utah non-profit corporation (the "Master Association"), shall be responsible for ownership, operation, and maintenance of all common private lateral wastewater lines.
- Pursuant to the Declaration, the Parkite Residential Condominiums Owners Association, Inc., a Utah non-profit corporation ("Association"), is responsible for maintaining certain portions of the Project, including but not limited to the Common Areas and Facilities and the Limited Common Areas and Facilities, and the Association shall have perpetual non-exclusive easement over the Project for such maintenance purposes as further described in the Declaration.
- Pursuant to the Master Declaration, the Master Association is responsible for maintaining certain elements of the Project, and shall have a perpetual non-exclusive easement over the Property for such maintenance purposes as further described in the Master Declaration and the Declaration.
- The Limited Common Areas and Facilities as depicted on this Plat are reserved for the use of certain Owners to the exclusion of other Owners. Each respective improvement depicted on this Plat as "Limited Common Areas and Facilities" is appurtenant to the respective Unit as described in the Declaration and is for the use and enjoyment of the Owners of such Unit.
- All Common Areas and Facilities are dedicated as a non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District (SBRWD), and the Park City Fire Protection District, Summit County for the purpose of providing access to utility and drainage installation, use, maintenance, and eventual replacement.
- All property corners are to be set along the perimeter boundary as shown herein.
- The locations, dimensions, and boundaries of the Units and square footage calculations are based solely on drawings supplied by Clark Worthington. The square footage calculations shown on this Plat are calculated in accordance with the Utah Condominium Ownership Act (the "Act") and the Declaration. Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is intended that the size and boundaries of the Units shall be as constructed. Therefore, no on-site measurements were taken.
- All utilities within the Project shall be underground. Notwithstanding Declarant's grant of blanket utility easements, Declarant reserves the right to record one or more instruments which narrow and limit such grant of utility easement to the normal easement of the utility to those certain elements within the Project which actually contain the utility facilities as described in such instrument and for the purposes described herein. Such reserved right is subject to utility company rights then located under the real property depicted on this Plat.
- All of the parking spaces in the parking garages shall be Common Areas and Facilities. Declarant may create or designate parking spaces as exclusive use as further described in the Declaration, or may elect to operate the parking areas on a first-come-first-served basis.
- The Property as depicted on this Plat is subject to the Developmental Rights as provided for in the Declaration, and Declarant shall have the right to exercise any developmental right preserved in the Declaration, including, without limitation, the Option to Exercise the reservation and granting of certain easements, reducing or relocating improvements within the Project, adding additional recreational and service facilities and making such other developmental decisions and changes as Declarant shall determine in its sole and exclusive discretion.
- In the event of any conflict between the provisions in any of the above notes and the terms of the Declaration, the Declaration shall control.
- The survey monument at Fourth Street and Main Street shown on the Park City Monument Control Map, recorded November 2, 1982, as Entry No. 197765, was destroyed. A monument was set at its original location based on survey information obtained from previous surveys.
- The books of bearing on which this survey is the plotted lines between the survey monuments indicated. There is a bearing change at Main Street and Third Street. Refer to the Park City Monument Control Map, recorded November 2, 1982, as Entry No. 197765.

OWNER'S DEDICATION AND CONSENT TO RECORD

AG-WIP 333 Main Street Owner, L.L.C., a Delaware limited liability company ("Declarant"), as the owner of the herein described tract of land, does hereby warrant the same to the Utah Condominium Ownership Act, Utah Code Annotated, Title 37, Chapter 8, and set apart and dedicate the same into Units and Common Areas and Facilities as shown hereon, to be known as the PARKITE RESIDENTIAL CONDOMINIUMS, and does hereby grant and dedicate any easements depicted hereon.

In witness whereof, Declarant has executed this Owner's Dedication as of the _____ day of _____, 2014.

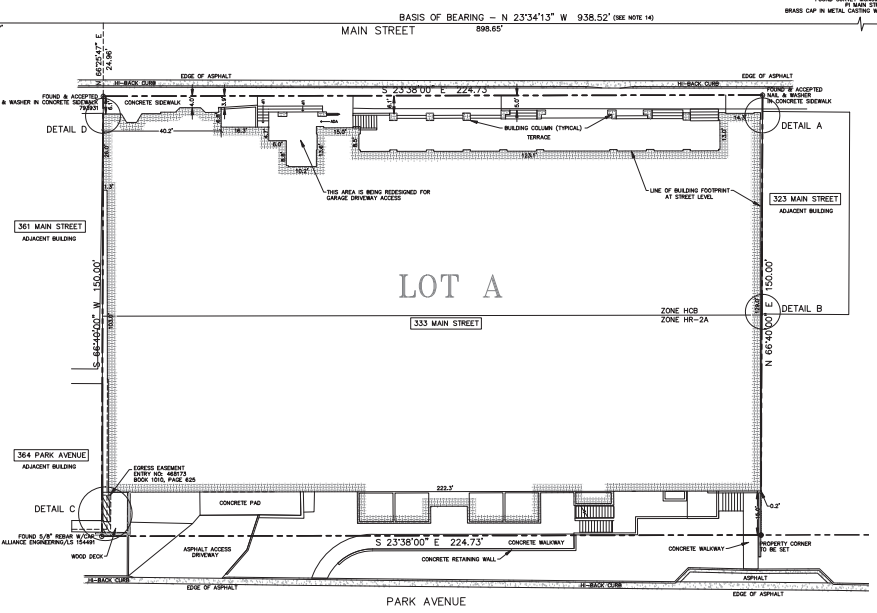
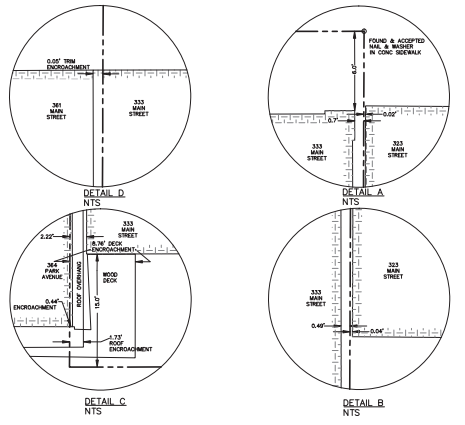
AG-WIP 333 MAIN STREET OWNER, L.L.C.,
 a Delaware limited liability company.

By: _____
 Name: _____
 Its: _____

ACKNOWLEDGMENT
 STATE OF _____ : ss.
 COUNTY OF _____ :

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____ the _____ of AG-WIP 333 MAIN STREET OWNER, L.L.C., a Delaware limited liability company.

NOTARY PUBLIC
 My Commission Expires: _____
 Residing at: _____

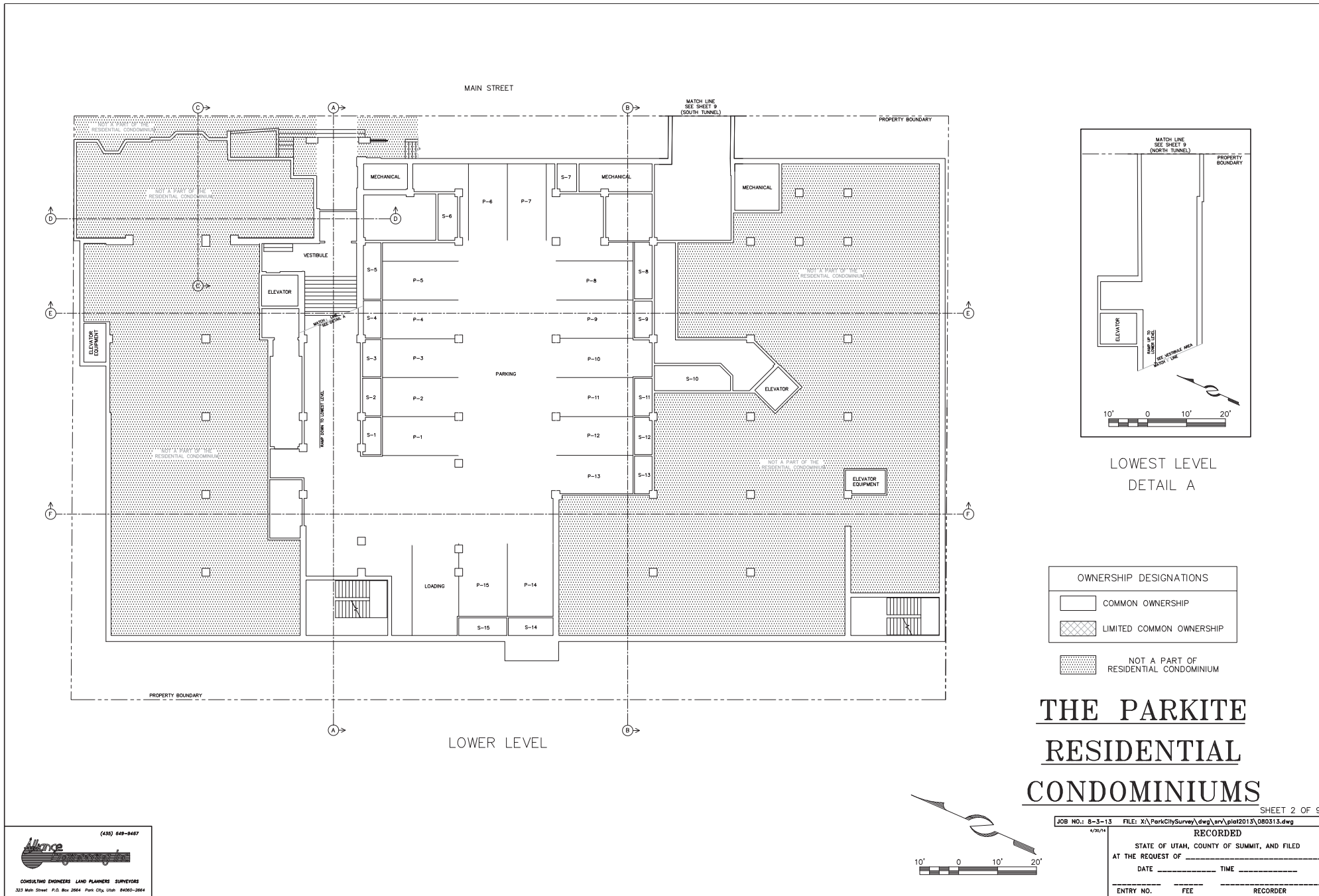


CONDOMINIUM PLAT FOR THE PARKITE RESIDENTIAL CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN BLOCK 11, PARK CITY SURVEY AND ALSO THE SOUTHEAST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. PARK CITY, SUMMIT COUNTY, UTAH

<p>(435) 648-6467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 2064 Park City, Utah 84050-2064</p>	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014 BY _____ CHAIR	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2014 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2014 BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP ACCORDS WITH THE UTAH CONDOMINIUM ACT THIS _____ DAY OF _____, 2014 BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 BY _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
	SHEET 1 OF 9 4/06/14 JOB NO.: 8-3-13 FILE: X:\ParkCitySurvey\dwg\ar\plat2013\080313.dwg						



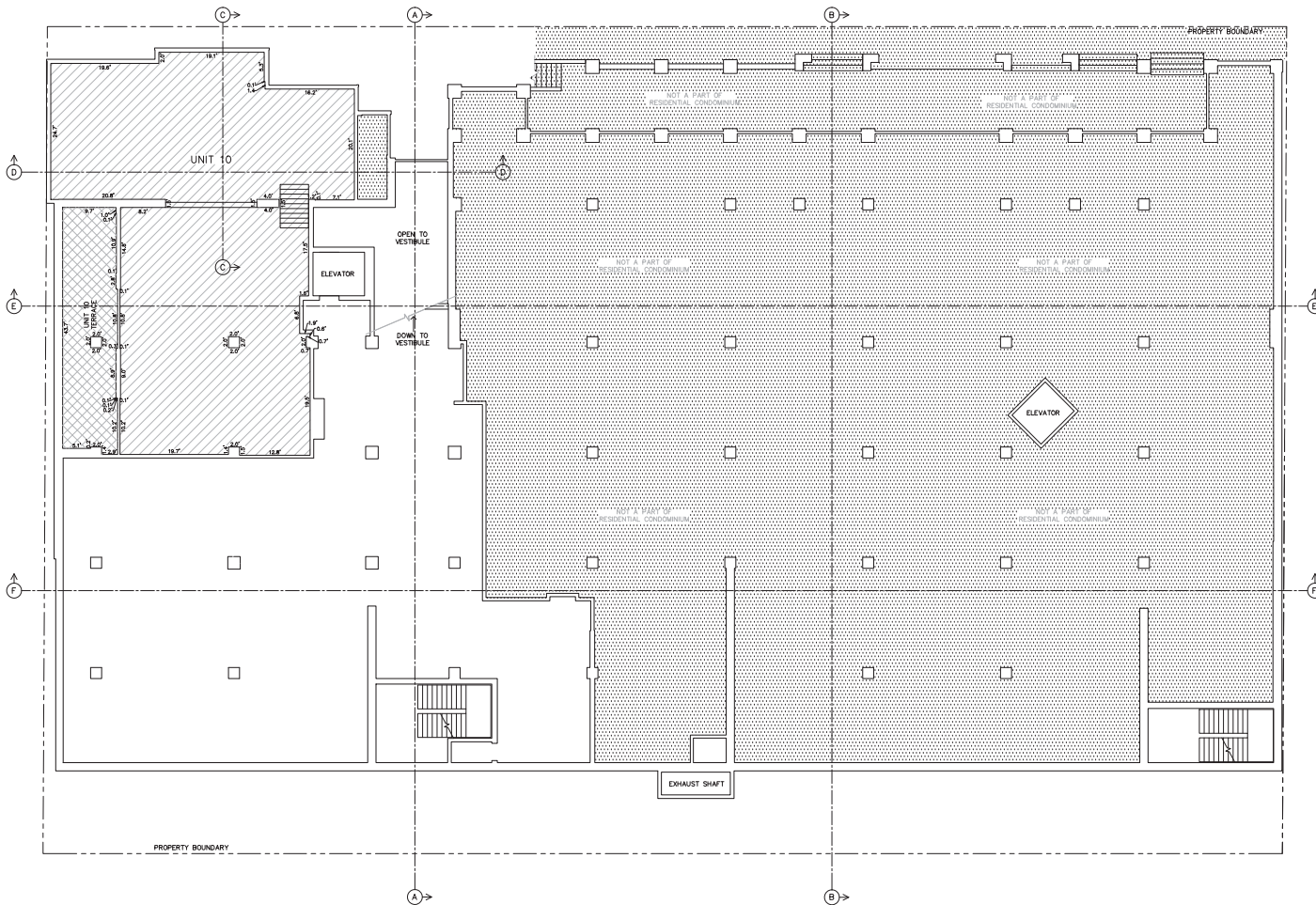
THE PARKITE RESIDENTIAL CONDOMINIUMS

SHEET 2 OF 9

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STATE OF UTAH, COUNTY OF SUMMIT, AND FILED	
AT THE REQUEST OF _____	
DATE _____	TIME _____
ENTRY NO. _____	FEE _____
RECORDER _____	

(435) 649-0467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street, P.O. Box 2664 Park City, Utah 84002-2664

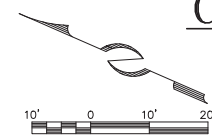
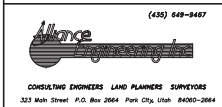


LEVEL 1

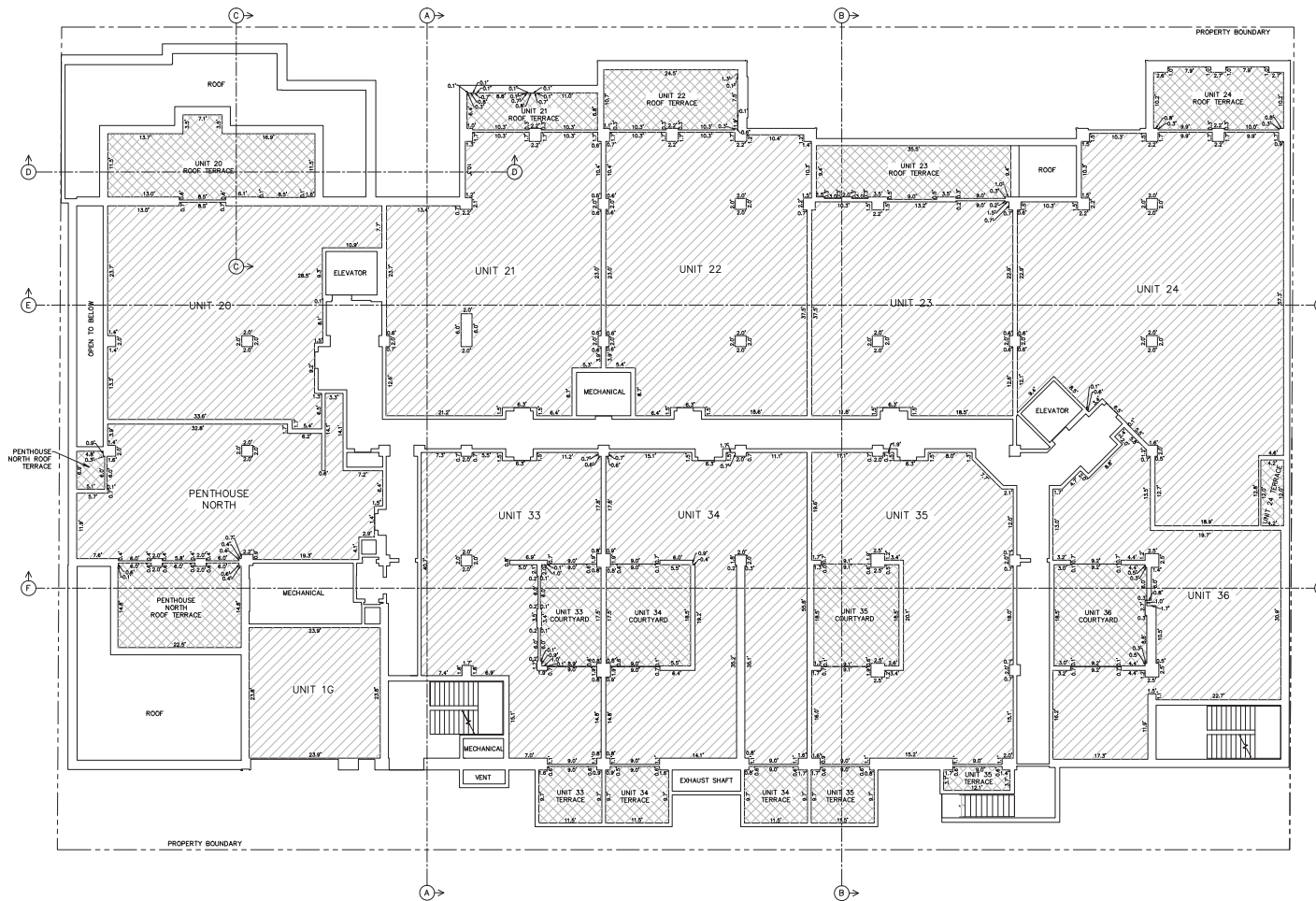
OWNERSHIP DESIGNATIONS	
	PRIVATE OWNERSHIP
	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP
	NOT A PART OF RESIDENTIAL CONDOMINIUM

PARKITE RESIDENTIAL CONDOMINIUMS

SHEET 3 OF 9



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AT THE REQUEST OF _____	
DATE _____	TIME _____
ENTRY NO. _____	FEE _____ RECORDER _____



LEVEL 2

OWNERSHIP DESIGNATIONS	
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	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP

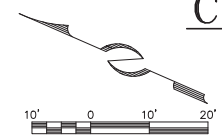
PARKITE RESIDENTIAL CONDOMINIUMS

SHEET 4 OF 9

(435) 649-9467

Alliance
Engineering

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

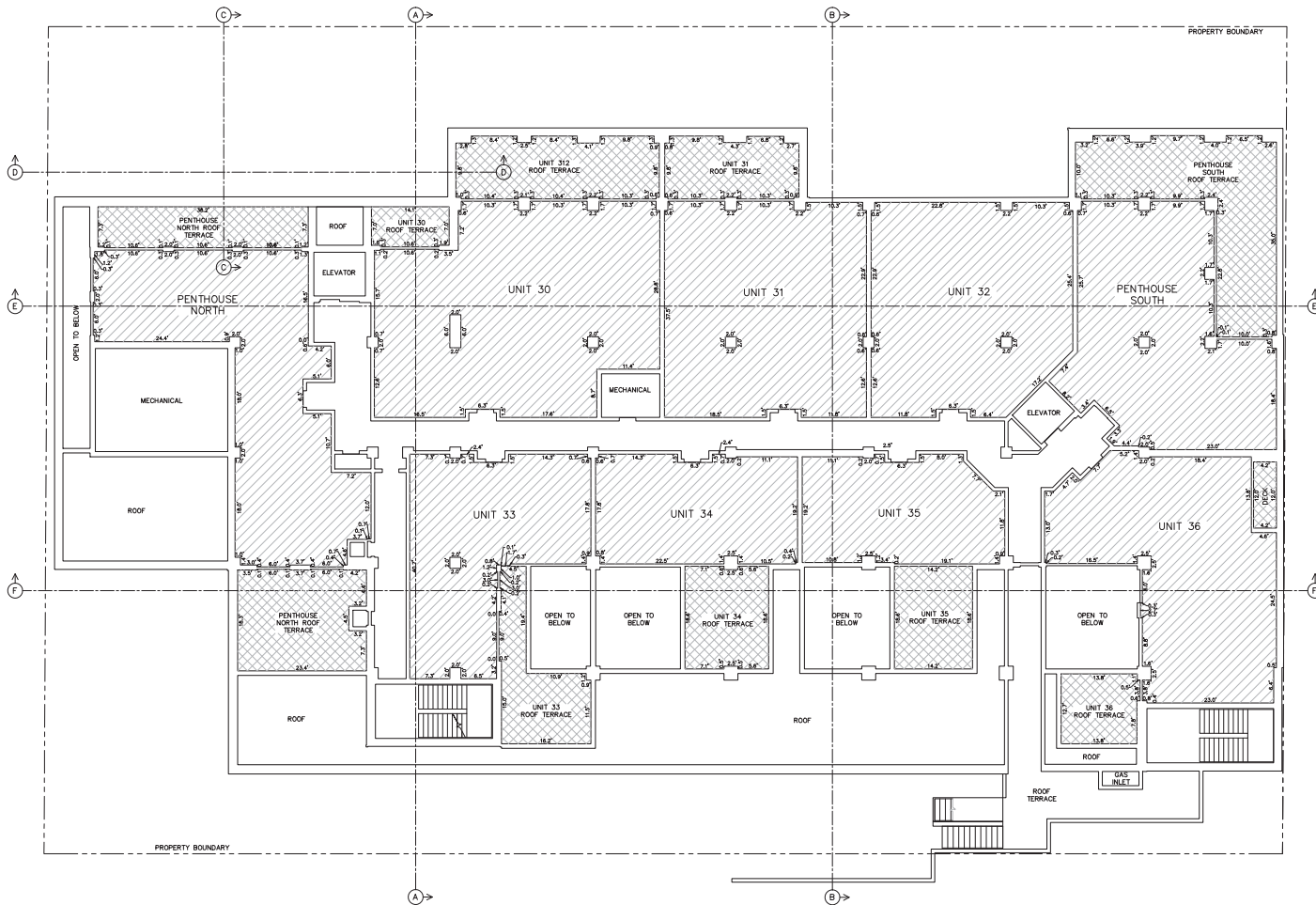


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4/20/13

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____

ENTRY NO. _____ FEE _____ RECORDER _____



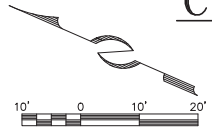
LEVEL 3

OWNERSHIP DESIGNATIONS	
	PRIVATE OWNERSHIP
	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP

PARKITE RESIDENTIAL CONDOMINIUMS

SHEET 5 OF 9

JOB NO.: 8-3-13	FILE: X:\ParkCitySurvey\dwg\ar\plot2013\080313.dwg
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STATE OF UTAH, COUNTY OF SUMMIT, AND FILED	
AT THE REQUEST OF _____	
DATE _____	TIME _____
ENTRY NO. _____	FEE _____
RECORDER _____	

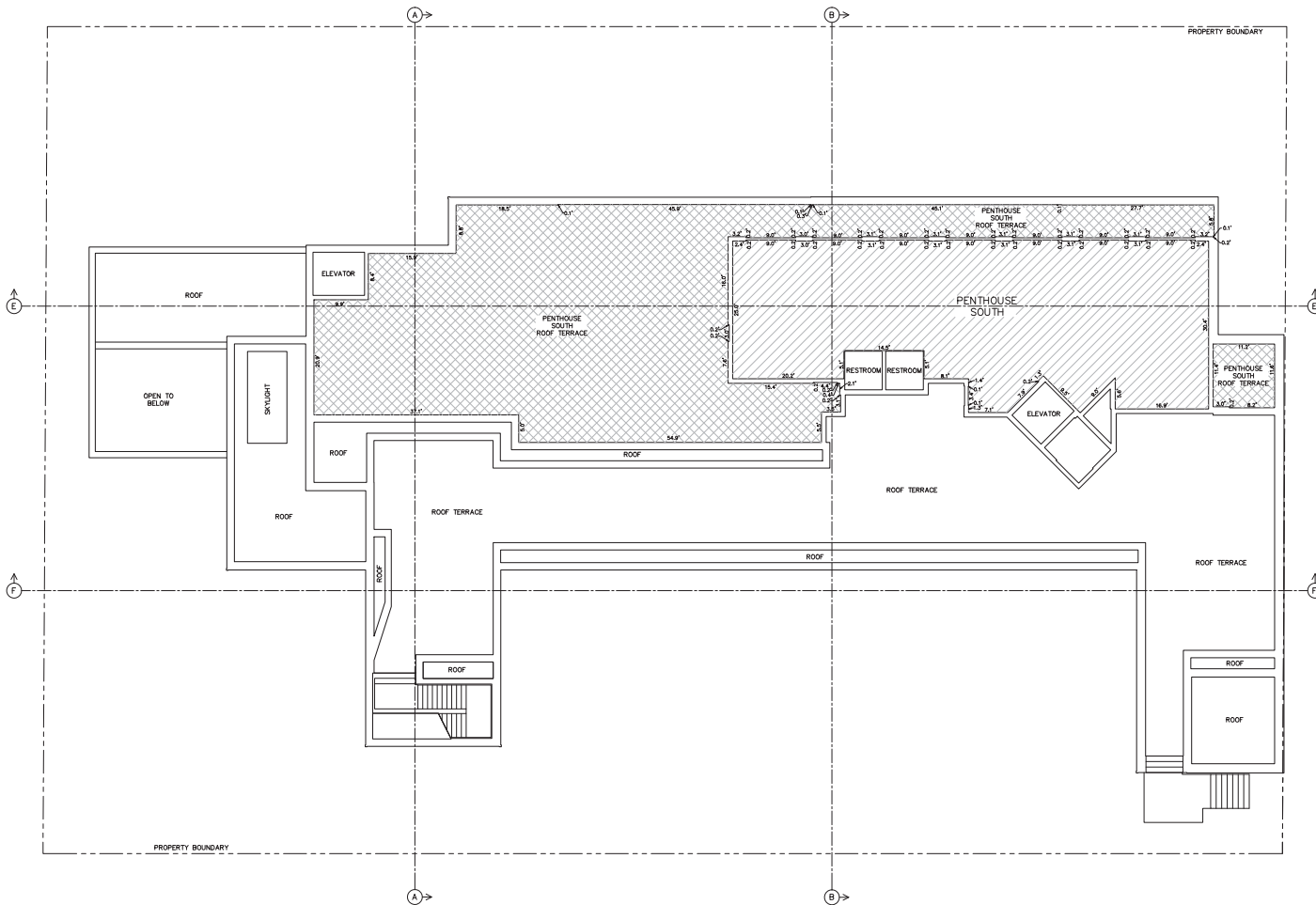


(435) 649-9467

Alliance
Engineering & Surveying

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

333 Main Street, P.O. Box 2664 Park City, Utah 84002-2664

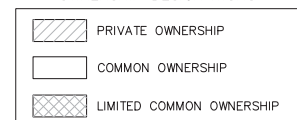


LEVEL 4

UNIT AREA TABLE

UNIT	PRIVATE OWNERSHIP AREA
UNIT 10	2,872 SQ FT
UNIT 20	1,817 SQ FT
UNIT 21	1,751 SQ FT
UNIT 22	1,823 SQ FT
UNIT 23	1,412 SQ FT
UNIT 24	2,706 SQ FT
UNIT 30	1,761 SQ FT
UNIT 31	1,411 SQ FT
UNIT 32	1,334 SQ FT
UNIT 33	2,318 SQ FT
UNIT 34	2,391 SQ FT
UNIT 35	2,362 SQ FT
UNIT 36	2,648 SQ FT
PENTHOUSE NORTH	2,618 SQ FT
PENTHOUSE SOUTH	3,586 SQ FT
UNIT 1G	569 SQ FT

OWNERSHIP DESIGNATIONS



PARKITE RESIDENTIAL CONDOMINIUMS

SHEET 6 OF 9

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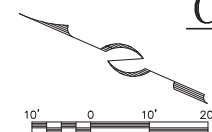
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STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

DATE _____ TIME _____

ENTRY NO. _____ FEE _____ RECORDER _____

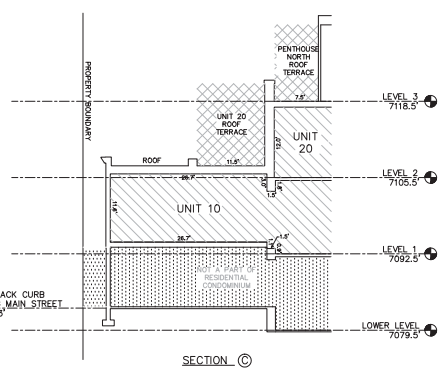
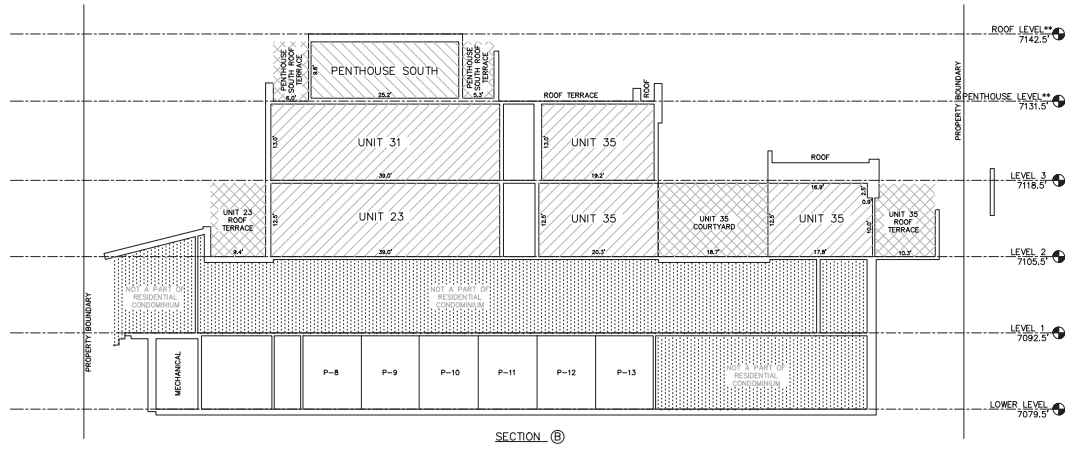
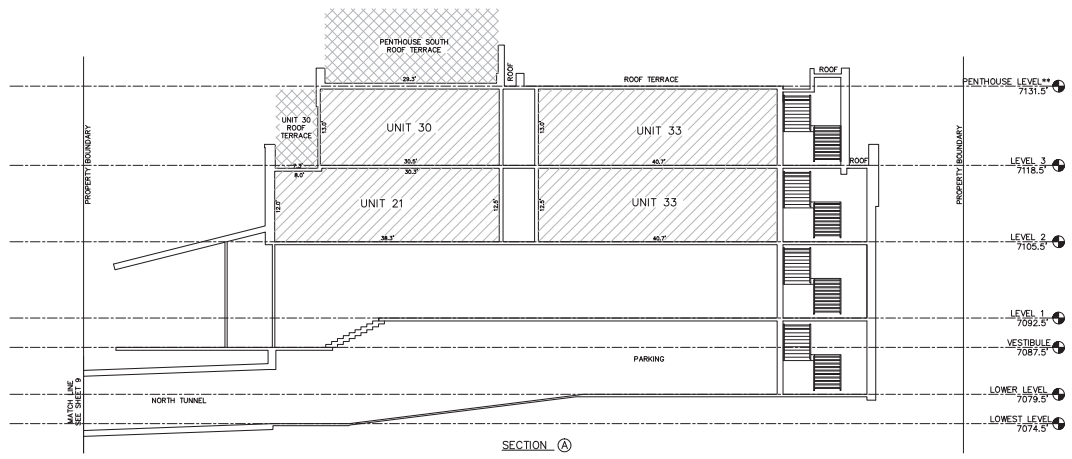


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OWNERSHIP DESIGNATIONS	
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	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP
	NOT A PART OF RESIDENTIAL CONDOMINIUM

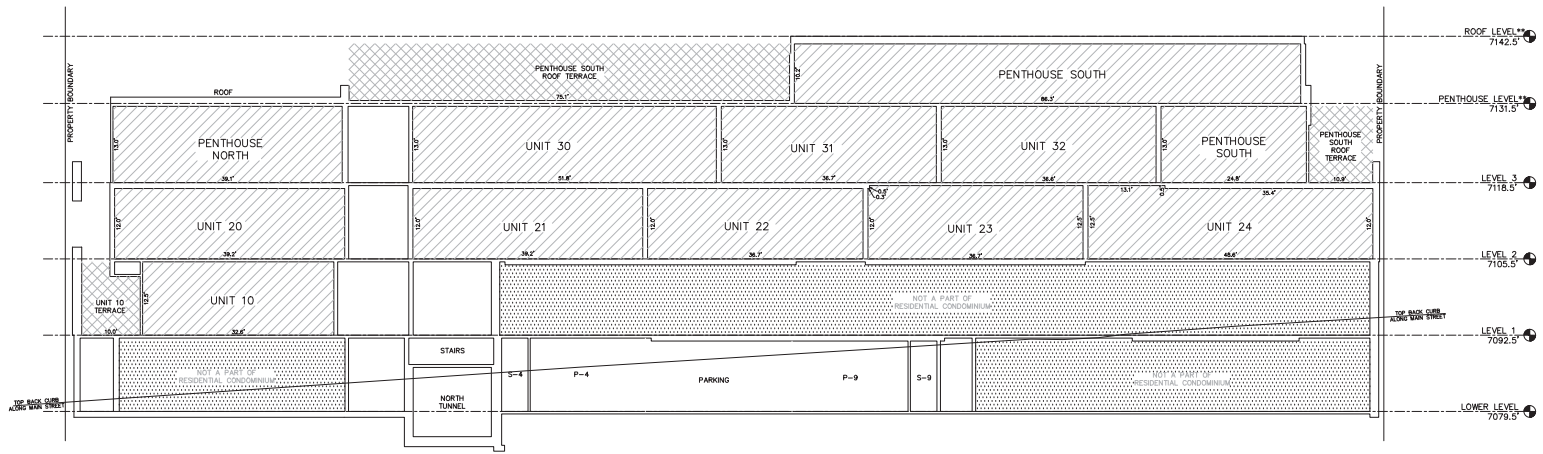


PARKITE RESIDENTIAL CONDOMINIUMS

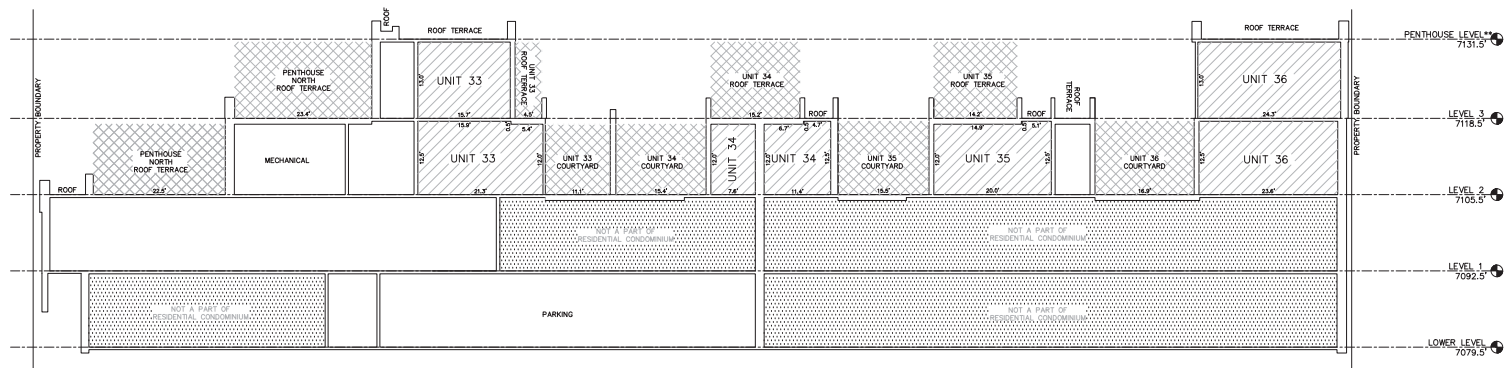
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 AT THE REQUEST OF _____
 DATE _____ TIME _____
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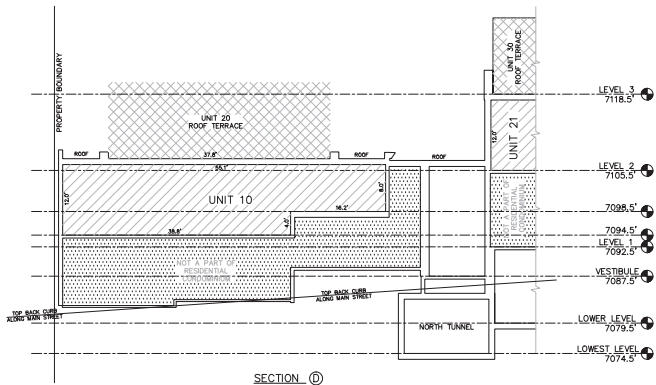
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 (435) 649-0467



SECTION C



SECTION D



SECTION E

OWNERSHIP DESIGNATIONS

- PRIVATE OWNERSHIP
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- NOT A PART OF RESIDENTIAL CONDOMINIUM

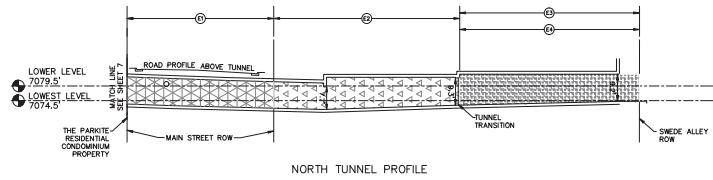
PARKITE RESIDENTIAL CONDOMINIUMS

SHEET 8 OF 9

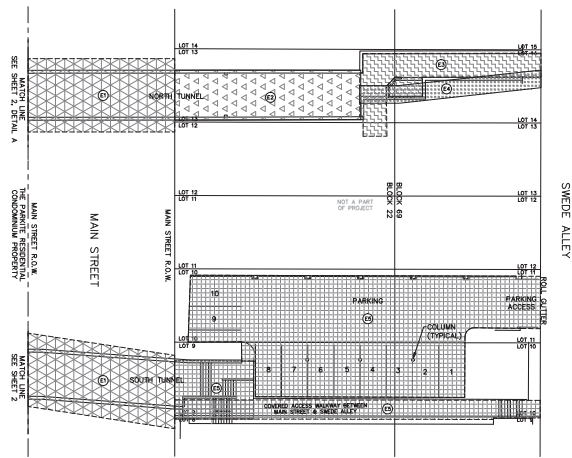
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 4/26/14
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 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____
 ENTRY NO. _____ FEE _____ RECORDER _____



Alliance
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
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 (435) 649-9467



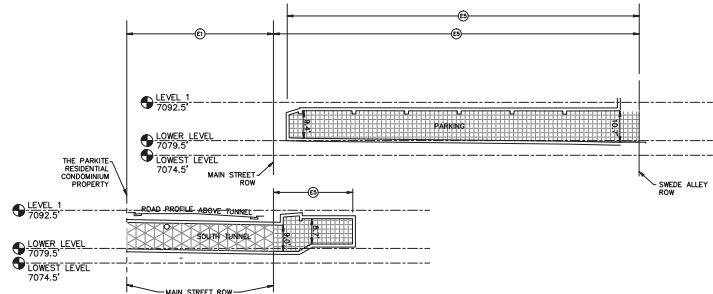
NORTH TUNNEL PROFILE



- LEGEND
- ① TUNNEL EASEMENT
OWNER: THE PARKITE RESIDENTIAL CONDOMINIUM CORPORATION
SILVER HILL OF PARK CITY
ENTRY NO.: 20086
BOOK 154, PAGE 589
 - ② EASEMENT AGREEMENT
OWNER: AMF HOLDINGS
GRANTEE: PARK CITY MAIN STREET MALL, L.C.
RECORDED: JANUARY 28, 1984
ENTRY NO.: 18952
BOOK 154, PAGE 590
NO DESCRIPTION OF THE EASEMENT WAS FOUND
 - ③ EASEMENT AGREEMENT
OWNER: PARK CITY MAIN STREET MALL, L.L.C.
RECORDED: FEBRUARY 23, 2001
ENTRY NO.: 18953
BOOK 154, PAGE 188
 - ④ COMMON EASEMENT
GRANTEE: PARK CITY MAIN STREET MALL, L.L.C.
RECORDED: JANUARY 28, 1984
ENTRY NO.: 18956
BOOK 154, PAGE 589
 - ⑤ EASEMENT AGREEMENT
OWNER: PARKITE RESIDENTIAL CONDOMINIUM CORPORATION
GRANTEE: PARK CITY MAIN STREET MALL, L.L.C.
RECORDED: JUNE 22, 1999
BOOK 126, PAGE 113

NOTES

1. Common Areas as shown on this page consist of easement interests only, as more fully described in the referenced easement documents.



SOUTH TUNNEL PROFILE

OFFSITE EASEMENTS APPURTENANT TO
**THE PARKITE
RESIDENTIAL
CONDOMINIUMS**

SHEET 9 OF 9

JOB NO.: 8-3-13 FILE: X:\ParkCitySurvey\dwg\ar\plot2013\080313.dwg
3/9/14

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STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____

ENTRY NO. _____ FEE _____ RECORDER _____

(435) 649-0467

ALLIANCE
ENGINEERING & SURVEYING

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

333 Main Street, P.O. Box 2664 Park City, Utah 84060-2664

EXHIBIT B



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 Parcel Combination plat of the 333 MAIN STREET PLAT AMENDMENT, and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information shown hereon is correct.

John Demkowicz
John Demkowicz
Date

3-22-2011
Date

PROPERTY DESCRIPTION

PARCEL 1
ALL OF LOTS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26, BLOCK 11, OF THE AMENDED PLAT OF THE PARK CITY SURVEY, according to the official plat thereof of record in the office of the Summit County Recorder.

EASEMENT DESCRIPTIONS

- ② Together with appurtenant, non-exclusive easements for the construction of tunnels under Main Street for the sole purpose of providing pedestrian and freight access, as created by that certain Easement Agreement recorded July 9, 1984 as Entry No. 222585 in book 306 Page 589 of the official records in the office of the Summit County Recorder, said easements being more particularly described as follows:
EASEMENT FOR NORTH PEDESTRIAN TUNNEL, SILVER MALL MAIN STREET MARKET PLACE
Located in the Southeast quarter of Section 16, Township 2 South Range 4 East, Salt Lake Base and Meridian.
BEGINNING at a point which is North 23°38'00" West 146.03 feet from the Southeast corner of Lot 7, Block 11, Park City Survey Amended, and running thence North 23°38'00" West 25.00 feet along the Westerly right-of-way of Main Street; thence North 69°22'00" East 50.00 feet to a point on the Easterly right-of-way of Main Street and running Southerly along said right-of-way South 23°38'00" East 25.00 feet; thence South 69°22'00" West 50.00 feet to the true point of BEGINNING.
- EASEMENT FOR SOUTH PEDESTRIAN TUNNEL, SILVER MALL MAIN STREET MARKET PLACE**
Located in the Southeast quarter of Section 16, Township 2 South Range 4 East, Salt Lake Base and Meridian.
BEGINNING at a point which is North 23°38'00" West 52.50 feet from the Southeast corner of Lot 7, Block 11, Park City Survey Amended, and running thence North 23°38'00" West 25.00 feet along Westerly right-of-way of Main Street; thence North 75°00'00" East 50.57 feet to a point on the Easterly right-of-way of Main Street; and thence along said right-of-way South 23°38'00" East 25.00 feet; thence South 75°00'00" West 50.57 feet to the true point of BEGINNING.
- ③ Together with a non-exclusive easement for parking of automobiles and for pedestrian and vehicular ingress and egress, as created by that certain Easement Agreement, recorded January 26, 1994 as Entry No.396881 in Book 783 at page 242 of the official records in the office of the Summit County Recorder.
- ④ Together with non-exclusive easement for pedestrian ingress and egress across the Stairway Property, as created by that certain Easement and Maintenance Agreement, recorded January 26, 1994 as Entry No.396882 in Book 783 at Page 250 of the official records, said easement being more particularly described as follows:
BEGINNING at a point along the East line of Main Street North 23°38'00" West 1.35 feet from the Southeast corner of Lot 10, Block 22, Park City Survey, and running thence North 68°28'04" East 25.80 feet along northerly edge of existing concrete stairs; thence South 23°34'40" East 23.99 feet; thence South 68°49'06" West 25.78 feet along the Southerly edge of a concrete walk; thence North 23°38'00" West 23.81 feet along the East line of Main Street to the true point of BEGINNING.
- ⑤ Together with a non-exclusive easement to use portions of the North Tunnel, the entrance/exit of the North Tunnel, and ingress and egress, as created by that certain Easement Agreement, recorded January 26, 1994 as Entry No.396883 in Book 783 at Page 260 of the official records in the office of the Summit County Recorder.
- ⑥ Together with a non-exclusive underground easement for storm sewer purposes, and together with limited ingress and egress easement, as created by that certain Easement Agreement, recorded January 26, 1994 as Entry No.396886 in Book 783 at Page 283 of the official records in the office of the Summit County Recorder, said easements being more particularly described as follows:
STORM SEWER EASEMENT
A 6.0 foot wide storm drain easement being 3.0 feet each side of the existing storm drain line whose centerline is described as follows:
BEGINNING at a point South 23°31'00" East 8.80 feet from the Northeast corner of Lot 14, Block 69, Millrite Reservation; and running thence South 60°05'28" West 48.83 feet; thence South 66°15'37" West 13.44 feet and terminating.
- ⑦ **NORTH TUNNEL INGRESS AND EGRESS EASEMENT**
BEGINNING at the Northeast corner of Lot 14, Block 68, Millrite Reservation, and running thence along the East line of Lot 14, South 23°31'00" East 10.00 feet; thence South 66°28'04" West 30.00 feet; thence South 44°37'48" West 34.22 feet; thence North 27°30'14" West 22.28 feet; thence North 23°24'33" West 0.48 feet; thence along the North line of Lot 13, Block 22, Park City Survey, North 68°24'45" East 11.95 feet; thence along the North line of Lot 14, Block 69, Millrite Reservation North 66°29'24" East 49.85 feet to the point of BEGINNING.
- ⑧ Subject to an egress easement:
Beginning at the Northwest corner of Lot 18, Block 11, Park City Survey, and running thence along the Northerly line of Lot 18 North 68°40'00" East 14.00 feet; thence South 23°38'00" East 3.00 feet; thence South 68°40'00" West 14.00 feet; thence along the Westerly line of Lot 18 North 23°38'00" West 3.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Park City 333 Main Development, LLC, the owner of the herein described tract of land, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

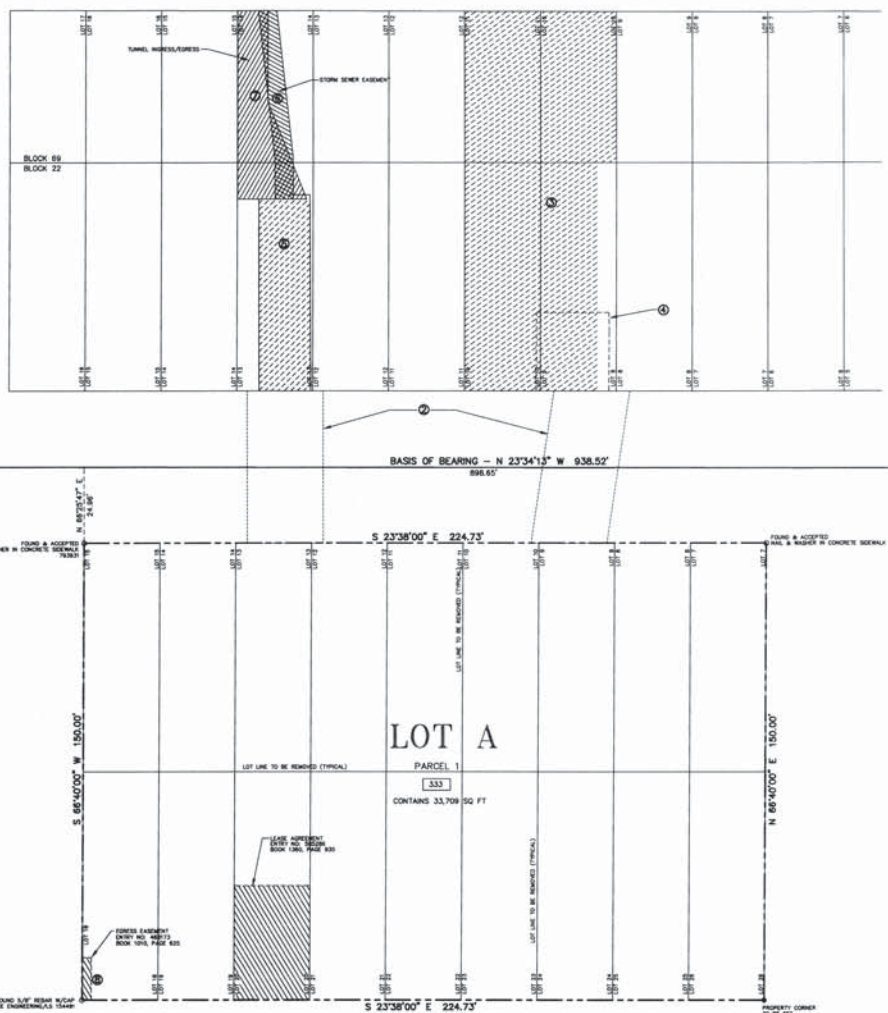
In witness whereof, the undersigned set his hand this 22 day of March, 2011.
Park City 333 Main Development, LLC, a Delaware limited liability company
By: Main Mall Development, LLC, a Delaware limited liability company, its Manager
By: DORM Park City, LLC, a Utah limited liability company, its Manager
By: *Stanley R. Cassleton*
Stanley R. Cassleton, Manager

State of Utah
County of Summit

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 22 day of March, 2011, by Stanley R. Cassleton, the Manager of DORM Park City, LLC, a Utah limited liability company, which is the Manager of Main Mall Development, LLC, a Delaware limited liability company, which is the Manager of Park City 333 Main Development, LLC, a Delaware limited liability company.

Sydney Farley
A Notary Public Commissioned in Utah
Sydney Farley
Notary Public
Residing in: Salt Lake City
My commission expires April 9, 2012



A PARCEL COMBINATION PLAT A COMBINATION OF LOTS 7-15 & 18-26 IN BLOCK 11, PARK CITY SURVEY 333 MAIN STREET PLAT AMENDMENT

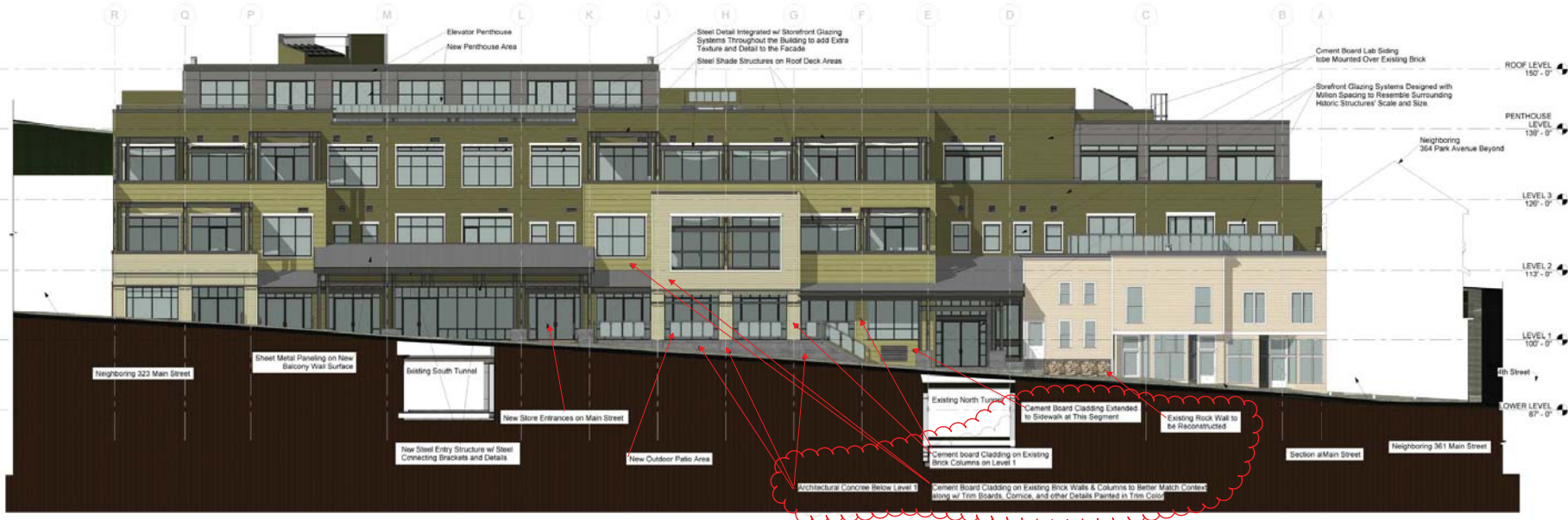
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

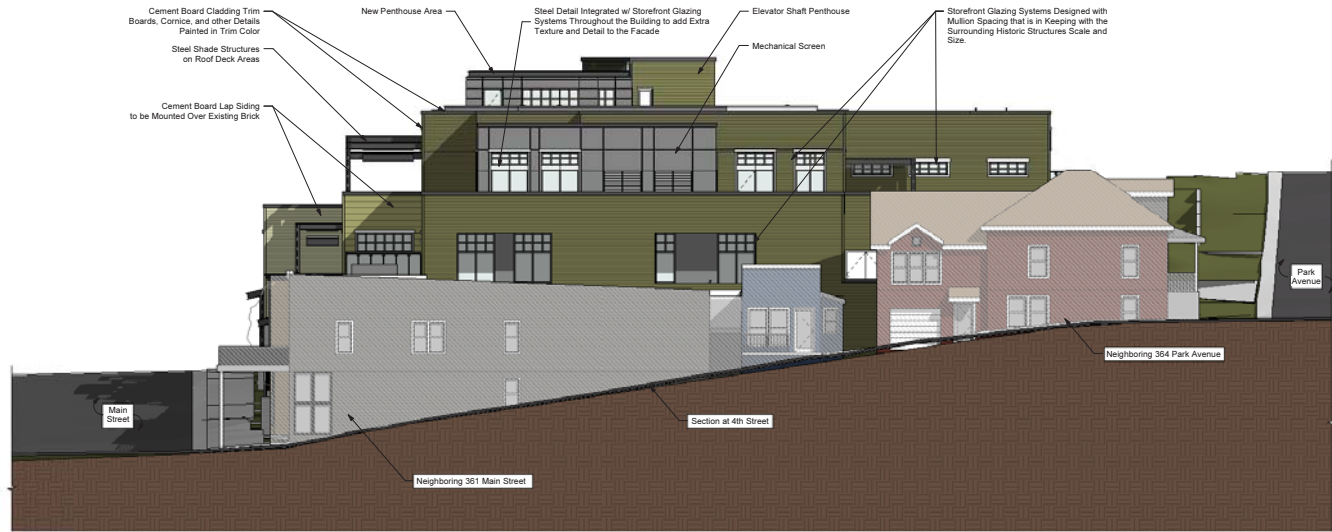
 (435) 648-8467 333 Main Street P.O. Box 2884 Park City, Utah 84060-2884	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>23</u> DAY OF <u>March</u> , 2011 A.D. BY: <i>[Signature]</i> S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 25TH DAY OF FEBRUARY, 2009 A.D. BY: <i>[Signature]</i> CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>27th</u> DAY OF <u>March</u> , 2011 A.D. BY: <i>[Signature]</i> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 31st DAY OF <u>March</u> , 2011 A.D. BY: <i>[Signature]</i> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 26TH DAY OF MARCH, 2009 A.D. BY: <i>[Signature]</i> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 26TH DAY OF MARCH, 2009 A.D. BY: <i>[Signature]</i> MAYOR	# 920678 RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>HIGH COUNTRY TITLE</u> DATE <u>4/12/11</u> TIME <u>2:14 PM</u> BOOK <u>---</u> PAGE <u>---</u> \$31.00 FEE <i>[Signature]</i> RECORDER
	FILED: X:\ParkCitySurvey\dwg\arr\plat2008\061108.dwg						

EXHIBIT C

Historic District Design Review
 March 18, 2013 - Revised May 27, 2014



1 EAST ELEVATION - color
 0 4 8 16 32

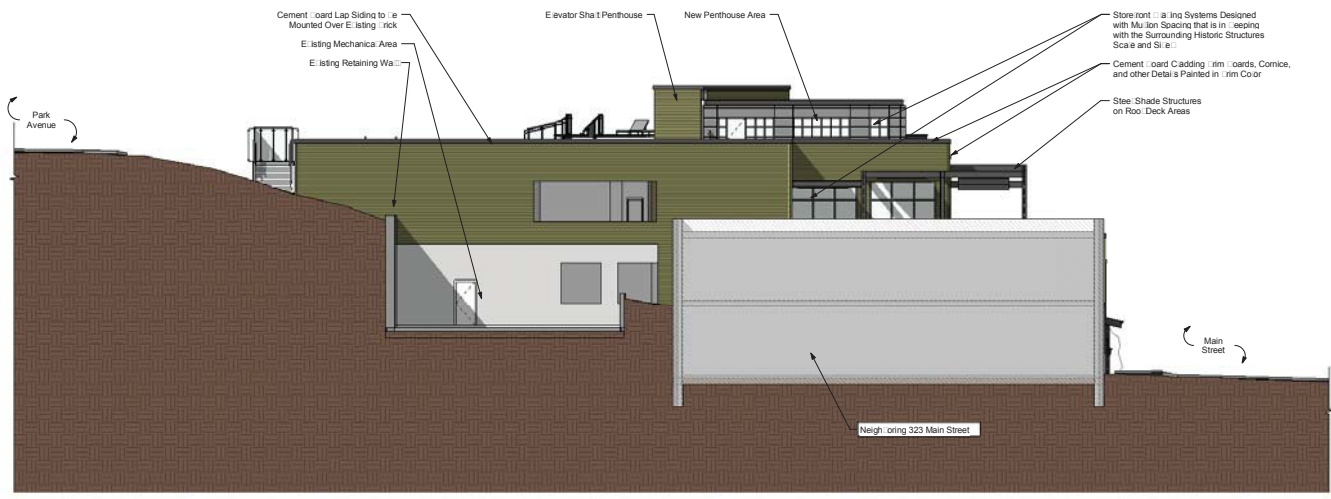


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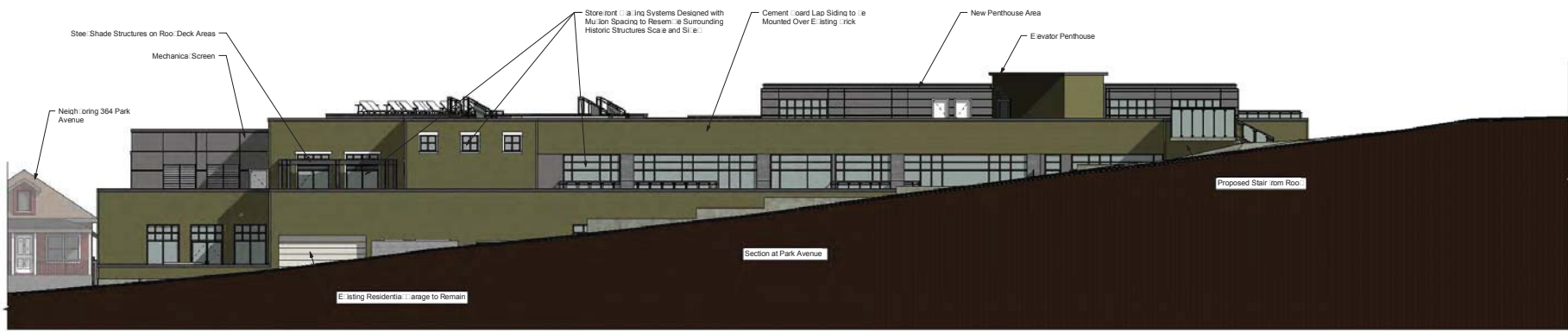
elliott
workgroup
architecture
 344 Main Street, PO Box 3419, Park City, Utah 84099
 435.646.0082, 801.415.1133, www.elliottworkgroup.com

Watt Investment Partners
333 Main
Adaptive Re-use
 333 Main Street
 Park City, Utah 84090

ELEVATIONS - COLOR
H-221



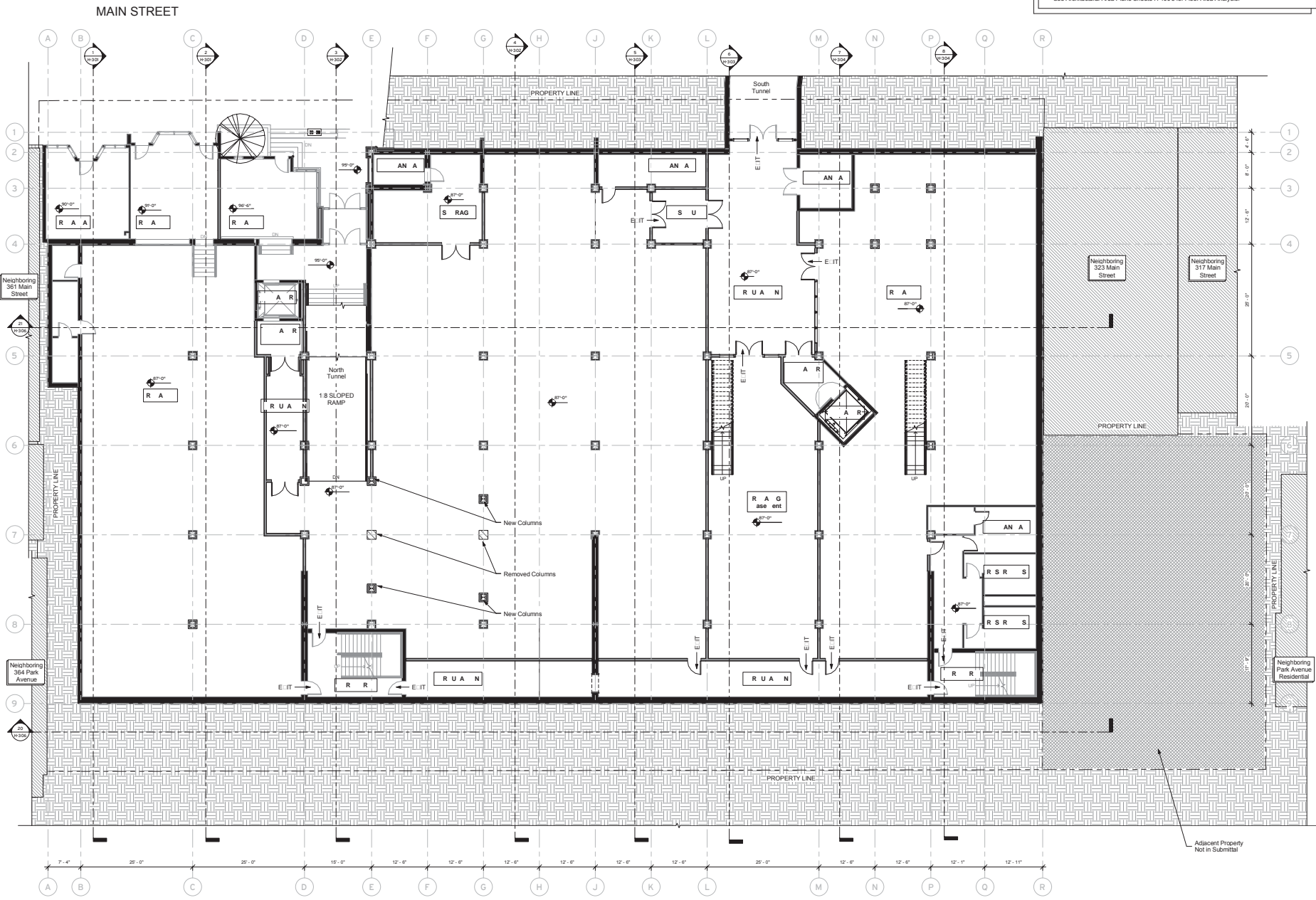
3 SOUTH ELEVATION - color



4 WEST ELEVATION - color

USGS Reference
 USGS Elevation +7092 = Architectural Elevation 100'-0"

Notes:
 * See Roof Plan Sheet H-105 for Roof Over Topo Elevations Referenced to USGS Elevations.
 * See Roof Plan Sheet H-105 for Reference to Building Section Locations.
 * See Architectural Building Sections Sheets H-300's for Reference to Allowable Zone Height for HCB and HR-2A Zones.
 * See Architectural Area Plans Sheets H-400's for Floor Area Analysis.



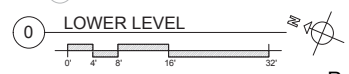
Historic District Design Review
 March 18, 2013

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 architecture
345 Main Street • PO Box 2410 • Park City, Utah 84002
 435-633-0302 • 801-415-1139 • www.elliottworkgroup.com

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333 Main
 Adaptive Re-use
333 Main Street
 Park City, Utah 84002

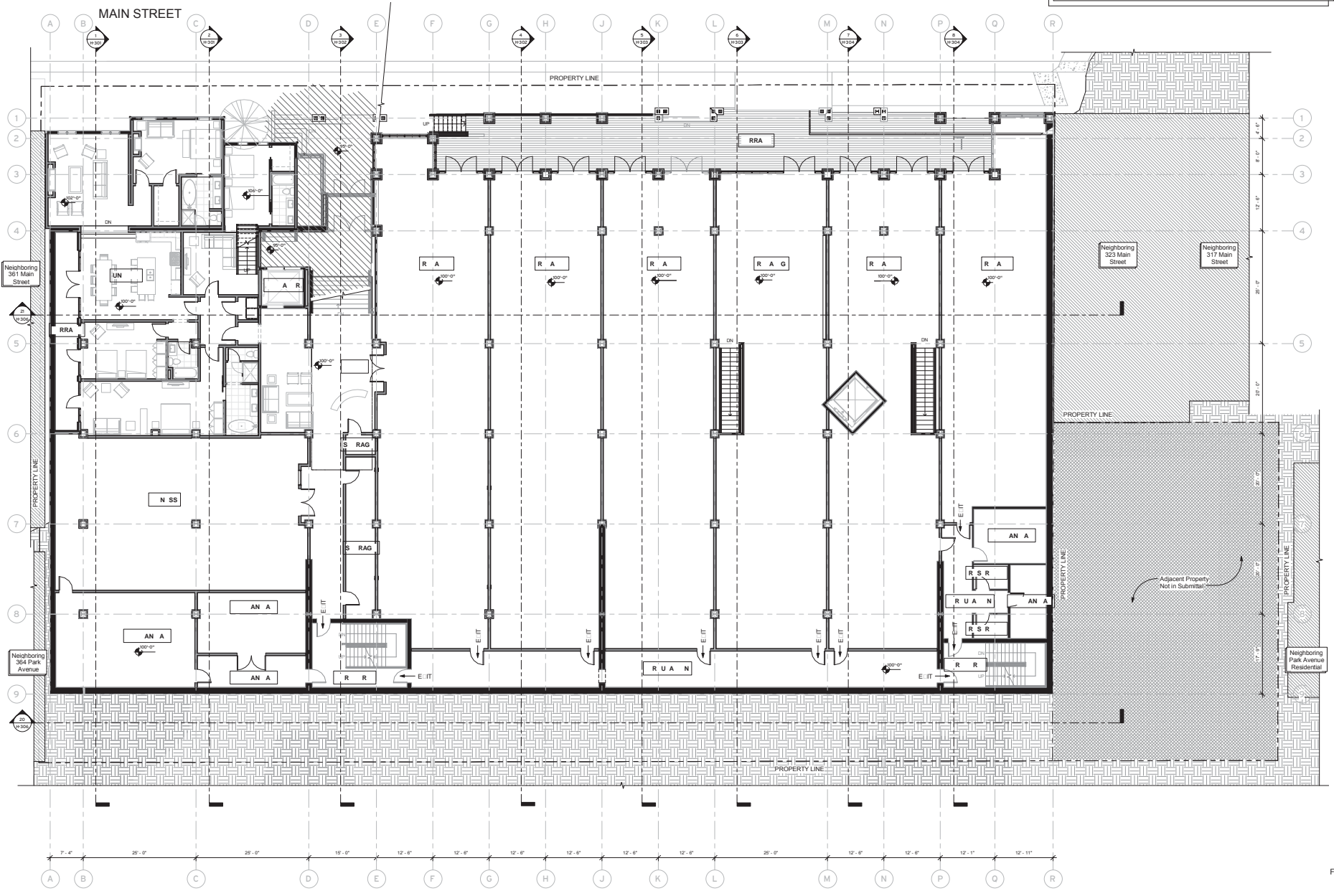
LOWER LEVEL - FLOOR PLAN

H-100



USGS Reference
 USGS Elevation +7092 = Architectural Elevation 100'-0"

Notes
 * See Roof Plan Sheet H-105 for Roof Over Topso Elevations Referenced to USGS Elevations.
 * See Roof Plan Sheet H-105 for Reference to Building Section Locations.
 * See Architectural Building Sections Sheets H-300's for Reference to Allowable Zone Height for HCB and HFA Zones.
 * See Architectural Area Plans Sheets H-400's for Floor Area Analysis.



Historic District Design Review
 March 18, 2013

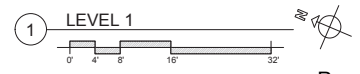
elliott workgroup architecture
 345 Main Street • PO Box 2410 • Park City, Utah 84002
 435.643.0302 • 303.115.1139 • www.elliottworkgroup.com

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333 Main
 Adaptive Re-use
 333 Main Street
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FIRST LEVEL - FLOOR PLAN

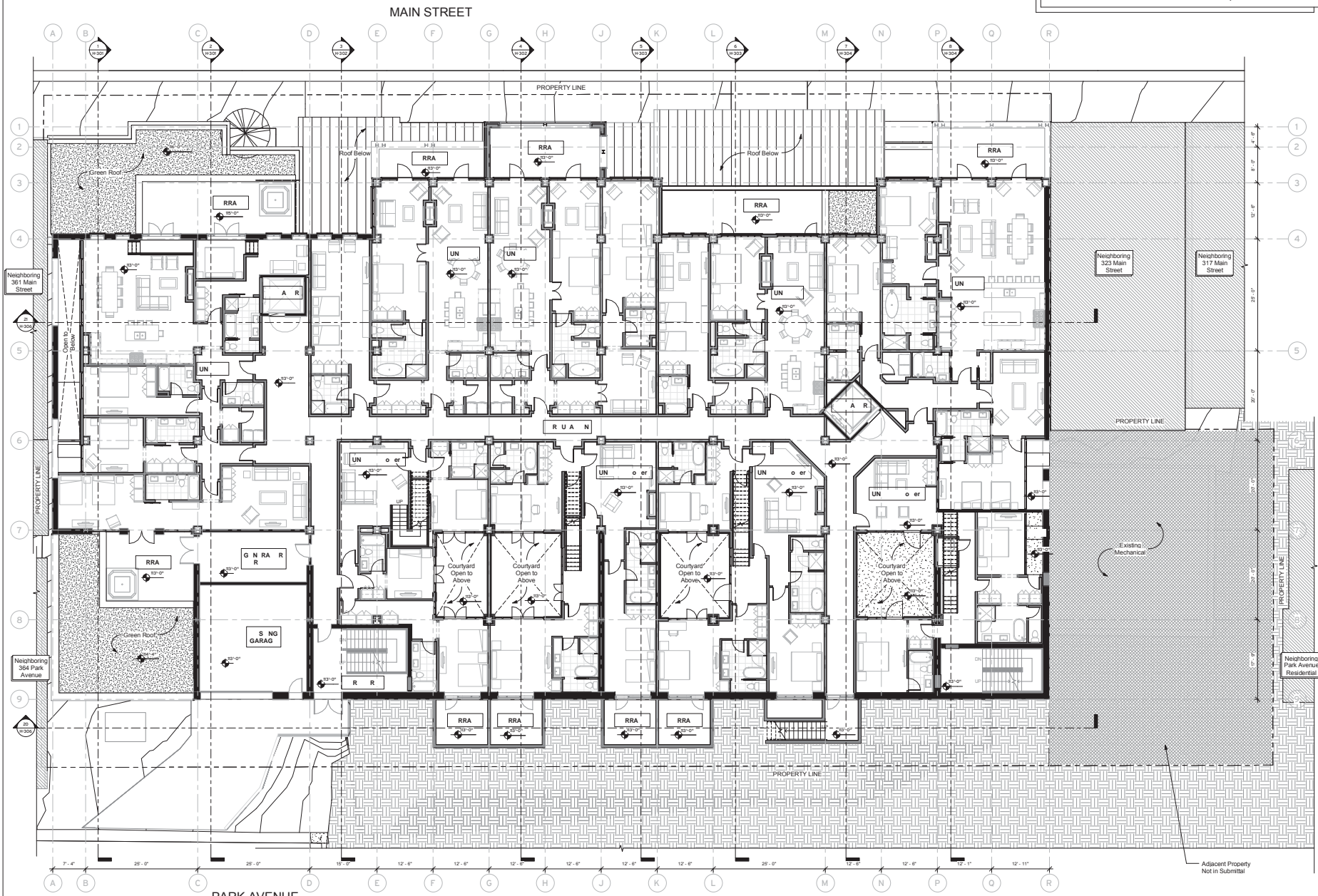
H-101

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USGS Reference
 USGS Elevation +7092 = Architectural Elevation 100'-0"

Notes:
 * See Roof Plan Sheet H-105 for Roof Over Topo Elevations Referenced to USGS Elevations.
 * See Roof Plan Sheet H-105 for Reference to Building Section Locations.
 * See Architectural Building Sections Sheets H-300's for Reference to Allowable Zone Height for HCB and HR-2A Zones.
 * See Architectural Area Plans Sheets H-400's for Floor Area Analysis.



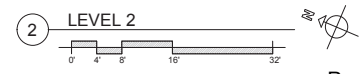
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 architecture
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333 Main
 Adaptive Re-use
 333 Main Street
 Park City, Utah 84302

SECOND LEVEL - FLOOR PLAN

H-102

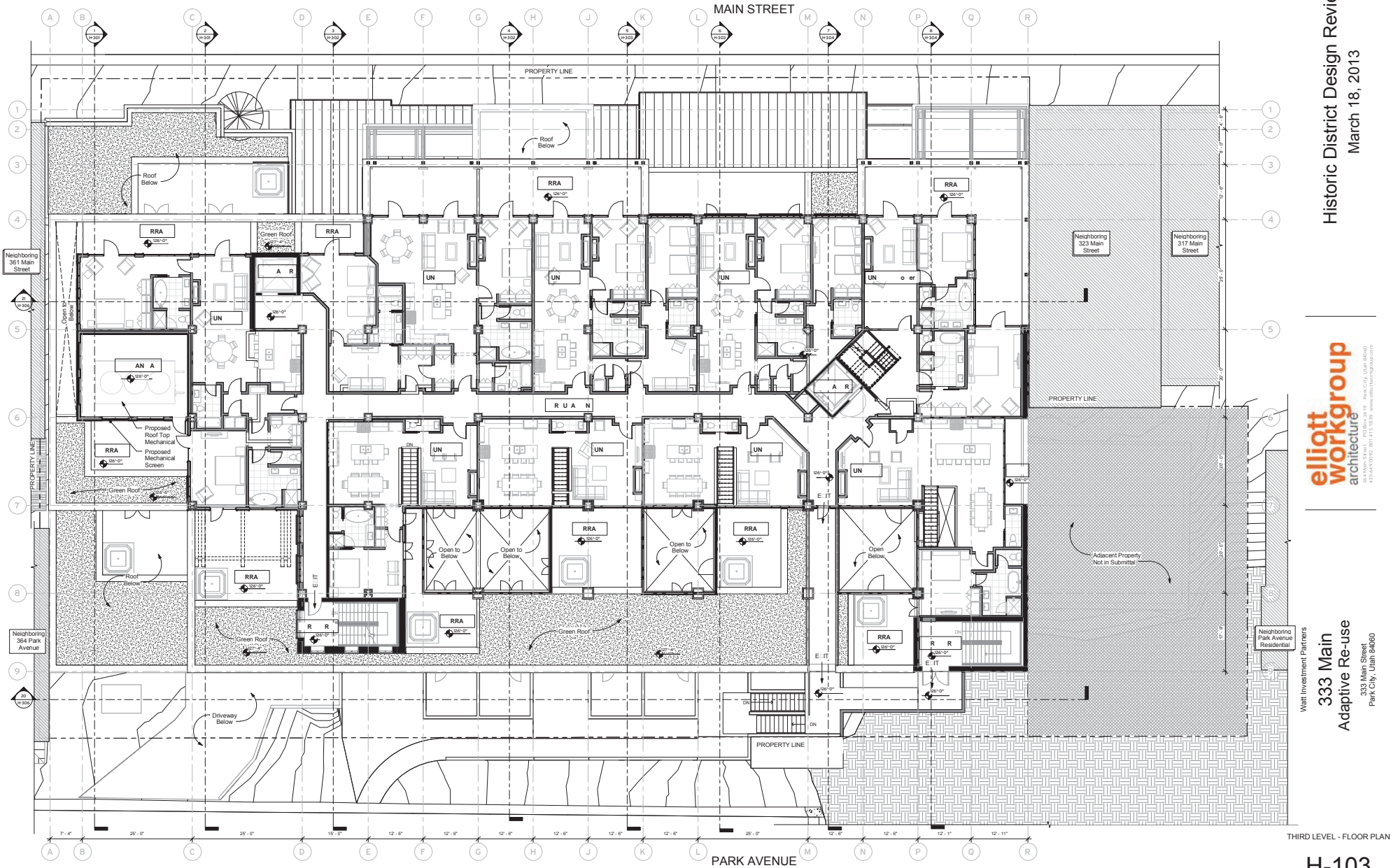


USGS Reference

USGS Elevation +7092 = Architectural Elevation 100'-0"

Notes:

- See Roof Plan Sheet H-105 for Roof Over Topo Elevations Referenced to USGS Elevations.
- See Roof Plan Sheet H-105 for Reference to Building Section Locations.
- See Architectural Building Sections Sheets H-300's for Reference to Allowable Zone Height for HCB and HR-2A Zones.
- See Architectural Area Plans Sheets H-400's for Floor Area Analysis.



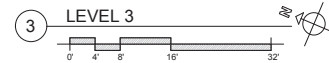
Historic District Design Review
March 18, 2013

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Adaptive Re-use**
333 Main Street
Park City, Utah 84060

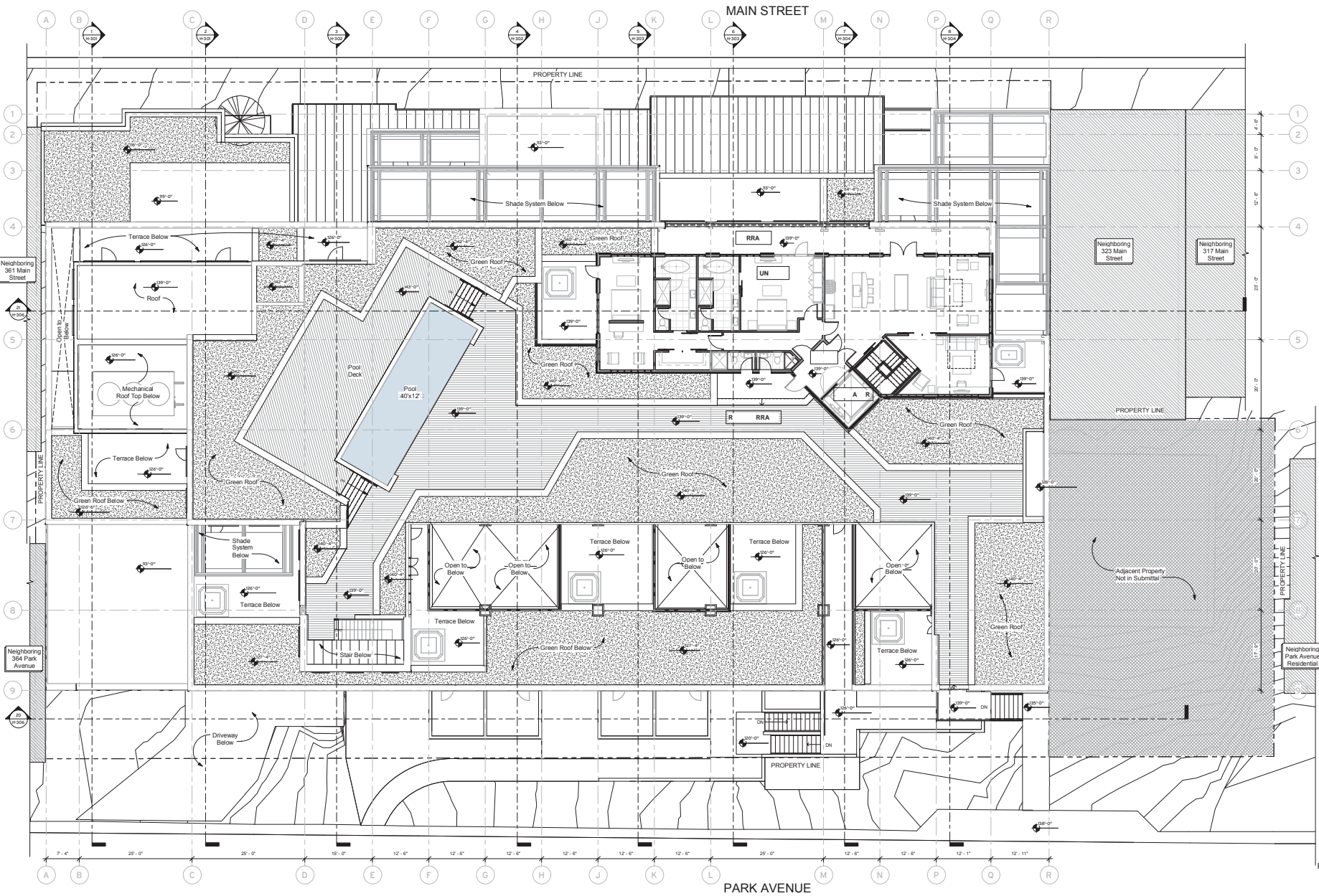
THIRD LEVEL - FLOOR PLAN

H-103



USGS Reference
 USGS Elevation +7092 = Architectural Elevation 100'-0"

Notes:
 * See Roof Plan Sheet H-105 for Roof Over Topo Elevations Referenced to USGS Elevations.
 * See Roof Plan Sheet H-105 for Reference to Building Section Locations.
 * See Architectural Building Sections Sheets H-300's for Reference to Allowable Zone Height for HCB and HR-2A Zones.
 * See Architectural Area Plans Sheets H-400's for Floor Area Analysis.



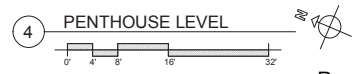
Historic District Design Review
 March 18, 2013



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333 Main
 Adaptive Re-use
 333 Main Street
 Park City, Utah 84060

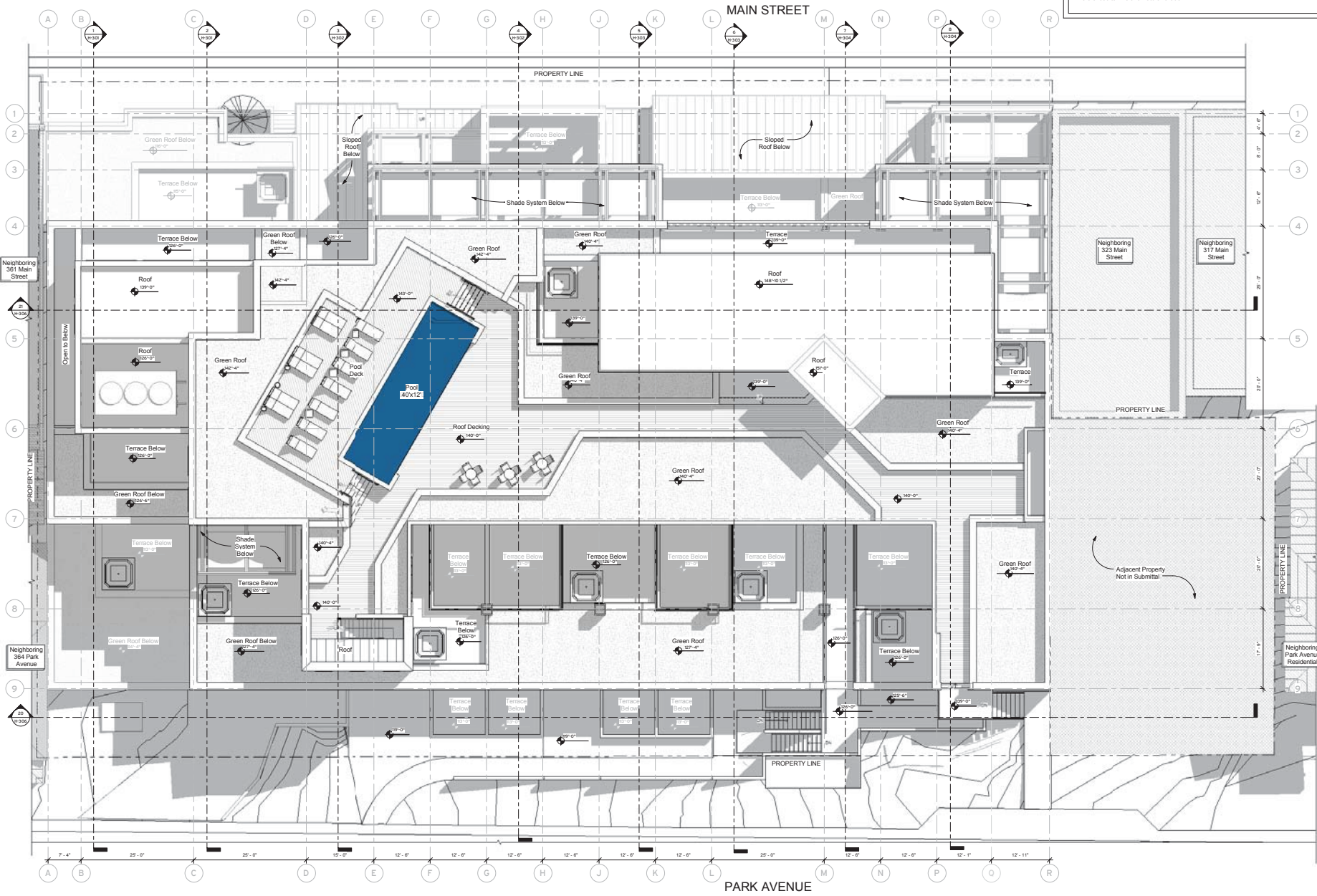
PENTHOUSE LEVEL - FLOOR PLAN

H-104



USGS Reference
 USGS Elevation +7092 = Architectural Elevation 100'-0"

Notes:
 * See Survey - Site Plan Sheet H-010 for Overall Site Referenced to USGS Elevations.
 * See Architectural Building Sections Sheets H-300's for Reference to Allowable Zone Height for HCB and HR-2A.
 * See Building Sections for HCB 45'-0" and HR-2A 27'-0" Allowable Zone Height Referenced to Average Natural Grade.



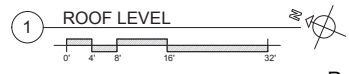
Historic District Design Review
 March 18, 2013

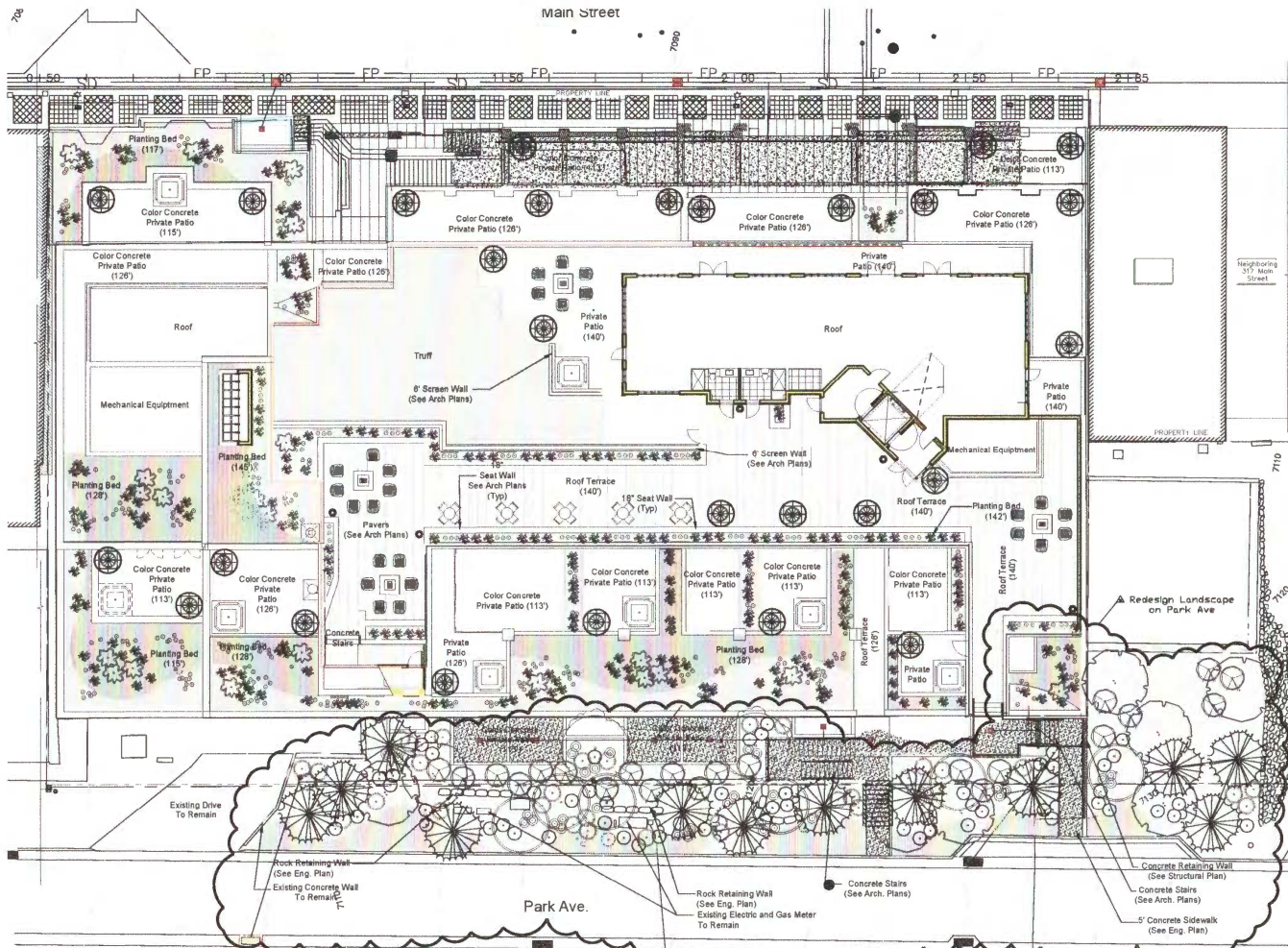
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Watt Investment Partners
333 Main
 Adaptive Re-use
333 Main Street
 Park City, Utah 84060

ROOF LEVEL - FLOOR PLAN

H-105





PLANTING LIST

SYMBOL	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE
(16)				
0	3	Acer Grandidentatum	Bigtooth Maple	2" CAL.
4	4	Acer glabro "Flame"	Amur Maple "Flame"	2" CAL.
7	27	Multi Trunk Acer glabro "Flame"	Amur Maple "Flame"	#10 CAL.
8	6	Fagus sylvatica	Quaking Aspen	2" CAL.
12	12	Abies balsamea	Sub-alpine Fir	8'-10' HEIGHT
(18)				
22	22	Conus sericea "Tulsiy"	Owens Red Deer Dogwood	
36	36	Ribes alpinum "Green mound"	Alpine Currant	
32	32	Symphoricarpos albus	Snowberry	
19	19	Saxifraga oppositifolia	Russell Sage	
37	37	Psychotria myrsinites	Mountain Lover	

Adjusted Plant Count

Adjusted Plant Count

PERENNIALS

(243)	Ornamental Grass	Ornamental Grass NOTE: Contractor will work with Landscape Architect for appropriate variety and species of Ornamental Grasses for this area.
(377)	Festuca glauca "Elijah Blue"	Blue Fescue Grass

Adjusted Plant Count

ADJ. (See site notes nearby)

Alpine Aster	Alpine Aster
Alaska Shasta Daisy	Alaska Shasta Daisy
Carex sp.	Carex sp.
Phlox subulata emerald blue	Emerald Blue Creeping Phlox
Salix purpurea	Purple Willow
Hemerocallis sp.	Daylily
Achillea M. Moonshine	Moonshine Yarrow
Panicle stitica	Rocky Mt. Penstemon
Asplenium platyneuron	Swamp

GREEN ROOF PLANT LIST (4200)

Aster dumosus asplaris	Supprie Aster
Collaia muscivora	Microphya Yarrow
Thymus sp.	Creeping Thyme
Oryzopsis hymenoides	Ricegrass
Scirpus gramineus flexuosus	Blue joint
Sedum sp. 'Autumn Joy'	Red Carpet Creeping Sedum
Sedum album	White-flowered creeping
Turkish verbena creeping	Sedum album
Panicle stitica	Panicle stitica

Note: The Landscape Architect will work with the contractor for the design of the green roof.

BARK MULCH

Note: All planting beds shall be covered with 3 inches of natural bark mulch.

LIGHTWEIGHT PLANTING MEDIA

Note: All plaza planting bed will have 6" of lightweight planting media per spec.

GRAPHIC LEGEND

- (1) Model House (See Arch. Plan)
- (2) Bench (See Arch. Plan)
- (3) Site House (See Arch. Plan)
- (4) Site House (See Arch. Plan)

No.	Date	Revision Schedule
1	5/15/2013	ISSUING
2	5/20/2013	PERMITS
3	5/23/2014	ADD 1
4	5/23/2014	ADD 2

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architecture

PARK CITY PLANNING DEPARTMENT
APPROVED

DATE: Aug 23, 2013
ISSUE: Permit Submittal / Bid Set
PROJECT: 2012 38
DESIGNED BY: SFO
DRAWN BY: SFO
REVIEWED BY: SFO

Permit Submittal / Bid Set

333 Main Adaptive Re-Use
333 Main Street
Park City, Utah 84060
LANDSCAPE PLAN

LA-100

Overall Landscape Plan

Plaza

Product Drawing

landscapeforms

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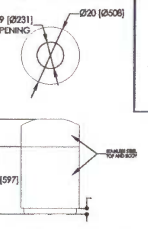
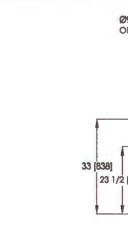
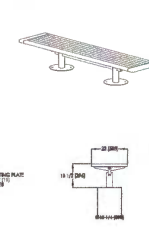
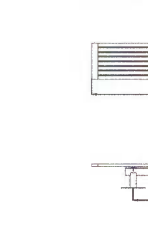
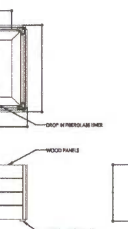
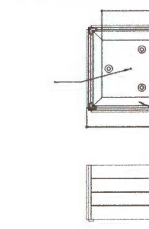
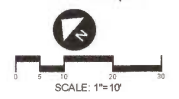
Product Drawing

landscapeforms

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Product Drawing

landscapeforms



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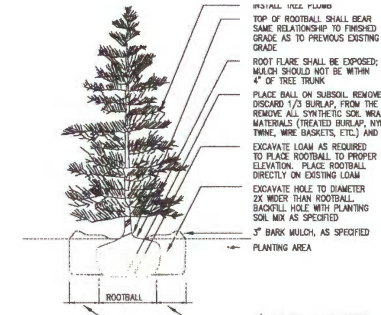
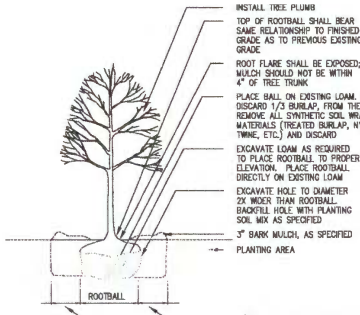
APPROVED
KAW G.3.14
SIGNATURE
DATE: JUN 13 2014

Permit Submittal / Bid Set
333 Main Adaptive Re-Use
333 Main Street
Park City, Utah 84060
LANDSCAPE PLAN

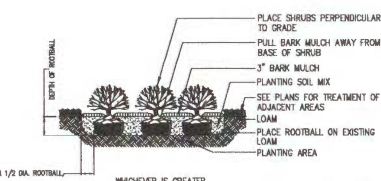
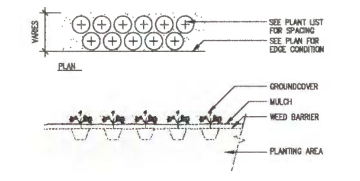
LA-100

CONTRACTOR TO VERIFY ALL DIMENSIONS AND TO BE RESPONSIBLE FOR ANY DISCREPANCIES.

1. THE CONTRACTOR SHALL LOCATE AND VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK.
2. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON ALL DRAWINGS.
3. ALL PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN OR EQUIVALENT.
4. NO PLANT SHALL BE PUT INTO THE GROUND BEFORE ROUGH GRADING HAS BEEN COMPLETED AND APPROVED BY THE LANDSCAPE ARCHITECT OR EQUAL.
5. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANTS' ORIGINAL GRADE, BE FROM THE CONTAINER, B&B, OR IF TRANSPORTED.
6. ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN. NO CONTAINER GROWN STOCK WILL BE ACCEPTED IF IT IS ROOT BOUND. ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT TIME OF PLANTING.
7. WITH CONTAINER GROWN STOCK, THE CONTAINER SHALL BE REMOVED AND THE CONTAINER BALL SHALL BE CUT THROUGH THE SURFACE IN TWO VERTICAL LOCATIONS.
8. THE DAY PRIOR TO PLANTING, THE LOCATION OF ALL TREES AND SHRUBS SHALL BE STAKED FOR APPROVAL BY THE LANDSCAPE ARCHITECT OR EQUAL.
9. AT PLANTING TIME, ALL PLANTS SHALL BE THINNED BY REMOVING A BALANCED ONE-THIRD OF THE VEGETATIVE MATERIAL. DO NOT CUT LEADERS.
10. ALL PLANTS SHALL BE SPRAYED WITH AN ANTI-DESICCANT WITHIN 24 HOURS AFTER PLANTING. ALL PLANTS SHALL BE SPRAYED WITH AN ANTI-DESICCANT AT THE BEGINNING OF THEIR FIRST WINTER.
11. ALL PLANTS SHALL BE WATERED THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING. ALL PLANTS SHALL THEN BE WATERED AS NEEDED AND SUGGESTED BY LOCAL CONDITIONS DURING THE FIRST GROWING SEASON.
12. AREAS TO BE SEEDBED SHALL BE RAKED OF STONES AND DEBRIS. DEBRIS AND STONES OVER 1" IN DIAMETER SHALL BE REMOVED FROM THE SITE.
13. MAINTENANCE SHALL BEGIN AFTER EACH PLANT HAS BEEN INSTALLED AND SHALL CONTINUE UNTIL FINAL ACCEPTANCE BY THE LANDSCAPE ARCHITECT OR OWNER REPRESENTATIVE. MAINTENANCE INCLUDES WATERING, PRUNING, WEEDING, MULCHING, REPLACEMENT OF BICK OR DEAD PLANT MATERIAL, AND ANY OTHER CARE NECESSARY FOR THE PROPER GROWTH OF THE PLANT MATERIAL.
14. THE CONTRACTOR SHALL REVIEW ARCHITECTURAL/ENGINEERING PLANS TO BECOME FAMILIAR WITH GRADING AND SURFACE UTILITIES.
15. THE CONTRACTOR SHALL INSURE THAT HIS WORK DOES NOT INTERRUPT ESTABLISHED OR PROJECTED DRAINAGE PATTERNS.
16. THE CONTRACTOR SHALL COORDINATE WITH LIGHTING AND IRRIGATION CONTRACTORS REGARDING TIMING OF INSTALLATION OF PLANT MATERIAL.
17. EVERY POSSIBLE SAFEGUARD SHALL BE TAKEN TO PROTECT BUILDING SURFACES, EQUIPMENT AND FURNISHINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSON OR PROPERTY WHICH MAY OCCUR AS A RESULT OF NEGLIGENCE ON THE PART OF THE CONTRACTOR IN THE EXECUTION OF THE WORK.
18. ALL PROPOSED PLANT MATERIALS SHALL BE INSTALLED EITHER ENTIRELY IN OR ENTIRELY OUT OF PLANTING BEDS. PLANTING BED LINES ARE NOT TO BE OBSTRUCTED.
19. THE CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR STABILITY AND PLUMB CONDITIONS OF ALL TREES AND SHRUBS, AND SHALL BE LEGALLY LIABLE FOR ANY DAMAGE CAUSED BY INSTABILITY OF ANY PLANT MATERIALS. STAKING OF TREES OR SHRUBS, IF DESIRED OR REQUESTED BY THE LANDSCAPE ARCHITECT, SHALL BE DONE UTILIZING A METHOD AGREED UPON BY THE LANDSCAPE ARCHITECT, AS INDICATED ON THE DOCUMENTS.
20. UPON COMPLETION OF ALL LANDSCAPING, AN INSPECTION FOR ACCEPTANCE OF THE WORK SHALL BE HELD. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OR OWNER FOR SCHEDULING THE INSPECTION AT LEAST SEVEN (7) DAYS PRIOR TO THE ANTICIPATED INSPECTION DATE.
21. ALL TREES, SHRUBS, AND PERENNIALS SHALL BE GUARANTEED FOR 12 MONTHS FROM THE DATE OF ACCEPTANCE. REPLACEMENT PLANTS USED SHALL BE GUARANTEED FOR AN ADDITIONAL 90 DAYS.
22. IN THE EVENT OF VARIATION BETWEEN QUANTITIES SHOWN ON THE PLANT SCHEDULE AND THE PLANS, THE PLANT SHALL CONTROL. IMPROPER PLANT COUNT MADE BY THE CONTRACTOR SHALL BE NO CAUSE FOR ADDITIONAL COST TO THE OWNER. SOO QUANTITY TAKE-OFFS ARE THE RESPONSIBILITY OF THE CONTRACTOR. ALL DISCREPANCIES SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO BIDDING.
23. ALL LAWN AREAS TO BE SEEDBED BY HYDROSEEDER USING A MULCH CONTAINING TAKIFER
24. PERENNIALS TO BE PLANTED @ 15"-18" O.C. IN CLUSTERS OF 3-10 PER SPECIES AS SPECIFIED ON PLAN. LANDSCAPE ARCHITECT SHALL VERIFY SITE PLACEMENT OF PLANTS BEFORE PLANTING BEGINS.
25. CONTRACTOR TO VERIFY QUANTITIES.
26. ALL PERENNIAL BEDS TO BE MULCHED WITH A MINIMUM OF 3" PINE BARK
27. LANDSCAPE AREA WILL BE COVERED 100% BY EITHER DRIP OR SPRAY IRRIGATIONS. AN IRRIGATION PLAN WILL BE INCLUDED AS A DESIGN-BUILD CONTRACT AND WILL BE SUBMITTED AND APPROVED BY COUNTY PRIOR TO IRRIGATION AND PLANT MATERIAL INSTALLATION.
28. ALL MAINTAINED LANDSCAPE AREAS WILL BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM. AREAS DESIGNATED AS NON-IRRIGATED SHALL HAVE TEMPORARY SPRINKLERS INSTALLED UNTIL NATIVE GRASSES ARE ESTABLISHED.



Planters and Benches



Planting Details NTS

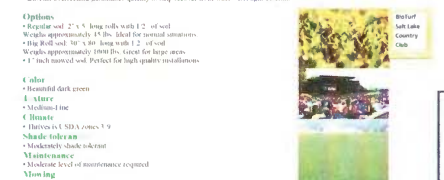
SECTION

BIOTURF®

BioTurf with Bolero - The Intermountain West's only Tall Fescue sod specifically designed for the Intermountain West.

For use on commercial and residential lawns. BioTurf was developed by BioTurf scientists in conjunction with the National Turf Evaluation Program's scientific studies specifically evaluated for cold stress turf grasses in the Intermountain West. BioTurf sod was developed as a specific sod alternative to Kentucky Bluegrass that was naturally more drought tolerant, had a medium-blue leaf texture, beautiful dark green, with cold and heat tolerance, and very low maintenance. The results is this turf with BioTurf.

Performance:
Provides dark green color from early spring through late fall
Deep root system
Excellent adaptability in a variety of soils
Resistant to weeds, insects, and disease problems
Cold-turf-over-dormant grasses quickly helps re-cover them since
Good drought recovery
Superior Wear Tolerance
Heat Tolerance
Natural Dark Green Color
Thatch Free Turf



BioTurf with Bolero - Dwarf Tall Fescue sod with the BioTurf difference. BioTurf's sod is the ultimate lawn. From specifically for the Intermountain West we combine the highest quality Dwarf Tall Fescue with Kentucky Bluegrass on the right ratios to give you the finest drought-tolerant lawn available. BioTurf is dark green in color, as healthy, traffic, resilient, has a deep root system, and is directly populated with medium fine grass plants for a soft, problem-resistant surface. BioTurf is made with shade tolerant and can endure the varying cold and hot temperatures of the Intermountain West.

For the ultimate drought-tolerant lawn, specify BioTurf with Bolero. BioTurf is the only sod with the following characteristics:
100% bio-diverse Kentucky Bluegrass
Climate
100% Bio-diverse Kentucky Bluegrass
Soil
Available in Sandy and Silty loam soils.

UTELITE E-SOIL™60 / 40 LIGHTWEIGHT PLANTING MEDIA

PART 1: GENERAL

60 / 40 LIGHTWEIGHT PLANTING MEDIA

- A. Utielite 'Fines' Expanded Shale 60%
- B. Approved Organic Matter 40%

Lightweight Planting Media Properties:

- pH Range 7 - 9
- Bulk Density (per ft.) 140 - 50 lbs
- Saturated Bulk Density (per ft.) 65 - 78 lbs
- Water Retention: 20 - 45%
- Salinity ECe: less than 10 dS/M
- CCC: 36 mg/100g

PART 2: PRODUCTS

- A. Utielite 'Fines' Expanded Shale

Acceptable Expanded Shale Manufacturer and Supplier:
Utielite Corporation, Scott Jensen, 801-243-9348
PO Box 387, Coalville, UT 84017

- B. *Approved Organic Matter

- pH 6 - 8
- Soluble Salts <5
- Sodium Adsorption Ratio <10
- Carbon / Nitrogen Ratio <20:1
- Moisture % 25 - 35
- Coarse Material 98% Passing 3/8"

*Note: Organic Materials must have favorable characteristics and properties. Low-quality organic materials can have a detrimental effect on the overall success of the planting media.

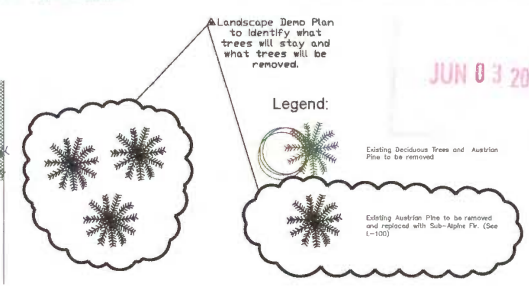
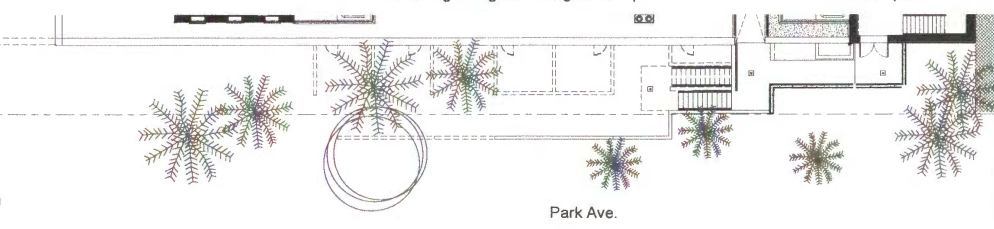
PART 3: BLENDING PROCEDURE

1. Mechanically mix 3 parts of the Utielite 'Fines' Expanded Shale to 2 parts of the Approved Organic Matter until a uniform distribution of the components is achieved.
2. When stockpiling the finished mix, cover the pile with a plastic tarp to prevent drying out or soil separation from rain.

Plaza Lightweight Planting Media Spec.

Bioturf Spec.

Level 3
Landscape Demo Plan
Scale: 1" = 10'



PARK CITY PLANNING DEPT.
APPROVED
KAW 6.3.14
SIGNATURE DATE

No.	Code	Revision Schedule	Description
1	1.19.2013	1	ADDENDUM
2	1.19.2013	2	ADDENDUM
4	1.19.2014	201	
13	1.19.2014	2011	

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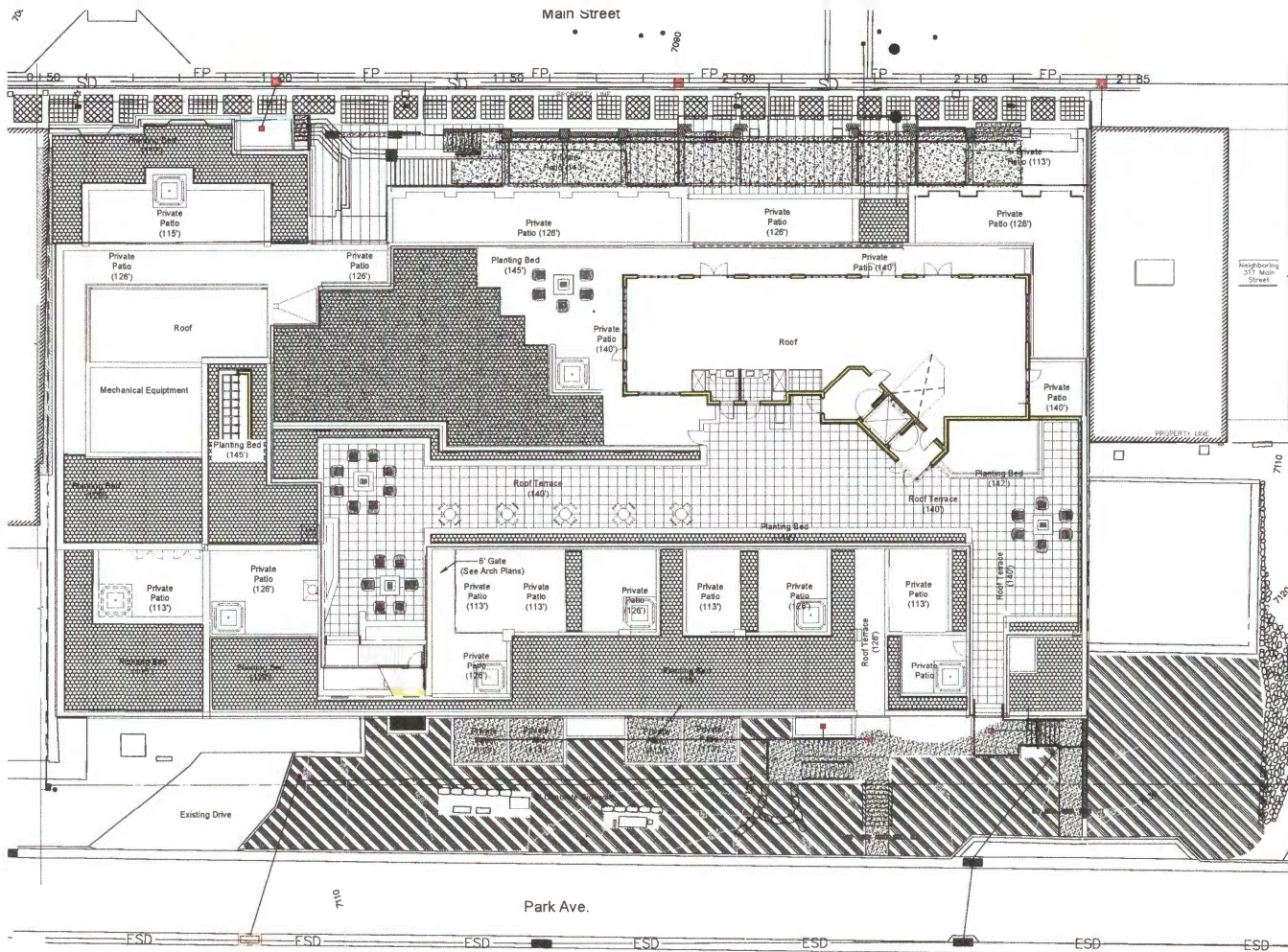
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DATE: Aug. 23, 2013
PERMITS: Permit Submittal / Bid Set
PROJECT: 2012.36
DESIGNED BY: SFO
DRAWN BY: SFO
REVIEWED BY: SFO

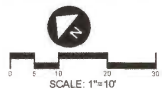
Permit Submittal / Bid Set
333 Main
Adaptive Re-Use
333 Main Street
Park City, Utah 84060
LANDSCAPE DETAILS

LA-101

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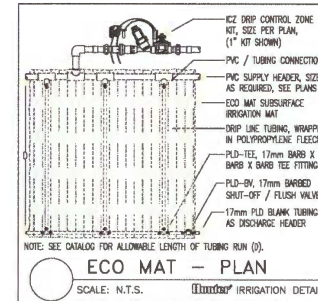


Overall Irrigation Plan

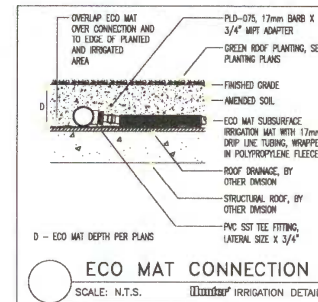
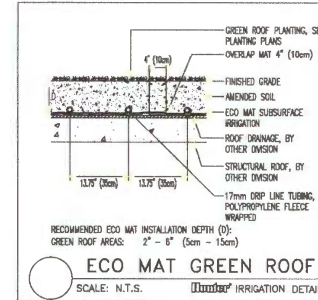


NOTE:

- 1) Shop drawings shall be provided by contractor and reviewed by Landscape Architect or equal, and approved before starting installation of the systems. Contractor shall tie into existing irrigation system and add zones as needed.
- 2) There will be provided both power and water to each Green Roof.
- 3) The Green Roof plantings will be temporary irrigated until plant material is established.



PVC SUPPLY HEADER AND POLY DISCHARGE HEADER.



No.	Date	Revision Schedule	Description
1	5/15/2013	1	Submittal
2	10/29/2013	1	Revised
3	11/14/2013	1	ADP 1
4	11/14/2013	1	ADP 1
5	5/15/2014	1	ADP 14

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435.638.4382 435.616.1253 www.elliottworkgroup.com

DATE	Aug 23, 2013
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PROJECT	2012 36
DESIGNED BY	SFO
CHECKED BY	SFO
REVIEWED BY	SFO

Permit Submittal / Bid Set

333 Main
Adaptive Re-use
333 Main Street
Park City, Utah 84060
IRRIGATION PLAN

LA-200

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PARK CITY PLANNING DEPT.
APPROVED

KAW 6.3.14
SIGNATURE

DATE

JUN 03 2014



June 21, 2013

AG-WIP 333 Main Street Owner, LLC
2716 Ocean Park Boulevard, Suite 2025
Santa Monica, California 90405

Craig Elliott
Elliott Workgroup Architecture, LLC
PO Box 3419
Park City, UT 84060

NOTICE OF BOARD OF ADJUSTMENT ACTION

Project Description: Change of non-conforming use
Project Numbers: PL-13-01870
Project Address: 333 Main Street
Date of Final Action: June 18, 2013

Action Taken

The Board of Adjustment reviewed the application requesting a change of a non-conforming use at 333 Main Street from commercial/retail to multi-dwelling units in the HR2 zone, conducted a public hearing, and approved the request in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact:

1. The property is located at 333 Main Street between Main Street and Park Avenue and consists of Lots 7-15, 18-26, 27 and 28, Block 11, of the Amended Park City Survey. There is an existing four story commercial building and two significant historic structures on the property.
2. The property is located in the HCB and HR2 zoning districts.
3. The existing commercial building, known as the Main Street Mall, was constructed in 1984 across property lines and zone lines. The significant historic structures were constructed in the early 1900s. The Main Street Mall was constructed as an interior commercial mall building with office uses on the third floor. The building was constructed prior to the creation of the HR2 zone.
4. On March 26, 2009, the City Council approved a plat amendment to create a single lot of record from the multiple underlying lots for the existing Main Street Mall building and attached historic structures.

5. On March 8, 2010, the Council extended the approval for one year to allow the applicants additional time to finalize the plat in preparation for signatures and recordation at Summit County.
6. On April 12, 2011, the 333 Main Street Subdivision plat was recorded at Summit County.
7. On March 19, 2013, the Planning Department received an application for a change of non-conforming use from commercial retail and office uses to multi-dwelling residential uses within the existing buildings located at 333 Main Street, including the historic structures located at 347 and 355 Main Street. All of the buildings are located on one lot, namely Lot One of the 333 Main Street Subdivision.
8. The application was deemed complete on April 11, 2013 and noticed on April 24th for a Board of Adjustment hearing on May 7th. Due to internal staff questions regarding a parking agreement between a previous owner of the Mall (Silver Mill) and the City, staff requested the item be continued by the Board of Adjustment to a date uncertain to allow time to resolve these issues. The property was posted, letters were mailed to property owners within 300 feet, and notice was published in the Park Record for the June 18th BOA hearing.
9. The Main Street portion of the building is located in the Historic Commercial Business District (HCB) with access to Main Street and the Park Avenue portion of the building is located in the Historic Residential 2 (HR-2) zoning district with limited emergency only access to Park Avenue. The building has existing non-complying side yard setbacks within the HR2 zone and otherwise complies with the LMC site and lot requirements.
10. The property currently consists of 89,462 sf (gross floor area) used for retail, commercial, restaurant, office, and storage uses.
11. The building currently functions poorly, according to the applicant, as an internal commercial mall and the owners desire to redesign the commercial spaces on the Main Street floor levels so that each retail space fronts directly onto Main Street.
12. The project includes conversion of approximately 30,000 sf of commercial area on levels 2 and 3 into multi-dwelling residential condominium units. A 3,559 sf penthouse unit, within the HCB zone, is proposed to be constructed on Levels 3 and 4 within the allowable building height envelope, with 2,216 sf of this penthouse unit consisting of new construction on the 4th level. The project includes a total of 15 residential condominium units ranging in size from 1,346 sf to 3,559 sf with an average floor area per unit of approximately 2,185 sf. The application is a request to convert approximately 12,000 sf of non-conforming commercial use to approximately 10,832 sf of non-conforming multi-unit dwelling use (plus circulation area) within the HR2 zoned portion of the property.
13. The existing north entry will remain as an entrance and circulation area for both the residential and commercial uses. The proposal complies with the vertical zoning ordinance for Main Street.
14. Four residential units (and a portion of two that straddle the zone line) are proposed within the HR2 zoned portion of the building. The remaining units are allowed uses within the HCB zone.
15. No additional residential or commercial access is proposed to Park Avenue with the non-conforming use application or the revised HDDR application.
16. Main Street is important to the economic well being of the Historic Commercial business district and is the location of many activities important to the vitality and character of Park City. Adding a residential component to create a mixed use

development in this area is consistent with the City's General Plan and vision for the historic district.

17. The Main Street Mall architecture is out dated and not in compliance with the 2009 Design Guidelines for Historic Sites and Districts and the owner proposes to renovate, update, and improve the building in terms of function, form, and architectural design.
18. On May 2, 2011, a Historic District Design Review application was approved for modifications to the exterior in compliance with the 2009 Design Guidelines for Historic Districts and Sites.
19. On August 11, 2011, the City Council approved a Condominium Plat for 333 Main Street to create 2 (two) condominium units (Unit A and Unit B) and convertible space. This plat provides two separate ownership units that allow the proposed Main Street Mall renovation and financing to occur in separate phases.
20. On August 7, 2012, the applicant requested an extension of one additional year to record the approved condominium plat due to change in ownership as well as to address this change in the proposed concept. The condominium plat has not been recorded and an extension to September 27, 2013, was granted by the City Council on September 27, 2012.
21. If the residential units are constructed as proposed then a revised condominium plat will need to be submitted and reviewed by the Planning Commission with final action by the City Council prior to issuance of certificates of occupancy for the residential units.
22. The property is encumbered by a recorded lease agreement for parking. The lease agreement is identified on the plat because of the 99 year duration of the lease. The lease provides parking within a two car garage for 364 Park Avenue with access off of Park Avenue.
23. According to the Planning Department records and map of the Downtown Parking Special Improvement District (SID) the Main Street Mall developers were fully paid into the Downtown Parking Special Improvement District for the 1.5 FAR parking exemption prior to 1984.
24. The property is subject to a February 28, 1986 Master Parking Agreement which was amended in 1987 to effectuate an agreement between the City and the owner with regards to providing parking for the third floor of the Main Street Mall within the China Bridge parking structure. The agreement states that the final total cost for the spaces will be prorated against the total number of spaces in the structure and that the Main Street Mall actual parking obligation will be adjusted to equal 56 times the actual pro rata cost plus \$400.00 for each space.
25. The Parking Agreement further documents that the developers provided \$340,000 towards the China Bridge Parking Structure, for 34 spaces at an initial estimated cost of \$10,000 per space. The requirement for parking "on the upper floors" (i.e. not including the 1.5 FAR exemptions) was 56 spaces and the developer recorded a restrictive covenant to secure the remaining 22 spaces. This covenant applies to the parking at 340 and 364 Main Street with access to the parking from Swede Alley.
26. In a letter dated January 3, 1990, the City Engineer, Eric DeHaan, responded to an inquiry regarding the purchase price required to release the 340 and 364 Main Street properties from the restrictive covenant. The letter states that the cost per space is \$5,671.00. Adding the required additional \$400.00 per space the release cost for the restrictive covenant would be \$6,071.00. Dividing the \$340,000 by the

- cost per space of \$6071.00 yields 56 spaces that the Main Street Mall paid into to meet the third floor parking obligation within the China Bridge Parking Structure.
27. The proposed non-conforming use change application does not change the recorded parking agreements. The proposed change of use requires 26.5 parking spaces for the upper floors which is less than the 56 parking spaces provided by the Master Parking Agreement.
 28. Five (5) easements for existing emergency and pedestrian access, utility, and parking easements as described in the title report and land title of survey for 333 Main Street were memorialized with the recorded subdivision plat. No changes to these easements are required or proposed with this application.
 29. No changes to the existing parking are proposed with this condominium plat and all parking agreements and easements continue to apply unless and until they are amended by both parties.
 30. A Parking Management Plan would identify issues and propose mitigation measures and strategies to resolve issues that may arise due to the 24 hour parking for residential units within the China Bridge. Residential parking passes can currently be issued for residential units on Main Street and overnight parking is permitted within the parking structure; however there are no reserved spaces.
 31. All reasonable measures have been undertaken with the revised HDDR application to alleviate or reduce the incompatibility or adverse effects of the non-conforming multi-dwelling residential uses upon abutting Properties and in the neighborhood, by enhancing the landscaping along Park Avenue, adding windows and providing patios and roof top gardens for the residential units on the Park Avenue elevation.
 32. All changes, additions, or expansions comply with all current laws except as to Use.
 33. The proposed change in use is consistent with the purposes of LMC Chapter 9 - Non-conforming Uses and Non-complying Structures in that the proposed change in use reduces the degree of non-conformity and improves the physical appearance of the Structure and site through landscaping, building design, and improved function of the use in relation to other uses.
 34. The new use will provide for enclosed storage of necessary equipment, materials, and refuse, rather than create a need for additional outside storage; and
 35. The new use does not increase the parking requirement and the adjoining properties and the neighborhood will not be adversely impacted by the increased parking demand.
 36. The Main Street store fronts will continue to be used for retail/commercial uses. The existing north entry/circulation area will remain as an entrance accessing both retail and residential uses.
 37. The property is located within the Park City Soils Ordinance.

Conclusions of Law:

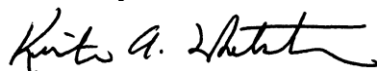
1. The application is consistent with the Park City Land Management Code and applicable State law regarding change of non-conforming uses.
2. Neither the public nor any person will be materially injured by the proposed non-conforming use change application.
3. Approval of the non-conforming use change application, 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. All conditions of approval of the 333 Main Street Subdivision plat and the 333 Main Street condominium plat, once recorded, shall apply to this application.
2. All new construction at this property shall comply with all applicable building codes and any current non-compliance issues for tenant spaces and residential units, such as ADA access and bathrooms, restaurant grease traps, etc. within the building shall be addressed at the time of building permit review.
3. There shall be no parking on Park Avenue associated with either the commercial uses or the residential units.
4. There shall be no services provided to the Main Street Mall building from Park Avenue, including such services as trash pick-up, delivery services, or similar services for any commercial uses.
5. Removal of any trees within the Main Street or Park Avenue ROW requires approval by the City Engineer, a grubbing permit from the Building Department, and a landscape mitigation plan approved by the Planning Department that identifies the size and type of all trees to be removed and size and type of replacement trees. A certified arborist shall provide a report on the health of any trees to be removed.
6. Removal of any trees from the subject Property requires approval by the Planning Director and a grubbing permit from the Building Department. The final landscape plan, to be submitted with the grubbing permit, shall identify the size and type of all trees to be removed and the size and type of all replacement trees and vegetation.
7. A soils removal plan that complies with requirements of the Park City Soils Ordinance shall be submitted with the building permit application for any proposed exportation of soil from the site.
8. All business licenses and solid waste removal services fees shall be current for each business prior to issuance of any building permits for the project.
9. A Parking Management Plan shall be submitted with the building permit application for review and approval by the City prior to issuance of any building permits for the residential units. The Plan shall address the parking management and strategy for residential parking in the China Bridge Parking Structure during the peak visitor seasons and special events on Main Street, such as the Sundance Film Festival.
10. All standard conditions of approval shall apply.
11. Staff shall review the proposal for compliance with the Affordable Housing Resolution 25-12.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at 435-615-5066 or email me at kirsten@parkcity.org.

Sincerely,



Kirsten A. Whetstone, MS, AICP
Senior Planner

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